



**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
JANUARY 7, 2016, 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 67-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Bill Mace for zone change on property at the intersection of Tiny Town Road and Heritage Point Drive from C-5 Highway & Arterial Commercial District to R-2D Two Family Residential District (*RPC: Approval/Approval*)
2. **ORDINANCE 68-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of River Investments GP for zone change on property at the intersection of Warfield Boulevard and Rivermont Drive from R-1 Single Family Residential District to MLUD Mixed Land Use District (*RPC: Approval/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 36-2015-16** (Second Reading) Amending the FY16 General Fund Budget to transfer funds to Clarksville Transit System to provide matching funds for a paratransit vehicle grant
2. **ORDINANCE 46-2015-16** (Second Reading) Authorizing purchase of Vanessa Hollis property located on Kraft Street for the Clarksville Greenway
3. **ORDINANCE 47-2015-16** (Second Reading) Authorizing purchase of Randall Arthur property located on Kraft Street for the Clarksville Greenway
4. **ORDINANCE 48-2015-16** (Second 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
5. **ORDINANCE 50-2015-16** (Second Reading) Amending the Official Code relative to General Rules of Order, items previously denied
6. **ORDINANCE 51-2015-16** (Second Reading) Amending the Official Code relative to duties of the City Court Clerk
7. **ORDINANCE 52-2015-16** (Second Reading) Amending the Official Code relative to city departments
8. **ORDINANCE 53-2015-16** (Second Reading) Amending the Official Code relative to composition of standing committees
9. **ORDINANCE 55-2015-16** (Second Reading) Amending the FY16 Parks & Recreation budget for additional lighting of the Heritage Park Soccer Complex
10. **ORDINANCE 56-2015-16** (Second Reading) Amending Zoning Ordinance and the Official Code to establish the Downtown Urban Design Overlay District
11. **ORDINANCE 57-2015-16** (Second Reading) Amending the Zoning Ordinance and the Official Code to establish the Downtown Urban Design Overlay District standards and guidelines
12. **ORDINANCE 58-2015-16** (Second Reading) Amending the Zoning Ordinance and the Official Code to establish Central Business District and Downtown sidewalk sign regulations

13. **ORDINANCE 59-2015-16** (Second Reading) Amending the Official Code relative to the Gas, Water, & Sewer Committee
14. **ORDINANCE 60-2015-16** (Second Reading) Amending the Official Code relative to the Parks & Recreation Committee
15. **ORDINANCE 61-2015-16** (Second 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
16. **RESOLUTION 19-2015-16** Approving a retail liquor store Certificate of Compliance for Todd E. Morris for operation of Mulligan's (2255 Wilma Rudolph Blvd.) (*CPD: No Criminal History*)
17. **RESOLUTION 20-2015-16** Approving a Certificate of Compliance for Margaret M. Ham, Gerald Linn Evans, and Greg Amoroso for sale of wine at Food Lion (2304 Madison Street) (*CPD: No Criminal History*)
18. **RESOLUTION 22-2015-16** Approving a retail liquor store Certificate of Compliance for Beach Liquors, LLC (William Beach, Katherine Beach, Bill Beach) for operation of Riverbend Wine & Spirits (1206 Highway 48) (*CPD: No criminal history*)
19. Adoption of Minutes: December 3<sup>rd</sup>, December 21<sup>st</sup>
20. Approval of Board Appointments:

Design Review Board:

Doug Jones (RHZC), Gail Longton (RHZC)	Jan. 2016 – Sept. 2016
Gary Norris (RHZC), Marsha Williams (RHZC)	Jan. 2016 – Sept. 2017
John Gannon (RHZC), Robert Nichols (RHZC)	Jan. 2016 – Aug. 2018
Geno Grubbs (RHZC)	Jan. 2016 – Dec. 2018
Morrell Boyd (General Public), Carter Briggs	Jan. 2016 – Dec. 2019
Sally Castleman (General Public), Marc Harris (General Public)	Jan. 2016 – Dec. 2020

Museum Board: Mike Alexander – Jan. 2016 through Dec. 2016

Residential Development Commission: Valerie Guzman, Joel Wallace – Jan. 2016 through Dec. 2017

6) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

*David Allen, Chair*

7) FINANCE COMMITTEE

*Joel Wallace, Chair*

1. **ORDINANCE 49-2015-16** (First Reading) Amending the Official Code relative to City Council compensation (*Finance Committee: Approval*)
2. **ORDINANCE 63-2015-16** (First Reading) Authorizing donation of property located at 1014 Daniel Street to Buffalo Valley (*Finance Committee: Approval*)
3. **ORDINANCE 64-2015-16** (First Reading) Authorizing sale of property located on Public Square to Wayne Wilkinson (*Finance Committee: Approval*)
4. **ORDINANCE 65-2015-16** (First Reading) Amending the FY16 Municipal Properties Budget for acquisition of the Hollis property and Arthur property for the Clarksville Greenway (*Finance Committee: Approval*)

8) GAS & WATER COMMITTEE

*Wallace Redd, Chair*

9) PARKS, RECREATION, GENERAL SERVICES

*Valerie Guzman, Chair*

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. **RESOLUTION 21-2015-16** Supporting a grant application for the 2016 Safe Routes to School Program through the Tennessee Department of Transportation  
*(Councilman Wallace)*
2. **ORDINANCE 66-2015-16** (First Reading) Amending the Official Code relative to city council compensation *(Councilwoman Smith)*
3. **ORDINANCE 69-2015-16** (First Reading) Relative to hiring of city employees  
*(Councilman Burkhart)*

### 14) MAYOR AND STAFF REPORTS

### 15) ADJOURNMENT

ORDINANCE 67-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF BILL MACE FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF TINY TOWN ROAD AND HERITAGE POINT 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 C-5 Highway & Arterial Commercial District, as R-2D Two Family Residential District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Beginning at a point, said point being 384 +/- feet northeast of the intersection of Tiny Town Rd. & Heritage Pointe Dr. said point also being the southwest corner of the herein described tract and the northwest corner of the Gonul Velaquez property, thence in a northerly direction 727 +/- feet with the west ROW boundary of Heritage Pointe Dr. to a point, said point being in the southern boundary of the Heritage Pointe Apartments property, thence in a easterly direction 200 +/- with the Heritage Pointe Apartments property boundary to a point, said point being in the western boundary of the Clare Cheairs Abrahamson property, thence in a southerly direction 717 +/- feet with the western boundary of the Clare Cheairs Abrahamson property to the a point, said point being the northeast corner of the Gonul Velaquez property, thence in a westerly direction 198 +/- feet with the Gonul Velaquez northern property line to the point of beginning, containing 3.26 +/- acres, further identified as (Tax Map 8 Parcel 13.05)

ORDINANCE 68-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF RIVER INVESTMENTS GP FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF WARFIELD BOULEVARD AND RIVERMONT 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-1 Single Family Residential District, as MLUD Mixed Land Use District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Beginning at a point in the west right of way of Warfield Blvd, said point lying North 22 degrees 49 minutes 58 seconds West for 445.54 feet from the centerline intersection of Warfield Blvd and Rivermont Drive, also being the north corner of herein described parcel; Thence along Warfield west right of way, on a curve to the right having a radius of 1,870.00 feet, an arc length of 436.76 feet, a delta of 13 degrees 22 minutes 56 seconds, a tangent of 219.38 feet, a chord bearing of South 04 degrees 35 minutes 31 seconds East for 435.77 feet to a point; Thence continuing along Warfield Blvd, South 01 degrees 57 minutes 49 seconds East for 408.22 feet to a point; Thence continuing along Warfield Blvd, South 03 degrees 17 minutes 49 seconds East for 202.25 feet to a point; Thence continuing along Warfield Blvd, on a curve to the left having a radius of 2,994.79 feet, an arc length of 1,059.63 feet, a delta of 20 degrees 16 minutes 21 seconds, a tangent of 535.41 feet, a chord bearing of South 14 degrees 05 minutes 07 seconds East for 1,054.11 feet to a point, being the southeast corner of herein described tract; Thence leaving Warfield Blvd on a new zone line for the next 16 calls: South 65 degrees 46 minutes 42 seconds West for 183.98 feet to a point; North 43 degrees 57 minutes 08 seconds West for 127.31 feet to a point; North 09 degrees 33 minutes 03 seconds West for 260.02 feet to a point; North 19 degrees 50 minutes 48 seconds West for 108.03 feet to a point; North 64 degrees 12 minutes 33 seconds West for 95.72 feet to a point; South 52 degrees 16 minutes 17 seconds West for 138.95 feet to a point; North 19 degrees 01 minutes 53 seconds West for 368.94 feet to a point; North 12 degrees 00 minutes 01 seconds East for 122.40 feet to a point; North 06 degrees 51 minutes 23 seconds West for 290.70 feet to a point; North 06 degrees 36 minutes 48 seconds East for 80.35 feet to a point; North 14 degrees 02 minutes 10 seconds West for 104.93 feet to a point; North 13 degrees 19 minutes 15 seconds East for 235.97 feet to a point; North 32 degrees 37 minutes 30 seconds East for 198.47 feet to a point; North 07 degrees 13 minutes 05 seconds East for 105.66 feet to a point; North 24 degrees 38 minutes 24 seconds West for 271.55 feet to a point; North 80 degrees 45 minutes 39 seconds East for 303.25 feet to the point of beginning. Said parcel containing 15.71+/- acres further identified as (Tax Map 64, Parcel 1.00 p/o)



**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 12/30/2015

**CASE NUMBER:** Z - 33 - 2015

**NAME OF APPLICANT:** Bill

Mace

**AGENT:**

---

**GENERAL INFORMATION**

**PRESENT ZONING:** C-5

**PROPOSED ZONING:** R-2D

**EXTENSION OF ZONE**

**CLASSIFICATION:** NO

**APPLICANT'S STATEMENT FOR PROPOSED USE:** Owner wants to build duplexes on the property.

**PROPERTY LOCATION:** 500+/- feet north of the Tiny Town Rd. & Heritage Pointe Dr. intersection fronting on the east and west of Heritage Pointe Dr.

**ACREAGE TO BE REZONED:** 3.26

**DESCRIPTION OF PROPERTY** Vacant level C-5 Grass covered tract.

**AND SURROUNDING USES:** R-4 Multi-Family- north; C-5- west & south; AG- East

**GROWTH PLAN AREA:**

CITY TAX PLAT: 08

**PARCEL(S):** 13.05

**CIVIL DISTRICT:** 2nd

**CITY COUNCIL WARD:** 8

**COUNTY COMMISSION DISTRICT:** 18

**PREVIOUS ZONING HISTORY:** Z-4-2014 (C-4 to C-5) Staff +; RPC+; City Council Approval  
**(to include zoning, acreage and action by legislative body)**

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**

**STAFF REVIEW - ZONING**

**DEPARTMENT COMMENTS**

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> GAS AND WATER ENG. SUPPORT MGR.  | <input checked="" type="checkbox"/> ATT                      | <input type="checkbox"/> DIV. OF GROUND WATER |
| <input checked="" type="checkbox"/> GAS AND WATER ENG. SUPPORT COOR. | <input checked="" type="checkbox"/> FIRE DEPARTMENT          | <input type="checkbox"/> HOUSING AUTHORITY    |
| <input type="checkbox"/> UTILITY DISTRICT                            | <input type="checkbox"/> EMERGENCY MANAGEMENT                | <input type="checkbox"/> INDUSTRIAL DEV BOARD |
| <input checked="" type="checkbox"/> JACK FRAZIER                     | <input checked="" type="checkbox"/> POLICE DEPARTMENT        | <input type="checkbox"/> CHARTER COMM.        |
| <input checked="" type="checkbox"/> CITY STREET DEPT.                | <input type="checkbox"/> SHERIFF'S DEPARTMENT                | <input type="checkbox"/> Other...             |
| <input checked="" type="checkbox"/> TRAFFIC ENG. - ST. DEPT.         | <input checked="" type="checkbox"/> CITY BUILDING DEPT.      |   |
| <input type="checkbox"/> COUNTY HIGHWAY DEPT.                        | 1. <input type="checkbox"/> COUNTY BUILDING DEPT.            |   |
| <input type="checkbox"/> CEMC  | <input checked="" type="checkbox"/> SCHOOL SYSTEM OPERATIONS |   |
| <input checked="" type="checkbox"/> DEPT. OF ELECTRICITY (CDE)       | <input type="checkbox"/> FT. CAMPBELL                        |   |

1. **CITY ENGINEER/UTILITY DISTRICT:** Comments Received From Department And They Had No Concerns.

2.

1a. **COST TO ENGINEER/UTILITY DISTRICT:**

Comments Received From Department And They Had No Concerns.

2. **STREET DEPARTMENT/  
COUNTY HIGHWAY DEPARTMENT:**

3.

2a. **COST TO STREET/HIGHWAY DEPT.:**

Sinkhole Storage Requirements.

3. **DRAINAGE COMMENTS:**

4.

3a. **DRAINAGE COST:**

4. **CDE/CEMC:**

5.

4a. **COST TO CDE/CEMC:**

5. **CHARTER COMM./BELL SOUTH:**

6.

5a. **COST TO CHARTER AND/OR BELLSOUTH:**

6. **FIRE DEPT/EMERGENCY MGT.:**

7.

Comments Received From Department And They Had No Concerns.

6a. **COST FIRE DEPT/EMERGENCY MGT.:**

7. **POLICE DEPT/SHERIFF'S OFFICE:**

8.

No Comment(s) Received

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

8. **CITY BUILDING DEPARTMENT/  
COUNTY BUILDING DEPARTMENT:**

9.

Comments Received From Department And They Had No Concerns.

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

9. **SCHOOL SYSTEM:**

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

ELEMENTARY: HAZELWOOD  
MIDDLE SCHOOL: NORTHEAST  
HIGH SCHOOL: NORTHEAST

10.

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:** HERITAGE POINTE DR.

**DRAINAGE:**  
VARIES

**DEVELOPMENT ESTIMATES:**

**APPLICANT'S ESTIMATES**

**HISTORICAL ESTIMATES**

**LOTS/UNITS:**

9 lots / 18 units

**ROAD MILES:**

**POPULATION:**

48

**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**

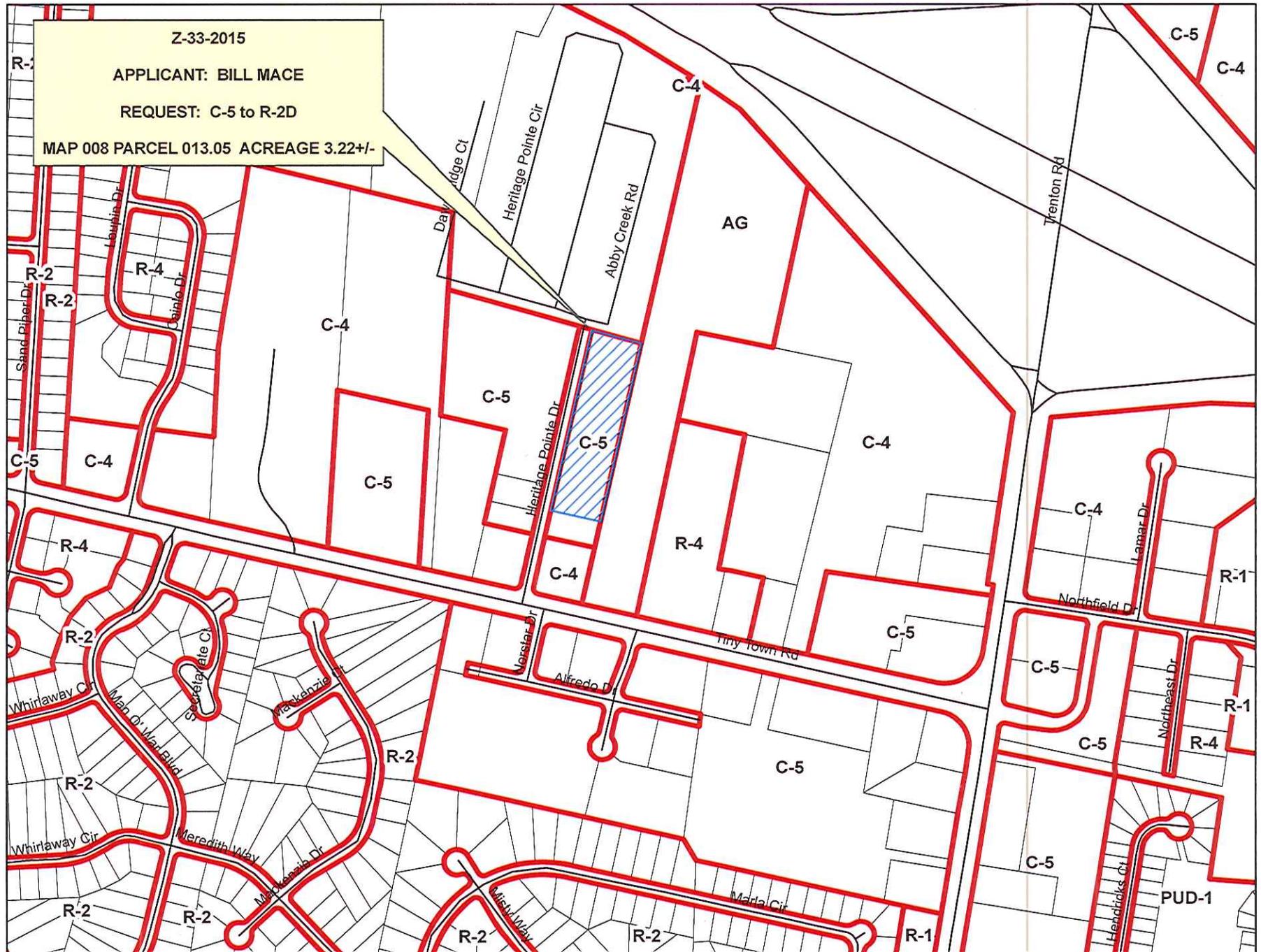
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. No adverse environmental issues were identified relative to this request & adequate infrastructure serves the site.
3. R-2D will allow construction of duplex (two-family) dwellings on individual lots.
- 4.
- 5.

Z-33-2015

APPLICANT: BILL MACE

REQUEST: C-5 to R-2D

MAP 008 PARCEL 013.05 ACREAGE 3.22+/-



CASE NUMBER: Z 33 2015 MEETING DATE 12/30/2015

APPLICANT: Bill Mace

PRESENT ZONING C-5 PROPOSED ZONING R-2D

TAX PLAT # 08 PARCEL 13.05

GEN. LOCATION 500+/- feet north of the Tiny Town Rd. & Heritage Pointe Dr. intersection fronting on the east and west of Heritage Pointe Dr.

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 9:00 a.m. on 12/30/2015 (jhb).

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 12/30/2015

**CASE NUMBER:** Z - 34 -2015

**NAME OF APPLICANT:** River

Investments G P

**AGENT:** Gary

Keckley

---

**GENERAL INFORMATION**

**PRESENT ZONING:** R-1

**PROPOSED ZONING:** MLUD

**EXTENSION OF ZONE**

**CLASSIFICATION:** NO

**APPLICANT'S STATEMENT** Senior Assisted Living Facility with Residential options.  
**FOR PROPOSED USE:**

**PROPERTY LOCATION:** fronting on the west frontage of Warfield Blvd. west of the Warfield Blvd. & Rivermont Dr. intersection.

**ACREAGE TO BE REZONED:** 15.71

**DESCRIPTION OF PROPERTY** Wooded landed with varying topography.

**AND SURROUNDING USES:** R-1 Single Family (Golf Course)- north, west, & south; R-1 Single Family Homes- East

**GROWTH PLAN AREA:**

CITY TAX PLAT: 064

**PARCEL(S):** 1.00 p/o

**CIVIL DISTRICT:** 6th

2

**CITY COUNCIL WARD:** 11

**COUNTY COMMISSION DISTRICT:** 2

**PREVIOUS ZONING HISTORY:** Z-46-2000 (R-1 to C-5) Staff -; RPC-; City Council- Disapproved  
**(to include zoning, acreage and** Z-22-2000 (R-1 to C-5) Staff -; RPC-; Application Withdrawn by applicant  
**action by legislative body)**

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**

**STAFF REVIEW - ZONING**

**DEPARTMENT COMMENTS**

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> GAS AND WATER ENG. SUPPORT MGR.  | <input checked="" type="checkbox"/> ATT                      | <input type="checkbox"/> DIV. OF GROUND WATER |
| <input checked="" type="checkbox"/> GAS AND WATER ENG. SUPPORT COOR. | <input checked="" type="checkbox"/> FIRE DEPARTMENT          | <input type="checkbox"/> HOUSING AUTHORITY    |
| <input type="checkbox"/> UTILITY DISTRICT                            | <input type="checkbox"/> EMERGENCY MANAGEMENT                | <input type="checkbox"/> INDUSTRIAL DEV BOARD |
| <input checked="" type="checkbox"/> JACK FRAZIER                     | <input checked="" type="checkbox"/> POLICE DEPARTMENT        | <input type="checkbox"/> CHARTER COMM.        |
| <input checked="" type="checkbox"/> CITY STREET DEPT.                | <input type="checkbox"/> SHERIFF'S DEPARTMENT                | <input type="checkbox"/> Other...             |
| <input checked="" type="checkbox"/> TRAFFIC ENG. - ST. DEPT.         | <input checked="" type="checkbox"/> CITY BUILDING DEPT.      |   |
| <input type="checkbox"/> COUNTY HIGHWAY DEPT.                        | 1. <input type="checkbox"/> COUNTY BUILDING DEPT.            |   |
| <input type="checkbox"/> CEMC  | <input checked="" type="checkbox"/> SCHOOL SYSTEM OPERATIONS |   |
| <input checked="" type="checkbox"/> DEPT. OF ELECTRICITY (CDE)       | <input type="checkbox"/> FT. CAMPBELL                        |   |

**1. CITY ENGINEER/UTILITY DISTRICT:**

Comments Received From Department And They Had No Concerns.

2.

**1a. COST TO ENGINEER/UTILITY DISTRICT:**

Traffic Assessment Required. Traffic Assessment Submitted & Reviewed By The Clarksville Street Dept./ Chris Cowan

3.

**2. STREET DEPARTMENT/  
COUNTY HIGHWAY DEPARTMENT:**

**2a. COST TO STREET/HIGHWAY DEPT.:**

Comments Received From Department And They Had No Concerns.

4.

**3. DRAINAGE COMMENTS:**

**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.

No Comment(s) Received

**7. POLICE DEPT/SHERIFF'S OFFICE:**

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

Comments Received From Department And They Had No Concerns.

9.

**8. CITY BUILDING DEPARTMENT/  
COUNTY BUILDING DEPARTMENT:**

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

**9. SCHOOL SYSTEM:**

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

**9a. COST TO SCHOOL SYSTEM:**

**10. FT. CAMPBELL:**

**10a. COST TO FT. CAMPBELL:**

**11. OTHER COMMENTS:**

11. General Review Of Submitted Site Plan Reviewed By Ruth Russell.

171 Assisted Living Beds / 32 Senior Housing Detached.

**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:** WARFIELD BLVD.

**DRAINAGE:**  
WEST

**DEVELOPMENT ESTIMATES:**

**APPLICANT'S ESTIMATES**

**HISTORICAL ESTIMATES**

**LOTS/UNITS:**

203 See Above

**ROAD MILES:**

**POPULATION:**

**ELEMENTARY SCHOOL STUDENTS:**

**MIDDLE SCHOOL STUDENTS:**

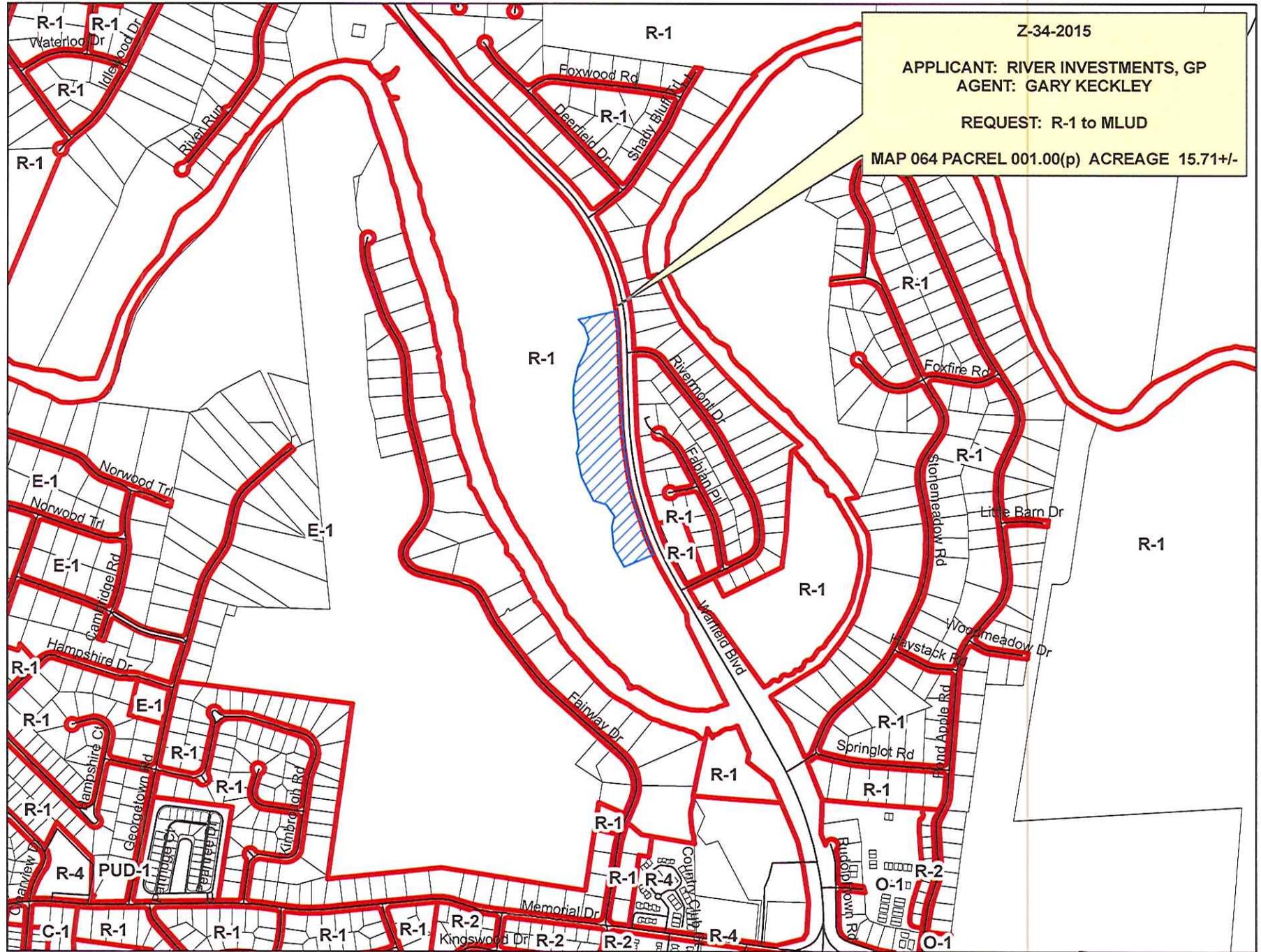
**HIGH SCHOOL STUDENTS:**

**APPLICABLE COMPREHENSIVE PLAN ELEMENTS:**

Rossvie Road Planning Area - One of the most diversified areas of the county in terms of land use. It has the best remaining agricultural land. One of the fastest growing sectors of Montgomery County. Factors affecting growth all average to above average.

**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 utility infrastructure serves the site.
3. The submitted comprehensive development site plan facilitates an appropriate arrangement of uses and buildings with acceptable vehicular and pedestrian circulation.
4. Submitted traffic assessment identifies the existing Level of Service of Warfield Blvd. Proposed development does not adversely impact capacity of the transportation and does not necessitate offsite transportation improvements
- 5.



CASE NUMBER: Z 34 2015 MEETING DATE 12/30/2015  
APPLICANT: River Investments G P  
PRESENT ZONING R-1 PROPOSED ZONING MLUD  
TAX PLAT # 064 PARCEL 1.00 p/o  
GEN. LOCATION fronting on the west frontage of Warfield Blvd. west of the Warfield Blvd. &  
Rivermont Dr. intersection.

\*\*\*\*\*

**PUBLIC COMMENTS**

None received as of 9:00 a.m. on 12/30/2015 (jhb).

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:* December 3, 2015

*SECOND READING:*

*EFFECTIVE DATE:*

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 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.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

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, 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.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

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
- Rossvie Road (S.R. 237) Widening/Intersection Improvement Project (West of I-24 To Cardinal Lane)
- Rossvie 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 (Rossvie Elementary) Force Main Project
- S.R. 374 From Stokes Road To Dunbar Cave Road Widening/Intersection Improvement Project

*FIRST READING:* December 3, 2015

*SECOND READING:*

*EFFECTIVE DATE:*

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.

Except for budget ordinances, no ~~item~~ resolution or ordinance previously denied upon a vote of the city council shall be reintroduced within a period of one year; however, such a resolution or ordinance may be reintroduced as new business upon a two-thirds (2/3) majority vote of the council members present. The determination of whether a resolution or ordinance is the same as one previously denied shall be determined by the Chair, whose decision shall be subject to a majority vote of the ~~full membership of the~~ City Council members present.

- (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 3/4 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 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:*

December 3,2015

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:*                      December 3, 2015  
*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 COMMITTEES

*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:*                      December 3, 2015  
*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 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:* December 3, 2015

*SECOND READING:*

*EFFECTIVE DATE:*

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 amend 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 completed 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 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.

*PUBLIC HEARING:* December 3, 2015  
*FIRST READING:* December 3, 2015  
*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

**Regional Planning Commission Case No. ZO-03-2015**

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.



## 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.

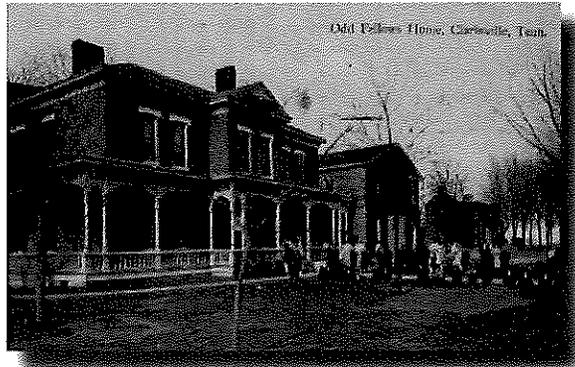
**2. Name Sake:** With a population of 132,929 according to the 2010 census data, Clarksville currently stands as the fifth largest city in the state of Tennessee. Clarksville is a city rich in history and tradition dating back to its founding in 1785. The city is named for General George Rogers Clark,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

**3. 19<sup>th</sup> 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.

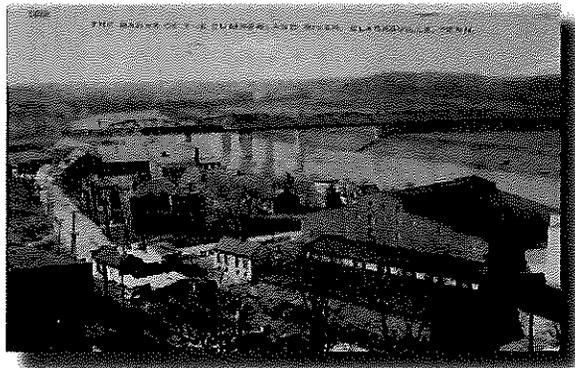
**Civil War:** During the Civil War, Clarksville was first fortified by the



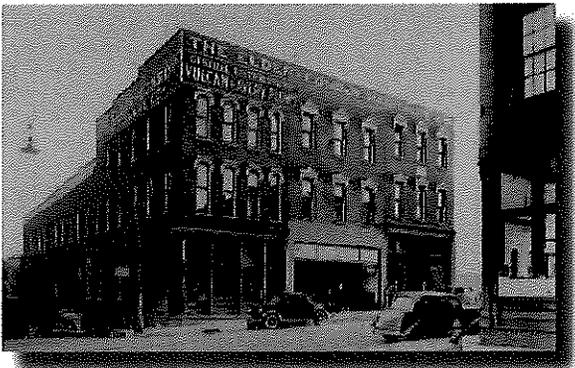
Historic Franklin Street.



Odd Fellows Home.

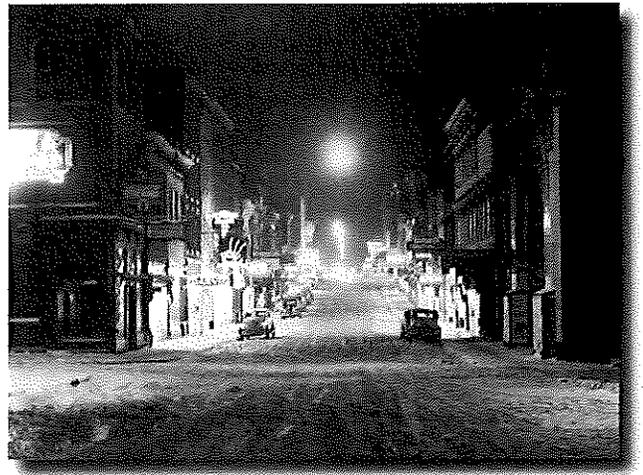


Historic Cumberland Riverfront.



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.

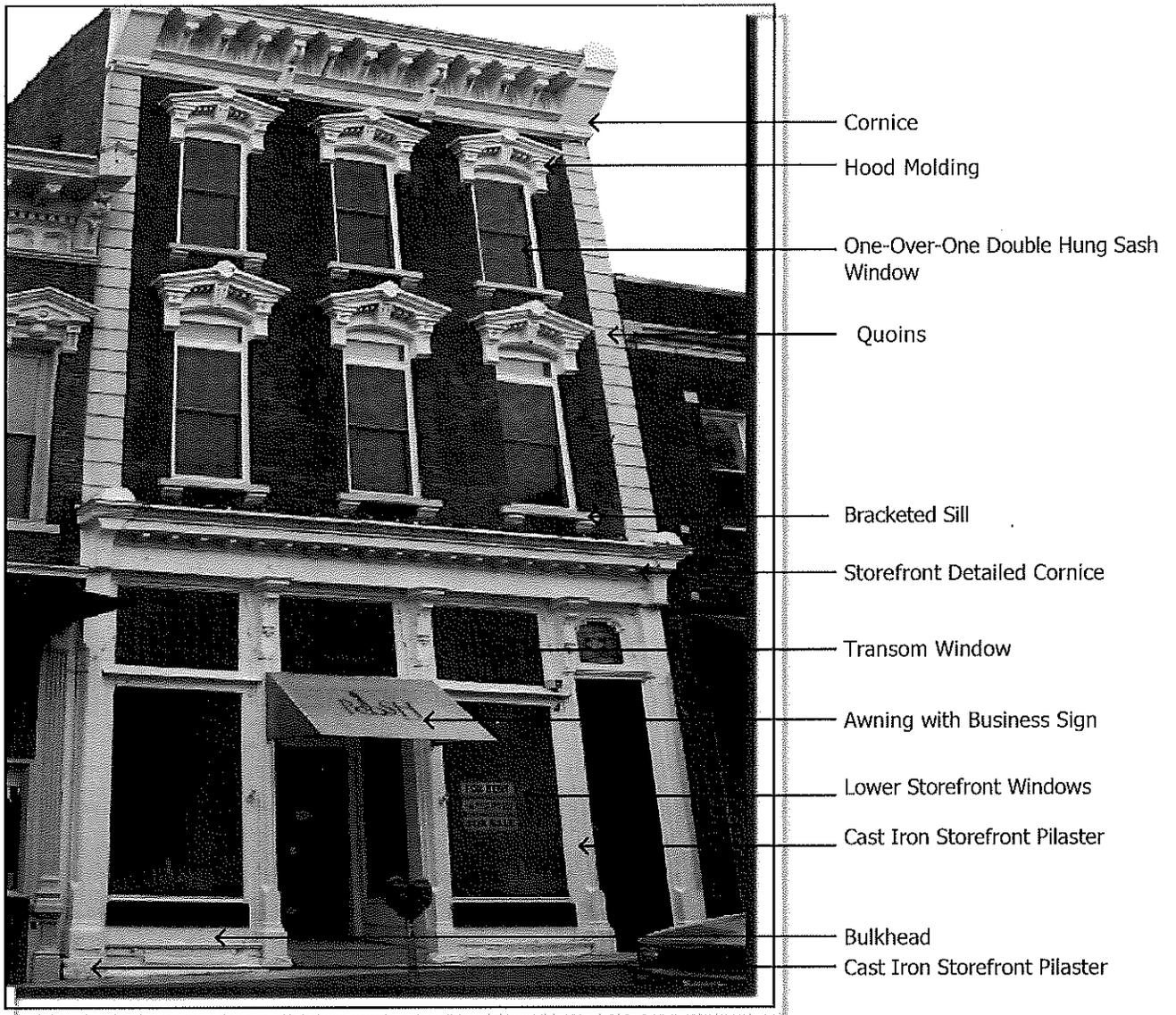


Franklin Street in the 1950s.

**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

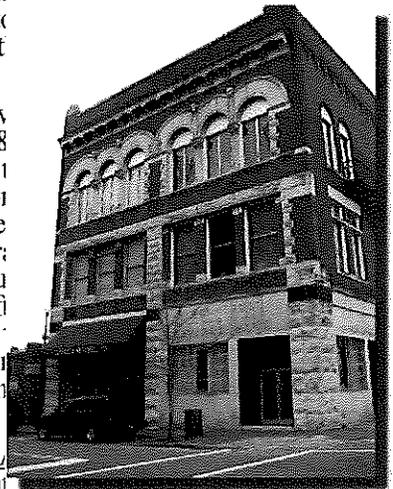
7. Commercial Architecture Styles

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



Italianate - 131 Franklin St.

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



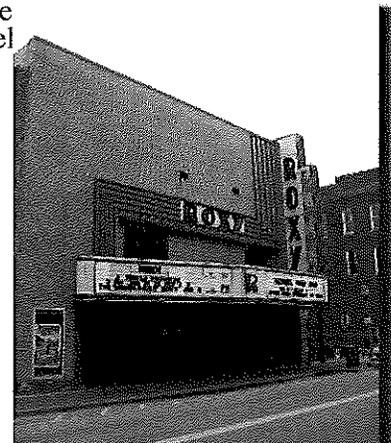
Victorian Romanesque - 215 Franklin St.

c. Around the turn of the twentieth century, there was a renewed interest in Classical architecture. The buildings of the 1893 World's Columbian Exposition held in Chicago influenced the rise of the Colonial Revival style (1895-1930), which favored classical ideals of order and balance. Such sensibilities were a stark contrast to the flamboyance and asymmetry that characterized Victorian styles. The Colonial Revival style was popular for commercial, residential, and religious architecture. It often features full-height porticos and classical columns on primary facades. The style is also characterized by a centered entrance and symmetry. In downtown Clarksville, the Colonial 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 originated 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 Theater built in 1947 features vertical and horizontal banding as well as 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/Deco/Art Moderne - Roxy Theater

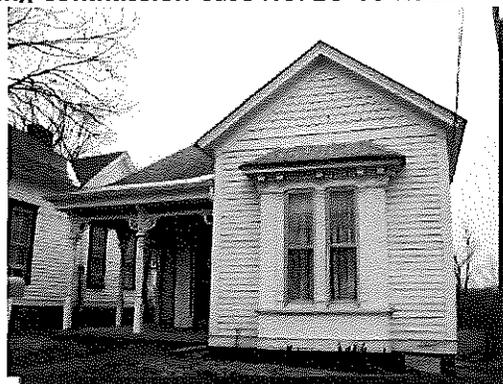
8. Architectural Glossary: Residential Buildings



- Chimney
- Pitched Gable Roof
- Weatherboard Siding
- Hood Molding
- Double Hung Window
- Porch Roof Entablature
- Overhead Light
- Sidelight
- Ionic Columns
- Handrail
- Foundation Pier
- Lattice Work

## 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.

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.



Colonial Revival - 609 Anderson Dr.

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.



Craftsman - 99 Union St.

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.



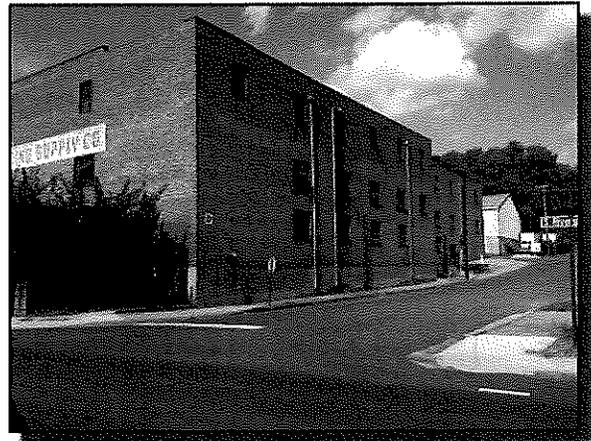
Tudor Revival - 611 Anderson Dr.

## 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.
- 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.



One-story brick commercial building on Riverside.



Example of multi-story commercial building.

- 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

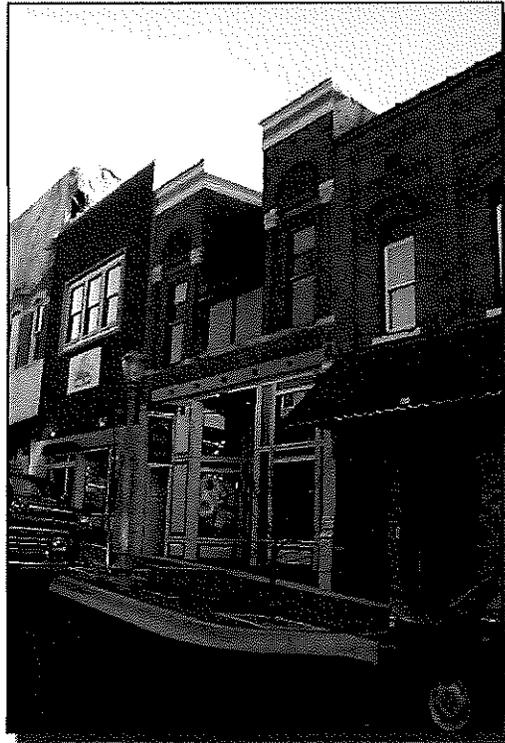
1. **Overview:** These guidelines have been developed for specific application in the Downtown Overlay District to provide detailed assistance to building owners and the Design Review Board. These guidelines are used for the review of improvements to buildings in National Historic Districts and on the 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

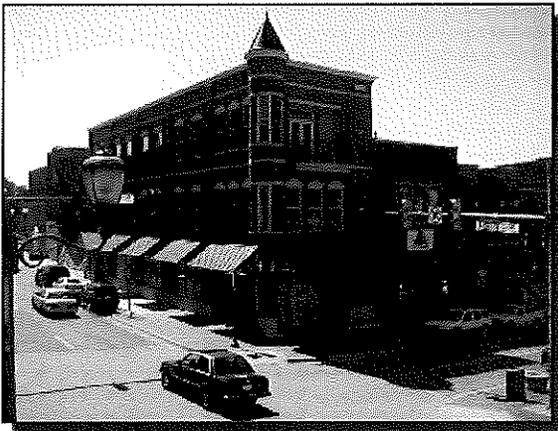
These guidelines are targeted for design standards that preserve the existing historic character and include a wide variety of building types. Development should consider the relationship to surrounding structures currently found in the immediate area. Examples of commercial and mixed-use buildings are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



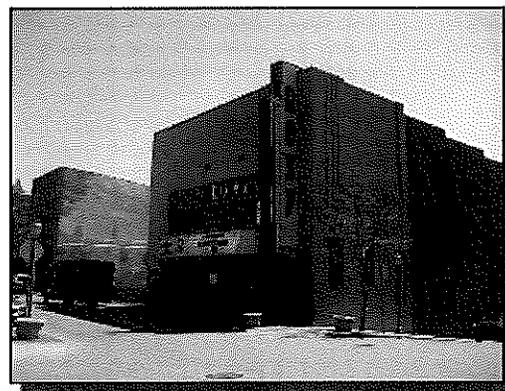
Franklin Street



Storefront - Franklin Street



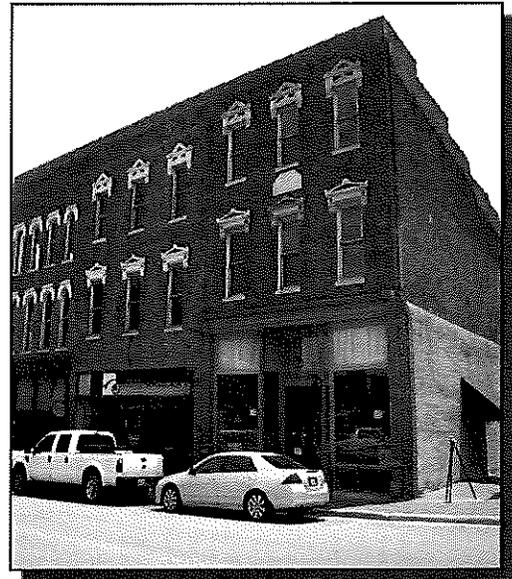
Recent example of compatible infill - Franklin Street.



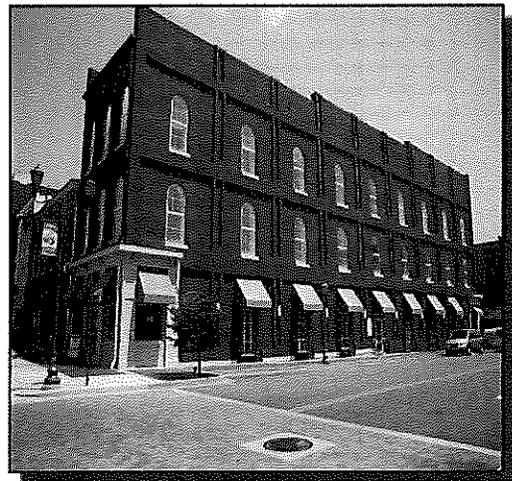
Theatre - Franklin Street

**1. Storefronts**

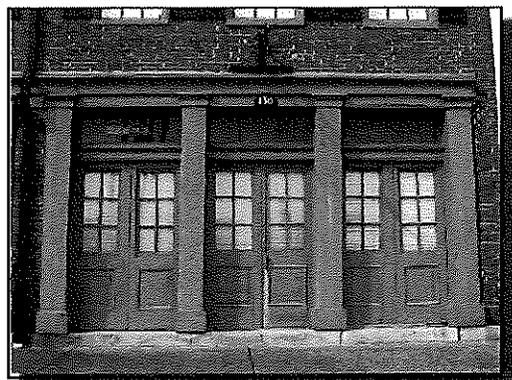
- a. Storefronts are often the most visible feature of historic commercial buildings. Maintain storefront components, including display windows, bulkheads, transoms, doors, cornices, pillars and pilasters, with proper care and treatment. Do not cover or conceal these historic storefront components with 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.
- 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.
- 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.



94 West Franklin Street



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



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.

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.

- 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



Storefront awning on West Franklin Street.



An example of an acceptable ground floor awning.

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.



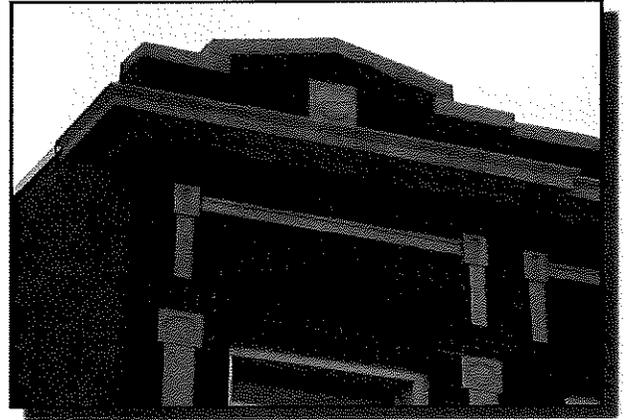
Upper floor windows at 199 Franklin Street.

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.

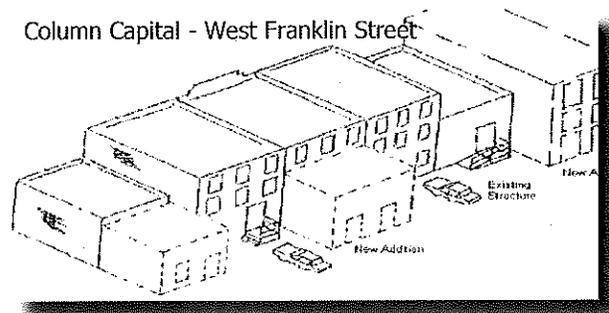


Cornice Detail - Franklin Street

**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.



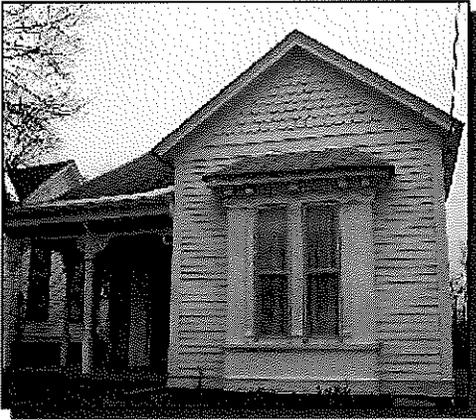
Column Capital - West Franklin Street



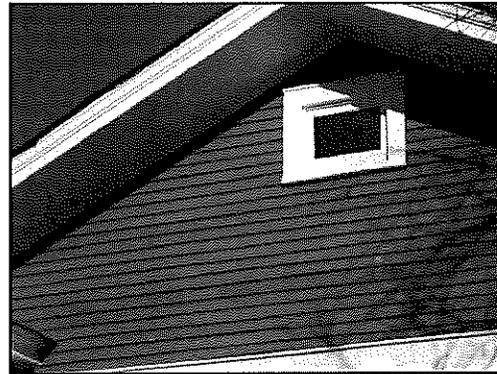
Dashed lines represent appropriate additions.

## 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.
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.



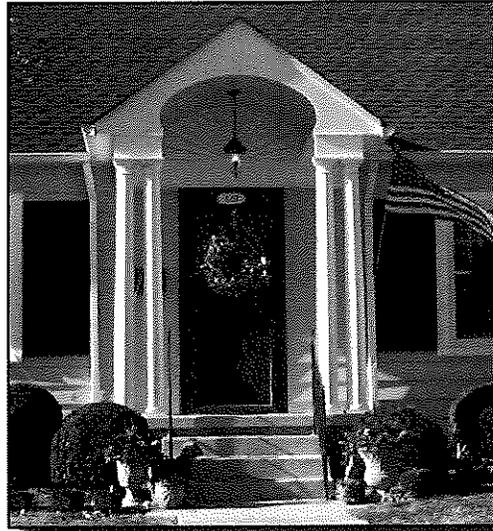
Preserve and maintain original wood siding materials (99 Union Street).

### 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

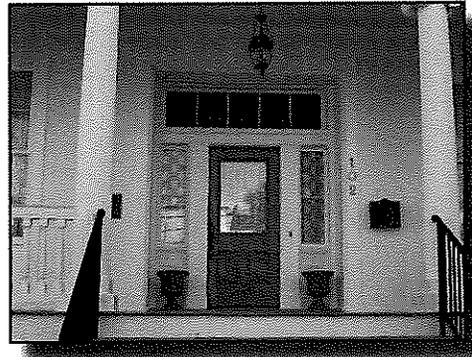
**4. Porches:**

- 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.



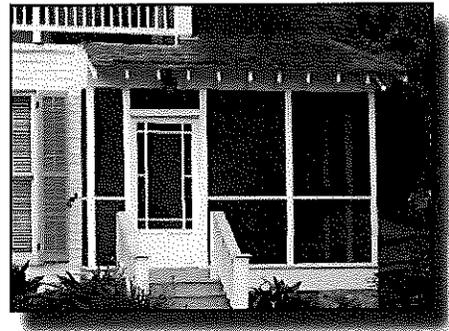
Appropriate door awning at 612 Anderson Drive.

**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).

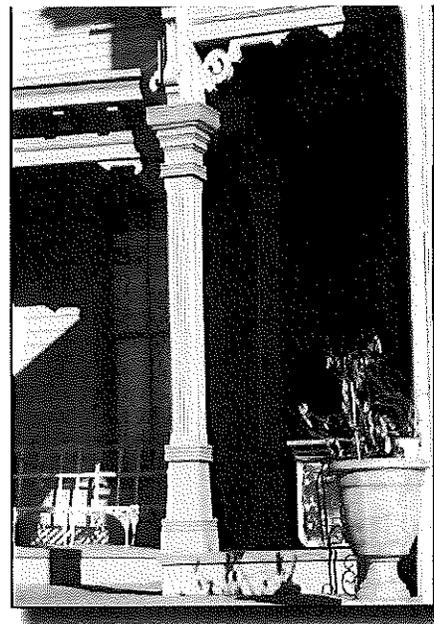
**11. Screens:** While screening in porches is discouraged, this action is permitted and should follow certain guidelines so as to not compromise the architectural integrity of the façade. Visibility of architectural features such as porch columns and any decorative work is essential. Screen panels for 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.



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

**15. Roofs**

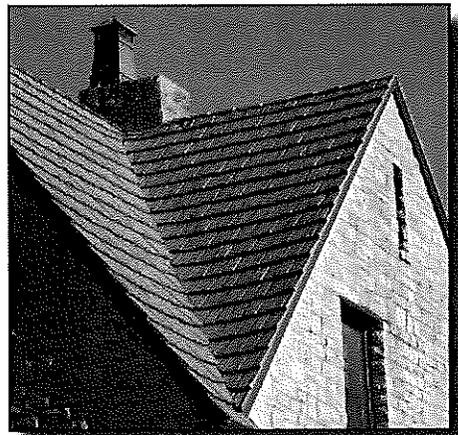
a. Original roof designs should not be changed or altered on the primary and readily visible side elevations through the addition of new dormers or raised roof lines. Original materials such as metal, clay tile and slate should be preserved and maintained. If these features are deteriorated, they should 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.



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



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.



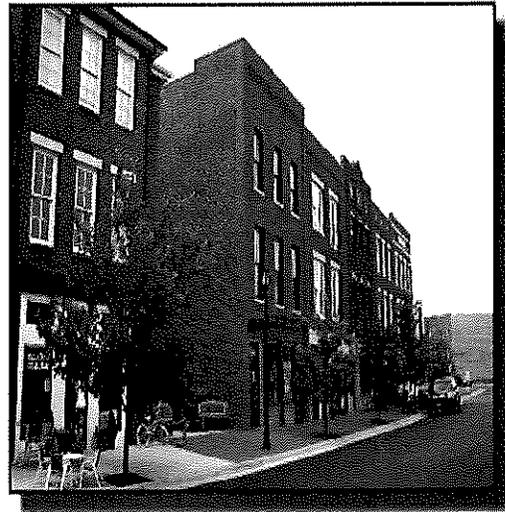
Example of an appropriate chair lift on a front porch.



## 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.



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

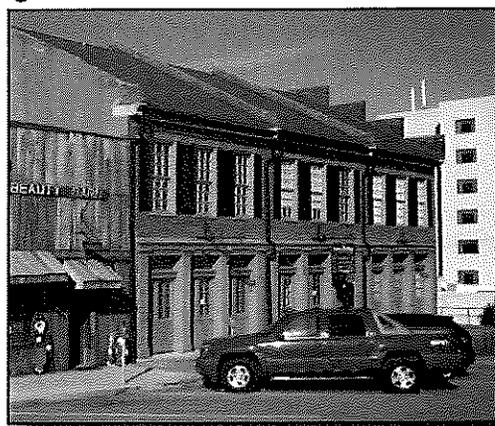
- b. While warehouses historically dominated the riverfront, commercial structures are the predominant building type along Riverside Drive today. The area has evolved into a strip commercial corridor, but needs to be transformed into an urban boulevard, including a median with landscaping and/or specialty 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.



**3. Massing**

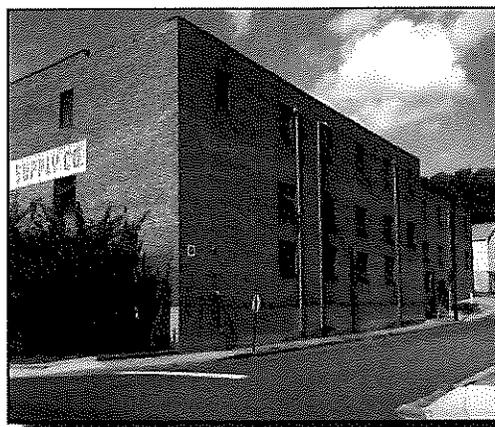
- a. No uninterrupted front façade plane shall extend more than thirty feet. Pilasters, variations in the roof line or parapet wall, or building wall recesses shall be used to break up the mass of a single building into distinct bays no wider than thirty feet. Variations in materials and colors can also 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)

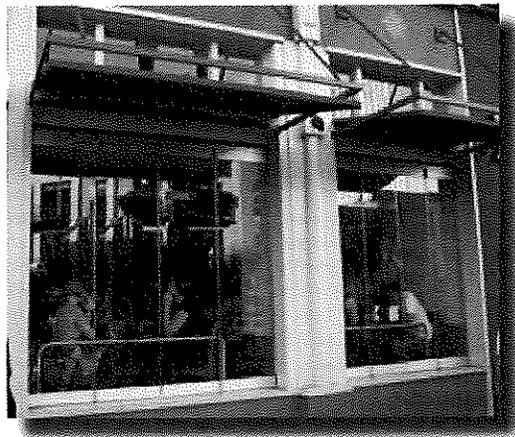
**8. Colors**

- 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.

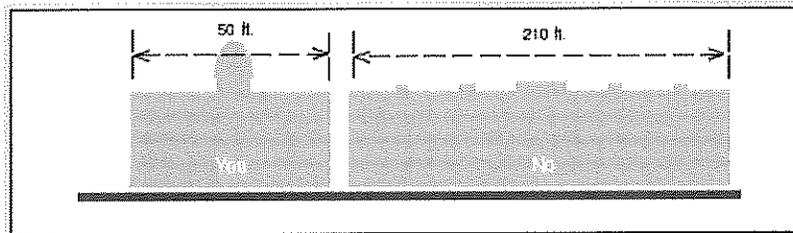
**11. Retractable Storefront Windows:** Façade windows that retract for an open-air design may be acceptable in some areas of downtown. Hinged bi-fold windows open laterally and are the best option visually as they least detract from the building design. The use of full-glass garage-style doors may also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



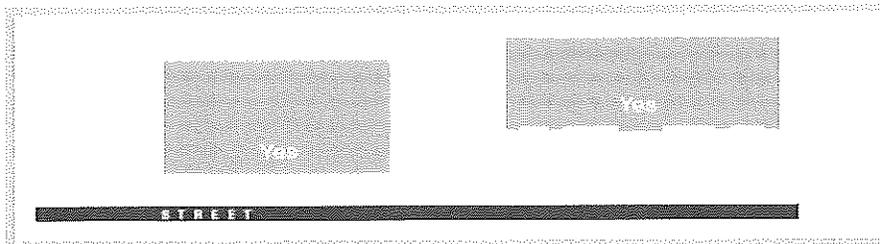
Side-hinged retractable windows on infill building.

### 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.



**Regional Planning Commission Case No. ZO-03-2015**

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.

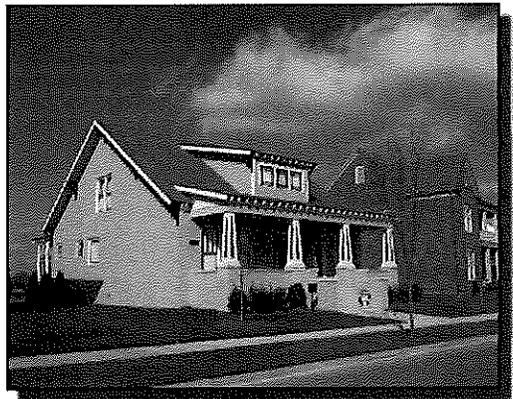
1. **Height:** The building height of a single-family dwelling shall not exceed 2 stories and 25 feet to the eave line. Multifamily apartment buildings can vary in height between one and four stories depending on their location, as depicted on the map in Section F. The height restrictions of the underlying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

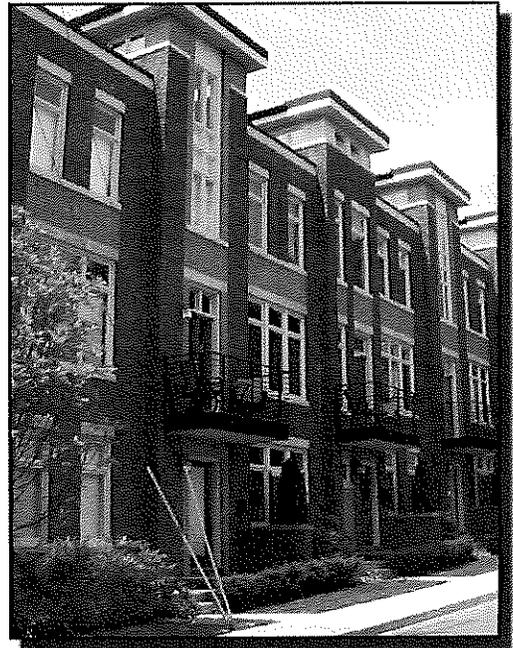
a. In residential neighborhoods of the Downtown Overlay District, front yard setbacks need to be within five (5) feet of the average of the block face. (Consult Chapter 4 for setback standards and Section 4.1.1 for setback exceptions in this zoning ordinance.) An exception from the front setback standards 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. Façades 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 Façades:** 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 1.7.

## 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.

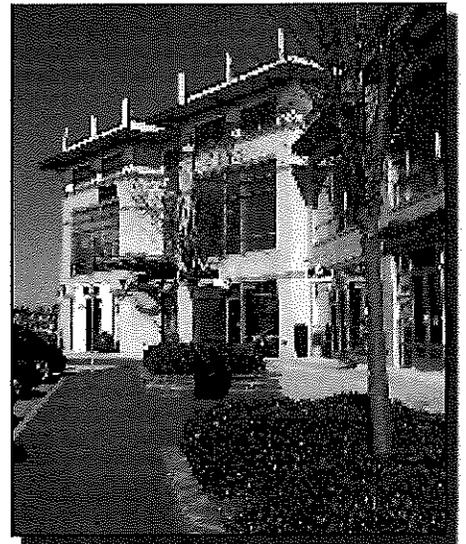
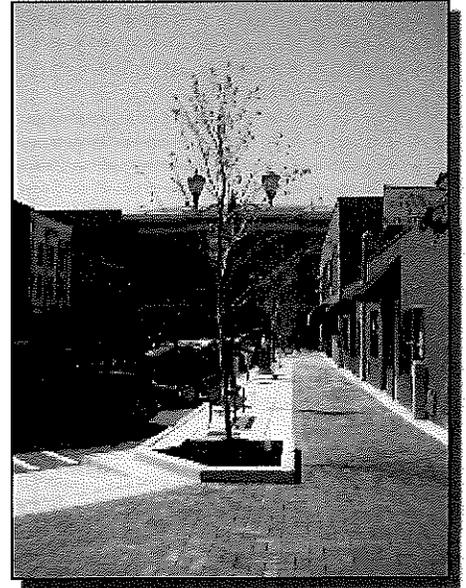
### 2. Sidewalks

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.

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.



The above examples illustrate appropriate sidewalks and cross walks.

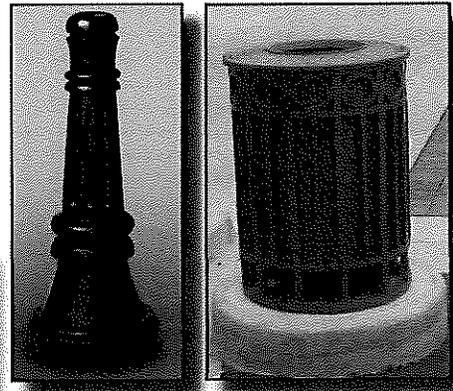
**3. Lighting**

- 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.



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

- 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.

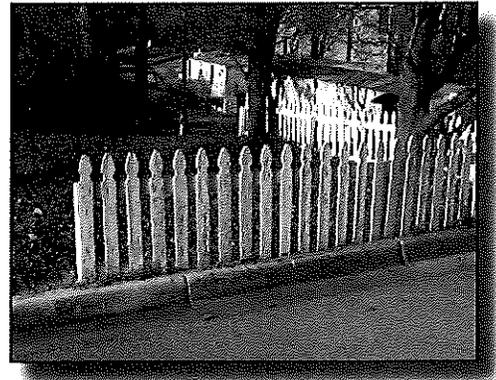


An example of appropriate screening of parking lots includes vegetation and fencing, two acceptable elements for this purpose.

- 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.



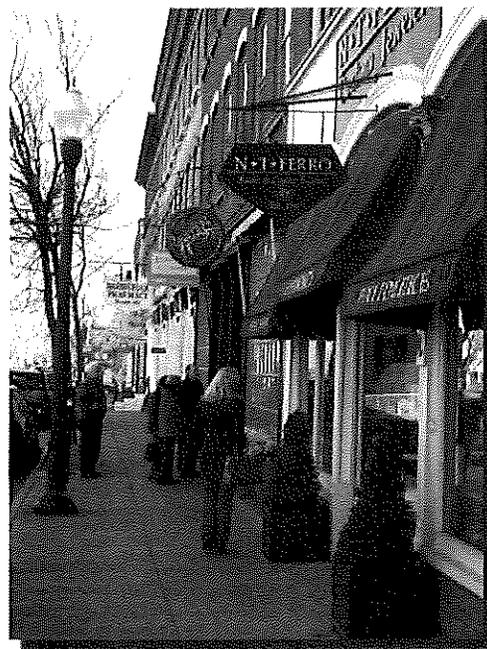
Appropriate design and location of a privacy fence at 103 Marion Street.

**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.
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.



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

*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.

*PUBLIC HEARING:*                   December 3, 2015  
*FIRST READING:*                December 3, 2015  
*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:*                      December 3, 2015  
*SECOND READING:*  
*EFFECTIVE DATE:*

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 CLARKSVILLE, 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:*                      December 3, 2015  
*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 from [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, § 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:* December 3, 2015

*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 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:* December 3, 2015

*FIRST READING:* December 3, 2015

*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.

RESOLUTION 19-2015-16

A RESOLUTION APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR TODD E. MORRIS FOR OPERATION OF MULLIGAN'S

*WHEREAS*, Todd E. Morris, has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for the operation of Mulligan's currently located at 2255 Wilma Rudolph Boulevard; and

*WHEREAS*, the applicant(s) who is/are to be in actual charge of said business has/have not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*;

*WHEREAS*, the applicant(s) has/have secured a location which complies with all restrictions of the laws, ordinances, or resolutions;

*WHEREAS*, the applicant(s) has/have complied with the residency provision;

*WHEREAS*, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

*BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the Clarksville City Council hereby approves a Certificate of Compliance for Todd E. Morris for operation of Mulligan's located at 2255 Wilma Rudolph Boulevard, Clarksville, Tennessee.

*ADOPTED:*

RESOLUTION 20-2015-16

A RESOLUTION APPROVING A CERTIFICATE OF COMPLIANCE FOR SALE OF WINE AT FOOD LION, 2305 MADISON STREET

*WHEREAS*, Margaret M. Ham, Gerald Linn Evans, and Greg Amoroso, have applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for sale of wine at Food Lion, 2305 Madison Street; and

*WHEREAS*, the applicant or applicants who are to be in actual charge of the business have not been convicted of a felony within a ten-year period immediately preceding the date of application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten-year period immediately preceding the date of the application; and

*WHEREAS*, the applicant or applicants have secured a location for the business which complies with all zoning laws adopted by the local jurisdiction, as to the location of the business.

*BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the Clarksville City Council hereby approves a Certificate of Compliance for Margaret M. Ham, Gerald Linn Evans, and Greg Amoroso for sale of wine at Food Lion, 2305 Madison Street, Clarksville, Tennessee.

*ADOPTED:*

RESOLUTION 22-2015-16

A RESOLUTION APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR BEACH LIQUORS, LLC

*WHEREAS*, Beach Liquor, LLC (William Beach, Katherine Beach, and Bill Beach), have applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for the operation of Riverbend Wine & Spirits to be located at 1206 Highway 48; and

*WHEREAS*, the applicant(s) who is/are to be in actual charge of said business has/have not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*;

*WHEREAS*, the applicant(s) has/have secured a location which complies with all restrictions of the laws, ordinances, or resolutions;

*WHEREAS*, the applicant(s) has/have complied with the residency provision;

*WHEREAS*, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

*BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the Clarksville City Council hereby approves a Certificate of Compliance for Beach Liquors, LLC (William Beach, Katherine Beach, Bill Beach) for operation of Riverbend Wine & Spirits located at 1206 Highway 48, Clarksville, Tennessee.

*ADOPTED:*



**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
DECEMBER 3, 2015  
MINUTES**

**CALL TO ORDER**

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, December 3, 2015, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Jeff Burkhart; the Pledge of Allegiance was led by Councilwoman Deanna McLaughlin.

**ATTENDANCE**

**PRESENT:** Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), 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)

**SPECIAL RECOGNITIONS**

Mayor McMillan welcomed members of the Mayor's Youth Council and Boy Scout Troop 562.

Mayor McMillan presented a Mayor's Certificate of Recognition to Clarksville Transit System Bus Driver Joseph Rodriquez for placing third in the conversion van category and to Bus Driver Shaun Server for placing first in the 30' bus category at the recent Tennessee State Bus Roadeo.

Mayor McMillan presented a Mayor's Certificate of Recognition to Clarksville Transit System Director Arthur Bing for being elected President of the Tennessee Public Transportation Association.

**PUBLIC HEARING**

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding zoning amendment and zone changes. The motion was seconded by Councilman Redd. There was no objection.

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

No one spoke for or against this amendment.

**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

No one spoke for or against this amendment.

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

No one spoke for or against this amendment.

**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

No one spoke for or against this request.

**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

Michael Dean said the applicant planned to lease or sell this property for use as an automotive repair center. John Johnson said an auto repair shop would create more traffic congestion and expressed concern about pedestrian safety. Montgomery County Commissioner Audrey Tooley said this type of operation could discourage people from visiting nearby Fort Defiance Park.

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

#### ADOPTION OF ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 56-2015-16**. 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, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

NAY: Guzman

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 57-2015-16**. Councilman Grubbs 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, McLaughlin, 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 **ORDINANCE 58-2015-16**. Councilman Grubbs 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, Lewis, Powers, Redd, Smith, Wallace

NAY: Guzman, McLaughlin

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 61-2015-16**. Councilman Grubbs 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, McLaughlin, 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 62-2015-16**; the 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. Councilwoman Smith said an auto repair operation would disrupt the neighborhood. Councilwoman McLaughlin said C-5 zoning was not conducive to the neighborhood. Councilman Allen expressed support for the residents and asked for disapproval. The following vote was recorded

AYE: Wallace

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

## 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 5<sup>th</sup>
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

Councilman Lewis made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilwoman Guzman. The following vote was recorded:

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

The motion to adopt the Consent Agenda passed.

#### HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

*David Allen, Chair*

Councilman Allen said the Room At The Inn was able to assist single individuals and some churches were offering assistance to families in need of shelter. He said the Office of Housing & Community Development recently assisted in the emergency repair of the Head Start Building HVAC system.

#### FINANCE COMMITTEE

*Joel Wallace, Chair*

**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

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

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

The motion to adopt this ordinance on first reading passed.

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

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

Councilman Allen said the Council should consider that Mr. Seay previously donated land for Fire Station 12 which was near the site of the proposed substation. Councilman Wallace said this particular property was probably not developable because of the TVA transmission line, although the line made the property ideal for a substation. City Attorney Lance Baker said current negotiations were not progressing well.

There was no objection to going out of session to allow CDE Superintendent Brian Taylor answer questions. Mr. Taylor said the two acres in question were appraised at \$120,000. He said Mr. Seay had priced the land at \$200,000 and was asking CDE to build a block wall around the substation. Mr. Taylor said the department would typically install a chain link fence around their facilities and a block wall could cost \$525,000 and would reduce security of the facility. He said

Mr. Seay had also asked CDE to provide service to 116 residential lots at a cost to the department of \$70 per lot. There was no objection to reverting to regular session.

Councilman Allen made a motion to postpone action on this ordinance indefinitely to allow for further negotiations. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, McLaughlin, Powers, Redd, Smith

NAY: Grubbs, Guzman, Lewis, Wallace

The motion to postpone indefinitely passed.

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

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Wallace said timing was critical because this project involved grant funding. Following a lengthy discussion, Councilman Allen made a motion to authorize payment of \$300,000 for this property. The motion was seconded by Councilwoman Smith. Councilwoman McLaughlin noted that this amount was above the appraised price. The following vote was recorded:

AYE: Allen, Powers, Smith

NAY: Alexander, Burkhart, Garrett, Guzman, Lewis, McLaughlin, Redd, Wallace

The motion to authorize \$300,000 for the property failed.

Councilwoman Guzman made a motion to delete all language in this ordinance relative to condemnation. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Guzman, McLaughlin, Powers, Redd, Smith

NAY: Lewis, Wallace

ABSTAIN: Grubbs

The motion to delete authorization for condemnation of this property passed. The following vote on this ordinance as amended was recorded:

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

ABSTAIN: Grubbs

The motion to adopt this ordinance on first reading as amended passed.

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

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

Councilwoman Guzman made a motion to delete all language relative to condemnation. The motion was seconded by Councilman Garrett. The following vote was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, McLaughlin, Powers, Redd, Smith, Wallace

NAY: Grubbs, Lewis

The motion to delete authorization for condemnation of this property passed. The following vote on this ordinance as amended was recorded:

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

The motion to adopt this ordinance on first reading as amended passed.

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

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

Councilman Lewis made a motion to substitute the language presented for new language which included the following:

*Except for budget ordinances, no item resolution or ordinance previously denied upon a vote of the city council shall be reintroduced within a period of one year; however, such a resolution or ordinance may be reintroduced as new business upon a two-thirds (2/3) majority vote of the council members present. The determination of whether a resolution or ordinance is the same as one previously denied shall be determined by the Chair, whose decision shall be subject to a majority vote of the full membership of the City Council.*

The motion was seconded by Councilman Grubbs. Mr. Baker asked that "item" in the first sentence be deleted. There was no objection.

Councilman Burkhart made a motion to delete “full membership of the City Council” and substitute instead “members present.” The motion was seconded by Councilman Garrett. The following vote was recorded:

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

NOTE: Councilman Alexander was not present for this vote.

Councilman Burkhart’s amendment passed. The following vote on Councilman Lewis’s amendment to substitute language as amended:

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

Councilman Lewis’s amendment passed as amended. Councilman Redd made a motion to postpone action to the next regular session. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Redd

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

The motion to postpone failed.

Councilman Redd made a motion to amend the language by adding “plus one” after “members present.” The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Burkhart, McLaughlin

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

Councilman Redd’s amendment failed. The following vote on the original motion as amended was recorded:

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

NAY: Alexander

The motion to adopt this ordinance on first reading as amended passed.

**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

The Finance Committee did not vote on this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Guzman. Councilman Wallace said it was determined by the

Finance Department that this amendment was not necessary at this time. The following vote was recorded:

AYE: ALLEN

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

The motion to adopt this ordinance on first reading failed.

**ORDINANCE 55-2015-16** (First Reading) Amending the FY16 Parks & Recreation budget for additional lighting of the Heritage Park Soccer Complex

The recommendations of the Parks & Recreation Committee and Finance Committee were for approval. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs.

Mayor McMillan suggested an amendment to specify a date that the lights would be installed. Mr. Baker agreed to discuss this matter with the Parks & Recreation Staff and offer amending language for second reading. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

#### GAS & WATER COMMITTEE

*Wallace Redd, Chair*

No report.

#### PARKS, RECREATION, GENERAL SERVICES

*Valerie Guzman, Chair*

**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 during the calendar year 2016 as a test period

There was no recommendation from the Parks & Recreation Committee. Councilwoman Guzman made a motion to substitute the language presented with the following:

*A RESOLUTION DIRECTING THE PARKS AND RECREATION DEPARTMENT TO ALLOW SOCCER PRACTICE ON THE CLARKSVILLE HERITAGE PARK SOCCER COMPLEX GAME FIELDS NOT TO EXCEED EIGHTY (80) CALENDAR DAYS IN CALENDAR YEAR 2016 AS A TEST PERIOD*

*WHEREAS, the Heritage Park Soccer complex has never been used for the purposes of soccer practice due to expected turf management issues as has been provided by enactment of Parks & Recreation Department policy; and*

*WHEREAS, through the hard work and intensive management of field and turf management staff from the Parks & Recreation Department staff the Heritage Park Soccer complex turf is currently in good condition; and*

*WHEREAS, there is a strong demand for additional soccer fields for practice within the City; and*

*WHEREAS, the Clarksville City Council finds it to be in the best interest of the City to allow the use of the game fields at Heritage Park Soccer Complex to be used on a part time basis for soccer practice by organized leagues, teams, and clubs on a test basis in calendar year 2016;*

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

- 1. That any Parks & Recreation Department policy or regulations are hereby rescinded and repealed, to the extent any such policy or regulations prohibit any soccer practice on the Heritage Park Soccer Complex game fields, to the extent specified below.*

*BE IT FURTHER RESOLVED:*

- 2. That the Parks and Recreation Department shall permit organized soccer leagues, teams, and clubs who meet all required City criteria for use of the fields related to insurance, rent payments etc., to use the game fields at the Heritage Park Soccer Complex for practices, not to exceed eighty (80) days, in calendar year 2016, but excluding the months of June and July in order to allow for recovery of the game fields during the height of the growing season, and further excluding the last week of September to allow for seeding and maintenance activities.*

*BE IT FURTHER RESOLVED:*

- 3. That the Parks and Recreation Department shall permit such organized soccer leagues, teams and clubs to use the game fields for soccer practice on a first come first served basis and shall not discriminate or give preference to any specific league, team or club.*

*BE IT FURTHER RESOLVED:*

- 4. That in the event of inclement weather which prevents the use of the game fields for soccer practice, which shall be determined in the sole discretion of the City through the Director of the Parks and Recreation Department or his or her designee, then the City Parks and Recreation Department shall cooperate and coordinate with all users to establish additional inclement weather (rain out) days on which the game fields may be used for practice.*

*BE IT FURTHER RESOLVED:*

- 5. That the City Council expresses its intent that the Parks and Recreation Department work in good faith to cooperate and coordinate with all organized soccer leagues, teams and clubs who wish to use the game fields for practice to the maximum extent possible, not to exceed eighty (80) calendar days, as a test case for calendar year 2016, and to make period reports to the Parks and Recreation Committee, the City Council, and the Mayor regarding turf/field conditions at Heritage Park Soccer Complex.*

The motion was seconded by Councilman Redd. The following vote was recorded:

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

Councilwoman Guzman's motion to substitute the new language passed. Mayor McMillan made a motion to amend the language underlined:

***A RESOLUTION DIRECTING THE PARKS AND RECREATION DEPARTMENT TO ALLOW SOCCER PRACTICE ON THE CLARKSVILLE HERITAGE PARK SOCCER COMPLEX GAME FIELDS NOT TO EXCEED EIGHTY (80) CALENDAR DAYS IN CALENDAR YEAR 2016 AS A TEST PERIOD***

WHEREAS, the Heritage Park Soccer Complex game fields ~~has~~ have never been used for the purposes of soccer practice due to expected turf management issues, ~~as has been provided by pursuant to previous enactment of a Parks & Recreation Department policy;~~ and

WHEREAS, through the hard work and intensive management of field and turf management staff from the Parks & Recreation Department ~~staff~~ the Heritage Park Soccer complex turf is currently in good great condition; and

WHEREAS, there is a strong demand for additional soccer fields for practice within the City; and

WHEREAS, the Clarksville City Council finds it to be in the best interest of the City to allow the use of the game fields at Heritage Park Soccer Complex to be used on a part time basis for soccer practice and games by organized leagues, teams, and clubs on a test basis in calendar year 2016;

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

1. That any Parks & Recreation Department policy or regulations are hereby rescinded and repealed, to the extent any such policy or regulations prohibit any soccer practice on the Heritage Park Soccer Complex game fields, to the extent specified below.

BE IT FURTHER RESOLVED:

2. That the Parks and Recreation Department shall permit organized soccer leagues, teams, and clubs who meet all required City criteria for use of the fields related to insurance, rent payments etc., to use the game fields at the Heritage Park Soccer Complex for practices, not to exceed eighty (80) days, in calendar year 2016, but excluding the months of June and July in order to allow for recovery of the game fields during the height of the growing season, and further excluding the last week of September to allow for seeding and maintenance activities.

BE IT FURTHER RESOLVED:

3. That the Parks and Recreation Department shall permit such organized soccer leagues, teams and clubs to use the game fields for soccer practice ~~on a first come first served basis~~ in accordance with a policy to be established by the Parks and Recreation Department not inconsistent with this Resolution, and shall not discriminate or give preference to any specific league, team or club. All use of the fields for games and practice shall be by reservation and no use by unorganized or "pick-up" groups or individuals shall be permitted.

BE IT FURTHER RESOLVED:

4. That in the event of inclement weather which prevents the use of the game fields for soccer practice as previously scheduled and reserved, which shall be determined in the sole discretion of the City ~~through~~ by the Director of the Parks and Recreation Department or his or her designee, then the City Parks and Recreation Department shall ~~cooperate and coordinate with all users to~~ use reasonable efforts to establish additional inclement weather (rain out) days on which the game fields may be used for practice.

BE IT FURTHER RESOLVED:

5. That the City Council expresses its intent that the Parks and Recreation Department work in good faith to cooperate and coordinate with all organized soccer leagues, teams and clubs who wish to use the game fields for practice to the maximum extent possible, not to exceed eighty (80) calendar days, as a test case for calendar year 2016, and shall keep records and compile data and statistics regarding league / team / club and tournament field usage, fees associated with light use, and turf / field conditions at Heritage Park Soccer Complex, and to make periodic reports to the Parks and Recreation Committee, the City Council, and the Mayor regarding ~~turf / field conditions at Heritage Park Soccer Complex same.~~

The motion was seconded by Councilman Redd.

Councilwoman Guzman made a motion to amend Mayor McMillan's amendment by deleting all language relative to "eighty (80) days or calendar days," by deleting "in accordance with a policy to be established by the Parks and Recreation Department not inconsistent with this Resolution," and by adding "Soccer game reservations shall take priority over practice reservations," by identifying all leagues, teams, and clubs as "soccer," and by deleting "periodic" and substituting instead "quarterly." The motion was seconded by Councilman Allen. Councilman Garrett made a motion to allow Parks & Recreation staff to answer questions. The motion was seconded by Councilman Allen. A voice vote was taken; with some objection, the motion passed. Assistant Parks Director Jennifer Byard said the only fee proposed for soccer games or practice is for night reservations when a lighting fee of \$15 would be charged.

Councilman Alexander called for the question on Councilwoman Guzman's amendment. The question was seconded by Councilman Redd. The following vote was recorded:

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

The motion to cease discussion on Councilwoman Guzman's amendment passed. The following vote on Councilwoman Guzman's amendment was recorded:

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

NAY: Grubbs, Lewis

Councilwoman Guzman's amendment to Mayor McMillan's amendment passed. The following vote on Mayor McMillan's amendment as amended was recorded:

AYE: Allen, Burkhart, Garrett, Guzman, McLaughlin, Powers, Smith, Wallace

NAY: Alexander, Grubbs, Lewis, Redd

Mayor McMillan's amendment passed as amended. The following vote on the resolution as amended was recorded:

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

NAY: Grubbs, Lewis

The motion to adopt this resolution as amended passed.

Councilwoman Guzman noted upcoming events including the Christmas Parade on December 5<sup>th</sup>, Swim with Santa on December 12<sup>th</sup>, and Christmas at Fort Defiance on December 13<sup>th</sup>.

Councilwoman McLaughlin asked for an update on the proposed sports complex during the next executive session.

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

Councilman Grubbs shared the following department statistics: Building & Codes Construction Division – 1,389 inspections; Building & Codes Enforcement Division – 188 cases; Building & Codes Abatement Division – 49 work orders; Police Department – 12,066 calls; Fire & Rescue – 1,033 emergency responses.

Councilman Grubbs invited the Council and the public to the ribbon cutting at the newly constructed Fire Station 12 on December 16<sup>th</sup>.

**STREET COMMITTEE**  
*James Lewis, Chair*

Councilman Lewis said intersection improvements at Trenton Road & Needmore Road and at Wilma Rudolph Boulevard & Dunbar Cave Road were underway.

Councilman Lewis said the Street Department completed 216 work orders during November.

**TRANSPORTATION COMMITTEE**  
*Deanna McLaughlin, Chair*

Councilwoman McLaughlin shared the following November department statistics: Clarksville Transit System – 54,739 passengers; Nashville-Clarksville Commuter – 5,564 passengers; City Garage – 235 work orders (October).

Councilwoman McLaughlin said CTS collected more than 1,000 cans of food during November for donation to Mana Café. She said the department would be providing free ride for “Warm Souls” on Christmas Eve, and also free rides for “Operation Safe Ride” on New Year’s Eve.

**NEW BUSINESS**

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

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

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

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

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

Councilman Wallace made a motion to consider **ORDINANCE 51-2015-16, ORDINANCE 52-2015-16, ORDINANCE 53-2015-16, ORDINANCE 59-2015-16, and ORDINANCE 60-2015-16** collectively. The motion was seconded by Councilman Garrett. A voice vote was taken; the motion passed without objection. Councilman Wallace made a motion to adopt all five ordinances on first reading. The motion was seconded by Councilman Garrett. The following vote was recorded:

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

The motion to adopt all five ordinances on first reading passed.

Councilman Wallace made a motion to consider **ORDINANCE 48-2015-16** on first reading. The motion was seconded by Councilman Alexander. The following vote was recorded:

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

The motion to consider this ordinance on first reading passed.

**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 Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Garrett. There was no objection to allowing Gas & Water General Manager Pat Hickey to answer questions. Mr. Hickey said this ordinance would allow the department to proceed with various utility projects without delay in acquiring necessary property. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

## MAYOR AND STAFF REPORTS

There were no Mayor or Staff reports.

## ADJOURNMENT

The meeting was adjourned at 10:07 p.m.



**CLARKSVILLE CITY COUNCIL  
SPECIAL SESSION  
DECEMBER 21, 2015**

**MINUTES**

**CALL TO ORDER**

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Monday, December 21, 2015, at 6:05 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman David Allen; the Pledge of Allegiance was led by Councilwoman Valerie Guzman.

**ATTENDANCE**

**PRESENT:** Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), James Lewis (Ward 3), Wallace Redd (Ward 4; arrived 6:09 p.m.), 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)

**INDUSTRIAL DEVELOPMENT AGREEMENT**

**RESOLUTION 18-2015-16** Approving a Development Agreement between the Industrial Development Board of Montgomery County, Tennessee; Montgomery County, Tennessee; the City of Clarksville, Tennessee; and an Industrial Project Company, to Establish a Facility in the Commerce Park (1000 Solar Way)

Mayor McMillan made a motion to adopt this resolution. The motion was seconded by Councilman Burkhart. City Attorney Lance Baker summarized the agreement stating the City would provide fire protection, and all necessary water, wastewater, and gas services through the existing infrastructure. He said the occupant would fund the cost of any additional utility infrastructure in the future.

ORDINANCE 49-2015-16

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 PAY OF THE MEMBERS OF THE CITY COUNCIL

*WHEREAS*, the Clarksville City Council desires to amend the pay structure of the members of the Clarksville City Council.

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

1. 1. That Title 1, "Administration, Officers, and Personnel," Chapter 2, "City Council," Section 207, "Compensation of council members and mayor pro tem," is hereby deleted in its entirety and the following is substituted therefore:

**Sec. 1-207. - Compensation of council members and mayor pro tem.**

- (a) The annual salary of each council member shall be equal to one/eighteenth (1/18) of the mayor's annual salary and adjusted at the same rate of increase as city employees. This action to become effective on January 1, 2005, for members representing Wards 3, 4, 5, 8, 9, and 12 and January 1, 2007, for members representing Wards 1, 2, 6, 7, 10, and 11. Council members shall not be compensated in any special manner for any services, including serving on council standing committees. Notwithstanding any provision to the contrary, effective January 1, 2009, the mayor pro tem shall be compensated two hundred dollars (\$200.00) per month in addition to his/her annual salary.
- (b) If the City Council fails to adopt a budget for the upcoming fiscal year on or before June 30<sup>th</sup>, each member of the City Council, excluding the Mayor, shall forfeit his or her total monthly compensation for each month until a new budget is adopted. Council members shall not be entitled to receive back pay for the period that a new budget was not adopted.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

ORDINANCE 63-2015-16

AN ORDINANCE AUTHORIZING DONATION OF PROPERTY AT 1014 DANIEL STREET FOR COMMUNITY DEVELOPMENT

*WHEREAS,* the Community Development Committee was established by the Mayor and City Council to identify community needs and to recommend affordable housing programs for community development and;

*WHEREAS,* Community Development Block Grants help communities provide decent housing, a suitable living environment, expanded economic opportunities, principally for persons of low and moderate income; and

*WHEREAS,* Housing and Urban Development awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development and providing improved community facilities and services; and

*WHEREAS,* the Office of Housing and Community Development proposes to have the city donate property located at 1014 Daniel Street (Map, Group and Parcel 79D L 004.00) for the purpose of donating it to Buffalo Valley a non-profit Community Housing Development Organization, for transitional housing with a veterans preference; and

*WHEREAS,* providing assistance for low-income individuals and families are consistent with the goals and objectives of the Community Development Block Grant program.

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

That the Clarksville City Council hereby authorizes donation of property know as 1014 Daniel Street, described in Exhibit A, to Buffalo Valley for Community Development.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

## EXHIBIT "A"

BEGINNING at an iron pin located in the southern right of way line of Daniel Street, said iron pin being located 220 feet east of Greenwood Avenue, as measured along the southern right of way line of said Daniel Street; thence with the south right of way line of Daniel Street, south 86 degrees 30 minutes east 70.00 feet to an iron pin; thence leaving the south right of way line of same; south 4 degrees 08 minutes west 178.87 feet to an iron pin located in the north line of a 15 foot alley; thence with the north line of same, north 86 degrees 30 minutes west 61.00 feet to an iron pin; thence leaving said alley north 1 degree 15 minutes east 179.00 feet to the point of beginning according to a survey of William N. Young, dated February 3, 1983.

The Parcel Number for the above-described lot according to the Assessor of Property for Montgomery County, Tennessee is 079D L 004.00 000.

## MEMORANDUM

To: City Of Clarksville Finance Committee

From: Keith D. Lampkin   
Director

Re: 1014 Daniel Street

Date: December 8, 2015

---

The City of Clarksville foreclosed on the above reference property on November 12, 2015. It is a 1750 square foot single-family residence sitting on 0.28 acres. The Office of Housing and Community Development would like to donate this property to our Community Housing Development Organization (CHDO), Buffalo Valley.

HUD regulations state that property may be disposed of provided the property and its use will meet a National Objective. This will meet a National Objective by providing assistance for low-income individuals.

Buffalo Valley has agreed to accept the donation and use it as a transitional housing facility for low-moderate income individuals and families with a preference for homeless veterans.

Attachments:

Gregory P. Patton†  
Christopher J. Pittman\*  
B. Nathan Hunt  
Christopher G. Clark  
S. Allison Winters  
Zachary L. Talbot

**PATTON & PITTMAN**  
**A T T O R N E Y S**

101 North Third Street • Clarksville, TN 37040  
www.pattonandpittman.com

Telephone: (931) 647-5242  
Fax: (931) 920-4723

\*Also licensed in Kentucky  
\*Rule 31 listed Family Mediator  
†Rule 31 listed General Civil Mediator

November 13, 2015

Mr. Keith D. Lampkin, Director  
Office of Housing and Community Development, City Hall  
One Public Square, Second Floor, Ste. 201  
Clarksville, TN 37040

**Re: Foreclosure Sale of Real Estate  
John Weigel and Crystal Weigel  
1014 Daniel Street, Clarksville, TN 37040  
Our File #: 145094**

Dear Mr. Lampkin:

This will confirm that a foreclosure sale was held in the above-referenced matter on November 12, 2015, and that no one bid on the property at the sale. Accordingly, enclosed please find the foreclosure deed recorded with the Register of Deed's Office transferring the property to the City of Clarksville. Additionally, enclosed please find the publication invoice from The Tennessean in the amount of \$2,729.56, which my office cost advanced, and our final bill for services rendered in this matter. I would appreciate you making a check payable to "Patton & Pittman" in the amount of \$3,509.56 and sending the check to my office.

It was a pleasure assisting you in this matter and upon receipt of the check from your office, I will close my file. Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

PATTON & PITTMAN



B. Nathan Hunt

enclosures: Foreclosure deed  
Publication invoice  
Final invoice

cc: Lance Baker, Esq. (via email)



This instrument was prepared by B. Nathan Hunt of the law firm of Patton & Pittman, 101 N. Third Street, Clarksville, Tennessee 37040; (931) 647-5242; nhunt@pattonandpittman.com.

GREGORY P. PATTON and B. NATHAN HUNT, Substitute Trustees

**TO: DEED OF FORECLOSURE**

CITY OF CLARKSVILLE

THIS DEED OF FORECLOSURE, executed as of the 13<sup>th</sup> day of November 2015, by Grantors, **GREGORY P. PATTON and B. NATHAN HUNT**, Substitute Trustees, to Grantee, **CITY OF CLARKSVILLE**.

**WITNESSETH:**

That by deeds of trust of record in Official Record Book Volume 1343, Page 2824, and Official Record Book Volume 1343, Page 2828, in the Register's Office for Montgomery County, Tennessee, John Alvin Weigel and wife, Crystal Alice Weigel, conveyed the hereinafter described realty to Keith D. Lampkin, Trustee, and Gregory P. Patton and B. Nathan Hunt, being appointed Substitute Trustees by appointment of substitution of Trustee recorded in Official Record Book Volume 1607, Page 1446 in the Register's Office for Montgomery County, Tennessee, (the "Trustee"), to secure obligations described therein.

That default did occur in the terms, conditions, and provision of said obligations secured by the deeds of trust of record in Official Record Book Volume 1343, Page 2824, and Official Record Book Volume 1343, Page 2828, in said Register's Office, and the holder of such notes and obligations did declare the entire debt due and payable, and demanded the Trustees to sell according to the terms of the deeds of trust.

That the Grantors/Trustees herein did advertise by notice in *The Leaf Chronicle*, a newspaper with general circulation in Clarksville, Montgomery County, Tennessee, with notices published on October 23, 2015, October 30, 2015 and November 6, 2015, that sale would be held

on November 12, 2015 at 10:30 a.m., at the water fountain located in Millennium Plaza outside the front door of the Montgomery County Courthouse, Clarksville, Montgomery County, Tennessee.

That the sale was held according to the terms, conditions, and provisions of the notice as given, and no one having bid on said property, that Grantors do hereby transfer and convey unto Grantee, to have and to hold to it, and to its successors and assigns forever, the following described realty situated in Montgomery County, Tennessee, to-wit:

BEGINNING at an iron pin located in the southern right of way line of Daniel Street, said iron pin being located 220 feet east of Greenwood Avenue, as measured along the southern right of way line of said Daniel Street; thence with the south right of way line of Daniel Street, south 86 degrees 30 minutes east 70.00 feet to an iron pin; thence leaving the south right of way line of same; south 4 degrees 08 minutes west 178.87 feet to an iron in located in the north line of a 15 foot alley; thence with the north line of same, north 86 degrees 30 minutes west 61.00 feet to an iron pin; thence leaving said alley north 1 degree 15 minutes east 179.00 feet to the point of beginning according to a survey of William N. Young, dated February 3, 1983.

The Parcel Number for the above-described lot according to the Assessor of Property for Montgomery County, Tennessee is 079D L 004.00 000.

The property address for the property is: **1014 Daniel Street, Clarksville, Tennessee 37040.**

That Grantors covenant that they are lawfully seized and possessed of and have a perfect right to convey such realty and that it is unencumbered except as herein set out.

That the warranties made hereby are made by the Trustees in their representative capacity and not otherwise.

IN WITNESS WHEREOF, Grantors have executed this deed of foreclosure as of the date written first herein.

GRANTORS:

*B. Nathan Hunt*

B. Nathan Hunt, Substitute Trustee

*Gregory P. Patton*

Gregory P. Patton, Substitute Trustee

STATE OF TENNESSEE )  
COUNTY OF MONTGOMERY )

Personally appeared before me, B. NATHAN HUNT and GREGORY P. PATTON, Substitute Trustees, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained and who further acknowledged that they are the Substitute Trustees, or a constituent of the maker and is authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.



WITNESS MY HAND, at office, this 13 day of November, 2015.

*[Signature]*

Notary Public

My Commission Expires: 2-15-17

Name & Address of  
Property Owner:

City of Clarksville  
One Public Square  
Clarksville, TN 370430

Name & Address of Person  
Responsible for Payment of  
Taxes (if different)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Connie E. Gunnett, Register  
Montgomery County Tennessee  
Rec #: 341937 Instrument #: 1064771  
Rec'd: 15.00 Recorded  
State: 0.00 11/13/2015 at 12:15 PM  
Clerk: 0.00 in Volume  
Other: 2.00 1648  
Total: 17.00 Pgs 1630-1632

**Parcel Summary**[Print Summary](#)

Account Number: 49934 Parcel ID: 079D1.004.00 000 Card #: 1

**Current Owner / Property Address / Mailing Address**

Current Owner: CITY OF CLARKSVILLE

Property Address: 1014 DANIEL ST Mailing Address: 1 PUBLIC SQ CLARKSVILLE, TN  
37040**Current Property Appraisal**Fiscal Year: 2016 Land Use: CITY EXEMPT Year Built: 2010 Effective Year Built:  
2010

Total Building Value: \$92,900.00 Total Yard Items Value: \$800.00 Land Value: \$15,000.00

Total Appraised Value: \$108,700.00 Assessment Ratio: 0% Assessed Value: \$0.00

**Zoning & Legal Information**Taxing District: 135 - CLARKSVILLE Zoning: R-3 - THREE FAMILY RESIDENTIAL  
DISTRICT

Subdivision: C'VILLE LAND IMP CO Block: 12 Lot: 6 Plat Book: Plat Page:

Civil District: 12 Neighborhood: D40C

**Land Information**

Unit Type: LOT # of Units: 1.00000 Lot Dimensions: 70X185 Vacant Land: NO

**Land Lines**

Primary Use	Land Use Description	Unit Type	# of Units	Land Type	Ag Type	Ag Units
CITY EXEMPT	HOUSEHOLD UNITS	LOT	1.00000	RESIDENTIAL		

**Exterior Information:**

Building Type: SINGLE FAMILY CAPE COD Grade: AVERAGE Living Units: 1 Story  
Height: 2.0 Stories

Foundation: CONTINUOUS FOOTING Roof Structure: GABLE/HIP Roof Material:  
COMPOSITION SHINGLE

Exterior Wall: BRICK/WOOD Structural Frame: NONE

**Interior Information:**

Interior Wall: DRYWALL Flooring: CARPET COMBINATION Subfloor: WOOD W/ SUB  
FLOOR

# Plumbing Fixtures: 6 Heat Type: HEAT & COOLING PKG

Total Gross Area: 2440 sq ft Total Finished Area: 1456 sq ft

**Sketched Area Breakdown:**

Sub Area	Full Description	Total Sketched Area (sq ft)	Total Finished Area (sq ft)
BASE	MAIN FLOOR LIVING AREA	1120	1120
OPF	OPEN PORCH FINISHED	200	
USL	UPPER STORY LOW	1120	336

**Special Features & Yard Items:**

SFYI Type	Quantity	Units	Quality	Condition	Year Built
STOOP	1	3X5	A	AV	2010
WOOD DECK	1	6X6	A	AV	2010

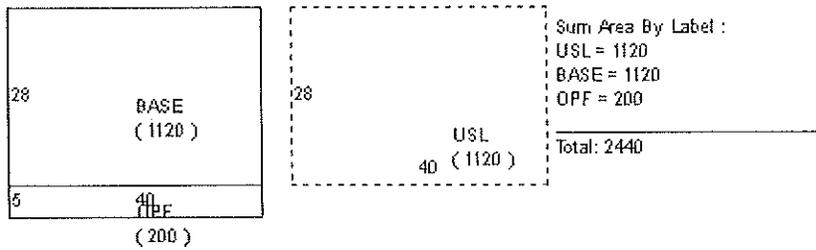
**Deed Transfer Information:**

Sale Date	Sale Price	Sold Vacant	Deed Book	Deed Page	Deed Qualification	Grantor
11/13/2015	\$0.00	N	V1648	1630	DISQUALIFIED FORECLOSURE	WEIGEL,JOHN ALVIN
9/19/2007		Y	V1266	2252		
1/27/2000	\$28,000.00	N	V732	1300	QUALIFIED ACCEPTED	
4/06/1983		Y	V333	687		

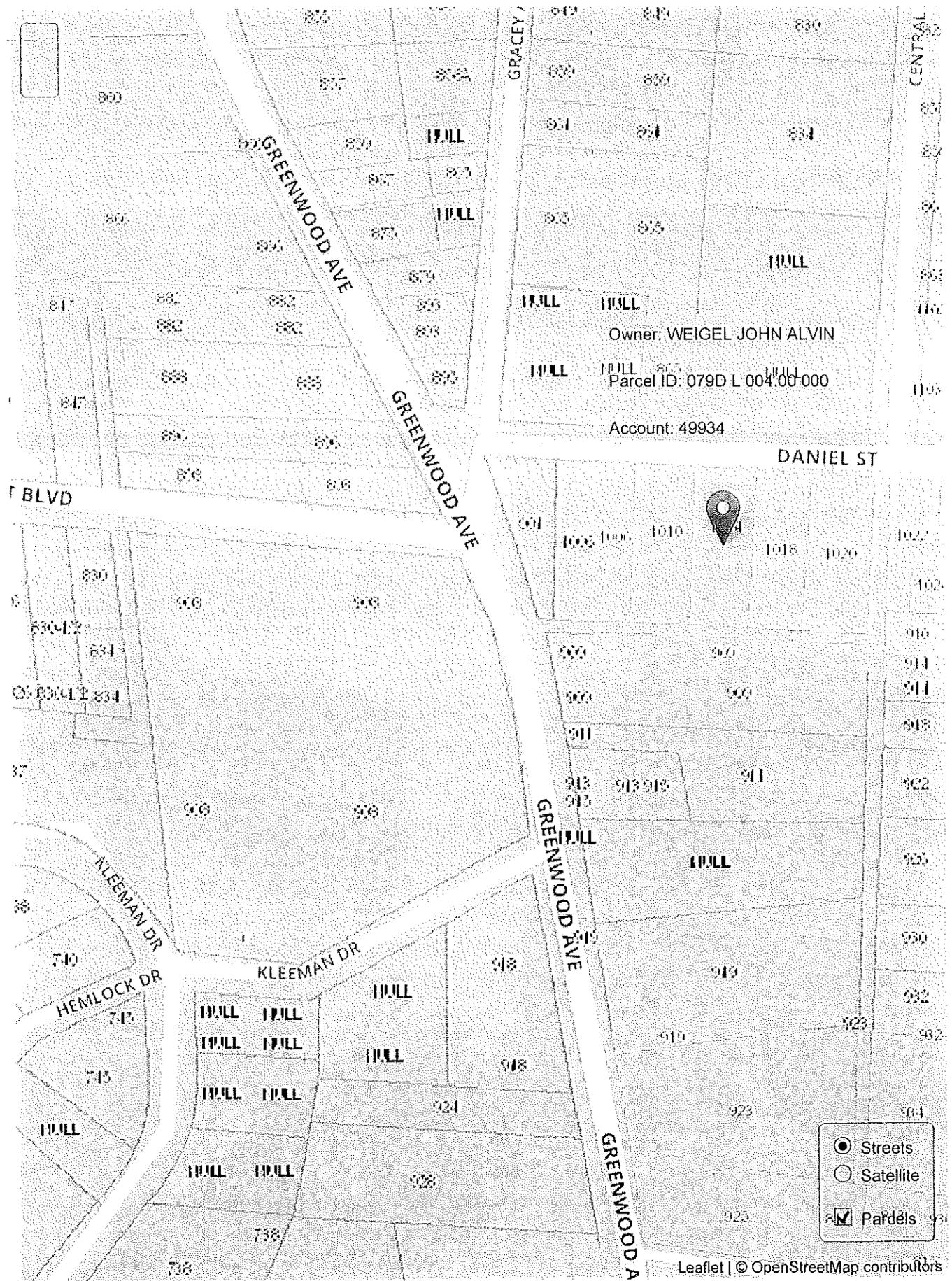
**General Notes:**

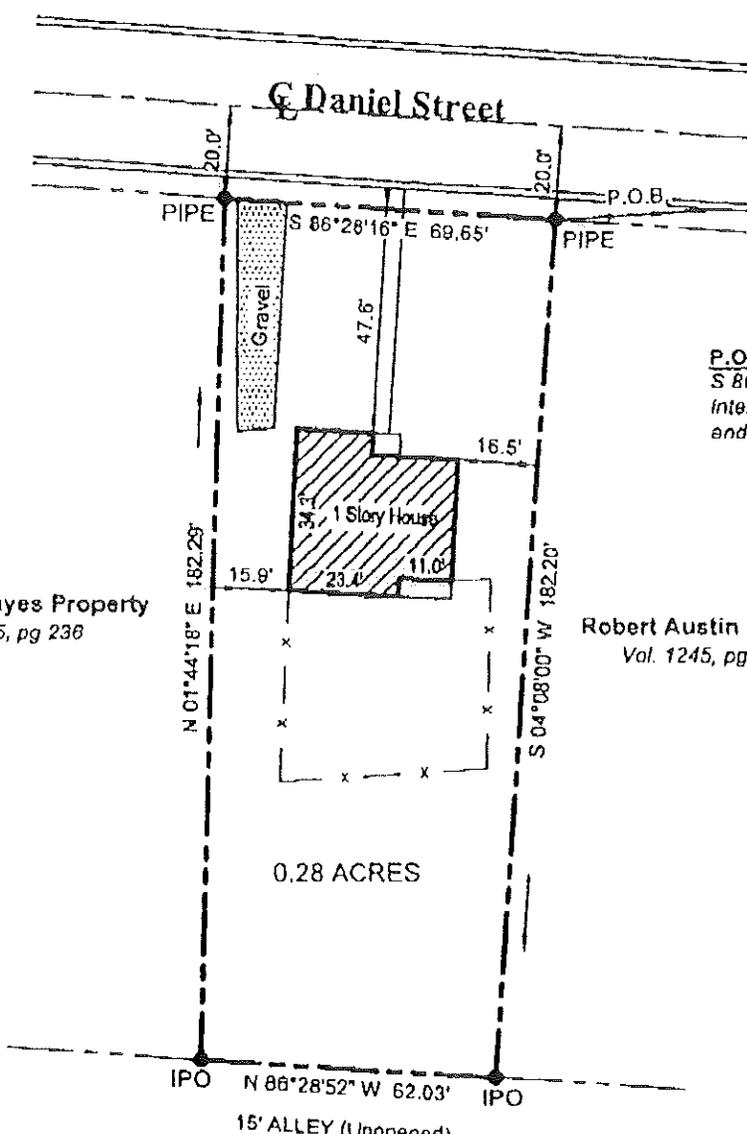
Notes: PT OF 5&7 C-50-50 QC DEED V1266-2252; HSE RAZED T-11 P/U NEW HSE T-11

**Building Sketch:**



© 2015 : This information is believed to be correct but is subject to change and is not warranted





- Legend**
- IPO ● Iron Pin Old
  - IPN ● Iron Pin New
  - Point ○ Point
  - Public Utility & Drainage Easement
  - Minimum Building Setback Line
  - Fence
  - Overhead Wire
  - Boundary Line
- P.U.&D. Esmt**
- M.B.S.L.**
- x — x —
- OHW —

**P.O.B.**  
 S 86°28'31" W 154.93' from  
 intersection of Wall Street  
 and Daniel Street.

Stephanie Hayes Property  
 Vol. 1205, pg 238

Robert Austin Property  
 Vol. 1245, pg 2957

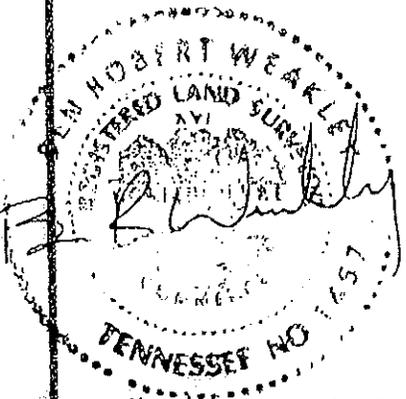
0.28 ACRES

SCALE: 1" = 40'

1014 Daniel Street  
 Clarksville, TN 37040

**Property Survey For:  
 John & Crystal Weigel**

Map 79D, Parcel L 4.00  
 Property Recorded in  
 Vol. 1266, pg 2252  
 R. O. Montgomery County  
 Clarksville, Tennessee  
 12th Civil District



We hereby certify that this survey has been made using the recorded information shown, that there are no visible encroachments or projections observed other than those shown, and that this survey is correct to the best of my knowledge and belief. This lot is subject to matters on the recorded plat and the findings of an accurate title search. This survey was done under the authority of TCA §2-18-126; and this survey is not a general property survey as defined under File 0880-3-07.

**WEAKLEY BROTHERS**

P.O. Box 3409 / 2121 Old Ashland City Rd  
 Clarksville, TN 37043 648-9445  
 Land Surveying Civil Engineering

Date: 4-5-10  
 Job No.: 10-119  
 10119.dwo JC

1014 Daniel St.



ORDINANCE 64-2015-16

AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY TO WAYNE P. WILKINSON

*WHEREAS,* Wayne P. Wilkinson has previously acquired from the City of Clarksville certain real property located on and adjacent to Public Square (Map & Parcel 66G-F-17) by deed of record at Official Record Book Volume 803, Page 935, in the Register's Office for Montgomery County, Tennessee;

*WHEREAS,* The said Mr. Wilkinson desires to acquire from the City of Clarksville an additional tract of property identified in Exhibit A, attached hereto, in order to develop and otherwise make use of the previously acquired property;

*WHEREAS,* the City of Clarksville has agreed to sell the additional tract of property to Mr. Wilkinson for the sum of Two Thousand and 00/100 Dollars (\$2,000.00);

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

That the Clarksville City Council hereby authorizes the sale of property more particularly described in Exhibit A, attached hereto, to Wayne P. Wilkinson for the sum of Two Thousand and 00/100 Dollars (\$2,000.00).

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE*

## EXHIBIT A

Being a 15' strip of land in the 12<sup>th</sup> civil district of Montgomery County, TN. Said strip being a portion of a public alley belonging to the City of Clarksville and being a portion of Tax Map 066G F parcel 016.01. Said property being generally described as east of spring street, south of Main Street, west of First Street and North of Strawberry Alley and being more particularly described as follows:

Beginning at a building corner, said building corner having Tennessee State Plane Coordinates of North 801577.25', East 1568345.71'. Said corner also being in the north line of the Argent Trust Co of TN property, Tax Parcel 066G F 018.00, volume 1469, page 649 Tract 2, parcel 1 of the Register's Office of Montgomery County Tennessee (ROMCT). Said Building corner also being the southwest corner of the Wayne P Wilkinson property as recorded in volume 803, page 935 ROMCT. Said point also being located South 42 40' 14" East a distance of 203' from the intersection of Main Street and Spring Street. Thence leaving the point of beginning and with the north line of the Argent Trust Co property South 75°02'12" West, a distance of 15.00 feet to a point. Thence leaving the Argent Trust Co property and on a new severance line North 13°31'35" West, a distance of 34.59 feet to a point. Thence on a new severance line North 76°28'25" East, a distance of 15.00 feet to a point. Said point being the northwest corner of the Wayne P Wilkinson property. Thence with the Wilkerson property South 13°31'35" East, a distance of 34.21 feet to the Point of Beginning.

Containing 0.01 acres or 516 square feet, more or less. Based on a survey done by Matthew Dhority (RLS # 2727) of DBS & Associates Engineering dated 01/25/14. Description written by W. Logan McCraw (RLS #2887) of DBS & Associates Engineering on 10/26/15 Job #SM1801. Together with and subject to all right of ways, easements, restrictions, covenants and conveyances of record and not of record.

## Land Description

### 15' Strip

Being a 15' strip of land in the 12<sup>th</sup> civil district of Montgomery County, TN. Said strip being a portion of a public alley belonging to the City of Clarksville and being a portion of Tax Map 066G F parcel 016.01. Said property being generally described as east of spring street, south of Main Street, west of First Street and North of Strawberry Alley and being more particularly described as follows.

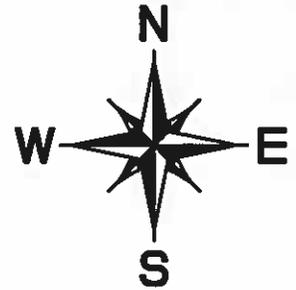
Beginning at a building corner, said building corner having Tennessee State Plane Coordinates of North 801577.25', East 1568345.71'. Said corner also being in the north line of the Argent Trust Co of TN property, Tax Parcel 066G F 018.00, volume 1469, page 649 Tract 2, parcel 1 of the Register's Office of Montgomery County Tennessee (ROMCT). Said Building corner also being the southwest corner of the Wayne P Wilkinson property as recorded in volume 803, page 935 ROMCT. Said point also being located South 42° 40' 14" East a distance of 203' from the intersection of Main Street and Spring Street. Thence leaving the point of beginning and with the north line of the Argent Trust Co property South 75° 02' 12" West, a distance of 15.00 feet to a point. Thence leaving the Argent Trust Co property and on a new severance line North 13° 31' 35" West, a distance of 34.59 feet to a point. Thence on a new severance line North 76° 28' 25" East, a distance of 15.00 feet to a point. Said point being the northwest corner of the Wayne P Wilkinson property. Thence with the Wilkerson property South 13° 31' 35" East, a distance of 34.21 feet to the Point of Beginning.

Containing 0.01 acres or 516 square feet, more or less. Based on a survey done by Matthew Dhority (RLS # 2727) of DBS & Associates Engineering dated 01/25/14. Description written by W. Logan McCraw (RLS #2887) of DBS & Associates Engineering on 10/26/15 Job #SM1801. Together with and subject to all right of ways, easements, restrictions, covenants and conveyances of record and not of record.

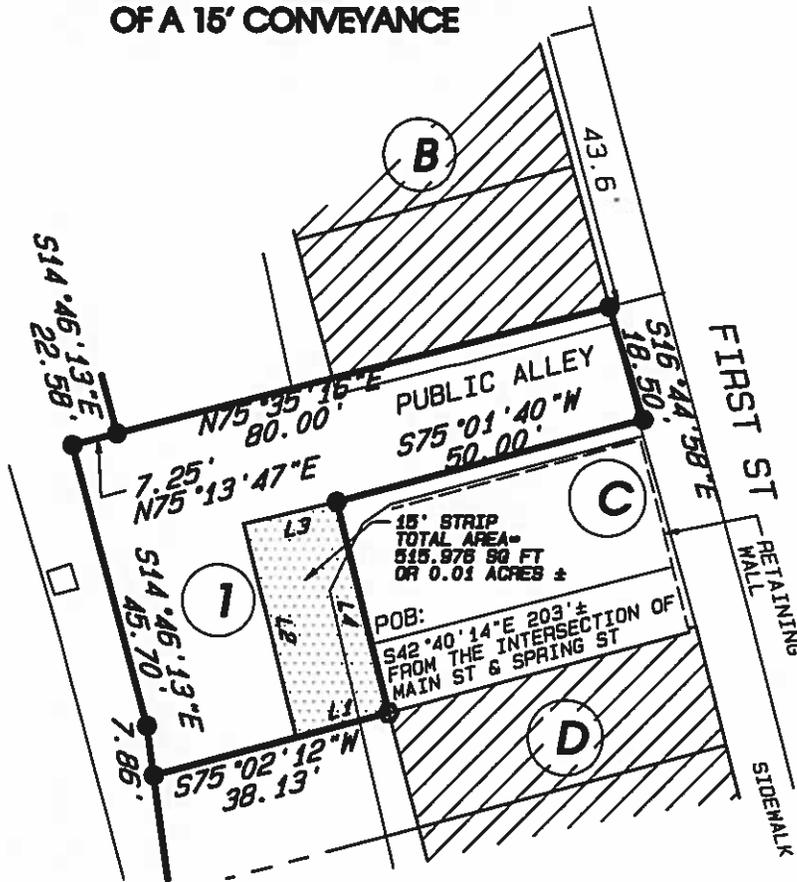


10/26/15

# GRAPHIC DEPICTION OF A 15' CONVEYANCE



NORTH BASED ON  
TENNESSEE STATE PLANE COORDINATES  
N. A. D. 83/GRID NORTH



LINE	BEARING	DISTANCE
L1	S75°02'12\"W	35.00ft
L2	N13°31'35\"W	34.59ft
L3	N76°28'25\"E	15.00ft
L4	S13°31'35\"E	34.21ft

## LEGEND

- BOUNDARY LINE
- ADJOINING BOUNDARY LINE
- ROADWAY CENTERLINE
- FENCE LINE

CATCH BASIN

LIGHT POLE

BUILDING CORNER

POINT

ROMCT=REGISTER'S OFFICE OF MONTGOMERY COUNTY, TENNESSEE

ORV=OFFICIAL RECORDED VOLUME

NAD=NORTH AMERICAN DATUM

POB=POINT OF BEGINNING

R/W=RIGHT OF WAY

PB.=PLAT BOOK

**B** DIANNE H ALBRIGHT  
066G F 015.00  
ORV 1086, PG 2061

**C** WAYNE P WILKINSON  
066G F 017.00  
ORV 803, PG 935

**D** ARGENT TRUST CO OF TN  
066G F 018.00  
ORV 1469, PG 649  
(TRACT 2, PARCEL 1)

**1** PUBLIC ALLEY  
2,943.2 SQ FT±  
OR 0.07 ACRES±

S:\1801 SM (DESCRIPTION FOR WAYNE WILKINSON) \DESCRIPTION.pro

DRAWN BY: WLM  
CHECKED BY: \_\_\_\_\_



ENGINEERS  
SURVEYORS  
PLANNERS

330 NORTH SECOND STREET  
P.O. BOX 949  
CLARKSVILLE, TENNESSEE 37041

PHONE # 931-647-6969  
FAX # 931-647-7135  
<http://www.dbsengr.com>

ORDINANCE 65-2015-16

AN ORDINANCE AMENDING THE 2015-16 CAPITAL PROJECTS FUND BUDGET (ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE RED RIVER TRAIL CAPITAL PROJECT BY \$107,000 AND COMBINE THE ORIGINAL RED RIVER TRAIL PROJECT (14504) AND THE NEWLY CREATED PROJECT THAT HAD BEEN ESTABLISHED FOR THE CONSTRUCTION OF THE TRAIL (16504)

*WHEREAS*, the City finds that improvements to certain recreational developments within the City are a vital component to the residents' quality of life, leading to increased levels of fitness, opportunities for outdoor recreation, along with prospects for alternative transportation, and;

*WHEREAS*, the City finds it to be in the public interest to acquire two parcels on Kraft Street for the purpose of extending the Clarksville Greenway, and;

*WHEREAS*, the City Council has determined not to use the City's right of eminent domain, and;

*WHEREAS*, the City is a recipient of a grant from Tennessee Department of Transportation (TDOT) to provide for the construction of a greenway, not inclusive of property acquisition, and;

*WHEREAS*, the City is in receipt of appraisals completed by TDOT approved appraisers that have been properly reviewed by separate appraisers also approved by TDOT, setting the appraised values of the two parcels of land considered for purchase at a combined total of \$301,125, and;

*WHEREAS*, the City currently has a budget for these land purchases of \$325,000, and;

*WHEREAS*, the City Council has determined that an additional \$107,000 will be necessary to purchase the lands under consideration.

*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 for housekeeping only:

40450003 4330 14504		
Red River Trail –Professional Services	Decrease:	\$ 10,000
40450004 4710 14504		
Red River Trail-Land purchase	Decrease:	\$315,000

40410003 4330 16504  
Red River East Trail –Professional Serv.                      Increase:        \$ 10,000

40410004 4710 16504  
Red River East Trail –Land purchase                              Increase:        \$315,000

*BE IT FURTHER ORDAINED* that the following Capital Projects Fund budget amendment be made to increase the project funding:

40410004 4710 16504  
Red River East Trail –Land purchase                              Increase:        \$107,000

*BE IT FURTHER ORDAINED* that funding will be provided by increasing the debt issuance for FY16 Capital Projects in the amount of \$107,000.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

RESOLUTION 21-2015-16

A RESOLUTION SUPPORTING A GRANT APPLICATION FOR THE 2016 SAFE ROUTES TO SCHOOL PROGRAM THROUGH THE TENNESSEE DEPARTMENT OF TRANSPORTATION

*WHEREAS*, the Safe Routes to School (SRTS) Program was established in August 2005 as part of the federal transportation reauthorization legislation – SAFETEA-LU providing multi-year funding for surface transportation programs, and

*WHEREAS*, Section 1404 of the legislation provided funding to State Departments of Transportation to create and administer SRTS programs for the benefit of children in primary and middle schools grades K-8; and

*WHEREAS*, the City of Clarksville is partnering with Kenwood Middle School to construct new sidewalks and to educate and encourage students to walk/bike to school; and

*WHEREAS*, the Clarksville City Council supports the submission of a grant application for the 2016 Safe Routes To School Program through the Tennessee Department of Transportation.

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

1. That the City of Clarksville supports submission of a grant application for the 2016 Safe Routes To School Program through the Tennessee Department of Transportation, and
2. That this Resolution shall be in full force and effect from and after its passage and approval.

*ADOPTED:*

ORDINANCE 66-2015-16

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 PAY OF THE MEMBERS OF THE CITY COUNCIL

WHEREAS, the Clarksville City Council desires to amend the pay structure of the members of the Clarksville City Council.

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 207, "Compensation of council members and mayor pro tem," is hereby deleted in its entirety and the following is substituted therefore:

**Sec. 1-207. - Compensation of council members and mayor pro tem.**

- (a) The annual salary of each council member shall be equal to one/eighteenth (1/18) of the mayor's annual salary and adjusted at the same rate of increase as city employees. This action to become effective on January 1, 2005, for members representing Wards 3, 4, 5, 8, 9, and 12 and January 1, 2007, for members representing Wards 1, 2, 6, 7, 10, and 11. Council members shall not be compensated in any special manner for any services, including serving on council standing committees. Notwithstanding any provision to the contrary, effective January 1, 2009, the mayor pro tem shall be compensated two hundred dollars (\$200.00) per month in addition to his/her annual salary.
- (b) The salary of each council member, excluding the Mayor, shall be one thousand dollars (\$1,000.00) per month starting January 1, 2019.
- (c) Effective July 1, 2020, and all fiscal years thereafter, the annual salary of the City Council members for the fiscal year ending the preceding June 30 shall be annually increased by the percentage change in the Consumer Price index as published by the U. S. Department of Labor, all urban workers, U. S. city average geographic areas all items index component, 1982-1984 = 100 index base, for the 12-month period ending the immediately preceding April 30, and rounded up to the nearest multiple of one hundred dollars (\$100.00). In the event the U. S. Department of Labor shall change any part of the preceding Consumer Price Index measurement criteria, and/or cease to publish the preceding Consumer Price Index, at the discretion of the Finance and Administration Committee, the index which replaced the preceding Consumer Price index, or the modifications to the preceding Consumer Price Index as issued by the U.S. Department of Labor shall be used.

(d) The City Council members' annual salary shall not decrease based upon the Consumer Price Index. If the Consumer Price Index publishes a negative percentage change, the City Council members' annual salary shall remain the same as the previous fiscal year.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

Sec. 1-207. - Compensation of council members and mayor pro tem.

- (a) The annual salary of each council member shall be equal to one/eighteenth (1/18) of the mayor's annual salary and adjusted at the same rate of increase as city employees. This action to become effective on January 1, 2005, for members representing Wards 3, 4, 5, 8, 9, and 12 and January 1, 2007, for members representing Wards 1, 2, 6, 7, 10, and 11. Council members shall not be compensated in any special manner for any services, including serving on council standing committees. Notwithstanding any provision to the contrary, effective January 1, 2009, the mayor pro tem shall be compensated two hundred dollars (\$200.00) per month in addition to his/her annual salary.
- (b) The salary of each council member shall be \$1,000.00 per month, and starting with fiscal year 2020, and shall include an annual cost of living increase equal to the United State Department of Labor Consumer Price Index.
- (c) Effective July 1, 2020, and all fiscal years thereafter, the annual salary of the City Council members for the fiscal year ending the preceding June 30 shall be annually increased by the percentage change in the Consumer Price index as published by the U. S. Department of Labor, all urban workers, U. S. city average geographic areas all items index component, 1982-1984 = 100 index base, for the 12-month period ending the immediately preceding April 30, and rounded up to the nearest multiple of one hundred dollars (\$100.00). In the event the U. S. Department of Labor shall change any part of the preceding Consumer Price Index measurement criteria, and/or cease to publish the preceding Consumer Price Index, at the discretion of the Finance and Administration Committee, the index which replaced the preceding Consumer Price index, or the modifications to the preceding Consumer Price Index as issued by the U.S. Department of Labor shall be used.
- (d) The City Council members' annual salary shall not decrease based upon the Consumer Price Index. If the Consumer Price Index publishes a negative percentage change, the City Council members' annual salary shall remain the same as the previous fiscal year.

ORDINANCE 69-2015-16

AN ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE RELATING TO THE HIRING OF CITY EMPLOYEES

*WHEREAS*, the Clarksville City Council finds it to be in the best interest of the City of Clarksville to conserve City funds and to reduce budget appropriations for personnel costs and to limit any required property tax increase for fiscal year 2016-2017.

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

From the effective date of this ordinance until the approval of a new budget for fiscal year 2016-17 by the City Council, no City department or the Mayor's office shall hire any new personnel, to include any new personnel for existing, open positions.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

ORDINANCE 69-2015-16

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE RELATING TO THE HIRING OF CITY EMPLOYEES

*WHEREAS*, the Clarksville City Council finds it to be in the best interest of the City of Clarksville to institute a temporary and limited “hiring freeze” for the remainder of the current fiscal year and until a new budget ordinance is approved by the City Council in order to conserve City funds and to reduce budget appropriations for personnel costs and to limit any required property tax increase for fiscal year 2016-2017.

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

From the effective date of this ordinance, until the approval of a new budget for fiscal year 2016-2017 by the City Council, no City department or the Mayor’s office shall hire any new personnel, to include any new personnel for existing, open positions, except for open department head positions, and sworn firefighter and police officer positions, and part-time positions for any department, and any Clarksville Department of Electricity positions, which shall not be subject to this “hiring freeze” restriction.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*