



AGENDA
CLEVELAND MUNICIPAL PLANNING COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 17, 2026, 6:00 PM
CLEVELAND MUNICIPAL BUILDING 190 CHURCH STREET NE

Welcome and Roll Call of Members

1. Minutes

January 20, 2026, Regular Meeting

2. Public Hearings

CDBG Public Hearing for FY 2026-2027 Annual Action Plan

3. Consent Agenda

- a. Request by Sunridge Properties for consideration of approval of a final plat for ROW dedication of about .09 acres, more or less, of property located at 20th Street NE (also described as Tax Map 050K Group B Parcel 002.00) and located within the IL Light Industrial Zoning District.
- b. Request by Ryan and Emily Wampler for consideration of approval of a preliminary plat for about 17.38 acres, more or less, of property located at Buchanan Rd. (also described as Tax Map 065 Parcels 040.00 and 044.00) and located within the PUD 50 Zoning District.
- c. Request by Steve and Linda Williams for consideration of approval of a preliminary plat for about 46.7 acres, more or less, of property located at Holloway Rd. (also described as Tax Map 065 Parcels 015.00, 15.07, 003.13) and located within the IH Heavy Industrial zoning district (proposed to be PUD 73 pending approval).

- d. Request by Three Point Development for consideration of approval of a preliminary plat for about 5.81 acres, more or less, of property located at Old Powerline Rd. (also described as Tax Map 058 Parcels 034.00 and 004.00) and located within the PUD 33 Zoning District.
- e. Request by Embark Developments, LLC for consideration of approval of a preliminary plat for about 7.05 acres, more or less, of property located at Varnell Rd. (also described as Tax Map 057 Parcel 027.00) and located within the R-2 Low Density Single and Multi-Family Zoning District.
- f. Request by CTP Properties for consideration of approval of a final plat for about 13.01 acres, more or less, of property located Freewill Rd. (also described as Tax Map 033 Parcel 0113.03 and 113.04) and located within the PUD 26 Zoning District.

4. Old Business

- g. request by Steve Williams and Aaron Ware for consideration of a plan of service for about 42.5 acres, more or less, of property located along Dalton Pike and includes Tax Map 066P Group C Parcel 003.00 and Tax Map 066 Parcels 044.00 and 046.00.
- h. request by Steve Williams and Aaron Ware for consideration of a resolution to annex about 42.5 acres, more or less, of property located along Dalton Pike and includes Tax Map 066P Group C Parcel 003.00 and Tax Map 066 Parcels 044.00 and 046.00.
- i. request by Steve Williams and Aaron Ware for consideration of an ordinance to zone about 42.5 acres, more or less, of property located along Dalton Pike from C-2/FAR to PUD Planned Unit of Development 71 and includes Tax Map 066P Group C Parcel 003.00 and Tax Map 066 Parcels 044.00 and 046.00.
- j. request by City of Cleveland for consideration of an ordinance to amend the Cleveland TN Zoning Ordinance, Appendix C by adding section 3.4.2 concerning regulations for cluster mailboxes in new developments.

5. New Business

- a. Request by City of Cleveland to administratively zone about .37 acres, more or less, from IH to UR-1 and includes Tax Map 049M Group L Parcel 012.00.
- b. Request by City of Cleveland to administratively zone about .42 acres, more or less, from CH to UR-1 and includes Tax Map 058A Group Q Parcel 027.00
- c. Request by Riverstone Construction LLC to amend PUD 41 to allow a contractor yard and storage on Tax Map 058 Parcel 024.00.

6. Chairman's Report

7. Director's Report

8. Adjourn



AGENDA
CLEVELAND MUNICIPAL PLANNING COMMISSION
REGULAR MEETING
TUESDAY, JANUARY 20, 6:00 PM
CLEVELAND MUNICIPAL BUILDING 190 CHURCH STREET NE

The regular meeting of the Cleveland Municipal Planning Commission was called to order by Chairman Ben Berry at 6:00 P.M.

Commissioners present included: Walt Vineyard, Jarrod Casteel, Bill Estes, Clarke Taylor, Blake Allison, Ben Berry, Maryl Elliot, Alma Dotson, and Bonnie Cretton

Staff present included: Robert Varnell, Senior Planner, Erica Bevis, Senior Planner, Jay Miller, Planner II, Jonathan Jobe, Assistant City Manager/Director of Development and Recreation, Joel Prince, Planner II/Code Enforcement Supervisor, and Christy Rogers, Administrative Coordinator

Legal Counsel present included: John Kimball, Attorney for the City of Cleveland.

Others present included: See Attached Sign in Sheet

November 18, 2025, Regular and December 9, 2025, Special Called meeting minutes were presented for approval.

Maryl Elliot made a motion to approve the November 18, 2025, and December 9, 2025, minutes seconded Bonnie Cretton. A vote of 8-0 passed the motion. Yes-9, No-0, Recused-0, Absent-0

In Public Hearings,

No Public Hearings

Consent Agenda,

No Consent Agenda

Old Business,

No Old Business

In New Business,

- a. request by P&B McManus Holdings GP for consideration of approval for a cluster preliminary plat for about 3.02 acres, more or less, of property located at Foxfire Rd. (also described as Tax Map 050D Group E Parcel 013.00) and located within the R-1 Zoning District.**

Robert Varnell: Let's see thank you Mr. Chairman and members of the Commission yeah, no consent don't have that many plats today. All in new business this is an R1 cluster development and if you all remember we made some adjustments to the cluster development standards regarding density and I'm going to tell you upfront that this one does meet those new standards. It's 17 buildable lots includes a sidewalk on the interior drive as well as on Foxfire. The lot here at the end of the cul-de-sac is all open space and it meets the standards with the few labeling exceptions in engineering there's some notes that need to be included transportation. Discussing the mail kiosk which will be talking about later and then on the planning side we've got some sidewalk and other labeling requirements based on setbacks outside of that there's no issues from staffs perspective but I'm happy to answer any questions if there are any.

Ben Berry: Any questions for Robert? Any questions or motion?

Blake Allison: It's hard to see if there are sidewalks on the southeast side.

Robert Varnell: One of our comments is that sidewalks have to be included on both sides of the cluster so the updated PUD that will be submitted will reflect sidewalks on both sides as well as out on Foxfire.

Blake Casteel: And I don't see the comments on the mailbox kiosks. What was the comment on that?

Robert Varnell: Well, it's not shown on the plat where it is and if it is you know going to be somewhere it has to be 100 feet in from Foxfire Road so, you're not

turning in and stopping right there and some of that's in that mail kiosk discussion we're going to have later. Just because I've seen it the site plan does reflect the mail kiosk in the open space in the cul-de-sac, but it's not shown on the plat yet.

Clarke Taylor made a motion to approve the request by P&B McManus Holdings GP for consideration of approval for a cluster preliminary plat for about 3.02 acres, more or less, of property located at Foxfire Rd. (also described as Tax Map 050D Group E Parcel 013.00) and located within the R-1 Zoning District. Seconded by Blake Allison.

Clarke Taylor-Yes, Blake Allison-Yes, Walt Vineyard-Yes, Jarrod Casteel-Yes, Bill Estes-Yes, Maryl Elliot-Yes, Alma Dotson-Yes, Bonnie Cretton-Yes

The motion was passed. Yes-9, No-0, Recused-0, Absent-0

- b. request by multiple property owners for consideration of an ordinance to abandon a section of ROW lying between Parker Street and Trunk Street and includes Tax Map 049M Group S Parcels 001.00, 002.00, 018.00, 021.00.**

Robert Varnell: Yes, this is an unopened right away alley abandonment request these go through the process come here they'll also get City Council approval before being finalized. Reviewing the location here's the survey itself, it's really difficult to see so Erica did a good job with the map. We're currently right over here if you want to know where we are, that's City Hall, it's the alley by the old laundry just down the street right here. It's unopened and obstructed and it will be equally divided between all property owners when I look at something like this. It's an unopened right away but if the whole block wanted to redevelop in the future this would be something they'd have to do at that time I mean it's from a redevelopment standpoint I think it gives more property to the private property owners in the area we have no plans in my opinion to ever open that or utilize it so staff saw no issues and recommended approval if there's any questions I'm happy to answer.

Ben Berry: Is everybody here in the audience to speak on this item? Any questions for Robert or a motion?

Bill Estes made a motion to approve the request by multiple property owners for consideration of an ordinance to abandon a section of ROW lying between Parker Street and Trunk Street and includes Tax Map 049M Group S Parcels 001.00, 002.00, 018.00, 021.00. Seconded by Bonnie Cretton.

Bill Estes-Yes, Bonnie Cretton-Yes, Walt Vineyard-Yes, Jarrod Casteel-Yes, Clarke Taylor-Yes, Blake Allison-Yes, Ben Berry-Yes, Maryl Elliot-Yes, Alma Dotson-Yes

The motion was passed. Yes-9, No-0, Recused-0, Absent-0

- c. request by Lake Mantooth for consideration of a plan of service for about 33.07 acres, more or less, of property located along Wilkinson/Brock Rd. and includes a portion of Tax Map 043 Parcel 012.00.**

Ben Berry: Items C and D will be discussed together.

Robert Varnell: Yeah, and just to kind of give you an idea this will be eventually absorbed into the existing PUD there but we're not quite to that point. We wanted to move forward with the annexation by default when something's annexed and doesn't come with zoning it does get zoned RA that is what our existing and approved ordinance states so this will be zoned RA until we come back in front of this body with a future absorption into the existing PUD there. This is Michigan Avenue Wilkinson Road, and you've got Brock Road which is here. The development will likely connect from the interior, but we'll see at this point we're not quite there on all those factors yet so it's coming in the plan of service. You know dictates it connects through that existing neighborhood. Staff recommends approval of both but I'm happy to answer any questions if there are any. I think we'll have more of a lively discussion with zoning in the future. Any questions for me?

Ben Berry: Does anyone in the audience want to speak on this item? Any questions for Robert? The fire department kind of had a new lengthy memo in there.

Robert Varnell: Thank you for bringing that up they did. That and those numbers you see are reflective of the fire station that will be built on Stuart Road as a part of the Hardwick Farms development. They were included in this plan of service and I would expect moving forward to have similar responses

from that department but that is reflective of something we've already got in the works planned but what this does once the City Council approves that plan of service it puts the City of Cleveland on the clock to build that within an 8 year period.

Alma Dotson: You're talking about the.

Robert Varnell: It's the \$7.2 million expense I am.

Bill Estes: So, I need to talk with Joe really and Chief Bates about getting an engine ordered today because they 3 to 4 years.

Robert Varnell: It does and so I think.

Bill Estes: We'll just throw it in their laps and in the council 's lap okay.

Robert Varnell: Right, I think in that discussion it's probably a good opportunity to bring that up.

Bill Estes: Yeah, okay I'll make sure that comes up.

Ben Berry: Is there a motion to approve item C.

Blake Allison made a motion to approve the request by Lake Mantooth for consideration of a plan of service for about 33.07 acres, more or less, of property located along Wilkinson/Brock Rd. and includes a portion of Tax Map 043 Parcel 012.00. Seconded by Jarrod Casteel.

The motion was passed. Yes-9, No-0, Recused-0, Absent-0

- d. request by Lake Mantooth for consideration of a resolution to annex about 33.07 acres, more or less, of property located along Wilkinson/Brock Rd. and includes a portion of Tax Map 043 Parcel 012.00.**

Bill Estes made a motion to approve the request by Lake Mantooth for consideration of a resolution to annex about 33.07 acres, more or less, of property located along Wilkinson/Brock Rd. and includes a portion of Tax Map 043 Parcel 012.00. Seconded by Blake Allison.

The motion was passed. Yes-9, No-0, Recused-0, Absent-0

Ben Berry: Item E I am going to recuse myself so Clark can pick up.

e. request by Steve and Linda Williams for consideration of an ordinance to zone about 89.67 acres, more or less, of property located at Holloway Rd. from IH Heavy Industrial to PUD and includes Tax Map 065 Parcels 015.00, 15.07, 003.13.

Robert Varnell: That's correct. Thank you, Mister Vice Chair. This property was annexed in several years ago zoned heavy industrial at the time after working on the property over the course of several years there's a portion of it that is fairly flat and it used to be slope in that area some industrial users did look at it look at it for potential business expansion of some kind but nothing ever came. Resident interest there is strong and the applicant is requesting to rezone it for residential purposes to a PUD. From the standpoint of the PUD itself they're asking for a minimum of 46-foot-wide lots one thing I want to point out about this PUD. It entails includes the entire parcel but this development and the unit count. Here it is not reflective of the entire acreage. My expectation in the future is that some further expansions to the neighborhood would likely occur. So, it does include stub outs at 3 different locations. Some of the language in the PUD includes some architectural requirements I do believe there's some comments and questions about that there's also some infrastructure improvements on Holloway Road. In reviewing the proposed development with the traffic engineer one thought was to require a traffic impact analysis but in doing so we would probably pull it from the agenda and wait till we had that back. Before presenting it to you all because we wouldn't have what it says to require. So, he and I went round and round on that and because we are concerned with the downward slope and there's 2 visibility issues going each direction. The addition of the turn lane as you all know, on 20th Street we've got an 88-lot development. Where we recently required a turn lane and then on Freewill Road, we've got one that that's closer and number to this one my expectation is that number continues to go up on the lot count at some point so when looking at it with the traffic engineer that's the determination that we came to within the PUD. From a standpoint of open space and the usability of it it does require some amenity I believe it's a little pavilion and playground it's not as large where you might want to require some kind of pool or clubhouse. We're not at that threshold but it does have some amenity to it as aside from just the open space. Otherwise, you know in analyzing the request it is up against the industrial park. It's also up against a number of existing residential homes and from kind of a standpoint of the usability long term the residential component did kind of fit and staff recommended approval of that. I'm happy to answer any questions if there are any concerning that. If not, I know Mister Berry is speaking on behalf of the applicant as well.

Blake Allison: Often when we down zone we reach out to the Economic Development Board the market clearly controls this right. I didn't know if Doug had anything to say.

Robert Varnell: Well, you know obviously in Doug 's line of work he'd love to see this develop from an industrial standpoint but most of the people who ended up looking at it never got far enough along that it seemed a viable use, and it has been sitting ready to develop and move forward. He was a little understanding of that but he's not against it but not you know we certainly have a need for industrial land, and they will be and we're actively working on some other opportunities that will be coming. Probably before this body hopefully soon to answer that question.

Blake Allison: I'm not saying that this shouldn't be a residential subdivision it works.

Robert Varnell: No yeah, it's a good question. It's a valid question.

Clarke Taylor: So, it's already industrial.

Robert Varnell: It's been that way for a while, and it's pad ready so it it I think the other thing is the primary access point that's going to be utilized one way or the other is off Holloway Road and there's a home right here and another one there and there. I think they'll probably be better suited or happier with the residential development than the possibility of the alternative. Any other questions for me or I'll get out of the way and hand it over to Ben?

Ben Berry: Hey Ben Berry so this one is the PUD mostly looks good we had a couple of things that we'd like to look at there was a requirement for a full left turn lane on Holloway Road it was mentioned you know 20th Street and Freewill Road as examples of where this was added you know those are streets with a lot more traffic than Holloway. The biggest problem with Holloway is the site distance and this is something I feel like we need to study more so it's hard to say that it's not required or it is required I think something is required whether it's a turn lane or clearing or you know we just don't know I'd love for the there to be some flexibility in this.

Robert kind of talked a little bit about if it is instead of just saying in the zoning a left turn lane is required if a study is required and if a left turn lane is warranted then it will be built it kind of a if then kind of thing but that's some flexibility we'd love to throw out there and get your thoughts on. I think you know it was if it's required if it's needed, they're willing to put it in.

Jarrold Casteel: What about saying left a left turn lane will be provided unless a study says that it's not warranted.

Ben Berry: I think something like that you know something like that where if it's if staff agrees you don't have to come all the way back and and do all this it's not a traffic issue it's a road doesn't have traffic it's more of a safety exercise that's something we go through anyway like if we weren't even going through rezoning. We would look at sight distance and all those things as part of the site review process and it would get resolved on its own and so if there was a way to have that you know that kind of built in it might provide some flexibility otherwise we might have come back which not the end of the world but something yeah. Kind of the biggest thing we have is the architectural standards on this PUD it does prohibit vinyl siding we've done that before so we've had several PUDs that have had that but they're very different than what we're looking at here you know this is a site that is situated right next to the industrial area of town this is mark this is geared towards the workforce housing to be affordable and part of that is utilizing materials and a design that keeps cost low this is a marketed more to families and the. Builder will be here to explain this but marketed to families that need a more square feet for their dollar and one of the ways to do that is the being having some flexibility on the vinyl siding this was done this would be consistent with a neighborhood that was approved on Westland Drive which just right across the it's over near the Coca-Cola plant near Peytons it's right across the bypass from this site the. You know I was talking to Robert about you know how do we we've had a few that we've approved with no vinyl siding you know and and the really the big ones are you know Hardwick Farms was approved no vinyl siding that's we're aiming that's a different market than what this is aimed at Newman Farms at exit 20 was approved with no vinyl siding. That really is a gateway into our city there's a lot of public dollars that was put into that to make it a buildable area this this needs to be different I think it's important that we have a variety of housing options in Cleveland we have those neighborhoods, but we also have neighborhoods where you can do. Kind of some commonsense thing, I mean vinyl siding is super common you know we'd never tell City Fields to never use vinyl siding as an example like it's it's a common building element I think there's a place and time for that I think this is one of those places. I'd love to have that language be revised to be consistent with Westland Drive really what that means is vinyl siding on be allowed on the sides and rear the front would still be stone brick or Hardy so that's that's our main request I do think there's other people here that want to speak if you want to hear them I'm here to have if you have any questions.

Maryl Elliot: Are you talking about making an exception for this property or changing the ordinance?

Ben Berry: No so each PUDs reviewed individually and so I think it's I think that's a good thing I think we we can look at this site individually and say

that based on its location based on the fact it is very isolated you can't see these homes unless you live in this neighborhood and if you live in this neighborhood you've chosen that that this property specifically. Having the flexibility to have vinyl siding is warranted and it's not inconsistent with other decisions that have been made with Hardwick or with Newman Farms it's just it's a different property with different circumstances and all so all we're asking for is you know for this property to be consistent with there's other developments have been like this like Westland Drive and there's been others. There's a subdivision behind the new Dollar General in South Lee Highway Pleasant Grove Church Road and you go back all those roads are named Pleasant Grove Church Road I don't know which one but we had one back there that was the same way so I think we've approved PUDs both ways and we're asking for the one that allows the vinyl siding.

Bonnie Cretton: Ben, I'm curious about the development being right next to the Industrial Park, has there been any like environmental studies on the soil? I know that Robert just mentioned like a playground you know probably a lot of young families in the neighborhood.

Ben Berry: Like yeah it it's not been used as industrial, so it is adjacent it's up on a mountain this site 's been actively graded for 15 years maybe longer so it's clean it's higher it was forest it's you know one of the things that I do want to point out like on our site plan. Well, there's several common areas that are strategically located we actually took away several buildable lots what would otherwise be buildable lots and reserved some common areas right in the middle of the neighborhood one on the east and north side one on the south side and so we've got. You know it's one thing to have common area that's just around the perimeter and everybody's backyards it's another thing where it's right in the middle of development everybody can see it and use it and that's where the playgrounds would be so I don't think the soils were concerned but we've also with the playgrounds and that in mind you know sidewalks on both sides of the road that's an add from a normal code the pavilion the playground that's an add the common space. In the middle of the development that's something extra that this development is doing so just kind of adding a lot of that stuff.

Clarke Taylor: Ben, to help answer that question we as a part of our due diligence we did perform a phase one environmental on the site and that came back clean so just.

Jarrold Casteel: Ben so I agree with you at least. What I believe you're saying is that it's important that we're providing not only these high end developments with significant price tags per home but also you know providing the opportunity for you know everyday folks to be able to buy homes in Cleveland so I don't have any issue with the concept of allowing

vinyl siding on 3 sides to bring the price of those homes down so that they're more affordable and I don't know that there's an answer or a fix to this at this moment but my only concern with that is that we agree in this instance and approve vinyl siding where we haven't in other situations and then there's sort of no guarantee other than we would just maybe expect market forces to guarantee it but there's no guarantee that these are going to be affordable. Priced homes, right there's no you know I think you understand what I'm saying so I don't know how we address that or how we resolve that but that sort of where I'm going.

Ben Berry: Yeah, I mean there is no guarantee of price point and vinyl siding is used on homes that are \$200,000.00 to \$600,000.00 or above it's commonly used you know I think this it's just another building product that's used in Cleveland and it's a tool in tool somebody may come in this and decide to build all Hardy I don't know I doubt it but.

Clarke Taylor: If it's not written if we're going to use the PUD it's not written in our code. I always say error on the side of the use of the land I mean that's kind of that's what you're saying to you is really I agree that's but. There's a saying this stuff, but where this is if we had it wouldn't be I mean I think you'd have this you can't compare this to Hardwick felt like you were saying I don't think you really can compare it to. You mentioned the Newman Farms that's kind of a whole different area demographic my opinion. I don't really think it makes sense not to have vinyl where this is at nothing I mean I just think that Hardwick Farms. This is two different things.

Walt Vineyard: Just quick question a couple of questions one different grades of vinyl siding you know appearance wise material wise deciding person but I'm assuming that there's cheap vinyl siding that doesn't last very long and weather very well and then there's higher end vinyl siding. Can you give me some insight on that?

Ben Berry: I have a builder here that can. I cannot there's one up here and one back here, so I'll let this one speak on that I don't know.

Walt Vineyard: And I don't think that there's ever been any, let's say a specific type of product to deal with I don't know if we've done something like that in the past and kind of leads into the second part of my question is. Is it a direction that the cities and maybe it's for Robert that we're heading in to not allow vinyl siding on this and was the reason behind it why do we have some that we've allowed some that we have it I think it's a it's a slippery slope when you start picking certain areas that you're going to allow it and that you're not going to allow it.

Jarrold Casteel: I've got the same question I thank you for asking.

Robert Varnell: Answer your question on the vinyl first and. I can follow up.

Ben Berry: Can I pass this along to the home builder?

Clarke Taylor: Well, what's in our R1 or even R 2 material this purely to we have that. We will you pick and choose I mean? Whatever is in the R1 or this I guess would be built to our R2 standards.

Bill Estes: The trade off discussion on the trail for us you're giving up a lot of density in a PUD, so it has to be different than an R1 and R 2.

Kelly Martin: I would like to answer your question first of all my name is Kelly Martin with Dr Horton Chattanooga I grew up just down the road in Apison East Brainerd and actually came from the planning side from that side of the table so it's a little bit surreal when I'm on this side of it and I would like to get around to answering your question. If you indulge me for just a second to get to that what I'm talking about here is that you know I'm an 80s kid I grew up in the 80s riding our BMX bicycles all over the place and the joke was there's kind of an arms race or legs race I guess with a bicycle you get the nicer bicycles that you want the Chrome Molly this and all that and we got to be a joke. That these BMX bicycles as kids you know paper route is not going to cut it we what are they made of they were becoming more and more frequently that you they're out of our reach they were made out of what we joked to be unobtainium what happened just to the basic bicycle they're all made out of unobtainium now and that draws the parallel with what I'm thinking with housing obtainability you know we talked about affordability obtainability you know that we're you know semantics there but what happened to the basic entry level bicycle the one that's going to get you around from woods to field and back home again before the street lights come on if you even had street lights. So that's what I'm talking about is that is DR Horton we do build a range of home types that from the entry level you know the first time buyer which those you know all the way up through a mid-range you know some luxury products in some markets and the problem that we've gotten and that every builder is facing is that that entry level home those prices are creeping up and when they're really not creeping they're really have zoomed up in the last 5 years and a lot of that is land cost. By the time you get all the infrastructure in all the earth work done in the land acquisition costs you're already in you know in some cases in Hamilton County \$140,000.00 just for a finished lot before you even go vertical with a house that is nearly impossible if not impossible to create that basic bicycle for somebody who just needs to be able to get around town you know that sort of thing ride around. That's what we're missing right now and that's what's so much more difficult to obtain so in this case what we're doing in this particular

location is one of the reasons that it did that. It is so appealing to us is because it does offer the opportunity to build a product that is affordable that is obtainable in that location Newman Farms you know that is not that's a different market even though they're very close the market changes very quickly the I think they're calling it Appalachian something there the other on Holloway that was the commercial piece that the other PUD that was approved recently that's a much more central and integrated visible location. Just like Newman Farms so finding the locations for quality housing but that does not have to become unobtainable where that is more and more difficult this site meets those that criteria very very well and what does creep into unobtainable is the difference in cost and coming circling back around vinyl is a material that's used all over Cleveland some municipalities will have a minimum thickness standard you can't really specify a brand you know like James Hardy it would be you know cement fiberboard such as you can't specify a particular brand and there are different brands you can I mean there are minimum. Thicknesses of I think it's 0.4 and then 0.44 those are the 2 most common I can't stand here from my perspective saying that you know is it discernible from the street to the owner to the neighbor I can't really say that but that is one option if you do want to look at a minimum standard 0.40 and 0.44 are the most common and that would be something that you might want to consider so to try to circle back around to you know be able to use vinyl but not make it unobtainable. Did that help answer some of those questions how we're kind of viewing this is it say mix you have your you know all the way down you know through the affordability scale and this is the this is the basic bicycle that we all joked that was no longer obtainable and I don't know 1985 I'm dating myself?

Maryl Elliot: Do you have a ballpark on the regular mid-on one of these houses? How much would be saved by having 3 vinyl walls opposed to hardy is that the next?

Kelly Martin: Hardy or brick or stone or a mixture of those is an option and that's you know we use that on plenty of products and plenty of markets even here in Cleveland for a home of this. The home range, not the plans that we would be looking at, the difference would be between a vinyl and then the brick stone and Hardy. The swing could be as much as \$16,000.00 more expensive and in some cases up beyond \$20,000.00 more to use those we call that sticks and bricks what are the cost of your sticks and bricks, and we seen a lot of inflation in those costs as we all know anybody who's ever had to spec. This and that's not my you know central role at at DR Horton I'm more in the land and in the dirt but I did take time yesterday to get with Matt Bond he is with me also with Dr Horton we both wanted to drill down on this and say what is the this cost swing and it is average \$16,000.00 but in some cases it far exceeds \$20,000.00 just you know in price difference.

Jarrold Casteel: So, is the vinyl a threshold issue for Horton on this deal.

Kelly Martin: I wouldn't say that it is a you know before I answer that let me get some clarification by threshold issue.

Jarrold Casteel: Does it pencil if you are required to build as the you know not using vinyl or are you walking away?

Kelly Martin: Well, you know I can't make that decision necessarily we would have to look at that, but it would make it much more difficult to develop this site and to sell actually houses I mean ultimately at the end of the day I deal in lots and dirt and raw land but ultimately we are a construction company we are a home builder and that's where the cost centers are going to be so what will happen and just going off of some you know parallels that I've seen that price would increase we could still pencil that in we could still absolutely build in there but those prices instead of being 329, 319, 339, 349 they're going to creep into the mid fours and they're going to sit there and no one is going buy them and that is not good for us it's not good for the city to have that happen and I've seen other areas where other builders have crept into that unobtainium and it does show in vacancies and sales rates and absorption you know absorption rates the demand is not at that price range the demand is at that price that I just mentioned to you the 320 that's where we want to be 329 349 you know what have you the mid threes that is where families are telling us they can't afford that they can't afford that payment interest rates are have you know fallen just enough where they can get into those houses at this 459 469. That is just not the market that is demanding a home right now.

Clarke Taylor: I was just looking at household income for that track that they're on a 3-mile rate is 44,000 a year. Bradley county it's 63 thousand. So, it's definitely lower.

Kelly Martin: Median house price and then median household income that delta that gap is has continued to spread and you know we try to scramble to keep that from happening and it's a constant battle we do have higher in communities that are selling but they are much more let's say at a relaxed pace compared to where people are clamoring say you know this is what we need don't build these 500 low fives we need something we can't afford that.

Maryl Elliot: Would we be setting a precedent? Then this would be each time a builder would come and possibly requested and we have to take it on?

Blake Allison: That's kind of how the PUDs are right now and that's kind of just without having all the standards set black and white in R1 R2 R3

whatever else the PUD does give flexibility to the developers because our current R1 standards state that we need 75 feet for road frontage for a lot and we're down to 46 on this so that allows them to have much more lots the trade off and I'm just regurgitating information right the tradeoff is hey we want to have some design standards and minimum standards I'll speak to we've built we as an Epperson Allison Homes built 400 homes in the Freewill area and all of them have had vinyl on them. It's a higher-grade vinyl it's a beautiful product and we're selling them between 450 to 550 now we've done it with vinyl on all 4 sides we've done it with vinyl on the back 3 our next subdivision in that area is 101 lots and it is Hardy on all 4 sides. Is this kind of a PUD to your requirement and it was just moving into that direction? Doesn't say it's right personally now putting the personal hat on I think it's a very slippery slope when we start moving into you can do this on some on exterior materials and you can't do this, I understand it's the really the world and that's how we have to police. But it's very difficult because all right well if we start letting people use vinyl let's start looking at thicknesses of vinyl and there's no way to really police it, I understand the thought process trying to find common ground but often what helps control all of this which does not help in this discussion is the market. If they can build it to \$330,000.00 and have vinyl there should be some buyers that say I don't want vinyl on the house not going to go somewhere else there's going to be some buyers that that's the only house I can afford we want housing affordability we're moving into the house I personally think in this location and that's the slippery slope that Walt talked about we're looking at all these different locations and who's to say this location is competing against another one for the same house. We have there is a track record of yes you can have vinyl in this location Ben said the name of the subdivision Westland Drive because it was the same argument. This is going to continue. So, a decision is going to have to be made about where we're at, I personally think let the market control it, but I have it on my personal house and it's we've put it on Stone Creek Kensington Park Cumberland Hills Brooke Moore Creekwood.

Clarke Taylor: No, I don't think vinyls all that bad.

Bill Estes: So let me jump in here and I'm going to be careful. When I drive through certain neighborhoods new neighborhoods in Cleveland that are built in mass and there's a problem. What's the first problem you, see? Starts with a V ends in inyl.

Clarke Taylor: Yeah, but Bill it's about the market when people can't I think the arguments more.

Bill Estes: First comment when you when I drive in the last 5 years to 10 years. New developments by large, massive builders.

Clarke Taylor: It was directed to the people living there to afford it there at that time.

Bill Estes: Let me let me go down my path alright it's not you know. It's always the vinyls coming off. I had a friend we used to call him growing up your metaphor of a bicycle we called him pro. It was short for proletariat because he was so poor we thought we were bourgeoisie he was the proletariat. He had holes in his shoes I thought that was pretty yeah. He had holes in his shoes and his bike didn't work. It was such a cheap bike. So, he was spending more time on tubes, spending more time on a new seat. They put more in keeping his bike to even function rather than doing it right the first time and buying a Mongoose or if you're from Apison you know light speed them. You know titanium okay, but your metaphor goes both ways.

Kelly Martin: Yep

Bill Estes: You're not Better Business Accredited. I have had more complaints about this kind of setup personally even before I was on planning commission. And I'm not just speaking of DR Horton there's other there's other groups like this. It gives me pause particularly with 46-foot fronts and we are allowing more density for more building for the pencil to work even sharper. It just personally excuse me pausing so sometimes yeah you can save money on the short end but then there's 2 losses you lose you lose going forward keeping it up and then you don't keep it up there's not like a lot of room to move things into the back and the storage you got 5 feet on each side minimums how you can put a boat in or a 4 Wheeler on a on a trailer there's that's the kind of thing you know if you were talking about and just this. It is a subjective opinion. Decision I'm making every PUD. Maryl, I think falls or stands on its own it's. I don't look I'm not totally absolute other than sidewall right you know. It's subjective and so this just gives me pause because of what I've seen in the last decade and I'm just speaking to you and I'm speaking to staff well and so you know.

Robert Varnell: Why do we always recommend cement fiber siding because it's it holds up longer it's a better product it looks better all the time it's more durable it's fire there's a number of reasons we do we've got density? And that's one of the trade-offs that we've been linking to it is and we're going to continue pushing that direction citywide and that this is this is a standard we've kind of set and we're moving further in that direction. The affordability question is difficult I put some time over the past few days and looked at houses for sale, and I looked at what they were made of I don't see a big difference in the price. In our existing subdivisions. Maybe a few but I didn't see that.

So, I would love you know there are many you know cities and states that allow cities to require percentage of affordable being whatever that number is. You know we haven't done that. I spent my morning, you know, with the Homeless Coalition. The City Council put together affordable housing is a massive point but making a decision like this will not dictate it to 3-billion-dollar company.

Bill Estes: Even 20,000 home gets absorbed in half a percentage point in mortgage rates going down. Overnight the FEDs can do it in accord.

Robert Varnell: I think it's a conversation worth happening materials you know. I do like the durability of it, but you know that's the standard we've been moving towards so that's why. It's in all PUDs if it comes out it's because it comes out at this level you know through these discussions.

Kelly Martin: You know I do have a thought about that if you don't mind is that you know and I appreciate what Robert saying and you know these costs so much as in the so much of the cost is baked into the land before you know the house comes out you know that's one of the problems we've got. Some developments that you know sometimes it's a matter of timing though that land had been held and it was before or you know prices had increased and so they're able to be more flexible with their you know with the products that happened we mean it cuts both ways we that happens for us it happens for others then we also get bitten by that as well and to Robert 's point. You know I think you know and somebody 's touched on this earlier is that the value of the PUD the built in value of the PUD is to take each site based on its as is where it is and those conditions because every piece of property in the city of Cleveland is not the same zoning straight zoning you know if you did want to have you know R1 and R2 with the certain standards I mean that treats every property as exactly the same. Under the law, because the zoning ordinance is law every time you change the zone you're changing the law. And so, you know and so I can see the consistency need for consistency and that painted sometimes planners into a corner when you know you have so many varied landscapes and market submarkets within a jurisdiction and so the PUD does give that flexibility and so what you know. What I'm asking here is you know if it is not appropriate anywhere in the city, I mean it was appropriate 8 or 9 months ago on Westland you know and obviously if that's the direction you know the city wants to go there are tools that you know you can explore down the road and I think to your point the PUD is a tool current tool that is in in the toolbox and it fits this bolt. And you know and that's why the PUDs were you know innovative tool you know 50 years ago it was novel to be able to say hey this property is which one of these is not like the other which ones are similar we'll treat these the same way these have similar characteristics we'll just treat these little more the same way for consistency because that's what zoning strives to do is some consistency

and this gives flexibility within that framework. And so that's why you know if there's a case for you know having vinyl on 3 sides versus you know 50% Hardy brick stone what have you on all 4 sides that's what I'm asking for that's that flexibility I would not ask this for Hardwick I would not ask this if we were building a Newman Farms I would not ask over there at the corner of Holloway where Smith Douglas I believe one of our competitors is you know coming in and they've already have their on their website so I would not be asking that because those are distinctly different? From this particular site and as I said earlier these are hard to find where it does the conditions do line up in my opinion that do make them more advantageous and more amenable to a relaxed standard on the exterior features vinyl you know is. Is that recognized material recognize everybody's concerns you know or preference in you know one over the other some prefer is fine some you know that not? My thing the market ultimately decides that if the market tells us we don't want vinyl we're going to have to pivot but you know at this point they're telling us we want affordability we want more square footage versus brick all over this this house yes it would maintenance issues aside that's what we're getting. Every time we you know we're looking at this particular price point, we want square footage over brick.

Clarke Taylor: I was looking here together at Newman Farms mile radius median household income 70,000 this is 46 and then from Hardwick Farms is 68,000. That the reason I as you know dirt costs the same to move the dirt cost the same put really a lot of the heat and air the opponents over.

Robert Varnell: Where are you at for that Clarke that's a 20,000 difference in a mile that I can see on the that.

Clarke Taylor: Well, Newman Farms isn't very dense or it's so very yeah but here is a 46-foot-wide box.

Ben Berry: The secret sauce here is affordability also with occasional views up here on this it's actually you know you do have some that doesn't happen very often at all.

Maryl Elliot: Is there any way to consider the median income of an area that these PUDs are being planned for?

Robert Varnell: No that gets really slippery.

Maryl Elliot: I mean you almost already are because they're saying a different but I'm saying we almost are because we're seeing a different standard. Hardwick Farms than in another areas.

Bonnie Cretton: I think affordable housing is really important. Pretty phenomenal we build that for community to be able to thrive, and I don't actually have a problem with vinyl being on homes that are high quality like Blake mentioned and places that Clarke is talking about but to circle back to your bike metaphor, I think the problem comes in when people are saving to buy that basic bike and that's what they're working for because they know that's what they can obtain and then when they buy that basic bike the wheels fall off. And it happens because they can only go to a certain store that they have access to and then that bike pulled apart so I don't have an issue with vinyl being on like 3 sides of the house.

But your reputation precedes you and so my issue is that people need high quality basic bikes. So, if they can so this idea of relaxed standards based on location and people 's income yeah, they need affordable housing, but they need affordable housing that is actually like going to last at least 10 years 20 years I mean it's not, so I don't how much you.

Jarrold Casteel: They're going to get 30-year mortgages.

Bonnie Cretton: I have an issue with all the corners that are cut. Massive developments that really play profit over people in undesired neighborhoods or in these low incomes development. I just want to speak to these mass developments that happen and say that I think that on behalf of the quality of our community that it's really important that if we're saying hey we're not creating this unobtainium then we're creating this basic bike that everyone can afford that thought basic bike is actually like rideable that it's not the pros bike that's falling apart.

Kelly Martin: Yes, ma'am we're not lightspeed we are huffy. Those bikes are built to last brick does not guarantee quality to construction on the inside so that's you know that's kind of I just I'm thinking the bike and now I probably I should have thought that one through because you can you know you could go down to I do too but I'm glad because I do too and I always try to do that but you know. Yeah, you can send it another way and this has been a great conversation and I say I say that sincerely about you know seeing from your perspective and also I like you know that we I can share our perspective as well the difficulties of meeting a demand that is out there if we don't do it you know one of the benefits is that if you do have folks working in Cleveland or in Bradley County but in Cleveland specifically but they live elsewhere because of affordability they're taking that paycheck and they're sending it to Polk County or Meigs County or even beyond and so this does give an opportunity to have you know a live work a lot closer to where you work and that money stays here that's one of the benefits of it among many I mean we could have a whole academic discussion on it and you know that all started with. How much vinyl but you know be that as it may you know I do sincerely and respectfully ask that the conditions you know be expanded to include vinyl on 3 sides Hardy or the brick or stone on

the front. And you know we can we can we can comply with that and with no problem with no complaint no heartburn whatsoever and that to me feels like a middle ground between the previous kind of approach with Westland Ridge and then this new approach that you're headed toward and that is understandable so that's my ask here tonight and I don't want to you know belabor the point but that's essentially what I'm asking you know you all respectfully tonight.

Walt Vineyard: I don't have any problem with vinyl either, but my concern is let's picking and choosing and having every single builder come back to us in the future because if we do something different than I don't know if there's been. No vinyl vinyl no vinyl and the things that have been passed over the last 3 or 4 years or year and a half of that matter but if we're going to steer in the direction and maybe City Council steer this in the direction with an ordinance on this versus a PUD plan I don't know the answer to that either but what would bother me is having to talk to every PUD that comes in and make a decision based on where it is or what it backs up to yeah or nay on that that that concerns me to differentiate different areas. For vinyl or no vinyl, I have no issues with this using vinyl in Cleveland, but we need direction in that to decide for every single PUD that comes in. That's because builders are looking to save money too when they come in and build up and if they can do \$16,000.00 less on one then they can do \$16,000.00 less on one or whatever that number is but us having to make a decision based on where it is or someone that can convince us that it's the right spot for it. I have been looking for possible guidance from the from the council itself I don't know if. That's the right proper way. To do it or if it's just a policy of the of the city or the planning department that does that, I don't know the answer to that.

Clarke Taylor: I do feel like the burden of demonstrating this location does fall on me standing before you for what it's worth you know and I do understand your concern for consistency going forward.

Walt Vineyard: I get the argument backed up right up against an industry, but does that mean that you can use vinyl there or not. Somewhere else I just don't know the answer to that, and I'll link to a board towards are we going to consistently move forward with no vinyl on these except for in the special board or whatever, but I think I made my point on that I'm concerned about.

Bill Estes: Walt I'm going to respond to you as someone who's been on both boards. I currently sit on both boards I think Planning Commission needs to do what Planning Commission needs to do and just do it. Because 4 votes are all it takes to override us and you've seen the council with pure raw political power. Take our unanimous decisions and go 4-3 another way all right so you have once it leaves here. So, let's just focus right here and we

can't control what happens at the next level at the end of the day 4 votes moves the courthouse right and there's raw political power that's a lot that operates different than here. So, it's really weird having both hats right you know when I'm here, I try to be present here and do what's right here and have it in record. And try to make I try to do and try to be a liaison. So that's a very raw answer to your query.

Maryl Elliot: So, what you're saying is no matter what we decide tonight even if it's 4-3 favor or not it's not in favor it can be changed in the council.

Bill Estes: Unanimous here it can be.

Robert Varnell: State of Tennessee the legislative body next month yeah.

Bill Estes: And council's legislative fight.

Robert Varnell: No, you're making a recommendation to them I make a recommendation to them, it doesn't mean they're going to listen to me or you.

Maryl Elliot: Okay so it's not final what we decide? It's a recommendation.

Jarrold Casteel: Can I try to put a point on this? I'm going to make a motion to approve as is.
Okay I don't know that I have to even say anything beyond that motion to approve as currently written.

Maryl Elliot: To approve their request.

Jarrold Casteel: No, its staff approval as it is currently provided to us.

Blake Allison: Aligning with the staff recommendation.

Jarrold Casteel: Correct.

Clarke Taylor: I got motion.

Bill Estes: There's no flexibility on the left turn within the PUD as written to do this. It's just required straight.

Robert Varnell: What the language reads? Yeah. Bill Estes: Yeah, this is not the whole map I will add.

Kelly Martin: And that being an engineering matter you know that's a kind of compartmentalize that as far as you know an engineering versus the you know the yeah so, we'll.

Bill Estes: Same thing that's a numbers game.

Maryl Elliot: Jarrod will you explain the motion we are voting to make an exception?

Jarrod Casteel: No, to follow the city staff's recommendation as is provided.

Jarrod Castell made a motion to follow the city staff's recommendation as provided on the request by Steve and Linda Williams for consideration of an ordinance to zone about 89.67 acres, more or less, of property located at Holloway Rd. from IH Heavy Industrial to PUD and includes Tax Map 065 Parcels 015.00, 15.07, 003.13. Seconded by Bill Estes

Jarrod Casteel-Yes, Bill Estes-Yes, Walt Vineyard-Yes, Clarke Taylor-No, Blake Allison-Yes, Maryl Elliot-Yes, Alma Dotson-No, Bonnie Cretton-Yes, Ben Berry-Recused

The motion was passed to follow the city staff's recommendation as provided. Yes-6, No-2, Recused-1, Absent-0

- f. request by City of Cleveland for consideration of an ordinance to amend the Cleveland TN Zoning Ordinance, Appendix C section 2.22.3 Conditional Uses to reduce the minimum square footage for the first unit in a multi-family structure and remove the 3 unit maximum requirement and to amend section 2.22.2.B to add the requirement of 7,500 sq. ft. minimum for the first unit and 1,500 sq. ft. per additional unit.**

Robert Varnell: Yeah, so recently I brought forth zoning designation to be used in our urban corridors and as an allowable use you can do residential above commercial. That's allowed. The conditional use stated that it maxed out at 3 units okay, but what I didn't think about is I might have a 10-acre piece of property I don't but let's say a 3-acre piece of property on one of these specific urban corridors that were specifically discussed in the zoning. And they may want to do commercial on the bottom, but they are restricted to 3 units when they could fit 10 based on any other zoning classification. So what we did is try to bring in a more practical way that the idea behind that development MUBC which was designed for Inman Street Dalton Pike there's several others is it have a little bit more of an urban feel okay well if you can only get 3 units and you've got space to do more and parking and all that and you can adequately. Does it feel like we have taken every opportunity that to have infill urban style housing in this manner so? I wrote it and didn't think that part through all the

way to the end and then once I started looking at the practicality of it, I said I need to fix this so that's where I am, that's what we're asking today.

Clarke Taylor: Robert when I first read this I was thinking. This is the R3.

Robert Varnell: No, it's MUBC so it's a mixed-use so it's.

Clarke Taylor: R3 as well.

Robert Varnell: Well, we fixed parts of it, but we've got a whole overhaul coming but this is an immediate fix that I think we need because I've got some things that when I look at it, I'm like that be really cool.

Clarke Taylor: Where is this?

Robert Varnell: Inman Street it replaced the Inman Street east so it's Inman Street east Wildwood there's a couple other locations there's some really neat opportunities to do housing above commercial and I just don't want to get in the way of it.

Ben Berry made a motion to approve the request by City of Cleveland for consideration of an ordinance to amend the Cleveland TN Zoning Ordinance, Appendix C section 2.22.3 Conditional Uses to reduce the minimum square footage for the first unit in a multi-family structure and remove the 3 unit maximum requirement and to amend section 2.22.2.B to add the requirement of 7,500 sq. ft. minimum for the first unit and 1,500 sq. ft. per additional unit. Seconded by Blake Allison.

Ben Berry-Yes, Blake Allison-Y, Walt Vineyard-Yes, Jarrod Casteel-Yes, Bill Estes-Yes, Clarke Taylor-Yes, Maryl Elliot-Yes, Alma Dotson-Yes, Bonnie Cretton-Yes

The motion was passed. Yes-9, No-0, Recused-0, Absent-0

- g. request by City of Cleveland for consideration of an ordinance to amend the Cleveland TN Zoning Ordinance, Appendix C by adding section 3.2.E concerning regulations for cluster mailboxes in new developments.**

Robert Varnell: Yeah so 2017 Postal Service for new developments required the cluster mailbox units instead of the individual mailboxes at each house. The city at that time looked at a few options for passing an ordinance that never occurred. We've got to the point where we've got to get something on the books that dictates and guides for new developments you know a lot of times in the PUD, we'll put stuff towards that this is for other infill opportunities as well it requires off street parking based on a unit count. It requires sidewalk access it requires. Certain distance from different types of roads so you're not turning in a neighborhood off of the. Collector and. Boom your rear end of the guy who stopped to get his mail it's got to be in a little bit further there's some other criteria in there and I know there's some discussion to take place on this so I'm just going to kind of open it up and see what kind of questions you all have on.

Ben Berry: I think there should be an exemption for smaller developments to not have any parking so for example if you. If you can park in your driveway and walk 250? Parking your driveway.

Robert Varnell: You know there could be a number threshold I'm not against that it's just picking that number what is it like 25 is too high.

Ben Berry: As written, you know at 4 lot subdivision would. Have to have 2 parking spaces?

Robert Varnell: So, I think maybe 10 or 15 we start getting into that ballpark, you know or maybe it's 20 like we need to get these people off the road.

Bill Estes: So, if we saw the cluster development earlier, I thought it was interesting that the boxes were at the end of the cul-de-sac.

Robert Varnell: Well, we don't want them at the front because then they're getting rear-ended and we've got.

Bill Estes: I couldn't think of one.

Robert Varnell: We've got a few coming through site to be review right now which is what led Dave Sheely said to me we've got to do something.

Ben Berry: This ordinance prohibited that.

Robert Varnell: Will prohibit yeah?

Bill Estes: Yeah, that's where I'm going but it makes since with that cluster doesn't it?

Robert Varnell: It does it makes.

Blake Allison: What's the negative of having it in the cul-de-sac?

Robert Varnell: The fire department and things like that they don't like it if the mail guys parked in the cul-de-sac.

Blake Allison: If you're requiring off street parking then it's still off street? You could turn around.

Robert Varnell: Well, that's different that's not in the cul-de-sac that's in a on a parallel parking space that would be off.

Blake Allison: Well, aren't we requiring off street parking so wouldn't.

Robert Varnell: But if you're so my assumption is that the request to allow it in a cul-de-sac would remove the requirement of off-street parking because it's in the street. In my opinion. The cul-de-sac is in the street.

Blake Allison: You can typically park straight ahead because it makes it easier.

Robert Varnell: You can but that's not. That's not the cul-de-sac to me that's off-street parking.

Blake Allison: The way I've read it was that you can't have it anywhere touching the cul-de-sac essentially.

Robert Varnell: Well but again if you and maybe that's a clarification of language if you've got let's go let me go back to that.

Blake Allison: Because that lends itself to be the perfect spot for it just have off street parking to the north.

Robert Varnell: So, I mean if there was spaces here that were off street out of the turning movement of any kind of bigger vehicle.

Ben Berry: Same as a residential driveway like there's a house there that has a driveway. If there's not a house, you just, have it?

Robert Varnell: I think that to me meets what I'm trying to do is get these people out of the road.

Blake Allison: Bingo and I just didn't pick.

Robert Varnell: That up so well and maybe like I said it's a clear we need to make sure the language is saying what we intended to say.

Bill Estes: Exactly so instead of I don't like when you say throw a driveway off there it's almost like I'd rather see a turn lane.

Robert Varnell: We've got one where it's separated. So, there's like actually a little grass strip in between.

Bill Estes: There we go. This is what I'm gonna do when I go. I'm gonna whoop it in you know I'm gonna whoop in backwards I'm going to drive backwards because my drive my steering wheel is on the left so I can get out and hit the mailbox.

Blake Allison: The mailboxes you have there you can't access them from your you have to get out of your car.

Bill Estes: Now what I'm not gonna walk around my car.

Robert Varnell: You're going to hop out and be right there.

Bill Estes: I used to live in an apartment in Chapel Hill, I did that all the time.

Blake Allison: I guess my thought was just to make sure that the parking would make sure that the parking is off street if it's in a cul-de-sac.

Bill Estes: And what does it mean off street you know you I know I know you.

Blake Allison: Perpendicular.

Bill Estes: So, I'm just saying not saying something like this or you have something like that with a strip of grass here in the mailboxes here, so you come in.

Jarrold Casteel: Do we care so long as they're off the street like does it matter does it matter one way or another whether it's parking spots or?

Bill Estes: This takes up less space than okay.

Walt Vineyard: What about the neighbor that the person that lives right next to it that parks on the city street right there in locks everything out anyway?

Robert Varnell: Well, we can do something about that if there's a problem the police can put up signs that say no parking but if we put a mailbox on there then we can't do that.

Blake Allison: I feel like as long as it's on a platted lot it's off the street and it has adequate parking and it's set back from the collector I don't care about screening shrubbery. Now we just built one of the most beautiful ones with

retaining wall stone and spent \$40,000.00 on it but the homes are there are 900 K ranch home so speaking on both sides of my mouth but honestly, we can get off the street it's safe fire trucks can turn around you can get your mail.

Robert Varnell: That's what I'll tell you all and what I'll tell the council eventually when we talk about it is we took a pretty good analysis of existing ordinances across the state and there's a lot of different stuff in it I've removed some of it already that because I am a market driven person whether you believe it or not I believe that the market does dictate a lot. I'm okay with adjusting this a little bit but the key is the safety.

Bill Estes: Do you have time for to bring us sorry? Pictures.

Robert Varnell: There may be a few in here. Yes.

Bill Estes: Okay. They're not in our packet so.

Robert Varnell: No and so like this is what we don't want. We don't want. That's right on the road it's anyway these are just different ones you can find I you know if you're going to have bigger neighborhood in the PUDs we're going to say that needs to be covered I've lived in a neighborhood that had one of these in Atlanta. I liked it being covered because it rained and I didn't want to stand out in the rain and get wet I mean it's the obvious thing I'm coming at it from the homeowner standpoint. Because that's my job and so these are just random pictures but they're all over the place.

Blake Casteel: On the most recent PUDs we haven't been requiring covered off street parking on most all of them. Yeah, there's subdivision off of Freewill Road and they have that let's say they have 5 different locations throughout I've heard residents like it because it's they don't have to walk as far to their home.

Robert Varnell: No and this one talks about distance from the house.

Blake Allison: A novel approach there but the only way they were able to work was because it was in the right way they didn't give lots per each one.

Robert Varnell: We can all thank the Postal Service for dropping this in our lap and not letting us just have you know mailboxes at our house.

Blake Casteel: Right now, an AHB is actively making headway on this at the national level so whether that happens or not.

Robert Varnell: I'll be glad to delete this thing if it goes away.

Clarke Taylor: Can I get a motion?

Blake Casteel: I'd like to review it review it.

Robert Varnell: You need to put something in the motion one way or the other.

Bill Estes: I don't think that Mr. Kimball likes motions to table under old business.

Robert Varnell: Does everybody agree that's what they want to do? I just want to say like I get but we've got safety issues we're dealing with every day, and I really don't want to I mean this isn't. You want to take the aesthetics out and make your recommendation you know I need the protection for the homeowner about the distance from the collector streets and getting out of the road. I really don't want to kick the can down the street because of aesthetics take them out.

Blake Allsion: But when it says that these brick stone fiber cement are recommended. I can hear recommendations all day long whether they are they required are they not and then what's a cut-off fixture on lights so does it have to have a switch. A solar does it have to because then we're CU is then bringing a pedestal that every single lot.

Robert Varnell: No, I think it's solar.

Clarke Taylor: So, Robert, you need this passed tonight?

Robert Varnell: I'm just saying the safety part of it's important if it wasn't.

Ben Berry: I mean that's I would love to see a simplified version I know this is. This is something that's been done in other places it's just there's a lot of detail in here that I don't really think is necessary you know I like I agree with you about like what's important the setbacks from the collector 's getting it out of the right away off street parking some of those kind of things was boiled down to eliminate some of the maintenance.

Robert Varnell: Well, the lighting I think isn't safety for the person getting their mail at 2:00 in the morning who works those things are important.

Ben Berry: But you do have streetlights too you know what if it's you know. Those can't regulate every single thing. I feel like we're over regulating this. I would love to see the fact that you know a threshold at the bottom end for parking is not required can be you know out of the right of way but accessible by the sidewalk you know if there's a 4-lot subdivision. They don't need 2 parking spaces, some of those commonsense things. I don't know.

Jarrold Casteel: Can you make a specific motion to remove those things?

Ben Berry: I can make a general thing and just let it go to City Council I think it's supposed to like item by item.

Blake Casteel: You're trying to boil it down 4 pages.

Ben Berry: Yeah, if it can't fit on one page I don't know it's just it's a mailbox.

Bill Estes: So, you want it this month why?

Robert Varnell: Because I'm we review plats every day I've got I've got people who are putting mailbox these things right next to collector streets and telling me why can't I put it there you have no ordinance on file.

Ben Berry: But David Sheely makes me move these things all the time during the site plan review.

Robert Varnell: No, I know.

Bill Estes: We could do it on the fly I just do it whatever we think about on the fly I would rather see a picture say hey here's what's acceptable here's what the parts represents and here's what's not I'd like to visually see that.

Robert Varnell: Okay well I'll tell Dave just to be mean to people and they can.

Bill Estes: That's my opinion. If y'all want to move on, move on?

Ben Berry: I think stick to your guns with this things are. I mean I know from experience you and David. When I submit a plan, he's asked me to get the mailbox out of the cul-de-sac and do it I can just stick to your guns for a month?

Robert Varnell: We will.

Ben Berry: Alright I vote to defer this until next month. If it's going to be deferred, then everybody just say something? Do you do you want to vote on?

Bill Estes: No, we don't. Put it on next month.

Request by City of Cleveland for consideration of an ordinance to amend the Cleveland TN Zoning Ordinance, Appendix C by adding section 3.2.E concerning regulations for cluster mailboxes in new developments moved to next month.

Robert Varnell: So, I have a quick comment before we end, I just want to introduce Jay Miller he's the newest member of our team he's right over here Jay comes to us from the Atlanta metro area he has a degree in business. Correct me if I'm wrong it's landscape architecture from the University of Georgia and so we're going to lean on him pretty heavily on some of that stuff, but we're pleased to get all the help we can get around here so welcome Jay.

Chairman's Report

None

Director's Report

None

Adjourn 7:19 PM

DRAFT



CLEVELAND
TENNESSEE

EST. 1842

Consent Agenda Staff Report

Case: SUB 2026-02 20th Street ROW Dedication Plat (see **Appendix** for case materials)

February 17, 2026

City of Cleveland Municipal Planning Commission

Applicant:	Sunridge Properties, LLC
Site Address:	20 th Street
Tax Map:	050K B 002.00
Area:	.09 Acres
Current Zone:	IL Light Industrial
Request:	Approval of ROW dedication
Sewer/Water:	Yes
Council District:	District 4-David May Jr.

PLANNING & DEVELOPMENT

1. Analysis

The plat in questions depicts right of way dedication for the future widening of 20th street.

2. Staff Recommendation

APPROVE PENDING STAFF COMMENTS

The submitted version of the preliminary plat will meet the requirements of the City of Cleveland Subdivision regulations and Zoning Ordinance once comments are addressed.

Outstanding Comments

CU Electric- "Cleveland Utilities requires 20 feet utility easement along lines abutting a public road."

GPS Point Data Statement:
 1. A Sokkia GRx-3 (Triple Frequency) GPS was used to perform all or part of the SURVEY. Real Time Kinematics (RTK), Static Control, and Online Position User Service (OPUS) were utilized.

2. Horizontal Network Accuracy : NOT AVAILABLE SEE NOTE NO. 8
 Vertical Network Accuracy : NOT AVAILABLE SEE NOTE NO. 8

3. Date of Static Observation: 13 November 2025

4. Datum Used:
 Horizontal : NAD 1983
 Vertical : NAVD 1988

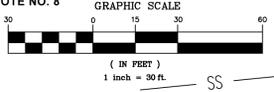
5. Fixed Control Stations Data and Epoch Data:

PID Designation	Latitude	Longitude	Distance From
NOT AVAILABLE SEE NOTE NO. 8			

6. Geoid Model: GEOID18

7. Grid Factors for Site Specific GPS Base Station:
 Point Scale Factor : NOT AVAILABLE SEE NOTE NO. 8
 Convergence [decimal degrees] : NOT AVAILABLE SEE NOTE NO. 8
 Combined Factor : NOT AVAILABLE SEE NOTE NO. 8
 SPC Zone: Tennessee single (4100)
 Northing : NOT AVAILABLE SEE NOTE NO. 8
 Easting : NOT AVAILABLE SEE NOTE NO. 8
 Elevation [orthometric] : NOT AVAILABLE SEE NOTE NO. 8

8. NO DATA AVAILABLE DUE TO U.S. GOVERNMENT SHUTDOWN.
 SEE <https://www.ngs.noaa.gov/OPUS/> FOR MORE INFORMATION.



General Notes:

- Area Subdivided: 1.121 Acres (48,383 Square Feet).
- The referenced lot is not, by graphic scaling only, in an area having Special Flood Hazards according to FIRM/FEMA Map No. 47011C0137E, Dated: 2 February 2007.
- Current Property Zoning: IL (Light Industrial).
- The Plat Combines and Subdivides the Property recorded in DB: 3208, Pg: 649.
- Minimum Building Setbacks:
 Front: 25'
 Rear: 15' (5' Minor Accessory).
 Side: 10' (5' Minor Accessory).
- Utility and Drainage Easements:
 20' along all lot lines abutting Public or Private Roads shown on this Plat.
 10' along all lines forming the outside boundary of subdivision.
 5' along each side of all Interior Lot Lines.
- Utility Providers:
 Electric: Cleveland Utilities.
 Water: Cleveland Utilities.
 Sewer: Cleveland Utilities.

VESTED IN:
 Sunridge Properties, LLC
 Deed Volume: 3208, Page 649
 APN: 050KB00200

TOTAL LAND AREA:
 1.121 Acres
 48,838 Square Feet

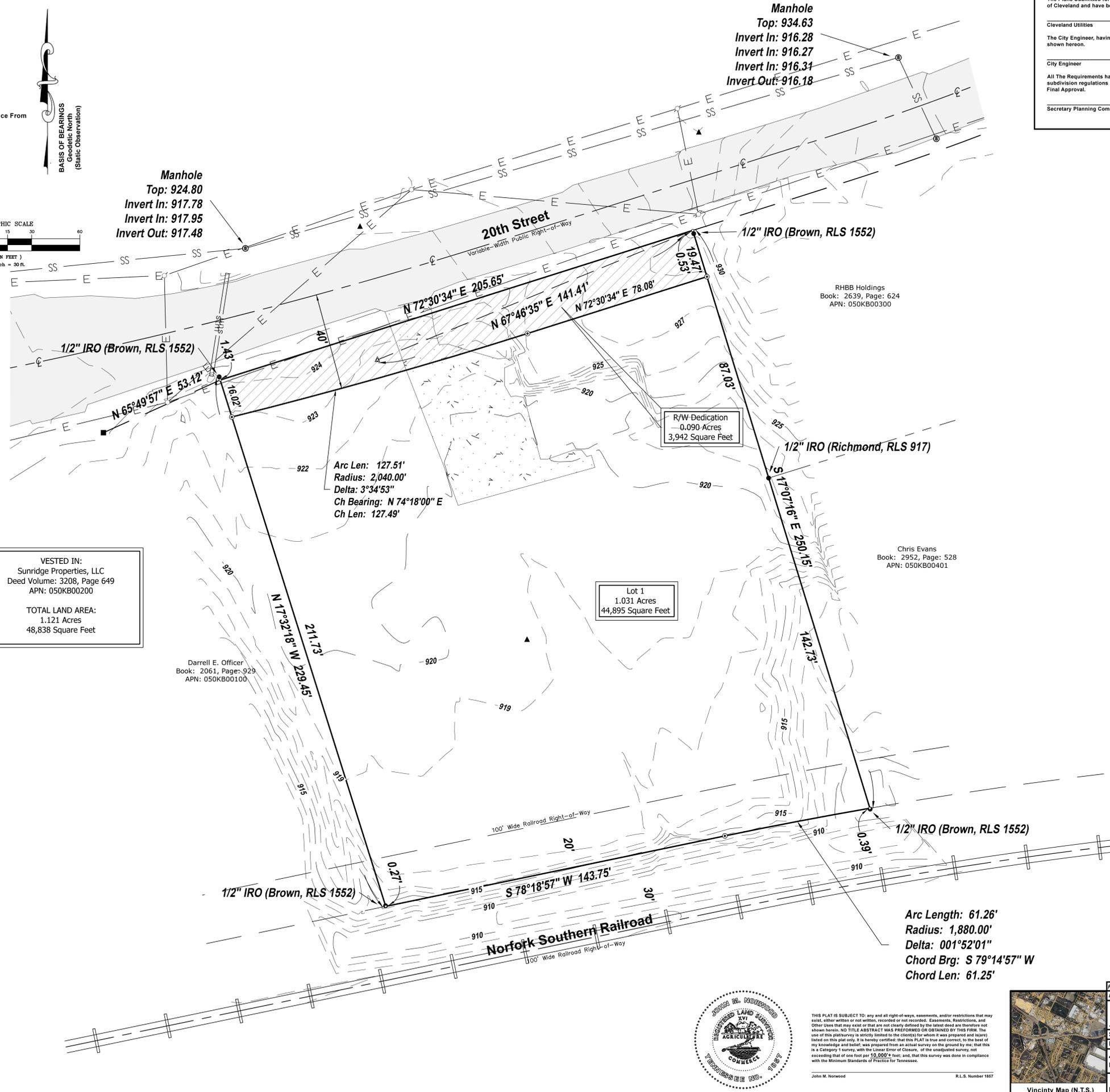
- Legend:**
- - IRN Iron Rod, New (1/2" x 18" Re-Bar with Cap)
 - - IRO Iron Rod, Old or IPO Iron Pipe, Old
 - ▲ - Iron Post (Origin Unknown)
 - - Wood Post (Origin Unknown)
 - - Point Not Set
 - △ - GPS Base Station (8" Hubless Spike)
 - △ - Set Nail (with washer)
 - ▲ - Bolt
 - ⊕ - Water Meter
 - ⊕ - Fire Hydrant
 - ⊕ - Gas Valve
 - ⊕ - Water Valve
 - ⊕ - Sanitary Manhole
 - ⊕ - Gas Meter
 - ⊕ - Power Pole
 - ⊕ - Catch Basin
 - ⊕ - Street Light
 - ⊕ - Automatic Sprinkler
 - ⊕ - Electric Transformer
 - ⊕ - Right-of-Way Monument (TDOT)
 - ⊕ - Telephone Pedestal

P. O. B. - Point of Beginning
 P. O. C. - Point of Commencement.

Norwood Surveying
 John Mark Norwood, RLS
 705 County Road 100
 Athens, Tennessee 37303-6673

ALTA/NSPS Survey
 Boundary Survey
 Construction Site Survey
 Consulting/Planning
 Road Determination
 Subdivision Design and Layout

Norwood1857@gmail.com
 Licensed in TN, AL, MS, MO, and KY (423) 920-7273



R/W Dedication
 0.090 Acres
 3,942 Square Feet

Lot 1
 1.031 Acres
 44,895 Square Feet

Arc Length: 61.26'
 Radius: 1,880.00'
 Delta: 001°52'01"
 Chord Brg: S 79°14'57\" W
 Chord Len: 61.25'

The Plans Submitted for this plat meet the requirements of the City of Cleveland and have been installed Accordingly

Cleveland Utilities	Date
The City Engineer, having reviewed this plat, approves the same as shown hereon.	
City Engineer	Date
All The Requirements having been fulfilled pursuant to the subdivision regulations of the City of Cleveland, the Plat is given Final Approval.	
Secretary Planning Commission	Date

The Owner of the Land Shown on this Plat and whose name is subscribed hereto, in person or through a duly Authorized Agent, certifies that he owns the land being subdivided; that there are no previous Private Restrictions against subdividing; that all Tennessee State Taxes, Bradley County Taxes, and Other Assessments now due on this land have been paid; and that he is dedicating the Road Rights-of-Way for Public Use and any other areas so designated and is also Establishing Easements as specified on the Plat.

Sunridge Properties, LLC, 140 William Way, SE, Cleveland, TN 37323 (423) 716-2161

RHBB Holdings
 Book: 2639, Page: 624
 APN: 050KB00300

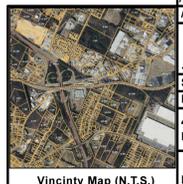
Chris Evans
 Book: 2952, Page: 528
 APN: 050KB00401

Darrell E. Officer
 Book: 2061, Page: 929
 APN: 050KB00100



THIS PLAT IS SUBJECT TO: any and all right-of-ways, easements, and/or restrictions that may exist, other written or not written, recorded or not recorded. Easements, Restrictions, and Other Uses that may exist or that are not clearly defined by the latest deed are therefore not shown herein. NO TITLE ABSTRACT WORK PREPARED OR OBTAINED BY THIS FIRM. The use of this plat/survey is strictly limited to the client(s) for whom it was prepared and is/are listed on this plat only. It is hereby certified that this PLAT is true and correct, to the best of my knowledge and belief, was prepared from an actual survey on the ground by me; that this is a Category 1 survey, with the Linear Error of Closure, of the unadjusted survey, not exceeding that of one foot per 10,000'±; and, that this survey was done in compliance with the Minimum Standards of Practice for Tennessee.

John M. Norwood R.L.S. Number 1857



Revision: 28 January 2026; PC Comments.
 Revision: 20 January 2026; Prepare R/W Dedication Plat

Final Plat - Lot 1, Sunridge Properties, LLC

Survey for: David Prok

Scale: 1" = 30'	R/W Dedication	Drawn: J. Norwood
Date: 17 November 2025		Crew: JY, S2, JD, S3

4th Civil District, City of Cleveland.
 Bradley County, Tennessee

Project Number: 2025-185.01.01



CLEVELAND
TENNESSEE

EST. 1842

Consent Agenda Staff Report

Case: SUB 2026-03 Briar Ridge Preliminary Plat

(see **Appendix** for case materials)

February 17, 2026

City of Cleveland Municipal Planning Commission

Applicant:	Ryan and Emily Wampler
Site Address:	Buchanan Rd.
Tax Map:	065 044.00 and 040.00
Area:	17.38 Acres
Current Zone:	PUD 50
Request:	Approval of preliminary plat
Sewer/Water:	Yes
Council District:	District 1-Marsha McKenzie

PLANNING & DEVELOPMENT

1. Analysis

The plat in questions contains 76 lots, community lots and 73 buildable lots. This is to be developed using the PUD 50 zoning regulations and consists of single family homes.

2. Staff Recommendation

APPROVE PENDING STAFF COMMENTS

The submitted version of the preliminary plat will meet the requirements of

the City of Cleveland Subdivision regulations and PUD 50 Zoning Ordinance once comments are addressed.

Outstanding Comments

Engineering- “Revise the normal crown cross section view and the plan for Finn View Drive to be a minimum of 50 feet right of way and 24 feet wide roadway, provide contour lines at 2-ft intervals or corner elevations for flat sites within any 2-ft contours.

Planning- “sidewalk required along Buchanan and 4 parking spots are required at mail kiosk per PUD. Please show bus stop location also. The unopened ROW should be abandoned if all parties agree, through the platting process.”

PRELIMINARY PLAT FOR:
LOTS 1-76, BRIAR RIDGE SUBDIVISION
TOTAL AREA = 17.38 ACRES



VICINITY MAP

THE PLANS SUBMITTED FOR THIS PLAT MEET THE REQUIREMENTS OF THE CITY OF CLEVELAND AND HAVE BEEN INSTALLED ACCORDINGLY.

DATE: CLEVELAND UTILITIES
THE CITY ENGINEER HAVING REVIEWED THIS PLAT APPROVES THE SAME AS SHOWN HEREON.

DATE: CITY ENGINEER
ALL THE REQUIREMENTS HAVING BEEN FULFILLED PURSUANT TO THE SUBDIVISION REGULATIONS OF THE BRAVLEY COUNTY, TN THIS PLAT IS GIVEN FINAL APPROVAL.

DATE: PLANNING COMMISSION SECRETARY



Curve	Radius	Arc Length	Chord Length	Chord Bearing	Delta Angle
C1	100.00	52.98	52.97	N55°12'14"W	35°21'55"
C2	100.00	79.98	77.72	N45°10'11"W	45°45'12"
C3	20.00	31.42	31.42	S89°00'50"W	50°00'00"
C4	120.00	5.00	5.00	S25°12'26"W	2°21'17"
C5	120.00	46.82	46.82	S3°30'29"W	22°14'20"
C6	120.00	43.98	43.74	S55°07'33"W	21°00'00"
C7	120.00	43.98	43.74	S30°07'33"W	21°00'00"
C8	120.00	43.98	43.74	N78°42'27"E	21°00'00"
C9	120.00	53.00	53.00	N67°10'48"W	2°21'17"
C10	20.00	31.42	31.42	S89°00'50"W	50°00'00"
C11	20.00	24.82	23.09	S11°15'32"E	77°31'44"
C12	40.00	38.79	37.29	S19°44'03"E	55°33'41"
C13	40.00	73.98	63.43	S17°31'01"E	104°50'02"
C14	40.00	62.83	56.57	N20°59'10"W	60°00'00"
C15	20.00	31.42	28.28	N20°59'10"W	60°00'00"
C16	120.00	5.00	5.00	N67°10'48"W	2°21'17"
C17	120.00	41.89	41.89	N53°35'33"W	20°00'00"
C18	120.00	41.89	41.89	N33°35'33"W	20°00'00"
C19	120.00	41.89	41.89	N13°35'33"W	20°00'00"
C20	120.00	41.89	41.89	N20°59'10"W	60°00'00"
C21	120.00	41.89	41.89	N39°44'11"E	20°00'00"
C22	120.00	41.89	41.89	N79°44'11"E	20°00'00"
C23	120.00	41.89	41.89	S89°45'56"E	20°00'00"
C24	120.00	41.89	41.89	S69°45'56"E	20°00'00"
C25	120.00	41.89	41.89	S49°45'56"E	20°00'00"
C26	120.00	41.89	41.89	S29°45'56"E	20°00'00"
C27	140.00	42.52	42.52	S19°45'56"E	17°24'00"
C28	140.00	122.85	123.16	S12°12'00"E	30°12'00"
C29	140.00	6.06	6.06	S10°54'19"W	2°28'52"
C30	80.00	115.51	115.73	S31°13'01"E	32°43'30"
C31	20.00	31.42	28.28	S10°54'19"W	17°15'19"
C32	20.00	31.42	28.28	S20°59'10"W	60°00'00"
C33	20.00	31.42	28.28	S30°59'10"W	60°00'00"
C34	80.00	120.66	119.34	S40°59'10"W	60°00'00"
C35	80.00	5.00	5.00	N22°13'20"E	3°35'00"
C36	80.00	5.00	5.00	N22°13'20"E	3°35'00"
C37	80.00	120.66	119.34	N32°13'20"E	3°35'00"
C38	20.00	31.42	28.28	S20°59'10"W	60°00'00"
C39	20.00	31.42	28.28	S10°54'19"W	17°15'19"
C40	80.00	120.66	119.34	S10°54'19"W	17°15'19"
C41	20.00	31.42	28.28	N20°59'10"W	60°00'00"
C42	20.00	31.42	28.28	N60°00'00"W	60°00'00"

Surveyor's Notes

- Zoning of Subdivision: PUD 50
- Setbacks: Front: Twenty-five (25) feet, Rear: fifteen (15) feet, Side: five (5) feet (Single Family Sites), ten (10) feet (Townhome end units) outside foundation.
- This plat subdivides property recorded in: A: Deed Book 2942, Page 50.
- Plat by Christian M. Medders, TN RLS No. 2403, Dated 04/24/20, Job No. 23-07.
- A 20' utility and drainage easement is reserved adjacent to all road right-of-way, 10' Utility & Drainage Easements on all lot lines forming outside foundation, and a 5' Utility & Drainage Easements on all lot lines forming inside boundaries. Subject to City Storm water ordinance No. 2015-06 present Zoning PUD 50.
- Review of the Federal Emergency Management Agency Flood Insurance rate maps with community number 4701102395, Dated 02/02/2007 indicates this property lies within Zone X, which is not in a flood area.
- Water by: Cleveland Utilities
- Sewer by: Cleveland Utilities
- Owner: Ryan and Emily Wampler, 1510 Hughes Lake Rd, Cleveland, TN 37323

Phone: _____

Owner's Certification:
The owner of the land shown on this plat and whose name is subscribed hereon, in person or through a duly authorized agent, certifies that he owns the land being subdivided; that there are no preexisting private restrictions against subdividing; that all Tennessee state taxes, Bradley County taxes, and other assessments now due on the land have been paid; that he is dedicating the road right-of-way for public use and any other areas so designated and is also dedicating easements as specified on the plat.

Surveyor's Certificate:
I hereby certify that this plat is true and correct to the best of my knowledge and belief and was prepared from an actual survey of the property by me or under my supervision and that the ratio of precision of the undistorted survey is 1 per 10,000 feet or better.

Christian M. Medders, RLS 2493

PERPETUAL STORM WATER FACILITY MAINTENANCE AGREEMENT

This plat contains storm water facilities known as or shown as detention retention ponds or storm water storage facilities on the plat. With regard to future maintenance, it is expressly understood and agreed by the developer and the owner of any specific lot and/or tract within the plat subdivision that the developer and/or owner of lots or tracts shall be responsible for the maintenance of all storm water storage facilities including but not limited to operation and/or retention ponds as shown on this plat. Specifically, the developer or owner of real property that is served by an on-site or off-site storm water management facility including storm water storage facilities shall be responsible for maintenance, repair and operation, during site development. The developer's responsibility shall terminate after a two year period from the issuance of a land disturbance permit upon satisfying two conditions: 1) Successful completion of post construction in accordance with Sections 18-306 and 18-307 of Ordinance # 2004-41 of the City of Cleveland Storm Water Regulations specifically Sections 18-306 and 18-307; and 2) The sale and transfer of ownership of 51% of all lots, tracts and/or parcels in the plat subdivision. All individual lot, parcel, tract owners in the plat subdivision shall have an easement interest in the storm water storage facilities for water run off from all lots in the subdivision. The private storm water facilities shall include but are not limited to storm water storage facilities, detention and retention ponds, structural and non-structural storm water facilities and open channel conveyance not located within the public right-of-way.

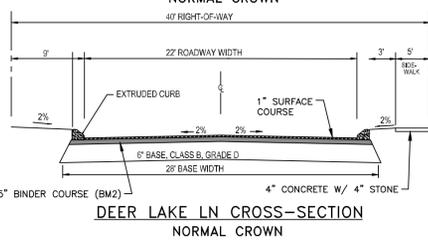
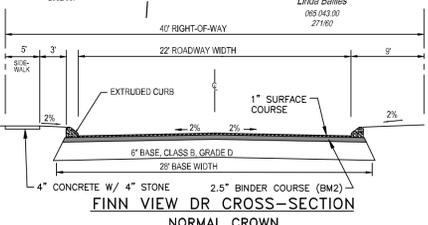
The future maintenance, repair and operation of the private storm water facilities shall be the responsibility of all subdivision lot owners of record of those lots shown on the recorded plat. In the event, a subdivision is developed in phases then all subsequently developed lots in the subdivision including all future phases of the subdivision shall share the same easement as those lot owners shown in the initial plat and/or plats. It being the intent that all lot owners in any particular subdivision, whether in the initial or any later phase shall share equally in the easement rights to the storm water storage facilities as well as share equally in the future maintenance and upkeep of the storm water storage facilities. There shall be and is a storm water retention basin easement as to any plat containing a storm water retention basin. This storm water retention basin easement shall be a 20 foot wide access easement. This easement shall be for the purpose of allowing city engineering personnel, storm water inspectors, grading equipment operators, storm water monitoring personnel and/or other necessary personnel to investigate, inspect, repair and/or maintain detention basins or storm water quality structures as needed to determine proper functioning, need for maintenance, maintenance and/or other necessary repairs and/or alterations that may occur in times of emergency or urgent conditions. This twenty (20) foot access easement as shown on this recorded plat and shall be used as a means of ingress and egress to and from storm water retention basins and must abut on a public right-of-way for at least twenty (20) feet road frontage and must be easily traversable by potential grading equipment as well as those individuals noted above. This twenty (20) foot storm water retention basin access easement area shall not contain any buildings or structures, large trees or heavy structures, utility poles, manholes, overhead utility lines without adequate clearance, deep ditches or channels and/or any other structures or items causing the storm water retention basin to be inaccessible.

However, the property owner is permitted to plant small shrubs or trees or to have them be easily removed or cleared. Small fences may also be placed in this area that can be easily removed. Any fencing should contain a gate through the fence. (Small gate shall be placed thru by the lot owner at the expense of the lot owner.) Any structure located upon the storm water retention basin access easement area must be portable and easily and easily removable. The City of Cleveland shall not be and is not responsible for any damage to any structure, fence, utility or vegetation located within this storm water retention basin access easement area. The City of Cleveland and/or its designated agents and/or officials shall have access over and across this storm water retention basin easement area as they deem the same necessary to inspect and/or maintain the storm water retention facility. The City of Cleveland shall not be responsible for the repair or replacement of structures, fences, utilities and/or vegetation located upon the storm water retention basin access easement area. This storm water retention basin access easement area is normally reserved for heavy equipment access rather than ordinary passenger vehicle access.

Ownership of each private storm water facility shall be equally apportioned to each parcel over which the storm water storage facility lies. However, maintenance of these private storm water facilities serving multiple parcels shall be the cumulative responsibility of every lot and/or tract owner of record of any lot or tract in the subdivision who shall have easement rights for water runoff from their individual lots and/or tracts flow into and to any storm water storage facility and/or detention or retention pond as shown on the recorded plat in the subdivision. Each lot owner in the subdivision shall share equally in the cost of all maintenance, upkeep and/or repair of storm water storage facility and/or detention or retention pond. However, in the event, damage to the storm water storage facility and/or detention or retention pond is caused by the sole negligence of any one individual lot and/or tract owner, then the individually negligent lot or tract owner shall be solely responsible for the repair of the damage caused by his or her negligence and/or the acts of his or her agents. In the event, storm water facilities are not properly maintained as set out herein in the City of Cleveland, it shall require the subdivided parcel owners to perform the maintenance and the repair at the expense of the subdivided parcel owners by said facilities and pursuant to the terms of Section 18-306, Section 5 (f) (ii). The City may file suit against the lot and/or tract owners seeking relief from a court of proper jurisdiction to require said lot and/or tract owners to pay for said maintenance and upkeep of these storm water storage facilities as set out herein and/or as set out in the ordinance. In the event it shall be necessary to file suit then the party or parties found to be in violation of the ordinance and/or in violation of this maintenance agreement shall be responsible to pay the court costs paid and the attorney fees incurred by the City of Cleveland in having the ordinance and/or this maintenance agreement enforced.

Dated this _____ day of _____, 20____.

Developer



CALL BEFORE YOU DIG: 800-4-A-DRILL (4-2747) (BLAST-BORE 800) 254-1111

ENGINEER - ONE-CALL CENTER

- INSURANCE REPAIR SET UP
- REPAIR REPAIR PD (PF) REPAIR PIPE PD
- CONCRETE ENCUMBRANCE FOUND
- WATER METER
- WELL/INDIVIDUAL
- SANITARY SEWER MAIN/OLE
- REINFORCEMENT/CONTROL
- FENCE LINE
- GAS LINE
- WATER LINE
- SEWER LINE
- OVERHEAD ELEC. LINE
- SURVEYED PROP. LINE
- ADJACENT LINE
- Q OF DRIVER ROAD

CHRISTIAN M. MEDDERS REGISTERED LAND SURVEYOR 423-368-7856

JOB NO: 260013 PRELIM.

DATE: 10/29/20

AREA: 17.38 ACRES

SCALE: 1"=50'

DRAWN BY: DJM / FIELD CREW: N/A

EQUIP: N/A

TN RLS 2403 - GA RLS 3112

9.W. WASHINGTON BLVD., ATHENS TN 37303

christianmedders@gmail.com csmpr@tncs.com

RYAN WAMPLER & EMILY WAMPLER
PRELIMINARY PLAT OF LOT 1-76, BRIAR RIDGE SUBDIVISION
TIA 10 000 AMAL 181 CEN 1201231 BRADLEY COUNTY, TENNESSEE

DATE: 10/29/20

REVISIONS: 01/29/20, PCS 50

ZONING: PUD 50

STRUCKS: FRONT (25), REAR (15), SIDE (10)

WATER & SEWER: CLEVELAND UTILITIES

FORM MAP: 2011-0206 (DATE: 02/02/07)

ZONES: X, IS NOT IN A FLOOD ZONE

CHRISTIAN M. MEDDERS REGISTERED LAND SURVEYOR



CLEVELAND
TENNESSEE

EST. 1842

Consent Agenda Staff Report

Case: SUB 2026-04 Holloway Farms Preliminary Plat (see **Appendix** for case materials)

February 17, 2026

City of Cleveland Municipal Planning Commission

Applicant:	Steve and Linda Williams
Site Address:	Holloway Road
Tax Map:	065 015.00, 015.07, and 003.13
Area:	46.7 Acres
Current Zone:	IH Heavy Industrial (PUD 73 pending final approval)
Request:	Approval of preliminary plat
Sewer/Water:	Yes
Council District:	District 1-Marsha Mckenzie

PLANNING & DEVELOPMENT

1. Analysis

The plat in questions contains 161 lots of which 158 will be single family homes. This is to be developed using regulations set forth in the PUD 73 zoning ordinance once approved.

2. Staff Recommendation

APPROVE PENDING STAFF COMMENTS

The submitted version of the preliminary plat will meet the requirements of the City of Cleveland Subdivision regulations and PUD 73 Zoning Ordinance once comments are addressed.

Outstanding Comments

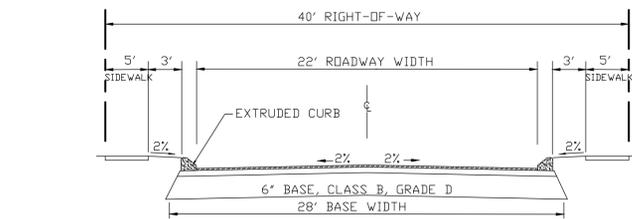
Planning- “zoning will be PUD 73 please revise and list setbacks according to PUD document. List parcel 065 003.13. PUD must be finalized and preliminary plat match PUD requirements prior to final approval. Full review will take place once full zoning approval is received. Stub outs should touch property lines.

Stormwater- “new FEMA map shows a possibility of a stream. Has there been an HD study completed for this site?

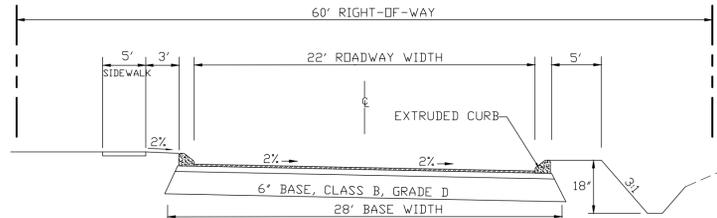


NOTES

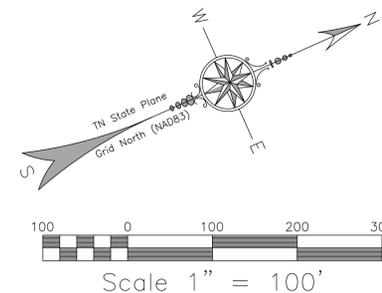
1. Present zoning classification IH.
2. Area subdivided by this plot is 46.7 acres.
3. This plot subdivides the property described in Deed Book 2249-722 & 2249-727.
4. 15' Drainage & Utility Easement along all lot lines abutting public or private roads internal to the subdivision.
5. 10' Drainage & Utility Easement along all lines forming outside boundary of subdivision.
- 5' Drainage & Utility Easement along all other lot lines.
6. Surface contours shown at 2'-10' intervals and compiled from Field & LIDAR data.
7. Water provided by Cleveland Utilities
8. Electric provided by Cleveland Utilities
9. Sanitary Sewers are available per City Sewer System.
10. I, hereby certify after examination of the current F.E.M.A.-Flood Insurance Rate Map No. 47011C0118F that the subject property lies in zone "X" thereon and a portion DOES NOT lie within the 100 year flood hazard area. The reference map bears a revised date of 11/28/2025.
11. Property Use: Single Family Homes
12. Purpose of plot is to abandon existing interior property lines and create Lots 1 thru 161 as shown.
13. Tax Parcels: 065-015 & 015.07.
14. Iron Pins placed at all corners.
15. This survey was conducted without the benefit of a complete and current title commitment.
16. Street Paving: Build up to be minimum city standards for residential streets.
17. I, certify that I have surveyed the property hereon, that this survey is correct to the best of my knowledge and belief and that the ratio of precision of the unadjusted survey is >1:10,000 (Category I) as shown hereon.



**NORMAL CROWN CROSS-SECTION
MADISON WAY: STA 8+50 TO END
MAIZEY PLACE: BEGINNING TO END**



**SINGLE SLOPE CROSS-SECTION
MADISON WAY: STA 0+00 TO 8+50**



LEGEND

- Centerline
- Iron Rod (Found)
- Iron Pipe (Found)
- Concrete Monument (Found)
- ▲ P.K. Nail (Found)
- ▲ P.K. Nail (Set)
- Iron Rod (Set)
- Manhole

Owner:
Steven & Linda Williams
2300 20th Street, NE
Cleveland, TN 37323

Developer:
DR Horton
1210 Premier Drive, Suite 130
Chattanooga, TN 37421
(423) 497-1380

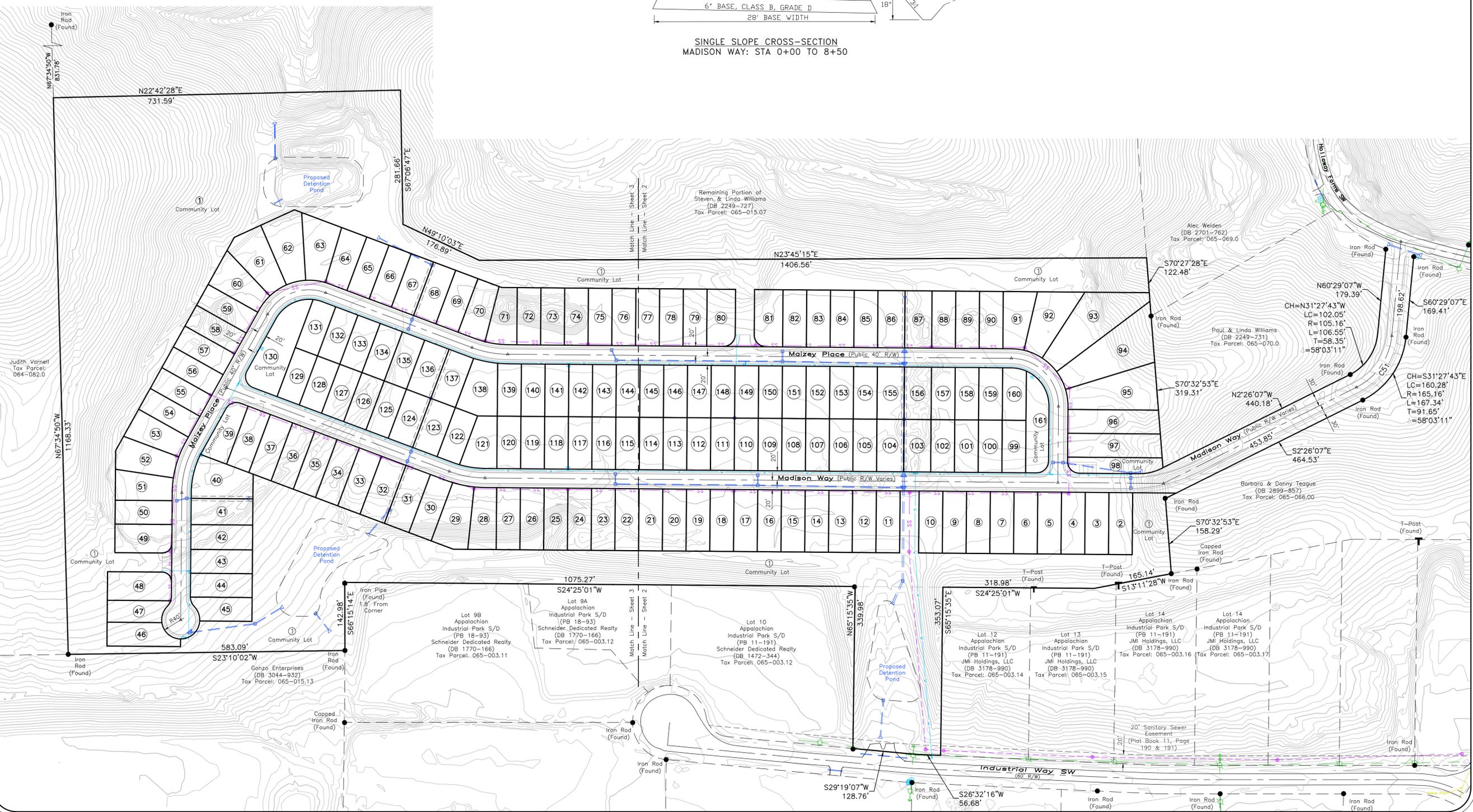
Engineer:
Berry Engineers, LLC
63 Broad Street, NW
Cleveland, TN 37311
(423) 790-5880

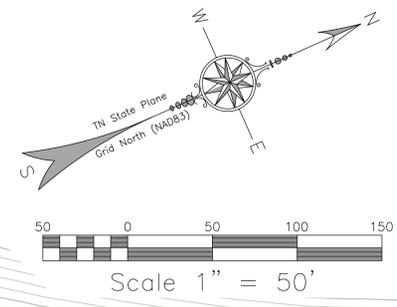
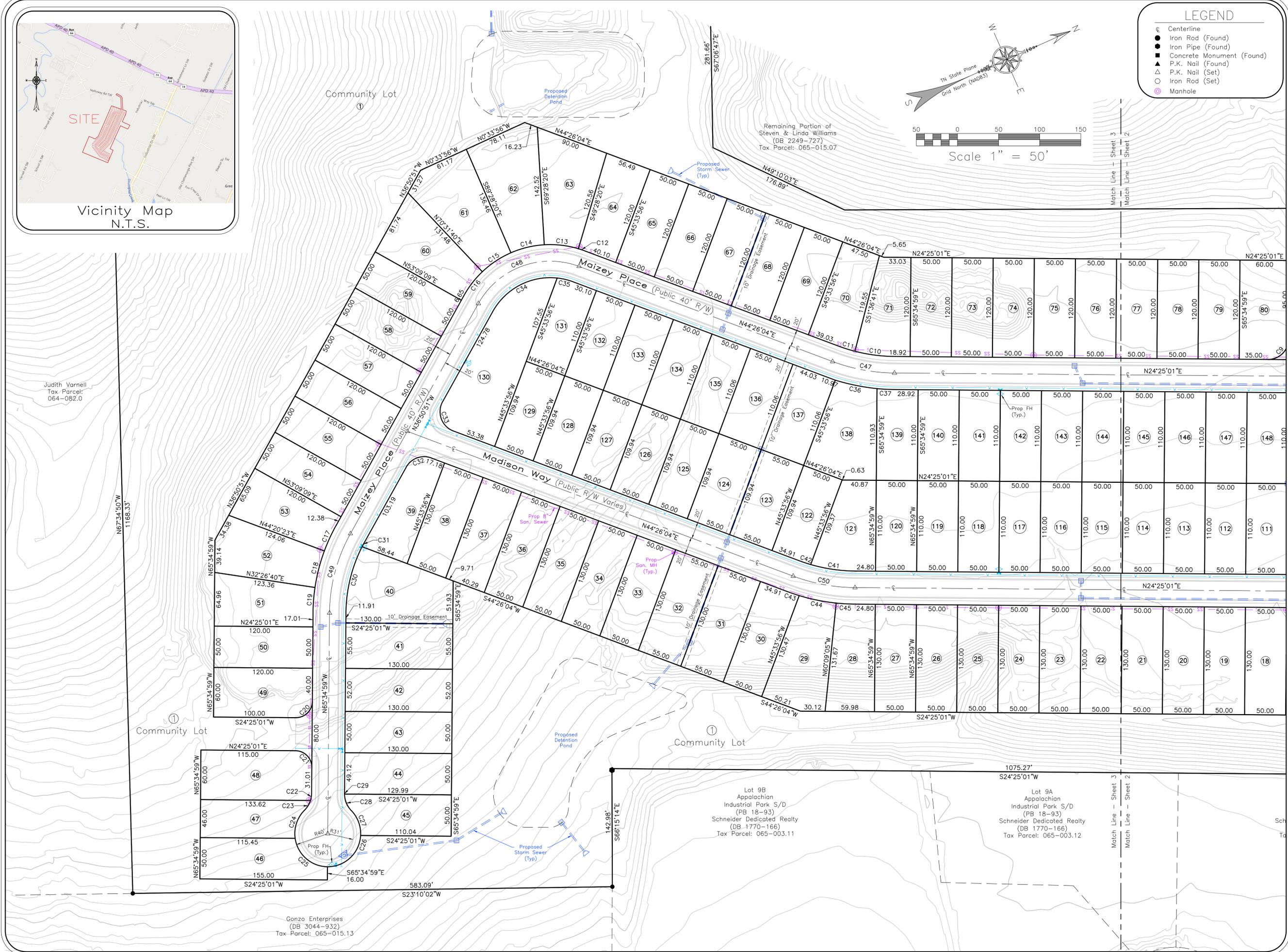
Owner:
Michael Shane Loyd
Tennessee Registered
Land Surveyor #1862

Drawing No. 26001
Tax Map No. 065-015 & 015.07
File Name: Holloway Farms SD
Drawn By: ANB
Checked By: MSL
Date of Survey: 01/07/2026
Date of Last Revision: 01/12/2026

Preliminary Plat
Lots 1 thru 161
Holloway Farms
(Deed Books 2249-722 & 2249-727)
Cleveland, Bradley County
Tennessee

THE R.L.S. GROUP
LIMITED LIABILITY COMPANY
LAND SURVEYING
4728 Adams Road, Suite 101
Hixson, Tennessee 37343
Phone (423) 847-0155, Fax (423) 847-0156
www.RLSHDS.com
This Survey is NOT transferable to any other owner or without the express written consent of the surveyor.





LEGEND

- Centerline
- Iron Rod (Found)
- Iron Pipe (Found)
- Concrete Monument (Found)
- ▲ P.K. Nail (Found)
- △ P.K. Nail (Set)
- Iron Rod (Set)
- ⊙ Manhole

3
Sheet No. of 4

Michael Shane Loyd
Tennessee Registered
Land Surveyor #1862

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Parcel #	Area	Perimeter
1	758288.12	13727.92
2	6500.00	360.00
3	6500.00	360.00
4	6500.00	360.00
5	6500.00	360.00
6	6500.00	360.00
7	6500.00	360.00
8	6500.00	360.00
9	6500.00	360.00
10	6500.00	360.00
11	6500.00	360.00
12	6500.00	360.00
13	6500.00	360.00
14	6500.00	360.00
15	6500.00	360.00
16	6500.00	360.00
17	6500.00	360.00
18	6500.00	360.00
19	6500.00	360.00
20	6500.00	360.00
21	6500.00	360.00

Parcel #	Area	Perimeter
22	6500.00	360.00
23	6500.00	360.00
24	6500.00	360.00
25	6500.00	360.00
26	6500.00	360.00
27	6500.00	360.00
28	7002.66	369.21
29	8356.76	388.47
30	6502.39	360.48
31	7150.00	370.00
32	7150.00	370.00
33	6500.00	360.00
34	6500.00	360.00
35	6500.00	360.00
36	6500.00	360.00
37	6500.00	360.00
38	6500.00	360.00
39	6224.91	351.12
40	9266.14	395.41
41	7150.00	370.00
42	6760.00	364.00

Parcel #	Area	Perimeter
43	6500.00	360.00
44	6500.00	359.99
45	5945.92	345.31
46	6732.47	393.26
47	5578.72	346.23
48	8010.07	380.18
49	7114.16	351.42
50	6000.00	340.00
51	6802.64	356.17
52	7474.99	366.63
53	6723.99	355.37
54	6000.00	340.00
55	6000.00	340.00
56	6000.00	340.00
57	6000.00	340.00
58	6000.00	340.00
59	6000.00	340.00
60	7625.94	376.26
61	9081.51	402.26
62	9448.33	415.21
63	8286.38	394.97

Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	46.87	100.00	26°51'10"	46.44	S10°59'27"W
C2	39.27	25.00	90°00'00"	35.36	S69°25'01"W
C3	36.33	120.00	17°20'50"	36.19	N74°15'23"W
C4	41.89	120.00	20°00'00"	41.68	S87°04'12"W
C5	41.89	120.00	20°00'00"	41.68	S67°04'12"W
C6	41.89	120.00	20°00'00"	41.68	S47°04'12"W
C7	26.50	120.00	12°39'10"	26.45	S30°44'37"W
C8	39.27	25.00	90°00'00"	35.36	S69°25'01"W
C9	39.27	25.00	90°00'00"	35.36	S20°34'59"E
C10	48.77	200.00	13°58'20"	48.65	S31°24'10"W
C11	21.10	200.00	6°02'50"	21.09	S41°24'42"W
C12	8.18	120.00	3°54'20"	8.18	S42°28'52"W
C13	41.89	120.00	20°00'00"	41.68	S30°31'40"W
C14	41.89	120.00	20°00'00"	41.68	S10°31'40"W
C15	41.89	120.00	20°00'00"	41.68	S9°28'20"E
C16	36.39	120.00	17°22'30"	36.25	S28°09'35"E
C17	33.84	220.00	8°48'50"	33.81	S41°15'14"E
C18	45.68	220.00	11°53'40"	45.59	S51°36'29"E
C19	30.82	220.00	8°01'40"	30.80	S61°34'10"E
C20	31.42	20.00	90°00'00"	28.28	S20°34'59"E
C21	31.42	20.00	90°00'00"	28.28	N69°25'01"E
C22	9.13	30.00	17°26'20"	9.10	S56°51'51"E
C23	14.13	30.00	26°58'40"	14.00	S34°39'24"E
C24	37.03	40.00	53°02'30"	35.72	S47°41'21"E
C25	56.81	40.00	81°22'20"	52.15	N65°06'12"E
C26	60.94	40.00	87°17'20"	55.21	N19°13'38"W

Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C27	32.90	40.00	47°07'40"	31.98	N86°26'06"W
C28	22.37	30.00	42°43'50"	21.86	N88°38'00"W
C29	0.88	30.00	1°41'10"	0.88	N66°25'32"W
C30	83.43	180.00	26°33'20"	82.68	N52°18'20"W
C31	6.85	180.00	2°10'50"	6.85	N37°56'15"W
C32	35.47	25.00	81°16'50"	32.57	N3°47'37"E
C33	43.07	25.00	98°43'10"	37.94	N86°12'23"W
C34	93.38	80.00	66°52'40"	88.17	N3°24'32"W
C35	20.11	80.00	14°24'20"	20.06	N37°13'55"E
C36	51.78	268.57	11°02'50"	51.70	N35°21'38"E
C37	21.11	240.00	5°02'20"	21.10	N26°56'13"E
C38	32.70	80.00	23°25'10"	32.47	N36°07'35"E
C39	92.96	80.00	66°34'50"	87.82	N81°07'35"E
C40	39.27	25.00	90°00'00"	35.36	S20°34'59"E
C41	54.77	200.00	15°41'30"	54.60	S32°15'45"W
C42	15.10	200.00	4°19'30"	15.10	S42°16'17"W
C43	15.10	240.00	3°36'20"	15.09	N42°37'57"E
C44	46.00	240.00	10°58'50"	45.93	N35°20'22"E
C45	22.75	240.00	5°25'50"	22.74	N27°07'58"E
C46	157.08	100.00	90°00'00"	141.42	N69°25'01"E
C47	76.86	220.00	20°01'00"	76.47	N34°25'32"E
C48	141.86	100.00	81°16'50"	130.26	N3°47'37"E
C49	100.31	200.00	28°44'10"	99.26	N51°12'55"W
C50	76.86	220.00	20°01'00"	76.47	N34°25'32"E
C51	136.95	135.16	58°03'10"	131.16	N31°27'43"W

Parcel #	Area	Perimeter
64	6287.58	345.33
65	6000.00	340.00
66	6000.00	340.00
67	6000.00	340.00
68	6000.00	340.00
69	6000.00	340.00
70	6454.68	347.18
71	6356.37	345.92
72	6000.00	340.00
73	6000.00	340.00
74	6000.00	340.00
75	6000.00	340.00
76	6000.00	340.00
77	6000.00	340.00
78	6000.00	340.00
79	6000.00	340.00
80	7065.87	349.27
81	7065.87	349.27
82	6000.00	340.00
83	6000.00	340.00
84	6000.00	340.00

Parcel #	Area	Perimeter
85	6000.00	340.00
86	6840.00	354.00
87	6840.00	354.00
88	6000.00	340.00
89	6000.00	340.00
90	6000.00	340.00
91	7060.05	362.76
92	9477.15	432.83
93	16545.55	606.51
94	17279.39	612.29
95	13656.39	530.77
96	9643.10	485.91
97	9860.28	494.60
98	6405.86	446.46
99	5500.00	320.00
100	5500.00	320.00
101	5500.00	320.00
102	5500.00	320.00
103	6270.00	334.00
104	6269.99	334.00
105	5500.00	320.00

Parcel #	Area	Perimeter
106	5500.00	320.00
107	5500.00	320.00
108	5500.00	320.00
109	5500.00	320.00
110	5500.00	320.00
111	5500.00	320.00
112	5500.00	320.00
113	5500.00	320.00
114	5500.00	320.00
115	5500.00	320.00
116	5500.00	320.00
117	5500.00	320.00
118	5500.00	320.00
119	5500.00	320.00
120	5500.00	320.00
121	6629.37	340.44
122	5494.06	319.32
123	6046.62	329.88
124	6046.60	329.88
125	5496.92	319.88
126	5496.92	319.88

Parcel #	Area	Perimeter
127	5496.92	319.88
128	5496.92	319.88
129	5496.92	319.88
130	13312.51	532.09
131	5485.57	317.76
132	5500.00	320.00
133	5500.00	320.00
134	5500.00	320.00
135	5501.54	320.06
136	6053.36	330.12
137	6053.38	330.12
138	8025.50	364.26
139	5506.52	320.96
140	5500.00	320.00
141	5500.00	320.00
142	5500.00	320.00
143	5500.00	320.00
144	5500.00	320.00
145	5500.00	320.00
146	5500.00	320.00
147	5500.00	320.00

Parcel #	Area	Perimeter
148	5500.00	320.00
149	5500.00	320.00
150	5500.00	320.00
151	5500.00	320.00
152	5500.00	320.00
153	5500.00	320.00
154	5500.00	320.00
155	6270.00	334.00
156	6270.00	334.00
157	5500.00	320.00
158	5500.00	320.00
159	5500.00	320.00
160	5431.35	314.31
161	9165.91	483.85



CLEVELAND
TENNESSEE

EST. 1842

Consent Agenda Staff Report

Case: SUB 2026-05 Magnolia Terrace Phase 2 Preliminary Plat (see **Appendix** for case materials)

February 17, 2026

City of Cleveland Municipal Planning Commission

Applicant:	Three Point Development
Site Address:	Old Powerline Road
Tax Map:	058 034.00 and 004.00
Area:	5.81 Acres
Current Zone:	PUD 33
Request:	Approval of phase 2 preliminary plat
Sewer/Water:	Yes
Council District:	District 4-David May Jr.

PLANNING & DEVELOPMENT

1. Analysis

The plat in questions contains 95 lots to be added to the single-family portion of PUD 33 development. These lots meet the PUD 33 zoning regulations.

2. Staff Recommendation

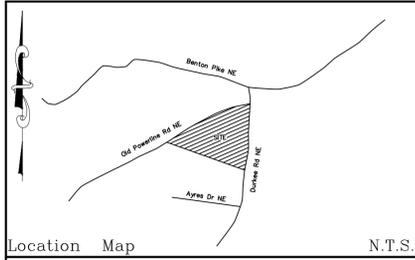
APPROVE PENDING STAFF COMMENTS

The submitted version of the preliminary plat will meet the requirements of the City of Cleveland Subdivision regulations and PUD 33 Zoning Ordinance once comments are addressed.

Outstanding Comments

Planning- “provide contour lines”

Engineering- “provide contour lines, provide road cross-section, correct text conflict for the existing Old powerline Rd. NE”



PERPETUAL STORM WATER FACILITY MAINTENANCE AGREEMENT
 THIS PLAT CONTAINS STORM WATER STORAGE FACILITIES KNOWN AS OR SHOWN AS DETENTION/RETENTION PONDS OR STORM WATER STORAGE FACILITIES ON THIS PLAT. WITH REGARD TO FUTURE MAINTENANCE, IT IS EXPRESSLY UNDERSTOOD AND AGREED BY THE DEVELOPER AND BY THE OWNER OF ANY SPECIFIC LOT AND/OR TRACT WITHIN THE PLATTED SUBDIVISION THAT THE DEVELOPER AND/OR OWNER OF LOTS OR TRACTS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL STORM WATER STORAGE FACILITIES INCLUDING BUT NOT LIMITED TO DETENTION AND/OR RETENTION PONDS SHOWN ON THIS PLAT. SPECIFICALLY, THE DEVELOPER OR OWNER OF REAL PROPERTY THAT IS SERVED BY AN ON-SITE OR OFF-SITE STORM WATER MANAGEMENT FACILITY INCLUDING STORM WATER STORAGE FACILITIES SHALL BE RESPONSIBLE FOR MAINTENANCE, REPAIR AND OPERATION DURING SITE DEVELOPMENT. THE DEVELOPER'S RESPONSIBILITY WILL TERMINATE AFTER A TWO YEAR PERIOD FROM THE ISSUANCE OF A LAND DISTURBANCE PERMIT UPON SATISFYING TWO CONDITIONS: 1) SUCCESSFUL COMPLETION OF POST CONSTRUCTION IN ACCORDANCE WITH SECTIONS 18-306 AND 18-307 OF ORDINANCE #2004-41 OF THE CITY OF CLEVELAND STORM WATER REGULATIONS SPECIFICALLY SECTIONS 18-306 AND 18-307 AND 2) THE SELL OR TRANSFER OF OWNERSHIP OF 50% OF ALL THOSE LOTS, TRACTS AND/OR PARCELS IN THE PLATTED SUBDIVISION. ALL INDIVIDUAL LOT, PARCEL, OR TRACT OWNERS IN THE PLATTED SUBDIVISION SHALL HAVE AN EASEMENT INTEREST IN THE STORM WATER STORAGE FACILITY FOR WATER RUN OFF FROM ALL LOTS IN THE SUBDIVISION. THE PRIVATE STORM WATER FACILITIES SHALL INCLUDE BUT ARE NOT LIMITED TO STORM WATER STORAGE FACILITIES, DETENTION AND RETENTION PONDS, STRUCTURAL AND NON-STRUCTURAL STORM WATER STORAGE FACILITIES AND OPEN CHANNEL CONVEYANCES LOCATED WITHIN THE PUBLIC RIGHT OF WAY.

THE FUTURE MAINTENANCE, REPAIR AND OPERATION OF THE PRIVATE STORM WATER FACILITIES SHALL BE THE RESPONSIBILITY OF ALL SUBDIVISION LOT OWNERS OF RECORD OF THOSE LOTS SHOWN ON THE RECORDED PLAT. IN THE EVENT A SUBDIVISION IS DEVELOPED IN PHASES THEY ALL SUCCESSIVELY DEVELOPED LOTS IN THE SUBDIVISION INCLUDING ALL FUTURE PHASES OF THE SUBDIVISION SHALL SHARE THE SAME EASEMENT AS THOSE LOT OWNERS SHOWN IN THE INITIAL PLAT AND/OR PLATS. IT BEING THE INTENT THAT ALL LOT OWNERS IN ANY PARTICULAR SUBDIVISION, WHETHER IN THE INITIAL OR ANY LATER PHASES SHALL SHARE EQUALLY IN THE EASEMENT RIGHTS IN AND TO THE STORM WATER STORAGE FACILITIES AS WELL AS SHARE EQUALLY IN THE FUTURE MAINTENANCE AND UPKEEP OF THE STORM WATER FACILITIES. THERE SHALL BE AND IS A STORM WATER STORAGE BASIN EASEMENT AS TO ANY PLAT CONTAINING A STORM WATER DETENTION BASIN. THE STORM WATER DETENTION BASIN EASEMENT SHALL BE A 20' WIDE ACCESS EASEMENT. THIS EASEMENT SHALL BE FOR THE PURPOSE OF ALLOWING CITY ENGINEERING PERSONNEL, STORM WATER INSPECTORS, GRADING EQUIPMENT OPERATORS, STORM WATER MONITORING PERSONNEL AND/OR OTHER NECESSARY PERSONNEL TO INVESTIGATE, INSPECT, REPAIR AND/OR MAINTAIN THE DETENTION BASIN OR STORM WATER QUALITY STRUCTURE AS WELL AS TO DETERMINE PROPER FUNCTIONING NEEDED FOR MAINTENANCE AND/OR OTHER NECESSARY REPAIRS AND/OR SITUATIONS THAT MAY OCCUR IN TIMES OF EMERGENCY OR URGENT CONDITIONS. THIS TWENTY (20) FOOT ACCESS EASEMENT IS AS SHOWN ON THIS RECORDED PLAT AND SHALL BE USED AS A MEANS OF INGRESS AND EGRESS TO AND FROM STORM WATER DETENTION BASINS AND MUST ABUT ON A PUBLIC RIGHT OF WAY FOR AT LEAST TWENTY (20) FEET ROAD FRONTAGE AND MUST BE EASILY TRANSFERABLE BY POTENTIAL GRADING EQUIPMENT AS WELL AS THOSE INDIVIDUALS NOT ABOVE. THE TWENTY (20) FOOT STORM WATER DETENTION BASIN ACCESS EASEMENT AREA SHALL NOT CONTAIN ANY BUILDINGS OR STRUCTURES, LARGE TREES OR HEAVY SHRUBBERY, UTILITY POLES, MANHOLES, OVERHEAD UTILITY LINES WITHOUT ADEQUATE CLEARANCE, DEEP DITCHES OR CHANNELS AND/OR ANY OTHER STRUCTURES OR ITEMS CAUSING THESE STORM WATER DETENTION BASIN TO BE INACCESSIBLE.

HOWEVER, THE PROPERTY OWNER IS PERMITTED TO PLANT SMALL SHRUBS OF UTILE OR NO VALUE THAT CAN BE EASILY REMOVED OR CLEARED. SMALL FENCES MAY ALSO BE PLACED IN THIS AREA THAT CAN BE EASILY REMOVED. ANY FENCING SHOULD CONTAIN A GATE THROUGH THE FENCE. (SAID GATE SHALL BE PLACED THERE BY THE LOT OWNER AT THE EXPENSE OF THE LOT OWNER) ANY STRUCTURE LOCATED UPON THE STORM WATER DETENTION BASIN ACCESS EASEMENT AREA MUST BE PORTABLE AND QUICKLY AND EASILY REMOVABLE. THE CITY OF CLEVELAND SHALL NOT BE AND IS NOT RESPONSIBLE FOR ANY DAMAGE TO ANY STRUCTURE, FENCE, UTILITIES OR VEGETATION LOCATED WITHIN THIS STORM WATER DETENTION BASIN ACCESS EASEMENT AREA. THE CITY OF CLEVELAND AND/OR ITS DESIGNATED AGENTS AND/OR OFFICIALS SHALL HAVE ACCESS OVER AND ACROSS THIS STORM WATER DETENTION BASIN ACCESS EASEMENT AREA AS THEY DEEM NECESSARY TO INSPECT AND/OR MAINTAIN THE STORM WATER DETENTION FACILITY. THE CITY OF CLEVELAND SHALL NOT BE RESPONSIBLE FOR REPAIR OR REPLACEMENT OF STRUCTURES, FENCES, UTILITIES AND/OR VEGETATION LOCATED UPON THE STORM WATER DETENTION BASIN ACCESS EASEMENT AREA. THE STORM WATER DETENTION BASIN ACCESS EASEMENT IS NORMALLY INTENDED FOR HEAVY EQUIPMENT ACCESS RATHER THAN ORDINARY PASSENGER VEHICLE ACCESS.

OWNERSHIP OF EACH PRIVATE STORM WATER FACILITY SHALL BE EQUALLY APPROPRIATED TO EACH PARCEL OVER WHICH THE STORM WATER FACILITY LIES. HOWEVER, MAINTENANCE OF THESE PRIVATE STORM WATER FACILITIES SERVING MULTIPLE PARCELS SHALL BE THE CUMULATIVE RESPONSIBILITY OF EVERY LOT AND/OR TRACT OWNER OF RECORD OF ANY PLOTTED LOT OR TRACT IN THE SUBDIVISION WHO SHALL ALL HAVE EASEMENT RIGHTS FOR WATER RUN OFF FROM THEIR INDIVIDUAL LOTS AND/OR TRACTS FLOW IN AND TO ANY STORM WATER STORAGE FACILITY AND/OR DETENTION OR RETENTION POND AS SHOWN ON THE RECORDED PLAT. EACH LOT OWNER IN THE SUBDIVISION SHALL SHARE EQUALLY IN THE COST OF ALL MAINTENANCE, UPKEEP AND/OR REPAIRS OF STORM WATER STORAGE FACILITIES AND/OR DETENTION/RETENTION POND. HOWEVER, IN THE EVENT, DAMAGE TO THE STORM WATER STORAGE FACILITY AND/OR DETENTION/RETENTION POND IS CAUSED BY THE SOLE NEGLIGENCE OF ANY ONE INDIVIDUAL LOT AND/OR TRACT OWNER, THEN THE NEGLECT LOT OR TRACT OWNER SHALL BE SOLELY RESPONSIBLE FOR THE REPAIR OF THE DAMAGE CAUSED BY HIS OR HER NEGLIGENCE AND/OR ACTS OF HIS OR HER AGENTS. IN THE EVENT STORM WATER FACILITIES ARE NOT PROPERLY MAINTAINED AS SET OUT HEREIN IN THE CITY OF CLEVELAND, IT SHALL REQUIRE THE SUBDIVISION/PARCEL OWNERS OR RECORD SERVED TO PERFORM THE MAINTENANCE OR REPAIR AT THE EXPENSE OF THE PARCEL OWNERS SERVED BY SAID FACILITY AND PURSUANT TO THE TERMS OF SECTION 18-305, SECTION 5 (II)(B), THE CITY MAY FILE SUIT AGAINST THE LOT AND/OR TRACT OWNERS SEEKING RELIEF FROM A COURT OF PROPER JURISDICTION TO REQUIRE SAID LOT AND/OR TRACT OWNERS TO PAY FOR SAID MAINTENANCE AND UPKEEP OF THESE STORM WATER STORAGE FACILITIES AS SET OUT HEREIN AND/OR AS SET OUT IN THE ORDINANCE. IN THE EVENT IT SHALL BE NECESSARY TO FILE SUIT THEN THE PART OR PARTIES FOUND TO BE IN VIOLATION AND/OR IN VIOLATION OF THIS MAINTENANCE AGREEMENT SHALL BE RESPONSIBLE TO PAY THE COURT COSTS PAID AND ANY ATTORNEY FEES INCURRED BY THE CITY OF CLEVELAND IN HAVING THE ORDINANCE AND/OR THIS MAINTENANCE AGREEMENT ENFORCED.

The plans submitted for this plat meet the requirements of the City of Cleveland and have been installed accordingly.

DATE _____ Cleveland Utilities Electric Division
 DATE _____ Cleveland Utilities Water Division
 DATE _____ City Engineer
 DATE _____ Planning Commission Secretary

OWNER'S CERTIFICATION

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that he owns the land being subdivided; that there are no previous private restrictions against subdividing; that all Tennessee state taxes, Bradley County taxes, and other assessments now due on this land have been paid; and that he is dedicating the road rights-of-way for public use and any other areas so designated and is also establishing easements as specified on the plat.

OWNER _____ (Or) AGENT _____

DATE _____

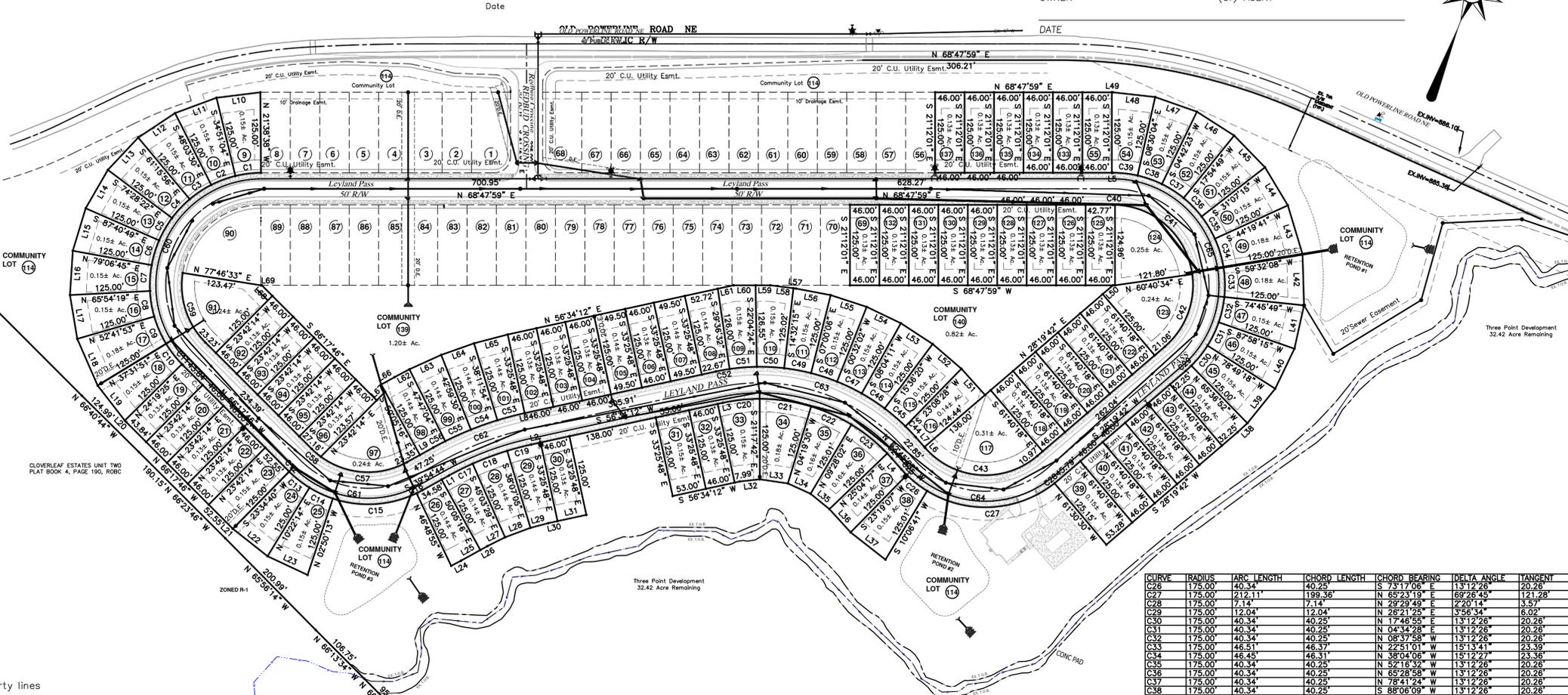


LINE	BEARING	DISTANCE
L1	S 39°54'44" W	12.66'
L2	S 56°34'09" W	14.92'
L3	S 56°34'12" W	7.98'
L4	N 62°45'27" W	22.85'
L5	N 68°47'59" E	1.77'
L6	N 62°45'27" W	20.48'
L7	N 62°45'27" W	20.48'
L8	S 56°34'12" W	0.24'
L9	S 39°54'44" W	23.59'
L10	S 61°45'09" W	69.00'
L11	S 48°32'43" W	69.00'
L12	S 35°20'17" W	69.00'
L13	S 22°07'51" W	69.00'
L14	S 08°55'25" W	69.00'
L15	S 04°17'02" E	69.00'
L16	S 17°29'28" E	69.00'
L17	S 30°41'54" W	69.00'
L18	S 44°53'08" E	79.18'
L19	S 59°04'22" E	69.00'
L20	S 68°59'11" E	53.24'
L21	S 68°21'33" E	0.66'
L22	S 73°01'33" E	69.00'
L23	S 86°14'00" E	69.00'
L24	N 41°32'58" E	11.33'
L25	S 39°54'44" W	34.58'
L26	S 39°54'44" W	12.66'
L27	N 42°25'35" E	40.77'
L28	S 42°25'35" E	40.77'
L29	N 54°13'33" E	28.63'
L30	S 56°34'12" W	14.92'
L31	S 56°34'12" W	69.00'
L32	N 62°38'10" E	31.71'
L33	N 77°11'24" E	44.27'
L34	S 86°55'20" E	38.91'
L35	N 77°11'24" E	37.84'
L36	S 63°42'15" E	49.07'
L37	S 75°16'53" E	69.00'
L38	N 76°59'11" E	12.64'
L39	S 17°46'55" E	69.00'
L40	N 04°34'28" E	69.00'
L41	N 06°37'58" E	69.00'
L42	N 22°51'01" W	79.50'
L43	N 38°04'06" W	79.39'
L44	N 52°16'32" W	69.00'
L45	N 68°39'55" W	69.00'
L46	N 84°41'41" W	69.00'
L47	S 88°06'09" W	69.00'
L48	S 75°08'59" W	66.36'
L49	N 68°47'59" E	1.55'
L50	S 28°19'42" W	21.06'

LINE	BEARING	DISTANCE
L50	S 28°19'42" W	21.06'
L51	N 63°21'12" W	55.03'
L52	N 70°37'36" W	59.14'
L53	N 78°09'45" W	59.14'
L54	N 85°41'53" W	59.14'
L55	S 86°43'36" W	59.14'
L56	S 79°28'36" W	55.27'
L57	S 75°57'23" W	3.88'
L58	S 86°43'36" W	59.14'
L59	N 68°47'59" E	23.12'
L60	N 68°47'59" E	34.44'
L61	S 56°34'12" W	29.21'
L62	S 86°43'36" W	59.14'
L63	N 44°36'43" E	64.36'
L64	N 49°24'18" E	54.36'
L65	S 54°13'33" E	64.36'
L66	S 39°54'44" W	23.89'
L67	N 23°42'14" E	18.84'
L68	N 66°17'46" W	23.23'
L69	N 68°47'59" E	1.55'

P.U.D. SETBACKS
 Front 20' Min.
 Rear Setbacks shall be no less than 25' from the property line adjoining external lot lines and 15' for all other rear setbacks.
 Sideward 10' (One side) & 3' (Opposite side)

- Notes:
- 1.) Property Zoned: PUD 33
 - 2.) Deed Reference: D.B. 1869 Pg. 839 Tract 1, D.B. 214 Pg. 777, D.B. 309 Pg. 554 Tract 1 & 2
 - 3.) Tax ID: Map 058 Parcel 034.00 & 004.00
 - 4.) Survey subject to any Rights-Of-Way, Easements or restrictions that may exist though not shown hereon.
 - 5.) The location of existing underground utilities, whether public or private, are shown in approximate location only and are based on field location of the visible utility appurtenances in conjunction with information provided by the owners of said utilities.
 - 6.) CONTACT ALL UTILITY OWNERS TO VERIFY THE EXISTENCE AND EXACT LOCATIONS OF ALL UTILITIES PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES.
 - 7.) This property is NOT located inside any 100 year flood hazard area or floodway as shown on FEMA Map 47011C0139E Dated 2/2/07.
 - 8.) (Circled 1) = LOT NUMBER.
 - 9.) Area subdivided by this plat is 5.81 acres.
 - 10.) USE = Utility & Sewer Easement
 - 11.) DE = Drainage Easement
 - 12.) SLE = Signage & Landscape Easement
 - 13.) There is a 10' Drainage Easement along all side and rear property lines unless otherwise shown.
 - 14.) Land Disturbance is prohibited in stream/riparian buffer. No clearing, grading, grubbing, or tree removal allowed without approval from the appropriate jurisdictional authorities.
 - 15.) Clubhouse, pool, covered mail kiosk and entrance sign may be constructed on community lot 114.
 - 16.) 20ft utility and drainage easement abutting a public road, 15ft utility and drainage easement on all outside boundaries, and 5 ft utility and drainage easements on all interior lines.
 C.U. Utility Esmt= Cleveland Utilities- Utility Easement
 Front-20 feet, side setback are 10 feet and 3 feet on the remaining side. Rear setback shall be no less than 25' from the property line adjoining external lot lines and 15' for all other rear setbacks



I hereby certify that this is a Category I survey and that the ratio of precision for the unadjusted survey is greater than 1:10,000 as shown hereon. This survey is true and correct to the best of my knowledge and belief and was prepared by me or under my supervision from an actual field survey. This survey was done in compliance with current Tennessee minimum standards of practice.

Travis A. Wheeler TN RLS #2285 Date _____

CORNERSTONE SURVEYING, LLC
 P.O. Box 25
 OOLTEWAH, TN 37363
 (423) 238-4692

JOB NO. 72-25
 DATE 01-12-25

Scale 1"=100'



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	175.00	40.34	40.25	S 61°45'09" W	13°12'26"	20.26
C2	175.00	40.34	40.25	S 48°32'43" W	13°12'26"	20.26
C3	175.00	40.34	40.25	S 35°20'17" W	13°12'26"	20.26
C4	175.00	40.34	40.25	S 22°07'51" W	13°12'26"	20.26
C5	175.00	40.34	40.25	S 08°55'25" W	13°12'26"	20.26
C6	175.00	40.34	40.25	S 68°47'59" E	13°12'26"	20.26
C7	175.00	40.34	40.25	S 56°34'12" E	13°12'26"	20.26
C8	175.00	40.34	40.25	S 44°21'36" E	13°12'26"	20.26
C9	175.00	46.33	46.19	S 44°53'08" E	13°10'02"	23.30
C10	175.00	40.34	40.25	S 31°09'22" E	13°12'26"	20.26
C11	175.00	1.89	1.89	S 65°59'11" E	0°37'11"	0.95
C12	175.00	0.39	0.39	S 66°21'33" E	0°07'34"	0.19
C13	175.00	40.34	40.25	S 73°01'33" E	13°12'26"	20.26
C14	175.00	40.34	40.25	S 86°14'00" E	13°12'26"	20.26
C15	175.00	134.32	131.05	N 65°10'26" E	43°58'43"	70.67
C16	175.00	9.99	9.99	N 41°32'55" E	3°18'20"	5.00
C17	475.00	41.70	41.68	S 42°23'37" W	8°01'46"	20.86
C18	475.00	57.54	57.50	S 48°24'43" W	6°58'24"	28.80
C19	475.00	38.87	38.85	S 54°13'33" W	4°41'17"	19.44
C20	275.00	58.24	58.13	S 62°38'15" W	12°08'06"	29.23
C21	275.00	81.48	81.19	S 77°11'24" W	16°58'12"	41.03
C22	275.00	69.11	68.93	N 87°07'31" W	14°23'58"	34.74
C23	275.00	71.98	71.78	N 72°25'38" W	14°59'49"	36.20
C24	275.00	10.42	10.42	N 63°50'55" W	7°10'18"	5.21
C25	175.00	11.98	11.98	S 64°43'10" E	3°55'28"	5.99

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C26	175.00	40.34	40.25	S 73°17'06" E	13°12'26"	20.26
C27	175.00	212.11	199.36	N 65°23'19" E	69°26'45"	121.28
C28	175.00	7.14	7.14	N 28°28'49" E	2°20'14"	3.57
C29	175.00	12.04	12.04	N 28°21'25" E	3°56'34"	6.02
C30	175.00	40.34	40.25	N 17°46'55" E	13°12'26"	20.26
C31	175.00	40.34	40.25	N 04°34'28" E	13°12'26"	20.26
C32	175.00	40.34	40.25	N 06°37'58" E	13°12'26"	20.26
C33	175.00	46.31	46.37	N 22°51'01" W	15°13'41"	23.39
C34	175.00	46.45	46.31	N 38°04'06" W	15°12'27"	23.36
C35	175.00	40.34	40.25	N 52°16'32" W	13°12'26"	20.26
C36	175.00	40.34	40.25	N 68°39'55" W	13°12'26"	20.26
C37	175.00	40.34	40.25	N 78°41'24" W	13°12'26"	20.26
C38	175.00	40.34	40.25	S 88°06'09" W	13°12'26"	20.26
C39	175.00	38.79	38.71	S 75°08'59" W	12°11'57"	19.47
C40	125.00	3.23	3.23	S 69°32'22" W	1°28'48"	1.61
C41	125.00	175.85	161.71	N 69°25'04" W	80°36'21"	106.02
C42	125.00	125.32	120.14	N 00°23'36" W	57°25'36"	68.50
C43	125.00	163.98	175.09	N 72°47'08" E	88°54'51"	122.65
C44	325.00	23.26	23.26	N 64°48'29" W	4°06'05"	11.64
C45	325.00	42.75	42.71	N 70°37'36" W	7°32'09"	21.40
C46	325.00	42.75	42.71	N 78°09'45" W	7°32'09"	21.40
C47	325.00	42.75	42.71	N 85°41'53" W	7°32'09"	21.40
C48	325.00	42.75	42.71	S 86°45'58" W	7°32'09"	21.40
C49	325.00	42.75	42.71	S 79°13'49" W	7°32'09"	21.40
C50	325.00	42.75	42.71	S 71°41'41" W	7°32'09"	21.40
C51	325.00	42.75	42.71	S 64°09'32" W	7°32'09"	21.40
C52	325.00	21.67	21.67	S 58°28'50" W	3°49'18"	10.84
C53	325.00	43.69	43.68	S 42°23'37" W	4°48'06"	21.86
C54	325.00	43.92	43.91	S 49°24'18" W	4°48'06"	21.86
C55	325.00	43.90	43.90	S 44°36'43" W	4°47'34"	21.97
C56	325.00	21.10	21.10	S 41°03'50" W	2°18'11"	10.55
C57	125.00	142.08	134.55	N 72°28'25" E	83°02'33"	78.82
C58	125.00	18.91	18.89	S 70°37'49" E	8°40'08"	9.47
C59	125.00	117.73	113.42	S 39°18'56" E	53°57'40"	63.64
C60	150.00	353.68	277.26	S 01°15'07" W	135°05'46"	362.99
C61	150.00	183.19	180.11	N 76°48'29" E	83°27'50"	112.61
C62	500.00	145.37	144.85	N 48°14'28" W	16°39'27"	73.20
C63	300.00	317.68	303.04	S 86°54'23" W	60°40'22"	175.58
C64	150.00	28.78	28.77	N 72°47'08" E	88°54'51"	142.18
C65	150.00	385.28	281.48	N 41°28'09" W	139°31'43"	406.90

Preliminary Plat Magnolia Terrace S/D Phase II
 a Development by Three Point Development
 Lots 1-8, 55-68, 69-90, & 114
 Cleveland, Bradley County, Tennessee



CLEVELAND
TENNESSEE

EST. 1842

Consent Agenda Staff Report

Case: SUB 2026-06 Raven Ridge Preliminary Plat

(see **Appendix** for case materials)

February 17, 2026

City of Cleveland Municipal Planning Commission

Applicant:	Embark Development LLC
Site Address:	Varnell Road
Tax Map:	057 027.00
Area:	8.6 Acres
Current Zone:	R-2 Low Density Single and Multi-Family Residential
Request:	Approval of preliminary plat
Sewer/Water:	Yes
Council District:	District 1-Marsha McKenzie

PLANNING & DEVELOPMENT

1. Analysis

The plat in questions contains 31 lots. This is to be developed using R-2 zoning standards. The developer is proposing the construction of 30 single family homes.

2. Staff Recommendation

APPROVE PENDING STAFF COMMENTS

The submitted version of the preliminary plat will meet the requirements of

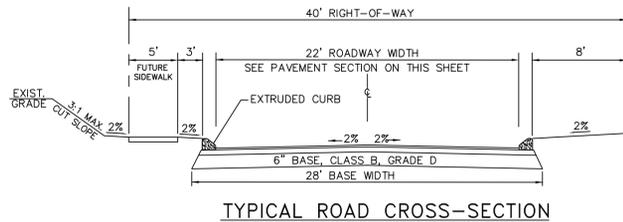
the City of Cleveland Subdivision regulations and Zoning Ordinance once comments are addressed.

Outstanding Comments

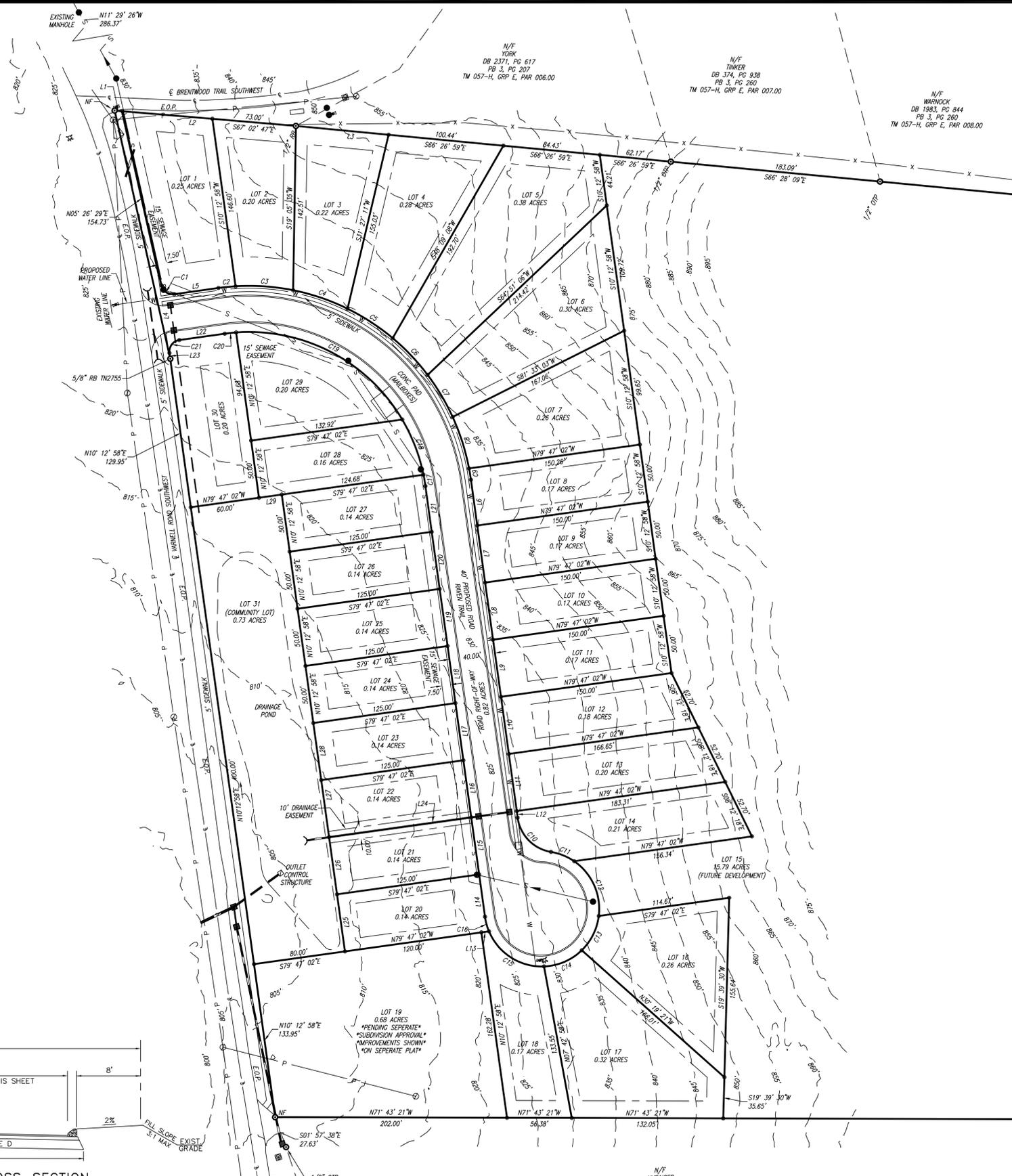
Planning- “Show easement for mail kiosk”

Line #	Length	Direction
L1	6.82'	S67° 02' 47"E
L2	78.66'	S67° 02' 47"E
L3	81.10'	S66° 26' 59"E
L4	220.68'	N05° 26' 29"E
L5	38.88'	N79° 47' 02"W
L6	40.00'	N10° 12' 58"E
L7	50.00'	N10° 12' 58"E
L8	50.00'	N10° 12' 58"E
L9	50.00'	N10° 12' 58"E
L10	50.00'	N10° 12' 58"E
L11	50.00'	N10° 12' 58"E
L12	5.77'	N10° 12' 58"E
L13	6.72'	S79° 47' 02"E
L14	37.01'	S10° 12' 58"W
L15	50.00'	S10° 12' 58"W
L16	50.00'	S10° 12' 58"W
L17	50.00'	S10° 12' 58"W
L18	50.00'	S10° 12' 58"W
L19	50.00'	S10° 12' 58"W
L20	50.00'	S10° 12' 58"W
L21	40.00'	S10° 12' 58"W
L22	40.00'	S79° 47' 02"E
L23	5.05'	N10° 12' 58"E
L24	125.00'	S79° 47' 02"E
L25	50.00'	N10° 12' 58"E
L26	50.00'	N10° 12' 58"E
L27	50.00'	N10° 12' 58"E
L28	50.00'	N10° 12' 58"E
L29	20.00'	N79° 47' 02"W

Curve #	Length	Radius	Chord Bearing	Chord Length
C1	14.87'	10.00'	N37° 10' 16"W	13.54'
C2	15.01'	195.00'	N77° 34' 40"W	15.01'
C3	50.42'	195.00'	N67° 57' 52"W	50.28'
C4	50.18'	195.00'	N53° 11' 06"W	50.04'
C5	46.95'	195.00'	N38° 54' 58"W	46.83'
C6	44.21'	195.00'	N25° 31' 28"W	44.11'
C7	42.54'	195.00'	N12° 46' 49"W	42.46'
C8	46.99'	195.00'	N00° 22' 23"E	46.86'
C9	10.00'	195.00'	N08° 44' 47"E	10.00'
C10	44.53'	35.00'	N26° 13' 53"W	41.59'
C11	21.94'	50.00'	N50° 06' 26"W	21.77'
C12	54.81'	50.00'	N06° 07' 53"W	52.11'
C13	33.83'	50.00'	N44° 39' 15"E	33.19'
C14	36.58'	50.00'	N84° 59' 45"E	35.77'
C15	60.39'	50.00'	S39° 26' 32"E	56.79'
C16	13.14'	50.00'	S02° 41' 17"W	13.10'
C17	10.01'	155.00'	S08° 22' 00"W	10.01'
C18	51.60'	155.00'	S03° 01' 13"E	51.36'
C19	171.86'	155.00'	S44° 19' 16"E	163.19'
C20	10.01'	155.00'	S77° 56' 03"E	10.01'
C21	15.71'	10.00'	N55° 12' 58"E	14.14'



GPS NOTES
GPS SOLUTION
REL. POS. ACCURACY: 0.016M
DATES OF SURVEY: May 26 & 30, 2025
DATUM: NAD 83
EPOCH: 2010.0000
GEOID12B
COMB. GRID FACTOR: 0.99990737
ELEVATION: ORTHOMETRIC



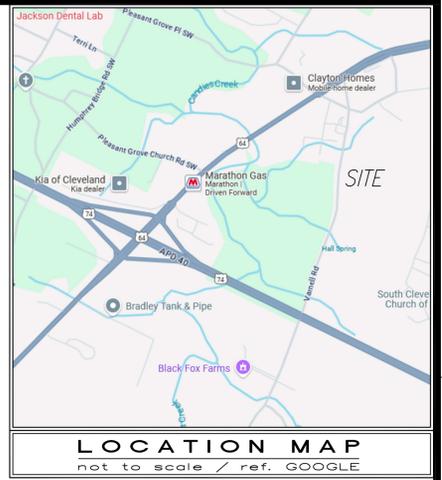
- Notes:
- Owner Info: Embark Developments, LLC
6223 Airport Drive
Suite 109
Chattanooga, TN 37421
 - Zoning: R-2 (Low Density Single & Multi-Family)
Setbacks: 25' Front, 10' Side, 15' Rear
 - Water utility provided by Cleveland Utilities
 - Electricity provided by Cleveland Utilities
 - Sewage by Cleveland Utilities
 - 20' drainage & utility easement along all lot lines abutting public roads
 - 10' drainage & utility easement along all lines forming outside boundaries
 - 5' drainage & utility easement along all interior lot lines
 - 31 new lots is made or modified by this plat.
 - Topographic information derived from field measurements, and LIDAR data provided by the Tennessee Department of Transportation collected in 2015.

Flood Hazard Note:
By graphic plotting only, no portion of this property lies within a 100 year flood hazard zone and is depicted as zone X as defined by the FEMA Flood Insurance Rate Map of Bradley County, Tennessee and incorporated areas map number 47011C0120E effective February 2, 2007.

Certificate of Tentative Approval
Pursuant to the Subdivision Regulations of Cleveland, Tennessee, all the requirements of tentative approval have been fulfilled. Therefore, the 'Preliminary Plat' of this Subdivision has been approved by the Cleveland Planning Commission on _____, 20____, subject to the following modifications. This approval does not constitute approval of a final plat. This Certificate of Tentative Approval shall expire and be null and void on _____, 20____. (One year later)

SECRETARY
CLEVELAND PLANNING COMMISSION

MODIFICATIONS:



Utilities:
Information regarding the reported presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his employees, his consultants and his contractors or anyone else who relies upon this survey shall hereby expressly understand that the surveyor is not responsible for the correctness or sufficiency of this information.

This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.

The survey shown hereon was prepared without benefit of any abstract of title; therefore, this Surveyor makes no guarantees or representations regarding information shown hereon pertaining to easements, title, rights of way, setback lines, agreements, reservations, and other similar matters.

Survey fieldwork performed on: May 26 & 30, June 18, & 19, 2025

This survey was authorized by: Tanner Dillard

Certification:
This is to certify that this survey is a Category I survey made under my supervision and is a true representation of the land surveyed. The Ratio of Precision of the unadjusted survey is one foot in 10,000 feet, and an angular error of 05" per angle point. This survey was done in compliance with current Tennessee Minimum Standards of Practice. Angular and linear measurements were made using following equipment: a Topcon PS-105 Robotic Total Station, a Sokkia SPS3 Robotic Total Station, a Topcon Hiper VR GPS, and a Sokkia GREX GPS Unit. This map has been calculated for closure, and has been found to be accurate within one foot in 54,105 feet.

Per Tenn. Code Ann. § 13-3-401 the tract or tracts shown hereon do not meet the definition of a "subdivision", therefore this Survey is exempt of planning approval.

- Legend:
- x FENCE LINE
 - UNDERGROUND POWER
 - UNDERGROUND SEWER
 - UNDERGROUND COMMUNICATION
 - CENTERLINE OF ROAD
 - POWER LINE
 - WATER LINE
 - UNDERGROUND TELEPHONE LINE
 - METAL GUARD RAIL
 - UNDERGROUND GAS LINE
 - TREE (AS NOTED)
 - PLANTED STONE FOUND
 - IRON PIN FOUND (AS NOTED)
 - FENCE POST (AS NOTED)
 - IRON PIN SET (5/8" REBAR W/ CAP)
 - IRON PIN SET
 - PS BEND/BREAK IN LINE
 - WATER METER/WELL
 - SANITARY MANHOLE
 - FIRE HYDRANT
 - WATER VALVE
 - BOLLARD
 - ELECTRIC BOX
 - DROP INLET
 - POWER POLE
 - GAS LINE MARKER
 - FIBER OPTIC/COMMUNICATION LINE MARKER
 - SIGN
 - CLEANOUT
 - GAS VALVE
 - GUY WIRE ANCHOR
 - CENTER LINE
 - FLAG POLE
 - LAMP POLE
 - DOWN SPOUT
 - BENCHMARK
 - PROPERTY LINE
 - OTP OPEN TOP PIPE
 - CTP CRAMP TOP PIPE
 - NF NAIL FOUND
 - N/F NOW OR FORMERLY
 - P.O.B. POINT OF BEGINNING
 - INVERT
 - CONC. CONCRETE
 - E.O.P. EDGE OF PAVEMENT
 - IR IRON ROD
 - FFE FINISHED FLOOR ELEVATION
 - CMP CONCRETE MONUMENT FOUND
 - NS NAIL SET
 - RB REBAR
 - DI DROP INLET
 - TBM TEMPORARY BENCHMARK
 - PS PAINT STRIPE
 - CMP CORRUGATED METAL PIPE
 - RCP REINFORCED CONCRETE PIPE
 - HDPE HIGH DENSITY POLYETHYLENE PIPE
 - PVC POLYVINYL CHLORIDE PIPE

Preliminary Plat For:
Embark Developments, LLC
Date: January 16, 2026
Scale: 1"=50'
Fourth Civil District
Bradley County, Tennessee
Tax Map 057, Parcel 027.00
Deed Book 3176, Page 433
DRAWN BY: AM JN: Dillard-Vornell Rd-052625 LSV: BT



Kale Belk
TN PLS NO. 2755
3864 Hwy 11 S.
Riceville, TN 37370
01423462-2755
E: kbelk@kalebelk.com



CLEVELAND
TENNESSEE

EST. 1842

Consent Agenda Staff Report

Case: SUB 2026-07 Trails at Freewill Phase 3 Final Plat (see **Appendix** for case materials)

February 10, 2026

City of Cleveland Municipal Planning Commission

Applicant:	CTP Properties
Site Address:	Freewill Road
Tax Map:	033 113.03 and 113.04
Area:	13.01 Acres
Current Zone:	PUD 26
Request:	Approval of final plat
Sewer/Water:	Yes
Council District:	District 3-Tom Cassada

PLANNING & DEVELOPMENT

1. Analysis

The plat in questions contains the final 38 lots of the Trails at Freewill subdivision. These lots meet the requirements in PUD 26 zoning ordinance.

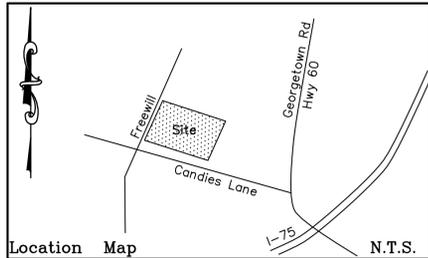
2. Staff Recommendation

APPROVE PENDING STAFF COMMENTS

The submitted version of the final plat will meet the requirements of the

City of Cleveland Subdivision regulations and PUD 26 Zoning Ordinance
once comments are addressed.

Outstanding Comments



Location Map N.T.S.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	175.00'	42.04'	41.94'	S16° 56' 20"W	13° 45' 47"
C2	175.00'	49.36'	49.20'	S01° 58' 38"W	16° 09' 37"
C3	175.00'	53.85'	53.63'	S14° 55' 03"E	17° 37' 46"
C4	150.00'	237.41'	213.40'	S21° 31' 19"E	90° 41' 05"
C5	125.00'	170.82'	157.83'	S16° 04' 17"E	78° 17' 49"
C6	175.00'	53.85'	53.63'	S32° 32' 50"E	17° 37' 46"
C7	175.00'	53.85'	53.63'	S50° 10' 36"E	17° 37' 46"
C8	175.00'	24.05'	24.03'	S62° 55' 40"E	7° 52' 22"
C9	125.00'	25.40'	25.36'	S81° 02' 31"E	11° 38' 40"
C10	275.00'	20.29'	20.28'	S68° 58' 39"E	4° 13' 37"
C11	225.00'	8.75'	8.75'	S67° 58' 43"E	2° 13' 43"
C12	275.00'	53.60'	53.51'	S76° 40' 28"E	11° 10' 01"
C13	225.00'	80.20'	79.78'	S79° 18' 17"E	20° 25' 26"
C14	275.00'	51.27'	51.20'	S87° 35' 57"E	10° 40' 56"
C15	275.00'	55.37'	55.28'	N81° 17' 31"E	11° 32' 10"
C16	225.00'	79.76'	79.34'	N80° 19' 42"E	20° 18' 36"
C17	275.00'	10.00'	10.00'	N74° 28' 54"E	2° 05' 02"
C18	250.00'	389.71'	351.43'	N68° 28' 41"E	89° 18' 55"
C19	275.00'	57.87'	57.76'	N67° 24' 40"E	12° 03' 27"
C20	275.00'	49.94'	49.87'	N56° 10' 48"E	10° 24' 18"
C21	225.00'	83.07'	82.60'	N59° 35' 46"E	21° 09' 15"
C22	275.00'	48.11'	48.05'	N45° 57' 55"E	10° 01' 28"
C23	225.00'	81.97'	81.52'	N38° 34' 54"E	20° 52' 29"
C24	275.00'	45.15'	45.10'	N36° 14' 57"E	9° 24' 28"
C25	275.00'	37.08'	37.05'	N27° 40' 58"E	7° 43' 29"
C26	225.00'	16.98'	16.98'	N25° 58' 57"E	4° 19' 26"
C27	25.00'	39.27'	35.36'	N68° 49' 14"E	90° 00' 00"

LINE	DISTANCE	BEARING
L1	3.27	S23° 49' 14"W
L2	8.16	S23° 49' 14"W
L3	10.09	S23° 46' 50"E
L4	10.09	S23° 46' 50"E
L5	72.59	N87° 16' 56"W
L6	79.94	S81° 17' 33"W
L7	118.99	S14° 28' 34"E
L8	118.23	S14° 28' 34"E
L9	69.65	S69° 40' 58"W
L10	12.41	S78° 45' 45"W
L11	35.61	S74° 26' 21"E
L12	14.04	N23° 49' 14"E
L13	7.07	N21° 10' 46"W
L14	32.99	S45° 16' 54"W
L15	31.78	S60° 52' 57"W
L16	33.58	S79° 37' 29"W
L17	33.28	N81° 48' 38"W
L18	21.79	S66° 58' 27"E
L19	24.21	S66° 10' 46"E
L20	20.77	S66° 51' 51"E

PERPETUAL STORM WATER FACILITY MAINTENANCE AGREEMENT
 THIS PLAT CONTAINS STORM WATER STORAGE FACILITIES KNOWN AS OR SHOWN AS DETENTION/RETENTION PONDS OR STORM WATER STORAGE FACILITIES ON THIS PLAT. WITH REGARD TO FUTURE MAINTENANCE, IT IS EXPRESSLY UNDERSTOOD AND AGREED BY THE DEVELOPER AND BY THE OWNER OF ANY SPECIFIC LOT AND/OR TRACT WITHIN THE PLATTED SUBDIVISION THAT THE DEVELOPER AND/OR OWNER OF LOTS OR TRACTS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL STORM WATER STORAGE FACILITIES INCLUDING BUT NOT LIMITED TO DETENTION AND/OR RETENTION PONDS SHOWN ON THIS PLAT. SPECIFICALLY, THE DEVELOPER OR OWNER OF REAL PROPERTY THAT IS SERVED BY AN ON-SITE OR OFF-SITE STORM WATER MANAGEMENT FACILITY INCLUDING STORM WATER STORAGE FACILITIES SHALL BE RESPONSIBLE FOR MAINTENANCE, REPAIR AND OPERATION DURING SITE DEVELOPMENT. THE DEVELOPER'S RESPONSIBILITY WILL TERMINATE AFTER A TWO YEAR PERIOD FROM THE ISSUANCE OF A LAND DISTURBANCE PERMIT UPON SATISFYING TWO CONDITIONS: 1) SUCCESSFUL COMPLETION OF POST CONSTRUCTION IN ACCORDANCE WITH SECTIONS 18-306 AND 18-307 OF ORDINANCE #2004-41 OF THE CITY OF CLEVELAND STORM WATER REGULATIONS SPECIFICALLY SECTIONS 18-306 AND 18-307 AND 2) THE SELL OR TRANSFER OF OWNERSHIP OF SIX OF ALL THOSE LOTS, TRACTS AND/OR PARCELS IN THE PLATTED SUBDIVISION. ALL INDIVIDUAL LOT, PARCEL, OR TRACT OWNERS IN THE PLATTED SUBDIVISION SHALL HAVE AN EASEMENT INTEREST IN THE STORM WATER STORAGE FACILITY FOR WATER RUN OFF FROM ALL LOTS IN THE SUBDIVISION. THE PRIVATE STORM WATER FACILITIES SHALL INCLUDE BUT ARE NOT LIMITED TO STORM WATER STORAGE FACILITIES, DETENTION AND RETENTION PONDS, STRUCTURAL AND NON-STRUCTURAL STORM WATER STORAGE FACILITIES AND OPEN CHANNEL CONVEYANCES LOCATED WITHIN THE PUBLIC RIGHT OF WAYS.

THE FUTURE MAINTENANCE, REPAIR, AND OPERATION OF THE PRIVATE STORM WATER FACILITIES SHALL BE THE RESPONSIBILITY OF ALL SUBDIVISION LOT OWNERS OF RECORD OF THOSE LOTS SHOWN ON THE RECORDED PLAT. IN THE EVENT A SUBDIVISION IS DEVELOPED IN PHASES THEN ALL SUBSEQUENTLY DEVELOPED LOTS IN THE SUBDIVISION INCLUDING ALL FUTURE PHASES OF THE SUBDIVISION SHALL SHARE THE SAME EASEMENT AS THOSE LOT OWNERS SHOWN IN THE INITIAL PLAT AND/OR PLATS, IT BEING THE INTENT THAT ALL LOT OWNERS IN ANY PARTICULAR SUBDIVISION, WHETHER IN THE INITIAL OR ANY LATER PHASES SHALL SHARE EQUALLY IN THE EASEMENT RIGHTS IN AND TO THE STORM WATER STORAGE FACILITIES AS WELL AS SHARE EQUALLY IN THE FUTURE MAINTENANCE AND UPRKEEP OF THE STORM WATER FACILITIES. THESE SHALL BE AND IS A STORM WATER STORAGE BASIN EASEMENT AS TO ANY PLAT CONTAINING A STORM WATER DETENTION BASIN. THE STORM WATER DETENTION BASIN EASEMENT SHALL BE A 20' WIDE ACCESS EASEMENT. THIS EASEMENT SHALL BE FOR THE PURPOSE OF ALLOWING CITY ENGINEERING PERSONNEL, STORM WATER INSPECTORS, GRADING EQUIPMENT OPERATORS, STORM WATER MONITORING PERSONNEL AND/OR OTHER NECESSARY PERSONNEL TO INVESTIGATE, INSPECT, REPAIR AND/OR MAINTAIN THE DETENTION BASIN OR STORM WATER QUALITY STRUCTURE. AS NEEDED TO DETERMINE PROPER FUNCTIONING NEEDED FOR MAINTENANCE AND/OR OTHER NECESSARY REPAIRS AND/OR SITUATIONS THAT MAY OCCUR IN TIMES OF EMERGENCY OR URGENT CONDITIONS. THIS TWENTY (20) FOOT ACCESS EASEMENT IS AS SHOWN ON THIS RECORDED PLAT AND SHALL BE USED AS A MEANS OF ACCESS AND EGRESS TO AND FROM STORM WATER DETENTION BASINS AND MUST ABUT ON A PUBLIC RIGHT OF WAY FOR AT LEAST TWENTY (20) FEET ROAD FRONTAGE AND MUST BE EASILY TRAVERSABLE BY POTENTIAL GRADING EQUIPMENT AS WELL AS THOSE INDIVIDUALS NOTED ABOVE. THE TWENTY (20) FOOT STORM WATER DETENTION BASIN ACCESS EASEMENT AREA SHALL NOT CONTAIN ANY BUILDINGS OR STRUCTURES, LARGE TREES OR HEAVY SHRUBBERY, UTILITY POLES, MANHOLES, OVERHEAD UTILITY LINES WITHOUT ADEQUATE CLEARANCE, DEEP DITCHES OR CHANNELS AND/OR ANY OTHER STRUCTURES OR ITEMS CAUSING THESE STORM WATER DETENTION BASIN TO BE INACCESSIBLE.

HOWEVER, THE PROPERTY OWNER IS PERMITTED TO PLANT SMALL SHRUBS OF LITTLE OR NO VALUE THAT CAN BE EASILY REMOVED OR CLEARED. SMALL FENCES MAY ALSO BE PLACED IN THIS AREA THAT CAN BE EASILY REMOVED. ANY FENCING SHOULD CONTAIN A GATE THROUGH THE FENCE. (SAID GATE SHALL BE PLACED THERE BY THE LOT OWNER AT THE EXPENSE OF THE LOT OWNER) ANY STRUCTURE LOCATED UPON THE STORM WATER DETENTION BASIN ACCESS EASEMENT AREA MUST BE PORTABLE AND QUICKLY AND EASILY REMOVABLE. THE CITY OF CLEVELAND SHALL NOT BE AND IS NOT RESPONSIBLE FOR ANY DAMAGE TO ANY STRUCTURE, FENCE, UTILITIES OR VEGETATION LOCATED WITHIN THIS STORM WATER DETENTION BASIN ACCESS EASEMENT AREA. THE CITY OF CLEVELAND AND/OR ITS DESIGNATED AGENTS AND/OR OFFICIALS SHALL HAVE ACCESS OVER AND ACROSS THIS STORM WATER DETENTION BASIN ACCESS EASEMENT AREA AS THEY DEEM NECESSARY TO INSPECT AND/OR MAINTAIN THE STORM WATER DETENTION FACILITY. THE CITY OF CLEVELAND SHALL NOT BE RESPONSIBLE FOR REPAIR OR REPLACEMENT OF STRUCTURES, FENCES, UTILITIES AND/OR VEGETATION LOCATED UPON THE STORM WATER DETENTION BASIN ACCESS EASEMENT AREA. THE STORM WATER DETENTION BASIN ACCESS EASEMENT AREA IS NORMALLY INTENDED FOR HEAVY EQUIPMENT ACCESS RATHER THAN ORDINARY PASSENGER VEHICLE ACCESS.

OWNERSHIP OF EACH PRIVATE STORM WATER FACILITY SHALL BE EQUALLY APPROPRIATED TO EACH PARCEL OVER WHICH THE STORM WATER FACILITY LIES. HOWEVER, MAINTENANCE OF THESE PRIVATE STORM WATER FACILITIES SERVING MULTIPLE PARCELS SHALL BE THE CUMULATIVE RESPONSIBILITY OF EVERY LOT AND/OR TRACT OWNER OF RECORD OF ANY PLOTTED LOT OR TRACT IN THE SUBDIVISION WHO SHALL ALL HAVE EASEMENT RIGHTS FOR WATER RUN OFF FROM THEIR INDIVIDUAL LOTS AND/OR TRACTS FLOW IN AND TO ANY STORM WATER STORAGE FACILITY AND/OR DETENTION OR RETENTION POND AS SHOWN ON THE RECORDED PLAT OF THE SUBDIVISION. EACH LOT OWNER IN THE SUBDIVISION SHALL SHARE EQUALLY IN THE COST OF ALL MAINTENANCE, UPRKEEP, AND/OR REPAIRS OF STORM WATER STORAGE FACILITIES AND/OR DETENTION/RETENTION POND. HOWEVER, IN THE EVENT, DAMAGE TO THE STORM WATER STORAGE FACILITY AND/OR DETENTION/RETENTION POND IS CAUSED BY THE SOLE NEGLIGENCE OF ANY ONE INDIVIDUAL LOT AND/OR TRACT OWNER, THEN THE NEGLIGENT LOT OR TRACT OWNER SHALL BE SOLELY RESPONSIBLE FOR THE REPAIR OF THE DAMAGE CAUSED BY HIS OR HER NEGLIGENCE AND/OR ACTS OF HIS OR HER AGENTS. IN THE EVENT STORM WATER FACILITIES ARE NOT PROPERLY MAINTAINED AS SET OUT HEREIN IN THE CITY OF CLEVELAND, IT SHALL REQUIRE THE SUBDIVISION/PARCEL OWNERS OF RECORD SERVED TO PERFORM THE MAINTENANCE OR REPAIR AT THE EXPENSE OF THE PARCEL OWNERS SERVED BY SAID FACILITY AND PURSUANT TO THE TERMS OF SECTION 18-305, SECTION 5 (II)(I), THE CITY MAY FILE SUIT AGAINST THE LOT AND/OR TRACT OWNERS SEEKING RELIEF FROM A COURT OF PROPER JURISDICTION TO REQUIRE SAID LOT AND/OR TRACT OWNERS TO PAY FOR SAID MAINTENANCE AND UPRKEEP OF THESE STORM WATER STORAGE FACILITIES AS SET OUT HEREIN AND/OR AS SET OUT IN THE ORDINANCE. IN THE EVENT IT SHALL BE NECESSARY TO FILE SUIT THEN THE PART OR PARTIES FOUND TO BE IN VIOLATION AND/OR IN VIOLATION OF THIS MAINTENANCE AGREEMENT SHALL BE RESPONSIBLE TO PAY THE COURT COSTS PAID AND ANY ATTORNEY FEES INCURRED BY THE CITY OF CLEVELAND IN HAVING THE ORDINANCE AND/OR THIS MAINTENANCE AGREEMENT ENFORCED.

The plans submitted for this plat meet the requirements of the City of Cleveland and have been installed accordingly.

DATE	Cleveland Utilities Electric Division
DATE	Cleveland Utilities Water Division
DATE	City Engineer
DATE	Planning Commission Secretary

OWNER'S CERTIFICATION

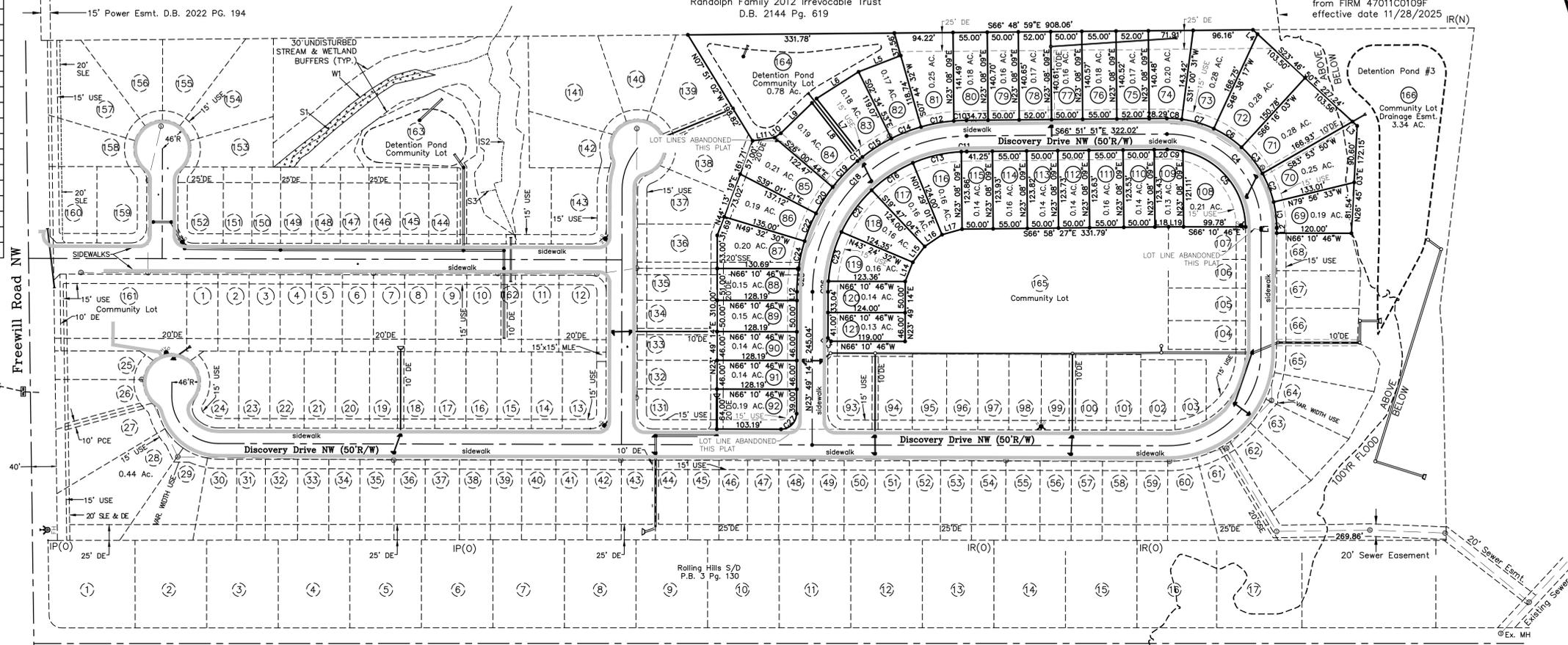
The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that he owns the land being subdivided; that there are no previous private restrictions against subdividing; that all Tennessee state taxes, Bradley County taxes, and other assessments now due on this land have been paid; and that he is dedicating the road rights-of-way for public use and any other areas so designated and is also establishing easements as specified on the plat.

OWNER (Or) AGENT

Developer

Date

Remaining Property
 Randolph Family 2012 Irrevocable Trust
 D.B. 2144 Pg. 619



- NOTES:**
- 1.) Property Zoned: PUD 26
 - 2.) Deed Reference: D.B. 2144 Pg. 619 & D.B. 3111 Pg. 112
 - 3.) Tax ID: Map 033 Parcel 113.03 & 113.04
 - 4.) Survey subject to any Rights-Of-Way, Easements or restrictions that may exist though not shown hereon.
 - 5.) The location of existing underground utilities, whether public or private, are shown in approximate location only and are based on field location of the visible utility appurtenances in conjunction with information provided by the owners of said CONTACT ALL UTILITY OWNERS TO VERIFY THE EXISTENCE AND EXACT LOCATIONS OF ALL UTILITIES PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES.
 - 6.) A portion of this property IS located inside the 100 year flood hazard area or floodway as shown on FEMA Map 47011C0109F dated 11/28/25. BFE= 727.4-728. Lots 69-71 are located inside the 100 year flood hazard area or floodway.
 - 7.) ① = LOT NUMBER.
 - 8.) Area subdivided by this plat is 13.01 acres.
 - 9.) There is a 5' Drainage Easement along all side and rear property lines unless otherwise shown.
 - 10.) DE = Drainage Easement
 - 11.) USE = Utility & Sewer Easement
 - 12.) PCE = Power & Communication Easement
 - 13.) Land Disturbance is prohibited in stream/riparian buffer. No clearing, grading, grubbing, or tree removal allowed without approval from the appropriate jurisdictional authorities.
 - 14.) Clubhouse, pool, covered mail kiosk, entrance signs or other related improvements may be constructed on community Lot 161.

UTILITY EASEMENTS

Lots abutting public roads	15'
PUD Boundary	10'
Interior Lot Lines	5'

P.U.D. SETBACKS

Front	20' Min.
Rear	25' Min.
Sideward	5' Min.
Corner	15' Min.

CORNERSTONE SURVEYING, LLC
 P.O. Box 25
 COOLTEWAH, TN 37363
 (423) 238-4692

JOB NO. 47-20
 DATE 01-15-26

Scale 1"=100'



SURVEYOR'S CERTIFICATION

I hereby certify that this is a Category I survey and that the ratio of precision for the unadjusted survey is greater than 1:10,000 as shown hereon. This survey is true and correct to the best of my knowledge and belief and was prepared by me or under my supervision from an actual field survey. This survey was done in compliance with current Tennessee minimum standards of practice.

Travis A. Wheeler TN RLS #2285 Date

FINAL PLAT
Trails at Freewill P.U.D. - Phase 3
 a Development by CTP Properties
 Lots 69-92, 108-121, 164
 Cleveland, Bradley County, Tennessee



CLEVELAND
TENNESSEE

EST. 1842

Agenda Staff Report

Case: ZON2025-49 Dalton Pike South Annexation (see **Appendix** for case materials)

September 16, 2025

City of Cleveland Municipal Planning Commission

Applicant:	Steve Williams and Aaron Ware
Site Address:	Dalton Pike
Tax Map:	066P C 003.00 and 066 044.00 and 046.00
Area:	42.5 Acres
Current Zone:	FAR/C-2 unincorporated County
Request:	Approval of POS, Annexation, and Rezoning to PUD 71
Sewer/Water:	Yes
Council District:	District 1 – Marsha McKenzie

PLANNING & DEVELOPMENT

1. Analysis

The applicant is requesting annexation of approximately 42.5 acres of land. This development is a proposed mixed-use PUD. Commercial uses will be allowed along the frontage of Dalton Pike, approximately 700 feet into the development. The rear portion of the development will consist of approximately 84 single-family developments. The PUD includes architectural requirements for both areas as well as screening between the commercial and residential portions of the development.

In September 2025 this request came before the Planning Commission. At that meeting there was considerable discussion on the sewer connection. This ended with the Planning Commission requesting that the applicant work with

Cleveland Utilities to create an agreement on the sewer extension. The applicant has continued to work on this agreement though no final decision has been made. The applicant is requesting that the Planning Commission re-exam the request at this time with the idea that an agreement with Cleveland Utilities will be finalized in the coming months.

In June of 2025 the updated Urban Growth Boundary was approved unanimously by all respective parties. Cleveland Utilities was included as a member of the UGB Growth Committee and reviewed the map at that time with no objections to the area remaining inside the UGB. State law provides the process for requesting annexation and the applicants have followed that process.

Staff Recommendation

APPROVE



**SEPTEMBER 16, 2025
DALTON PIKE SOUTH
ANNEXATION ANALYSIS
PLAN OF SERVICE
CITY OF CLEVELAND, TENNESSEE**

The City of Cleveland, Tennessee is pursuing the annexation of approximately 42.5 acres located at Dalton Pike as described in this report, along with a corresponding plan of service and zoning plan for the area. Parcels 066P C 003.00 and a portion of 066 044.00, and a portion of 066 046.00 are located within the Urban Growth Boundary. This is a two-phase annexation with a portion of parcel 066 044.00 and 046.00 being located outside the Urban Growth Boundary. The POS below covers the entirety of the development. The proposed annexations are proposed to occur in 2025.

This report begins with a brief overview of the annexation process and the report then turns to a proposed Plan of Services (POS) for the annexation area. The services described are those that would be necessary for the City to provide under Tennessee law. This area is proposed to receive city services in accordance with the POS.

Introduction

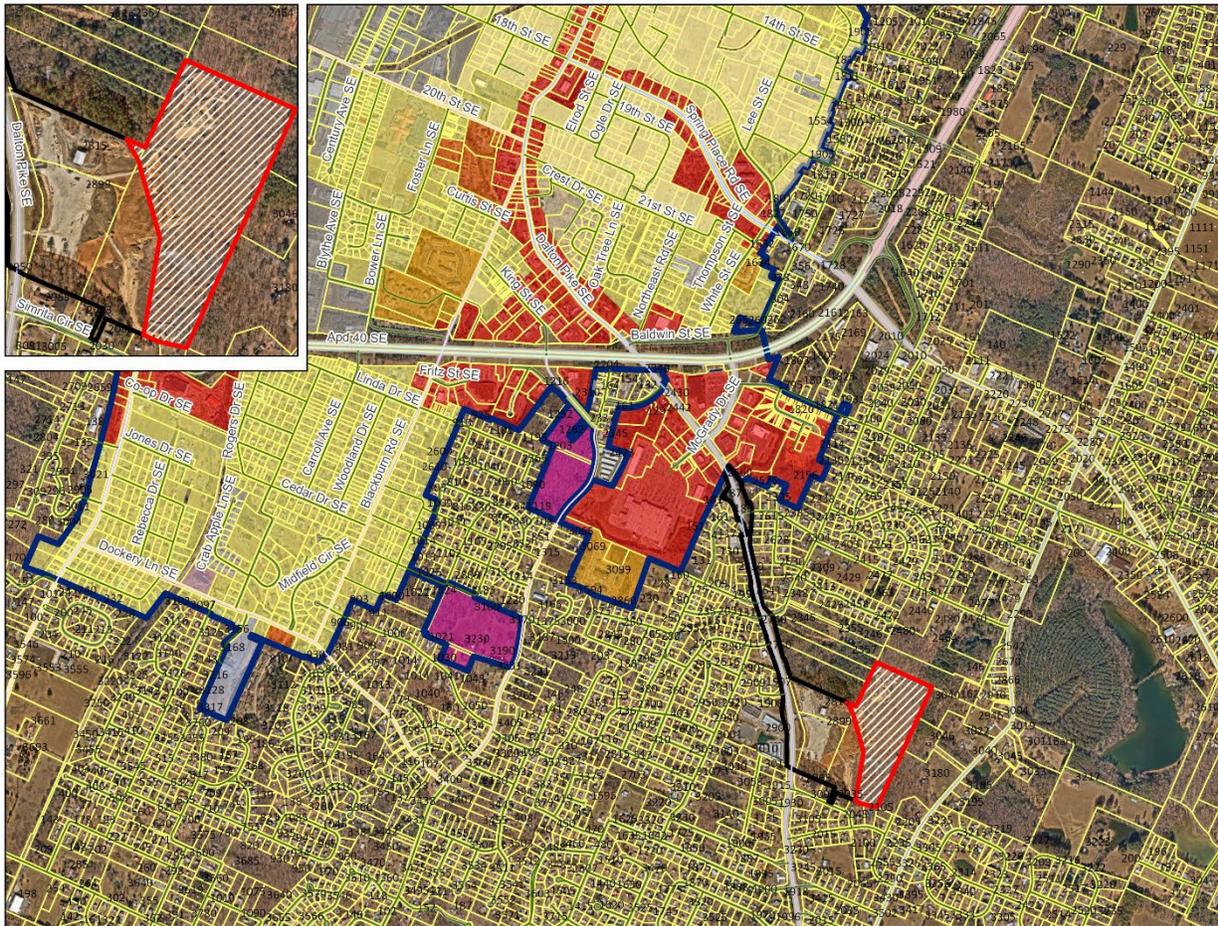
Public Chapter 1101 (PC 1101), adopted as Tennessee law in 1998, required cities to work cooperatively with other local governments to determine an urban growth boundary (UGB) in which annexations could occur. Cleveland has a twenty-nine square mile UGB that was based on a study of urbanization and service requirements in a fifty square mile urban fringe area. The UGB was amended in January 2010, expanding it near I-75 Exit 20 and in the vicinity of the new airport site near Dry Valley Road. Cleveland can annex property within its UGB by resolution.

PC 1101 Section 19 requires a “Plan of Services” (POS) prior to annexation and these services must include: police and fire protection; water, electrical and sanitary sewer services; solid waste collection; road and street construction and repair; recreational facilities and programs; street lighting; and zoning services. Public Chapter 225 adopted by the Tennessee General Assembly and

signed by Governor Bredesen on June 2, 2003, amended TCA 6-51-102 to include impact on school attendance zones.

The property consists of one parcel, approximately 42.5 acres total. The annexation would zone the property as PUD Planned Unit of Development Zoning District. These parcels currently consist of a landscape laydown yard and undeveloped land. The property is described as Tax Map 066P C 003.00 and Tax Map 066 Parcels 044.00 and 046.00.

Dalton Pike Annexation Map



Black outlined area = First portion of annexation Hatched area = Second portion of annexation

Legal Description

[place holder]

Plan of Services

1. Police Protection

Patrolling, radio responses to calls and other routine police services using the City's personnel and equipment will be provided on the effective date of the annexation.

2. Fire Protection

The Cleveland Fire Department could service this area immediately with existing stations and personnel, with little impact to the budget.

3. Domestic Water, Sanitary Sewer Service, and Fire Hydrants

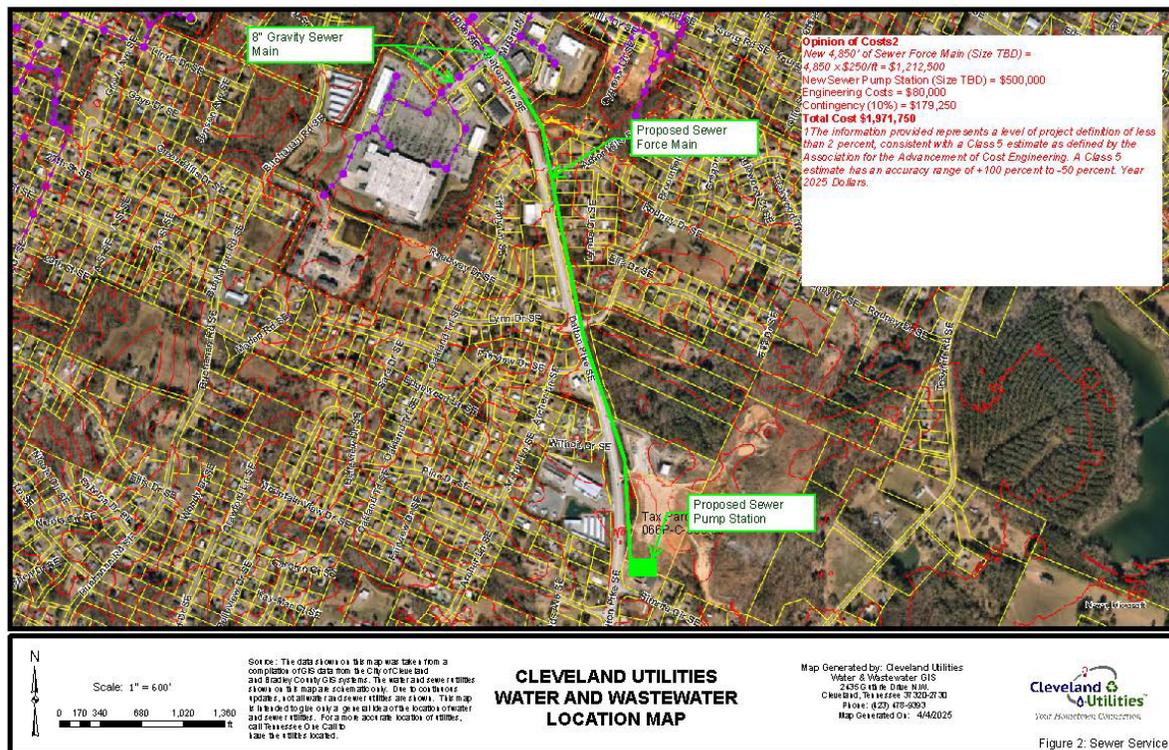
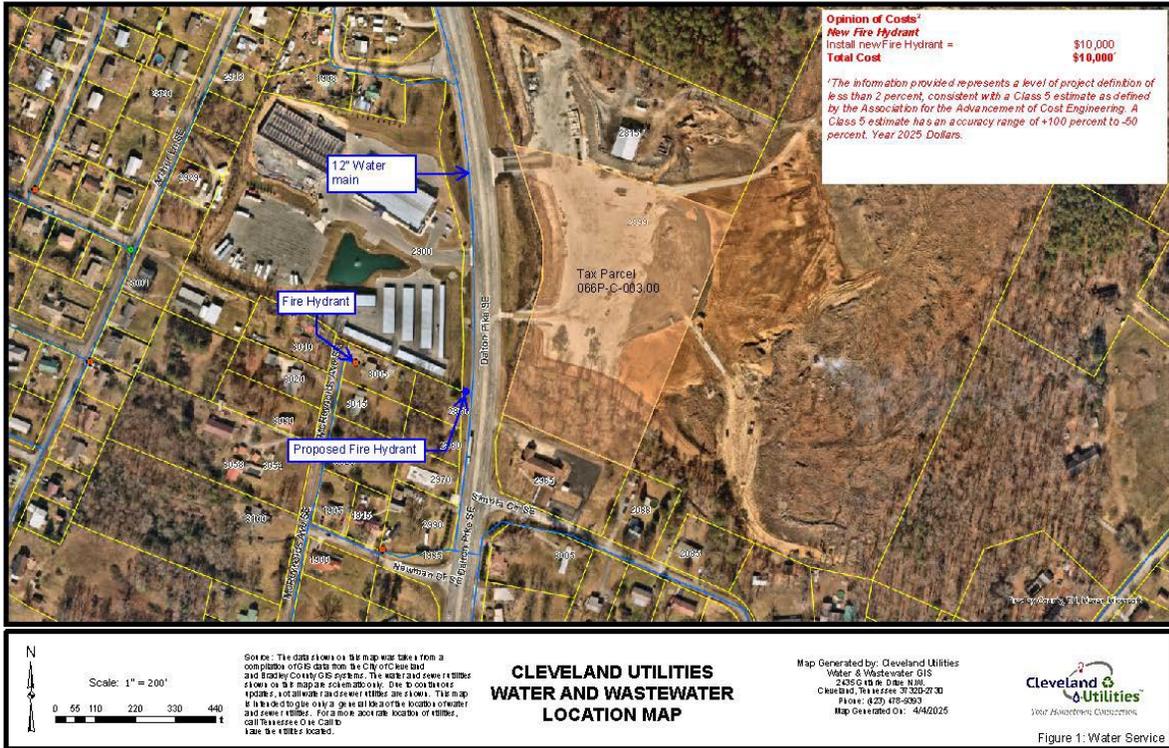
- A. Domestic Water---Domestic water service is presently available to the parcel via an 12" water main along the west side of Dalton Pike SE. See Figure 1 – Water Service.
- B. Sanitary Sewer---Sewer service is not presently available to the parcel. To serve this parcel, approximately 4,850± LF of 4" gravity sewer force main will need to be installed from the southern portion of the property to a manhole at the intersection of Treasury Dr. SE and Dalton Pike SE. The Opinion of Probable Cost is \$1,971,750. This work can be completed in eight years. See Figure 2 – Sewer Service.
- C. Fire Protection---Fire protection is not presently available to the parcel. A fire hydrant can be installed in front of the property along Dalton Pike. The Opinion of Probable Cost is \$10,000. This work can be completed in 8 years. See Figure 1 – Water Service.

	SUMMARY OF COSTS¹			
Location	Domestic Water	Sanitary Sewer	Fire Protection	Total
2899 Dalton Pike (Tax Parcel 066P-C-003.00)	\$0	\$1,971,750	\$10,000	\$1,981,750

1

CU's opinions of probable Construction Cost are to be made on the basis of CU's experience, qualifications, and general familiarity with the construction industry. However, because CU has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, CU cannot and does not guarantee that proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by CU. The information provided represents a level of project definition of less than 2 percent, consistent with a Class 5 estimate as defined by the Association for the Advancement of Cost Engineering. A Class 5 estimate has an accuracy range of +100

percent to -50 percent



4. Electric Service

Cleveland Utilities Electric has sufficient facilities along Dalton Pike to serve the new development.

5. Public Works

A. Refuse Collection

- a. Current city policies regarding residential, commercial, and industrial refuse will apply in all proposed areas per the terms of the City's contract with Waste Connections of Tennessee, Inc.
- b. The City no longer provides curbside recycling, and this service will not be provided in the proposed areas, unless the City Council initiates a program in the future.

B. Route Collection Services

- a. Current city policies regarding residential debris, brush, and white good collections will apply in all proposed areas and will begin at the time of annexation. Each residence will be included in the City's ten route collection system. No additional equipment or manpower will be needed at this time.
- b. The current city policies regarding residential leaf collection will be provided annually for a period of approximately three months and will apply in all proposed areas.

C. Street Repair and Maintenance

- a. Emergency maintenance of city streets (i.e. repairing hazardous potholes) within the proposed areas will begin at time of annexation.
- b. Routine maintenance of local streets in the proposed areas will be scheduled on the same basis as such maintenance in the rest of the City.
- c. Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such substantial improvements in the proposed areas (where identified as needed by the governing body) will be accomplished in accordance with the priorities and policies established for the entire city.

- d. It appears that no street name signs, or street striping/painting is needed at this time for the proposed areas.

D. Stormwater and Drainage Services

Emergency drainage maintenance (i.e., cleaning catch basins, unstopping tile, installing drainage tile and/or catch basins) within these areas will begin at time of annexation.

E. General Rights-of-Way Maintenance (i.e., street sweeping, snow removal)

- a. Current city policies for routine street sweeping will be scheduled on the same basis as in the rest of the City and will apply in all proposed areas.
- b. Current city policies for snow removal and salting will be scheduled on the same basis as in the rest of the City and will apply in all proposed areas.

6. Schools

The education impact would be 32 school-age children at a cost to the City of \$35,874.24 annually. This is in the Blythe-Bower School Zone.

7. Planning and Zoning

- A. The planning and zoning jurisdiction of the City will extend to the annexation areas upon the effective date of annexations and all municipal planning activities will encompass the needs of the annexed areas.
- B. This property is currently FAR and C-2 in the unincorporated County. The property is proposed for a PUD Planned Unit of Development Zoning District as its post-annexation zoning.
- C. In the case of lots of record that are recorded prior to the effective date of annexation, if there are prevailing deed or subdivision restrictions on record, these deed or subdivision restrictions shall apply if in conflict with City zoning or subdivision regulations.

8. Animal Shelter

The City operates a full-time animal control program including an animal shelter. The Animal Shelter is located on Hill Street SE. Services include pick-up of stray and/or dangerous animals. These services will be available to the annexation areas on the effective date of the annexation.

9. Voting Rights and City Elections

- A. If an eligible voter's permanent place of residence is located in an annexed area, that voter is automatically eligible to vote in City elections.
- B. If an eligible voter is in the category of a property rights voter, then that voter must register at the Election Commission Office prior to voting in a City election.
- C. This annexation is expected to add approximately 210 residents to the 1st City Council District.

10. Stormwater

- I. The City of Cleveland Stormwater Utility Fee is based on impervious area. The fee is billed on the Cleveland Utilities monthly water bill. For additional information or to view the Stormwater Utility Fee Credit and Adjustment Manual please visit our website at www.clevelandtn.gov/stormwater.
- II. All new development will need to adhere to the City of Cleveland Stormwater Ordinance. If there is a possibility of ponds, wetlands, and/or streams on site. A hydrological determination will be required before land disturbance activities are permitted. The study will also need to be approved by TDEC. Please provide the study and the concurrence letter from TDEC. Any modifications to a pond, wetland, or stream will require an Aquatic Resource Alteration Permit (ARAP). This permit is issued by the Tennessee Department of Environment and Conservation.
- III. The City of Cleveland is now a Qualified Local Program (QLP). All developments needing the Tennessee Department of Environment and Conservation (TDEC) Construction General Permit coverage will submit all required documentation and fees to the City of Cleveland only.

Revenue

Total revenue generated by this annexation is approximately **\$80,325.16 per year.**

August 22, 2025

Mr. Joe Fivas
City Manager, City of Cleveland
PO Box 1519
Cleveland, TN 37320

RE: Sewer service to proposed Dalton Pike development

Dear Mr. Fivas:

Pursuant to our meeting on August 8, 2025, Cleveland Utilities has performed an analysis of the existing gravity sewer to determine the feasibility of the proposed development on Dalton Pike. The drawing sent to Cleveland Utilities was for 84 single family homes, with 4 commercial outparcels and one 7.4 acre commercial lot.

For the purposes of the determination of sewer capacity we evaluated the addition of 100 equivalent residential units (ERUs). Based upon this assumption we have adequate capacity in the sewer system to accommodate the additional flow.

In order to serve the property a sewer lift station and force main would need to be constructed. The size of the lift station and force main can be determined once site planning has been finalized. It is assumed the sewer lift station would be located on the south end of the property, which would require approximately 4,850 lineal feet of force main to connect to the existing gravity sewer at the intersection of McGrady Drive and Dalton Pike.

Cleveland Utilities estimates the cost to install the sewer lift station and force main to be \$1,971,750, if TDOT allows the installation of the sewer force main within the existing ROW of Dalton Pike. If TDOT does not allow the installation of the line within the ROW and easements are required to install the force main Cleveland Utilities has determined the project to be unfeasible. The cost to install the sewer lift station and force main will be the responsibility of the developer and must be installed to Cleveland Utilities specifications.

If you have any questions, feel free to contact me at 423-478-9377 or gclark@clevelandutilities.com to set up a time to meet and answer any questions that you might have.

Sincerely,
Cleveland Utilities

A handwritten signature in blue ink that reads "Greg Clark".

Greg Clark, P.E.
Manager of Engineering, Water & Wastewater

AN ORDINANCE OF THE OF THE CITY OF CLEVELAND, TENNESSEE AMENDING THE CLEVELAND MUNICIPAL CODE TITLE 14 CHAPTER 2 SO AS TO ESTABLISH A PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS DALTON PIKE SOUTH PUD "71" ON PROPERTY DESCRIBED AS TAX MAP 066P GROUP C PARCEL 003.00 and TAX MAP 066 PARCELS 044.00 AND 046.00, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT; AMENDING THE ZONING PLAN AND ZONING MAP FOR PUD 71; MAKING VIOLATIONS OF THE ORDINANCE UNLAWFUL AND PROVIDING FOR PENALTIES; ESTABLISHING LISTS OF PERMITTED USES AND PROHIBITED USES; ESTABLISHING DEVELOPMENT STANDARDS AND PROCESSES AND RELATED REQUIREMENTS; STATING RESPONSIBILITY FOR COMPLIANCE WITH OTHER APPLICABLE LAWS AND PERMITTING REQUIREMENTS; PROVIDING FOR ERRORS AND OMISSIONS AND POSSIBLE FUTURE REVISIONS TO THE PUD; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS the City of Cleveland, Tennessee, hereinafter "City", desires orderly land development in furtherance of the public welfare and has adopted the Planned Unit Development, hereinafter "PUD", process as an alternative development standard whereby to accomplish such development; and whereas it is intended that the developers of the property or any subsequent owners, shall hereinafter be referred to as "Developers" and; and whereas the City desires to establish a unique zoning district with special use restrictions and development standards for the property described herein through the adoption of this PUD, NOW THEREFORE BE IT ORDAINED:

Section 1. ZONING PLAN AND MAP AMENDMENT.

The zoning plan and map are hereby amended so as to zone the property described in Section 3 herein as "PUD 71" subject to the provisions described in each section of this ordinance. The permitted uses in the PUD 71 zoning district are those uses outlined in Section 5 of this ordinance. The development standards for the PUD 71 district are those outlined in this ordinance, including requirements for plan approval, and compliance with applicable permitting requirements.

Section 2. VIOLATIONS UNLAWFUL AND SUBJECT TO PENALTIES.

Any development or use of the property described herein in a manner contrary to the terms of this ordinance is a zoning violation and is unlawful, subject to the penalties prescribed by the Cleveland Municipal Code and the laws of Tennessee.

Section 3. PROPERTY DESCRIPTION.

PUD 71, Dalton Pike South (name may be revised during the platting process with approval of the Cleveland Municipal Planning, includes property generally identified as a portion of Tax Map 066P Group C Parcel 003.00 and Tax Map 066 Parcels 044.00 and 046.00). Exhibit A illustrates the overall Dalton Pike South Conceptual Plan for the subject property.

Section 4. GENERAL PROJECT DESCRIPTION AND DEVELOPMENT DENSITY.

This section is intended to provide a general description of Dalton Pike South. The project consists of detached single-family homes to the rear of the development and transitions to commercially zoned parcels along the Frontage of Dalton Pike, approximately 700 feet. Exhibits A shows the general location of proposed infrastructure and common areas. In terms of total allowable density, the project shall not exceed 85 total single detached units and 1 building per 7500 square feet within the commercially designated area. The common open space designed within the development may include any permanent retention or detention pond areas or landscaped common area.

Section 5. PERMITTED USES AND PROHIBITED USES.

The PUD 71 Subdivision allows for the construction of up to 85 residential units and 1 commercial unit per 7500 square feet of commercially designated land without amending this ordinance. Within the residential area, permitted uses are single family detached dwellings. Within the commercial area, permitted uses are those consistent with the Permitted Uses in General Commercial Zoning Designation with the exception of the following uses specifically prohibited; Auto/Vehicle Parts and accessories, auto/vehicle repair and maintenance including oil changes, vehicle sales, Car Wash, Storage/mini-warehouse facilities, and Convenience Stores with gasoline pumps. Nothing herein should be construed as prohibiting the Developer from making further refinements to the development plan of PUD 71 that would further restrict the allowable uses within a particular part of the development or from excluding a particular use from the development altogether through the operation of private restrictions or covenants. The location of particular residential and commercial uses within the Dalton Pike South development will comport with the descriptions of the constituent parts of the development which are conceptually described within Exhibit A unless modified by agreement of the Cleveland Municipal Planning Commission. Home occupations permitted in Cleveland's zoning ordinance are allowed within the residential area unless prohibited by the Developer. There are no conditional uses within the PUD 71 district. Uses other than those described as permitted or allowed herein are prohibited. Billboard are prohibited.

Section 6. CONCEPTUAL PLAN AND RELATED REQUIREMENTS.

CONCEPTUAL PLAN.

A conceptual plan (Exhibit A) for PUD 71, Dalton Pike South was prepared for submission to the Cleveland Municipal Planning Commission for consideration in the regular meeting on September 16, 2025. The conceptual plan consists of a site plan for the overall development. However, additional drawings, documents, and permits routinely required for a subdivision are expected for review and approval prior to construction. All development within PUD 71 must be consistent with this Conceptual Plan with regard to development

standards and general layout unless subsequently modified by agreement of the Cleveland Municipal Planning Commission. Additional plans, plats, and other development-related documents and permits will be necessary to carry out the construction of this project. It is recognized that the plats and site plans for the Dalton Pike South development may ultimately reflect some alteration in the conceptual plan such as the exact location of each specific feature within the development. Other variations may include the width or alignment of streets, or the precise placement of buildings, but these will be generally consistent with the conceptual plan, mutually consistent with one another, and not violate any features of this ordinance as these relate to adjoining properties and infrastructure (e.g. external intersection locations and traffic improvements, buffers with external properties, etc.).

PLATS.

One or more plats will be prepared for the PUD 71 property by the Developer for approval in accordance with the City of Cleveland, Tennessee subdivision regulations. These plats will describe and dedicate public streets any other public properties; identify lots; and identify easements that are necessary for various purposes within the development such as utilities, access, maintenance, and conservation, etc. These plats shall be consistent in general layout with the conceptual site plan.

PRIVATE DEVELOPMENT DOCUMENTS.

The Developer shall prepare and implement such master covenants, restrictions, condominium association documents, common area agreements, and the like which the Developer determines are necessary to carry out the development of PUD 71 as envisioned herein. It is a requirement of this ordinance that such documents are in place and enforced by the Developer (or Developer's heirs, successors, or assigns) to the extent necessary for PUD 71 to function as described herein. This requirement must be fulfilled when 75% of the buildable lots are built within each individual section (residential and commercial). The City of Cleveland assumes no responsibility to review these documents, or to determine their adequacy to these purposes, or to enforce any of their provisions, or to otherwise be a party to them.

Section 7. DEVELOPMENT STANDARDS

The development standards for PUD 71 shall be those established in this ordinance or incorporated herein. Where development standards are not otherwise included in this ordinance, the standards shall be those in the CH zone for the commercial portion of the development and R2 for the residential portion of the development from the City of Cleveland's zoning regulations. Requirements of the City's adopted building codes, fire codes, stormwater regulations and other ordinances affecting the development, use, and maintenance of property shall apply.

7.A Building Lot Size & Setbacks

1. Commercial Area

Commercial Lots :

Front:	50' along Dalton Pike 50' internal w/ front parking 20' internal with rear parking
Side:	20'
Rear:	20'
Min Lot Width:	100'
Min Lot Size:	7,500 Square Feet

2. Residential Area

Single Family Detached Lots:

Front:	25'
Side:	5'
Rear:	15'
Min Lot Width:	50'
Min Lot Size:	5,000 Square Feet

Storage sheds and similar accessory structures, if allowed by the Development restrictions, shall be limited to yard areas behind the primary structure and are not to encroach within 10 feet of any property line. Covered porches, sunrooms, and other covered additions to the primary structure, if allowed by the development restrictions, are to maintain the required setbacks for the primary structure. Open patios and decks may extend to within 10 feet of a rear property line. The guidelines for approval of a minor encroachment as established within the Cleveland Zoning Ordinance may be utilized to establish variations in setbacks subsequent to any Planning Commission approvals.

Section 7.B Sidewalks, Common Area, & Amenities

1. Sidewalks shall be installed along Dalton Pike.
2. Sidewalks shall be installed along both sides of main access road up to the first intersection depicted on concept plan.
3. All other areas must comply with the sidewalk ordinance.
4. The community open space in the residential area shall be an accessible and usable, yet natural area.
5. A centralized cluster mailbox unit shall be provided, if required by the United States Postal

service, and shall include a minimum of two off-street parking spaces per 50 lots.

6. A bus stop shelter shall be placed in cooperation with Cleveland City Schools. The bus stop shelter will need to be placed at the front of the residential area, near the eastern edge of the commercial area. This bus shelter may be combined with the mail kiosk.

7.C Miscellaneous Standards

1. Commercial Area

(a.) The exterior facades of all structures shall comprise 50% brick, stone, wood, composite, or fiber cement board materials (no vinyl siding on primary/front elevation except for accents such as soffits & fascia). All foundations shall be brick or stone for their entirety.

(b.) Commercial buildings will incorporate “four-sided architecture”, ensuring all sides of the building will contain consistent materials and architectural details. No blank walls are permitted. Buildings must incorporate a variety of building elements and treatments. Structures must include articulation, changes in materials or texture, windows, or other architectural features.

(c.) Each lot will comply with the City’s current landscape ordinance.

(d.) A Type C buffer with an 8-foot wooden fence shall be installed along the southern and eastern edge of the commercial area to provide screening and protection of the residential component of the PUD.

(e.) A landscape street yard no smaller than 5’ in width shall be installed along Dalton Pike to maintain a high-quality appearance. The street yard shall include various trees and shrubs as approved through staff site plan review.

(f.) All utilities shall be placed outside of the street except for required crossings; any crossing shall be approved by the City.

(g.) Attempts shall be made to preserve existing trees along the perimeter of the development; however, the city tree preservation requirements are not otherwise applicable.

2. Residential Area

(a.) The exterior facades of all structures shall comprise brick, stone, wood, composite, or fiber cement board materials (no vinyl siding on primary/front elevation except for accents such as soffits & fascia). All foundations shall be brick or stone for their entirety. No blank walls are permitted. Buildings must incorporate a variety of building elements and treatments. Structures must include articulation, changes in materials or texture, windows, or other architectural features. Individual site plans and architectural renderings are required for all single-family residential structures in the development prior to construction

and all corners must be pinned by a surveyor at the foundation stage.

(b.) A minimum of two off-street parking spaces shall be provided per dwelling unit not counting the garage.

(c.) A two-inch caliper hardwood shade tree which is determined acceptable to the City's Urban Forester shall be installed in the front yard of each single-family dwelling lot. One species cannot make up more than 60% of the total.

(d.) All utilities shall be placed outside of the street except for required crossings; any crossing shall be approved by the City.

(e.) Attempts shall be made to preserve existing trees along the perimeter of the development; however, the city tree preservation requirements are not otherwise applicable.

Section 8. COMPLIANCE WITH OTHER APPLICABLE LAWS AND PERMITTING REQUIREMENTS.

The Developer, and its assigns or successors in title, is responsible for obtaining all federal, state, and local permits required for the construction of the proposed PUD 71 Dalton Pike South. The Developer and its assigns or successors in title shall carry out the construction on the project site in compliance with all applicable ordinances of the City of Cleveland, Tennessee, and also in compliance with applicable federal and state laws. Buildings shall be designed and constructed in accordance with adopted building codes and shall not be occupied until final inspections are complete and certificates of occupancy have been issued (permission for limited use of building after substantial completion by the City's Building Official). Failure to develop, use, or maintain the subject property other than in conformity with all of the requirements of this ordinance is unlawful and shall be deemed a violation of the City's zoning ordinance and a nuisance subject to the penalties described in the zoning ordinance and any increased fine as may be allowed by state law.

Section 9. ERRORS, OMISSIONS, AND POSSIBLE FUTURE REVISIONS TO THE PUD.

This ordinance may be amended from time to time as necessary after review by the Planning Commission and approval by the City Council subsequent to a public hearing. Where this ordinance contemplates the future approval of a site plan or the future approval of a plat by the Cleveland Municipal Planning Commission, and where this ordinance contemplates the future refinement of plans to conform with permitting requirements or conditions of approval necessitated by staff review, and where the Developer and the City of Cleveland may enter into future agreements regarding possible public facilities, infrastructure, and/or services within PUD 71, an amendment to this ordinance is not required to implement such detailed block plan, site plan, plat, refinement to plans necessitated by permitting or review

requirements, or agreement pertaining to public facilities, infrastructure, or services. If the overall development layout differs greater than 20% from the site plan shown in exhibit A then a revised conceptual plan must be reviewed by the Cleveland Municipal Planning Commission.

Section 10. BINDING UPON OTHERS.

This ordinance is a law and not a contract, and as such it is generally binding upon all development and use of property in the PUD 71 zoning district and is binding upon City's regulation of these activities in this location. Moreover, it shall be the duty of the Developer to ensure compliance with all terms of this ordinance affecting construction or maintenance. Wherever this ordinance establishes a duty, responsibility, or right for the Developer, the term "Developer" is intended to encompass the current owner or any heirs, assigns, or successors in title, or any owners of record of the subject property as of the effective date of this ordinance and their heirs, assigns, or successors in title. The term "Developer" is also intended to include any holding company or other entity established for the ongoing operation and maintenance of the development of the subject property including, but not limited to, common areas, joint use or joint access areas, and undeveloped portions of the property that are intended for development.

Section 11. CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

Where this ordinance is in conflict with existing ordinances with respect to the development of this property the terms of this ordinance shall prevail unless stated otherwise herein. In the event that any portion of this ordinance is determined to be invalid by any court of competent jurisdiction, the remaining portions of this ordinance shall remain in full force and effect. This ordinance shall take effect upon passage and upon the execution of the development order as described above, the public convenience and necessity requiring it.

APPROVED AS TO FORM:

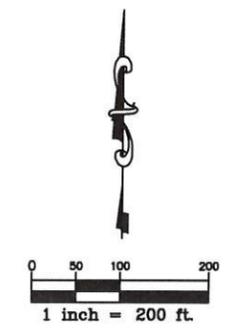
John F. Kimball, City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk



22 50' X 150' (TYP) LOTS
 82 50' X 175' (TYP) LOTS
 84 TOTAL RESIDENTIAL LOTS
 4 160' X 250' (TYP) OUTPARCELS
 1 7.40 ACRE COMMERCIAL LOT



PROJECT: MIXED USE DALTON PIKE (SR 60) CLEVELAND, TN		63 BROAD ST NW CLEVELAND, TN 37311 423-790-5880
SHEET NAME: SP-1 CONCEPTUAL SITE PLAN		DATE: 06/25/2025



CLEVELAND
TENNESSEE

EST. 1842

Agenda Staff Report

Case: ZON2026-05 Cluster Mailbox Ordinance (see **Appendix** for case materials)

February 17, 2026

City of Cleveland Municipal Planning Commission

Applicant: City of Cleveland
Request: Approval of amendment to the Cleveland TN Zoning Ordinance, Appendix C by adding section 3.4.2 concerning regulations for cluster mailboxes in new developments.

PLANNING & DEVELOPMENT

1. Analysis

In 2017, the USPS published guidance for builders and developers for the installation of Cluster Box Units (CBUs). The guidance provides technical standards but fails to address the design aesthetics, landscaping, parking, or location of CBUs. All of these aspects are important for the health, safety and welfare of the general public and should be carefully evaluated when planning for development. Currently, the City of Cleveland has no specific standards to ensure CBUs are placed in a manner that is functional, safe, and compatible with a neighborhood that is being developed and establishing standards would help protect the interests of all stakeholders.

This ordinance has been updated since being presented at the January 20, 2026 planning commission meeting. Staff took comments from the commission into consideration and changed or removed certain aspects of the aesthetics, reduced parking requirements, and provided a threshold for required parking spots.

Staff Recommendation
APPROVE

2026-

AN ORDINANCE OF THE CITY OF CLEVELAND, TENNESSEE, PROVIDING THAT THE CLEVELAND MUNICIPAL CODE, APPENDIX C, ZONING ORDINANCE BE AMENDED BY ADDING SECTION 3.4.2 CLUSTER BOX UNIT (CBU) REGULATIONS TO ESTABLISH UNIFORM STANDARDS AND PROCEDURES FOR THE LOCATION, DESIGN, CONSTRUCTION, AND MAINTENANCE OF MAIL KIOSKS SERVING RESIDENTIAL DEVELOPMENTS WITHIN THE CITY OF CLEVELAND; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS the City Council of the City of Cleveland, Tennessee, having considered the comments of the Cleveland Municipal Planning Commission, has evaluated the need for CBU standards to ensure the health, safety, and welfare of the public.

WHEREAS the current ordinance does not address standards for Cluster Box Units (CBUs).

WHEREAS the City Council has determined that the existing ordinance should be revised to include regulations concerning CBUs and their location, design, construction and maintenance; and

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

Section 1. The Cleveland Tennessee Zoning Ordinance, Appendix C, Section 3.4.2 be added as follows:

Purpose and Intent. The purpose of this policy is to establish uniform standards and procedures for the location, design, construction, and maintenance of Cluster Box Units (CBUs) and centralized mail kiosks serving residential developments within the City of Cleveland. The intent is to:

- 1) Coordinate local development review with United States Postal Service (USPS) delivery requirements.
- 2) Ensure that CBU installations are safe, accessible, and convenient for motorists and pedestrians.
- 3) Minimize negative visual and functional impacts on the public realm and on adjacent properties.
- 4) Clearly assign responsibility for construction and long-term maintenance.

This policy shall be used by the Municipal Planning Commission and City staff during subdivision, site plan, and Planned Unit Development (PUD) review and approval.

Definitions. The following definitions shall apply concerning this policy.

Cluster Box Unit (CBU)/Mail Kiosk: A centralized mail kiosk or mail delivery system used by the USPS for mail and package delivery, typically serving multiple dwelling units from a single location.

Development: Any residential subdivision, Planned Unit Development (PUD), or multi-family or attached residential project requiring Planning Commission and/or site plan approval.

HOA/POA: A homeowners' association or property owners' association responsible for maintenance of common areas.

Public Realm: Public streets, sidewalks, and public open spaces external to the development.

Relationship to USPS Standards.

- 1) All decisions regarding the type and mode of mail delivery are made by the USPS at its sole discretion. Nothing in this policy guarantees door-to-door or any specific type of delivery.
- 2) All CBUs shall meet or exceed applicable USPS standards, including the USPS National Delivery Planning Standards – A Guide for Builders and Developers as amended.
- 3) In the event of a conflict between City standards and USPS standards, the USPS requirements shall supersede the City's standards.
- 4) The City of Cleveland may adopt additional requirements addressing safety, access, aesthetics, and maintenance provided they do not conflict with USPS regulations.

Applicability. This policy applies to:

- 1) All new residential subdivisions.
- 2) All new multi-family or attached residential developments.
- 3) Any expansion or redevelopment that triggers USPS conversion from individual mailboxes to centralized cluster delivery.

Submittal and Approval Procedures

1) USPS Approval Prior to Final Plat.

- a) The Developer shall coordinate with USPS to gain approval of the delivery method and CBU locations.

2) Plats and Site Plans.

a) All plats and site plans shall show the approximate location of each CBU and associated access and parking.

3) Performance Bonds and Certificates of Occupancy.

a) Where a performance bond is used, the surety shall explicitly include CBU kiosks and associated improvements.

b) CBUs shall be installed prior to the issuance of Certificates of Occupancy for any residences served.

4) Permitting.

a) CBU kiosk structures are exempt from zoning setbacks; however, shelters and structures must comply with building code and permit requirements.

Location Standards.

1) Ownership and Easements.

a) CBUs shall be located within common open space or on private property with recorded access and maintenance easements with a minimum of 5' on each side from CBU.

b) CBUs shall not be placed in public rights-of-way or block sidewalks or required sight distance.

2) General Siting Criteria.

a) CBUs shall be placed to minimize impacts on adjacent properties and resident privacy.

b) CBU areas may be counted toward required open space.

c) Kiosks shall be located or screened to minimize visibility from external public streets.

3) Distance and Interior Location. CBUs shall be:

a) Located within a building or within 25 feet of a parking area serving such a building; or

b) Located along a right-of-way edge (but not within the right-of-way itself) or common access drive at least 100 feet interior to the development, and no more than ¼ miles radius from the closest property line of the farthest lot served.

c) CBU Kiosks shall not be installed within the interior of a cul-de-sac or within the interior of any dead-end street turnaround.

4) Driveway and Street Separation.

a) No new driveway or street access shall be constructed within 20 feet of a CBU kiosk, and CBUs shall not be placed within 20 feet of existing driveway or street access.

Pedestrian Access Standards.

1) All CBUs shall be served by ADA-compliant sidewalks or walkways.

2) Walkways shall connect:

a) The CBU to the nearest parking or loading area, and

b) The CBU to the internal sidewalk network

3) Walkways shall be concrete or other City-approved durable surfaces.

Vehicular Access and Parking Standards.

1) Pull-off/Maneuvering Area.

a) Each CBU shall have paved ingress/egress and maneuvering areas approved by the City's Transportation Department.

2) Minimum Parking Requirements.

a) Two (2) parking spaces for subdivision up to 50 mailboxes.

b) One (1) additional space for each additional 25 mailboxes or fraction thereof.

c) A marked loading zone with tapering may satisfy the two-space minimum where approved.

d) Any subdivision where all lots fall within 250' from the proposed CBU location are exempt from parking standards.

3) Multiple Locations.

- a) Multiple CBUs are required for larger developments that exceed the ¼ of a mile requirement.

- b) Where three or more parking spaces are required, an off-street parking bay is warranted.

4) Accessible Parking.

- a) At least one (1) ADA compliant parking space is required at each CBU location.

5) Shared/On-Street Parking.

- a) Shared or on-street parking may be credited if designed to City standards.

Design and Architectural Standards.

1) Integration.

- a) A Kiosk structure is required for developments which exceed 50 lots.

2) Materials.

- a) The Kiosk Structure, if required, shall be composed of Brick, stone, fiber cement, wood trim, architectural shingles, or standing seam metal roofs are recommended.

3) Visual Impact.

- a) Kiosks should be landscaped without obstructing visibility or access with shrubs and ornamental trees approved during site review.

4) Lighting.

- a) Kiosks shall be illuminated and be compatible with the development's lighting standards.

Ownership and Maintenance.

- 1) All construction costs shall be borne by the developer.
- 2) Maintenance shall be the responsibility of the HOA/POA or, where none exists, the served property owners.
- 3) The City of Cleveland shall not be responsible for maintenance or repair.

Previously Approved Developments and Retrofits.

- 1) USPS-mandated retrofits shall be processed through revised plats or approved site plan modifications.
- 2) PUDS shall include example kiosk designs in approval documents.

Enforcement and Administration.

1. Compliance is a condition of Planning Commission approval.
2. City Planning, Codes, and Transportation staff shall enforce this policy.
3. Certificates of Occupancy may be withheld for non-compliance.
4. The Director of Development and Engineering Services may approve minor deviations consistent with the policy's intent.

Section 2. In the event that any part of this ordinance is invalidated by a court of competent jurisdiction, all other parts shall remain in full force and effect unless otherwise lawfully repealed or amended.

Section 3. This ordinance shall take effect immediately upon passage on second reading, the public necessity requiring it.

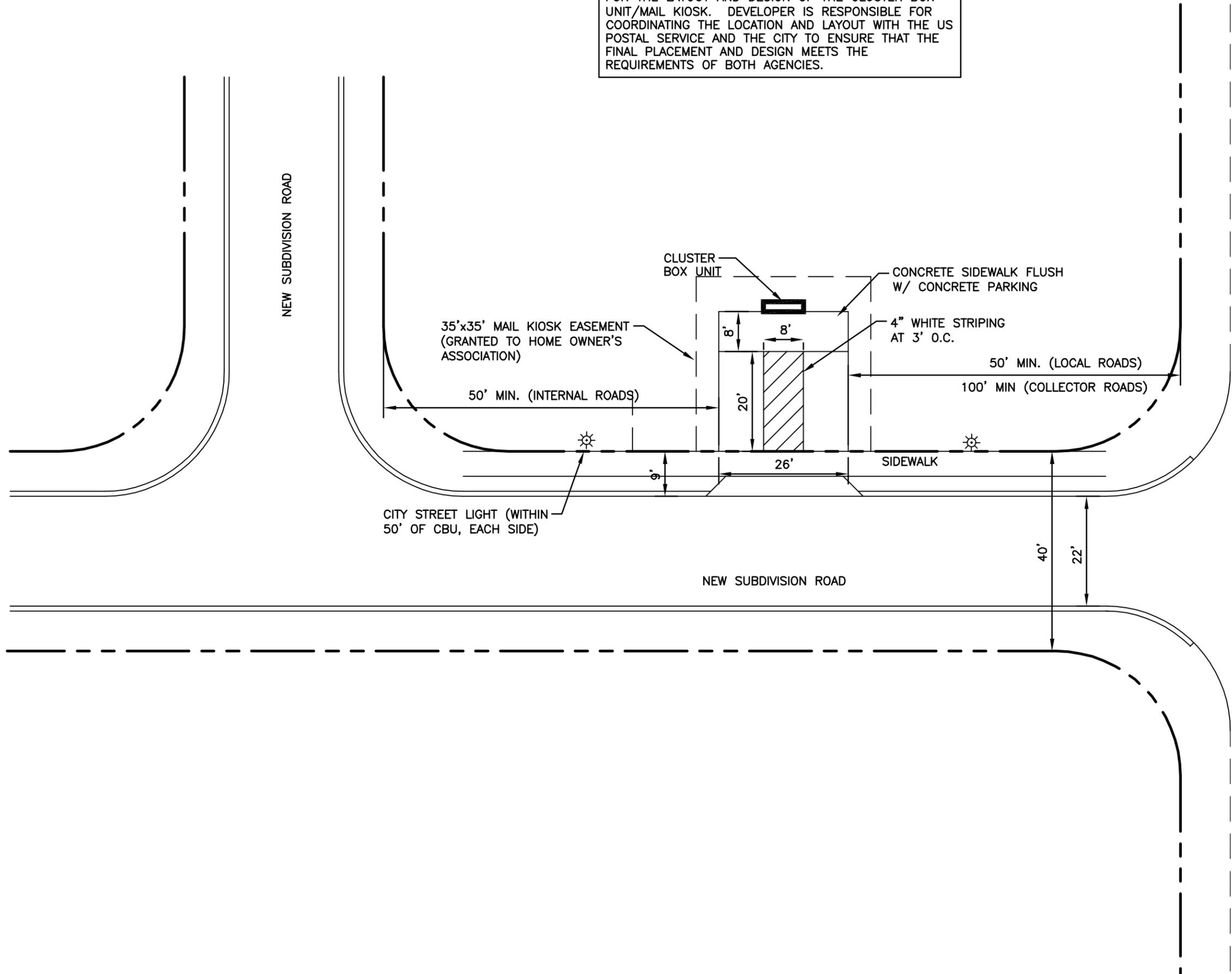
APPROVED AS TO FORM:

John F. Kimball, City Attorney

Kevin Brooks, Mayor

Shawn McKay, City Clerk

THIS STANDARD DETAIL IS INTENDED TO PROVIDE GUIDANCE ON THE CITY OF CLEVELAND'S REQUIREMENTS FOR THE LAYOUT AND DESIGN OF THE CLUSTER BOX UNIT/MAIL KIOSK. DEVELOPER IS RESPONSIBLE FOR COORDINATING THE LOCATION AND LAYOUT WITH THE US POSTAL SERVICE AND THE CITY TO ENSURE THAT THE FINAL PLACEMENT AND DESIGN MEETS THE REQUIREMENTS OF BOTH AGENCIES.



SHEET NAME:
STANDARD LAYOUT
OFF-STREET OPTION

PROJECT:

**CLUSTER BOX UNIT/MAIL KIOSK
STANDARD LAYOUT DETAIL**

DATE: XX/XX/XXXX



CLEVELAND
TENNESSEE

EST. 1842

Agenda Staff Report

Case: ZON2026-06 Administrative Rezoning (see **Appendix** for case materials)

February 17, 2026

City of Cleveland Municipal Planning Commission

Applicant:	City of Cleveland
Site Address:	Short Street and Lang Street
Tax Map:	049M L 012.00/058A Q 027.00
Area:	.42 acres
Current Zone:	IH Heavy Industrial / CH Highway Commercial
Request:	Approval of rezoning from IH and CH to UR-1
Sewer/Water:	Yes
Council District:	District 2 – Bill Estes

PLANNING & DEVELOPMENT

1. Analysis

The City recently adopted two new zoning districts – UR-1 and UMUC. These districts were created to preserve the neighborhood character and provide zoning standards tailored to this area’s goals and vision for the future.

Staff will begin presenting sections of the delineated area to the planning commission and City council for consideration over the next several months. Currently, there are two property owners that are ready to start development projects and would like to start the projects under the new zoning that is to be implemented. Both of the above-mentioned parcels are proposed to be rezoned to UR-1 and any new construction will follow these standards.

Staff Recommendation

APPROVE

Zoning Ordinance No. 2025-

BE IT ORDAINED by the City Council of the City of Cleveland, in regular session assembled that the portion of property described herein be, and the same is hereby, rezoned from IH Heavy Industrial Zoning District into UR-1 Urban Single Family Residential Zoning District.

Approximately 0.37 acres, more or less, located on Blue Springs Rd. as shown on the attached map.

For reference, the same property is being shown on a portion of Tax Map 049M Group L Parcel 012.00 in the Assessor's Office for Bradley County, Tennessee.

BE IT FURTHER ORDAINED that all Ordinances in conflict herewith are repealed to the extent of said conflict.

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its passage on final reading, the public welfare requiring it.

APPROVED AS TO FORM:

John F. Kimball, City Attorney

SIGNED:

_____ Kevin Brooks, Mayor

_____ Shawn McKay, City Clerk

Zoning Ordinance No. 2025-

BE IT ORDAINED by the City Council of the City of Cleveland, in regular session assembled that the portion of property described herein be, and the same is hereby, rezoned from CH Highway Commercial Zoning District to UR-1 Urban Single Family Zoning District.

Approximately 0.42 acres, more or less, located on Lang Street as shown on the attached map.

For reference, the same property is being shown on a portion of Tax Map 058A Group Q Parcel 027.00 in the Assessor's Office for Bradley County, Tennessee.

BE IT FURTHER ORDAINED that all Ordinances in conflict herewith are repealed to the extent of said conflict.

BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its passage on final reading, the public welfare requiring it.

APPROVED AS TO FORM:

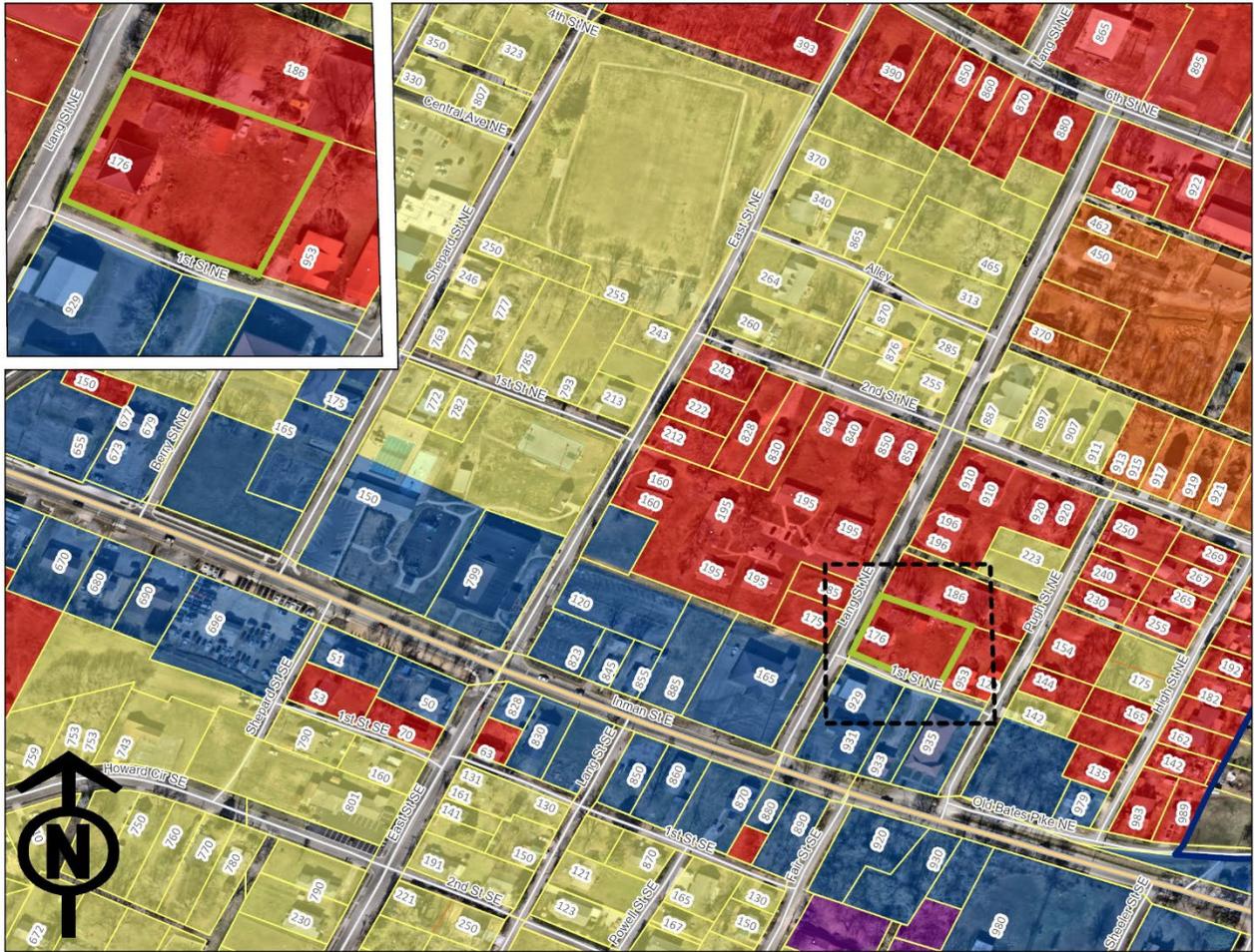
John F. Kimball, City Attorney

SIGNED:

_____ Kevin Brooks, Mayor

_____ Shawn McKay, City Clerk

Exhibit A





CLEVELAND
TENNESSEE

EST. 1842

Agenda Staff Report

Case: ZON2026-08 PUD 41 Amendment (see **Appendix** for case materials)

January 20, 2026

City of Cleveland Municipal Planning Commission

Applicant: Southernwood Holdings LLC
Site Address: Old Powerline Lane
Tax Map: 058 024.00
Area: 31.48 acres
Current Zone: PUD 41
Request: Approval of amendment to allow contractor storage building/yard on open space lot
Sewer/Water: Yes
Council District: District 4 – David May Jr.

PLANNING & DEVELOPMENT

1. Analysis

The owner is proposing to construct a contractor storage building and yard on the open space lot of PUD 41 which faces Old Powerline Lane NE. The lot is largely wooded and has a stream running through the property. Staff sees this an acceptable use and amendment if the property owner maintains a minimum of 100-foot buffer between all residential uses. The area disturbed should be as minimal as possible. Staff recommendation is to require the proposed driveway located on Old Powerline Lane be paved with concrete or asphalt. The storage area would be permitted to be gravel.

Staff Recommendation

APPROVE

Zoning Ordinance 2026-

AN ORDINANCE OF THE OF THE CITY OF CLEVELAND, TENNESSEE AMENDING THE CLEVELAND MUNICIPAL CODE TITLE 14 CHAPTER 2 SO AS TO ESTABLISH A PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS MINNIS_OLD POWERLINE "PUD 41" ON PROPERTY DESCRIBED AS TAX MAP 058 PARCELS 024.00, 024.05, AND 025.02, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A DESCRIPTION OF THE PROPOSED DEVELOPMENT; AMENDING THE ZONING PLAN AND ZONING MAP FOR PUD 41; MAKING VIOLATIONS OF THE ORDINANCE UNLAWFUL AND PROVIDING FOR PENALTIES; ESTABLISHING LISTS OF PERMITTED USES AND PROHIBITED USES; ESTABLISHING DEVELOPMENT STANDARDS AND PROCESSES AND RELATED REQUIREMENTS; STATING RESPONSIBILITY FOR COMPLIANCE WITH OTHER APPLICABLE LAWS AND PERMITTING REQUIREMENTS; PROVIDING FOR ERRORS AND OMISSIONS AND POSSIBLE FUTURE REVISIONS TO THE PUD; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS the City of Cleveland, Tennessee, hereinafter "City", desires orderly land development in furtherance of the public welfare and has adopted the Planned Unit Development, hereinafter "PUD", process as an alternative development standard whereby to accomplish such development; and whereas it is intended that the developers of the property or any subsequent owners, shall hereinafter be referred to as "Developers" and; and whereas the City desires to establish a unique zoning district with special use restrictions and development standards for the property described herein through the adoption of this PUD, NOW THEREFORE BE IT ORDAINED:

Section 1. ZONING PLAN AND MAP AMENDMENT.

The zoning plan and map are hereby amended so as to zone the property described in Section 3 herein as "PUD 41" subject to the provisions described in each section of this ordinance. The permitted uses in the PUD41 zoning district are those uses outlined in Section 5 of this ordinance. The development standards for the PUD41 district are outlined in this ordinance, including requirements for plan approval, and compliance with applicable permitting requirements.

Section 2. VIOLATIONS UNLAWFUL AND SUBJECT TO PENALTIES.

Any development or use of the property described herein in manner contrary to the terms of this ordinance is a zoning violation and is unlawful, subject to the penalties prescribed by the Cleveland Municipal Code and the laws of Tennessee.

Section 3. PROPERTY DESCRIPTION.

PUD 41, Minnis_Old Powerline Development (name may be revised during the platting process with approval of the Cleveland Municipal Planning) includes property generally identified as Tax Map 058 Parcels 024.00, 024.05, and 025.02. Exhibit A illustrates the overall Minnis_Old Powerline Conceptual Plan for the subject property.

Section 4. GENERAL PROJECT DESCRIPTION AND DEVELOPMENT DENSITY.

This section is intended to provide a general description of the Minnis_Old Powerline development. The project consists of single family detached residential units. The developer shall include any permanent retention or detention pond areas or landscaped common areas.

Section 5. PERMITTED USES AND PROHIBITED USES.

The PUD 41 Subdivision allows for the construction of up to 11 7 dwelling units in detached single-family houses and up to 16 dwelling units of attached Single-Family Townhomes.

The open space lot facing Old Powerline Lane (also described as parcel 058 024.00) is permitted to contain a contractor storage building and yard. Streets, sidewalks, drainage structures, fire hydrants, utilities, and the like are allowed. Residential amenities such as a community clubhouse, park shelters, benches, or tables, are allowed in the common area and will be reviewed by the Planning Director for consistency with the approved plan. Nothing herein should be construed as prohibiting the Developer from making further refinements to the development plan of PUD 41 that would further restrict the allowable uses within a particular part of the development or from excluding a particular use from the development altogether through the operation of private restrictions or covenants. The location of residential uses within the PUD will comport with the descriptions of the constituent parts of the development which are conceptually described within Exhibit C unless modified by agreement of the Cleveland Municipal Planning Commission. Home occupations permitted in Cleveland's zoning ordinance are allowed unless prohibited by Developer covenants and restrictions. Billboards are prohibited.

Section 6. CONCEPTUAL PLAN AND RELATED REQUIREMENTS.

6.A. CONCEPTUAL PLAN.

A conceptual plan (Exhibit A) for PUD 41, The Minnis_Old Powerline Development PUD was prepared for submission to the Cleveland Municipal Planning Commission for consideration in the regular meeting on June 21, 2022. The conceptual plan consists of a site plan for the overall development. However additional drawings, documents, and permits routinely required for a subdivision are expected for review and approval prior to construction. All development within PUD 41 must be consistent with this Conceptual Plan with regard to development standards and general layout unless subsequently modified by agreement of the Cleveland Municipal Planning Commission. However, any modification may not increase the total number of dwelling units beyond 129 without a revision to the PUD ordinance approved by the City Council. Additional plans, plats, and other development-related documents and permits will be necessary to carry out the construction of this project. It is recognized that the plats and site plans for the PUD development may reflect some alteration in the conceptual plan such as the exact location of each specific residential unit and type within the designated residential areas. Other variations may include the width or alignment of streets, or the precise placement of buildings, but these will be generally consistent with the conceptual plan, mutually consistent with one another, and not violate any features of this ordinance as these relate to adjoining properties and infrastructure (e.g., external intersection locations, buffers with external properties, etc.).

All streets within the PUD 41 development shall be constructed with adequate ROW to accommodate the installation of sidewalks which shall be installed at the expense of the developer. Further specification of intersection design requirements and other infrastructure standards will be specified prior to platting. Where existing Right of Way along Old Powerline Road and Minnis Road is narrow adjacent to PUD 41 and the intention is that the ROW be at least 50 feet in width; therefore, the developer grants additional ROW to the City of Cleveland such that the ROW is at least 25 feet from the existing center line along the entire property.

6.B. PLATS.

One or more plats will be prepared for the PUD41 property by the Developer for approval in accordance with the City of Cleveland, Tennessee subdivision regulations. These plats will describe and dedicate public streets any other public properties; identify lots; and identify

easements that are necessary for various purposes within the development such as utilities, access, maintenance, and conservation, etc. These plats shall be consistent in general layout with the conceptual site plan.

6.C. PRIVATE DEVELOPMENT DOCUMENTS.

The Developer shall prepare and implement such master covenants, restrictions, homeowner association documents, common area agreements, and the like which the Developer determines are necessary to carry out the development of PUD 41 as envisioned herein. It is a requirement of this ordinance that such documents are in place and enforced by the Developer (or Developer's heirs, successors, or assigns) to the extent necessary for PUD 41 to function as described herein. The City of Cleveland assumes no responsibility to review these documents, or to determine their adequacy to these purposes, or to enforce any of their provisions, or to otherwise be a party to them.

Section 7. DEVELOPMENT STANDARDS

The development standards for PUD41 shall be those established in this ordinance. Where development standards are not otherwise included in this ordinance, the standards shall be those in the R2 zone, from the City of Cleveland's zoning regulations.

For Single Family Detached residential areas units of identical elevation types must be separated by at least two different elevations. This will result in at least three different elevation plans per cluster. No two adjacent structures shall be built with the same building size or orientation (reverse elevations do not count as different building elevations), facade, materials, or colors. All Residential areas must also incorporate a variety of building elements and treatments. Structures must include articulation, change in materials or texture, windows, or other architectural features. The front facade of all structures shall contain, on average, a minimum of at least 50% of either brick or stone materials. Vinyl Siding, other than accents such as soffits and fascia, are prohibited. All foundations must be made of brick on stone. No blank walls along street elevations are allowed. Repair to the roof of any townhome with a common roofline of any adjoining unit must be addressed within the private covenant restrictions.

For the contractor yard and storage area to be located on parcel 058 024.00, a minimum 100-ft undisturbed buffer shall be maintained between all residential uses and area disturbed shall be minimized to the maximum extent practicable. The driveway from Old

Powerline Lane to the site shall be paved with concrete or asphalt. Gravel is permitted for the storage and parking area on site.

A two-inch caliper hardwood shade tree which is determined acceptable to the City's Urban Forester shall be installed within each front yard area. Green infrastructure techniques, such as rain gardens and permeable soils or pavements should be introduced throughout the development in effort to minimize stormwater runoff, flooding, and poor water quality.

All lots shall be serviced by sidewalks within the subdivision. Sidewalks should be illustrated on all plats and site plans for review by city staff. Site amenities shall include uses such as pocket parks, trails as well as undeveloped and protected open spaces. These uses will be finalized as the neighborhood develops depending on current conditions.

A monument style ground sign shall be installed at the primary entrance(s) to the site. A landscaped berm no smaller than 2.5' in height shall be installed at the primary entrance(s) to provide privacy and maintain a quality appearance. The berm shall be landscaped with a mix of Trees and shrubs. Open space shall be maintained at a proportion of no less than 20% of the total buildable area. Site amenities, to be determined as the neighborhood develops, shall be provided by the developer once 50% of the buildable lots in the development are established or under construction. All common areas, facilities and landscaping shall be kept in good repair by the developer, future owners, or an established homeowner's association. Once established the Homeowners Association shall enforce a no overnight parking within the Rights-of-way for emergency services access.

Centralized cluster mailbox units shall be provided, if required by the United States Postal service, and shall include a minimum of 2 off-street parking spaces per 50 lots. These may be combined with site amenities as provided.

Requirements of the City's adopted building codes, fire codes, stormwater regulations and other ordinances affecting the development, use, and maintenance of property shall apply. All stormwater detention/retention areas will be screened from the public ROW. Each lot must provide a minimum of 4 off-street parking spaces, therefore reducing on-street parking and traffic congestion.

The minimum lot width requirements for single-family detached home sites are 50 feet for up to 80% of the overall development. At no time can a lot have a minimum frontage of less than 46'. The front setback requirements are 25 feet; side setback requirements are 3' on one side and 10' on the remaining side. Each 3' side setback must be joined by a 10' setback on the adjoining lot, and rear setbacks shall be no less than 15' from the property

line. Site specific plans are required for all single-family residential structures in the development prior to construction and corners must be pinned by a surveyor at the foundation stage.

Townhomes must follow the City's established process requiring a site plan for construction and a final plat after construction. Storage sheds and similar accessory structures, if allowed by the Developer shall be limited to yard areas behind the primary structure and are not to encroach within five feet of any property line.

Covered porches, sunrooms, and other covered additions to the primary structure, if allowed by the developer are to maintain the required setbacks for the primary structure. Open patios and decks, if allowed by the Developer, may extend to within 10 feet of a rear property line. Retaining walls as needed for the grading of building pads should maintain a 5-foot setback. Walls greater than four feet in height must be reviewed and approved by the City of Cleveland Director of Development and Engineering Services prior to the issuance of a building permit. The guidelines for approval of a minor encroachment as established within the Cleveland Zoning Ordinance may be utilized to establish variations in setbacks subsequent to any Planning Commission approvals. The development standards for the RL Low Density Single Residential Zoning District shall apply for any standards this ordinance does not address.

The developer shall dedicate right-of-way and construct a deceleration lane on Minnis Road and deceleration lane shall be required before acceptance of any new street within the subdivision. The developer shall dedicate any right-of-way necessary and shall be responsible for construction of said improvements. The deceleration lane shall be curbed to City standards. The Townhome portion of the development along Minnis Road must utilize the interior access driveway as depicted on the attached preliminary site plan.

Public Utilities shall be designed outside of the curb-to-curb area, except for reasonable crossings where necessary. The Director of Planning and Community Development, or their assigns, may allow deviations to utility locations when given a reasonable explanation for the deviation.

Section 8. COMPLIANCE WITH OTHER APPLICABLE LAWS AND PERMITTING REQUIREMENTS.

The Developer, and its assigns or successors in title, is responsible for obtaining all federal, state, and local permits required for the construction of the proposed PUD41 Minnis_Old

Powerline Development. The Developer and its assigns or successors in title shall carry out the construction on the project site in compliance with all applicable ordinances of the City of Cleveland, Tennessee, and also in compliance with applicable federal and state laws. Buildings shall be designed and constructed in accordance with adopted building codes and shall not be occupied until final inspections are complete and certificates of occupancy have been issued (permission for limited use of building after substantial completion by the City's Building Official). Failure to develop, use, or maintain the subject property other than in conformity with all of the requirements of this ordinance is unlawful and shall be deemed a violation of the City's zoning ordinance and a nuisance subject to the penalties described in the zoning ordinance and any increased fine as may be allowed by state law.

Section 9. ERRORS, OMISSIONS, AND POSSIBLE FUTURE REVISIONS TO THEPUD.

This ordinance may be amended from time to time as necessary after review by the Planning Commission and approval by the City Council subsequent to a public hearing. Where this ordinance contemplates the future approval of a site plan or the future approval of a plat by the Cleveland Municipal Planning Commission, and where this ordinance contemplates the future refinement of plans to conform with permitting requirements or conditions of approval necessitated by staff review, and where the Developer and the City of Cleveland may enter into future agreements regarding possible public facilities, infrastructure, and/or services within PUD41, an amendment to this ordinance is not required to implement such detailed block plan, site plan, plat, refinement to plans necessitated by permitting or review requirements, or agreement pertaining to public facilities, infrastructure, or services. If the overall development layout differs greater than 20% from the site plan shown in exhibit A then a revised conceptual plan must be reviewed by the Cleveland Municipal Planning Commission.

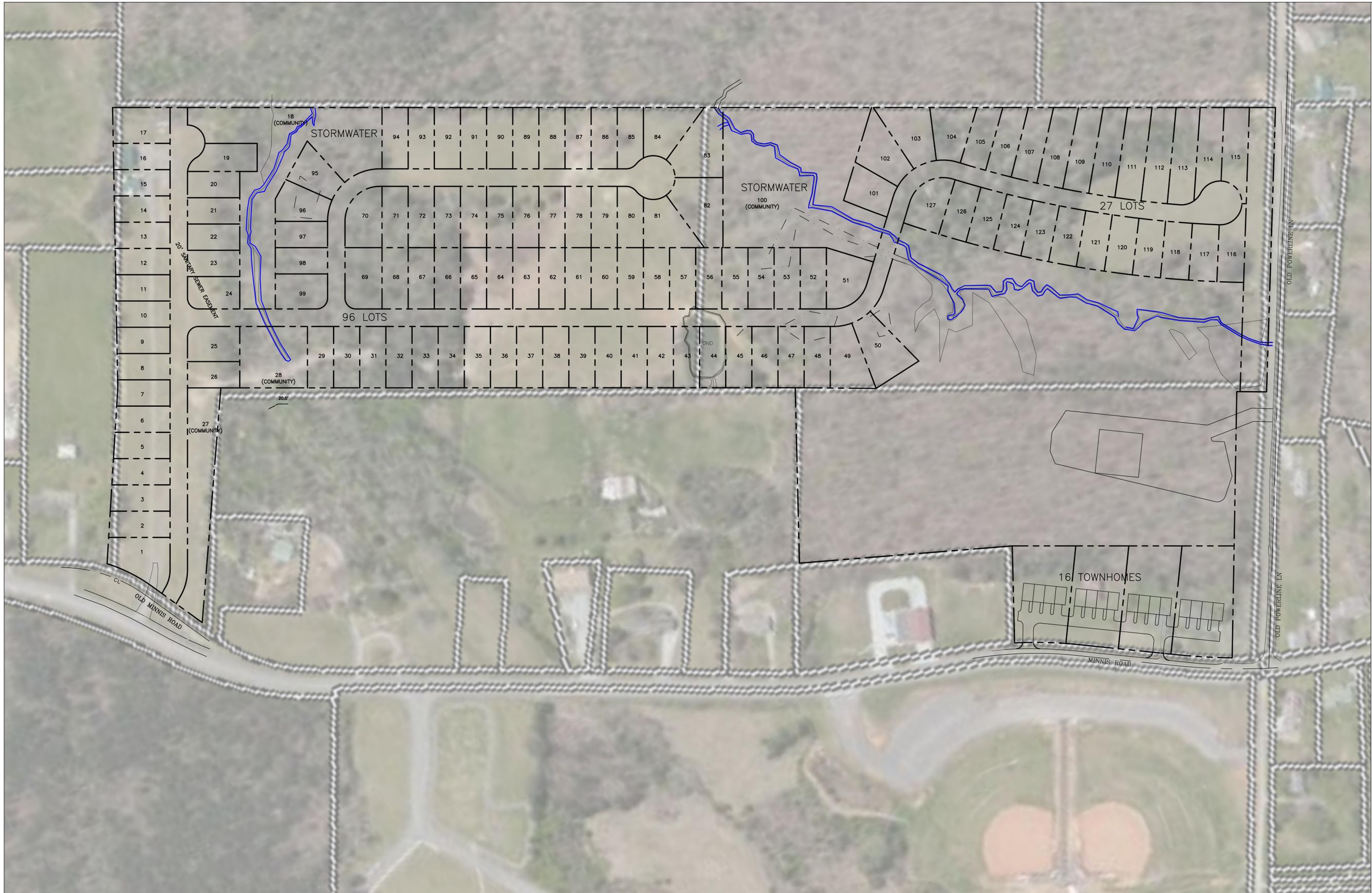
Section 10. BINDING UPON OTHERS.

This ordinance is a law and not a contract, and as such it is generally binding upon all development and use of property in the PUD41 zoning district and is binding upon City's regulation of these activities in this location. Moreover, it shall be the duty of the Developer to ensure compliance with all terms of this ordinance affecting construction or maintenance. Wherever this ordinance establishes a duty, responsibility, or right for the Developer, the term "Developer" is intended to encompass Morgan Lane Development or any heirs, assigns, or successors in title, or any owners of record of the subject property as

of the effective date of this ordinance and their heirs, assigns, or successors in title. The term "Developer" is also intended to include any holding company or other entity established for the ongoing operation and maintenance of the development of the subject property including, but not limited to, common areas, joint use or joint access areas, and undeveloped portions of the property that are intended for development.

Section 11. CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

Where this ordinance is in conflict with existing ordinances with respect to the development of this property the terms of this ordinance shall prevail unless stated otherwise herein. In the event that any portion of this ordinance is determined to be invalid by any court of competent jurisdiction, the remaining portions of this ordinance shall remain in full force and effect. This ordinance shall take effect upon after passage and upon the execution of the development order as described above, the public convenience and necessity requiring it.



CIVIL ENGINEER:
BERRY
ENGINEERS LLC
 63 BROAD ST NW
 CLEVELAND, TN 37311
 TEL: (423) 796-5880

DEVELOPER:

PROJECT:
**FAIRVIEW HILLS
 SUBDIVISION**
 MINNIS ROAD
 CLEVELAND, TN

PRELIMINARY

REVISIONS	
1	
2	
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7	
8	
9	
10	

SHEET NAME:
 CONCEPTUAL SITE
 LAYOUT PLAN

DATE: 01/05/2026
 DRAWN BY: CMB
 CHECKED BY: BMB
 PROJECT NO.: 22040
 SHEET NUMBER:
SP-1

