

**MINUTES  
CLEVELAND MUNICIPAL PLANNING COMMISSION  
TUESDAY, AUGUST 20, 2019 AT 6:00 PM  
CLEVELAND MUNICIPAL BUILDING 190 CHURCH STREET NE**

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

Members present included Clarke Taylor, Larry Presswood, Bill Estes, Alma Dotson, Tricia Pennington, Maryl Elliott, Ben Berry, Jamie Creekmore and Blake Allison.

There were no members absent.

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

Staff present included Darla Jenkins, Executive Secretary, Corey Divel, Senior Planner, Jonathan Jobe, Director of Development and Engineering Services, Joe Fivas, City Manager, and Mark Fidler, Cleveland Regional Jetport Manager.

Others present included Randy Brown of Brown Surveying, Dennis Epperson of Epperson Homes, Jim Richmond of Richmond Surveying, Debbie Moore, Hans Hadland, Dewayne Wilson, Roger and Susan Schmurr, Mitch Kinder of Cleveland Surveying, Renee Epperson, Brooke Allison, Dustin Coleman, Dustin Hawkins of D&S Custom Homes, Mark Paslick of PDC Consultants, LLC. and Anthony Lombard.

**The minutes of the July 16, 2019 regular meeting were presented for approval.**

Maryl Elliott made a motion to approve the minutes of the July 16, 2018 meeting and Jamie Creekmore seconded a motion. Blake Allison recused himself. Voting 8-0, the commission approved the motion.

**There were no Public Hearings.**

**Mayor Kevin Brooks swore in Blake Allison as the new planning commissioner. Blake Allison replaces Bill Hamilton who passed away on July 16, 2019.**

**In the Consent Agenda,**

- a. **Request by Theresa Dalton Evans for preliminary plat approval of Theresa Dalton Evans Property located at 640 West Inman St. This property comprises Tax Map 49N Group D Parcel 11.00 and contains 3.6 acres. The property is zoned CH Commercial Highway Zoning District (pg1).**

- b. Request by Theresa Dalton Evans for final plat approval of Theresa Dalton Evans Property located at 640 West Inman St. This property comprises Tax Map 49N Group D Parcel 11.00 and contains 3.6 acres. The property is zoned CH Commercial Highway Zoning District (pg2).**
- c. Request by Jonathan Dip for preliminary plat approval of Murray Ridge Subdivision located on Johnson Boulevard. This property comprises Tax Map 58H Group J a portion of Parcels 2.00 & 3.00 and contains 7.96 acres. The property is zoned R2 Low Density Single and Multi-family Residential Zoning District (pg5).**
- d. Request by Jonathan Dip for final plat approval of a replat Murray Ridge Subdivision, phase 1 located on Johnson Boulevard. This property comprises Tax Map 58H Group J a portion of Parcels 2.00 & 3.00 and contains 7.96 acres. The property is zoned R2 Low Density Single and Multi-family Residential Zoning District (pg8).**
- e. Request by D & S Custom Homes for final plat approval of Cobblestone Subdivision, phase 1 located on Old Chattanooga Pike. This property comprises Tax Map 65E Group E Parcel 16.00 and contains 8.23 acres. The property is zoned R2 Low Density Single and Multi-family Residential Zoning District (pg10).**
- f. Request by BHK Property Investments for preliminary plat approval Dashwood Subdivision, a cluster development, located on Angie Ln. The property comprises Tax Map 50B Group A Parcel 13.01 and contains 14.52 acres. The property is zoned R2 Low Density Single and Multi-family Residential Zoning District (pg12).**

**Item f. was moved to New Business by request of Bill Estes.**

**This item was withdrawn by Randy Brown of Brown Surveying on 8-20-19.**

- g. Request by Ted Moss for final plat approval of Ocoee Landing, lots 10 and 11 located on Emmyllie Court. Property comprises Tax Map 42GB Group A Parcel 7.08 and is zoned PUD 5 Planned Unit Development(pg14).**
- h. Request by John R. Hentz for preliminary plat/site plan approval of Sullivan Estates Addition, lot 1 located on Julian Dr. Property comprises Tax Map 50A**

**Group B Parcel 2 and contains .40 acres. The property is zoned R2 Low Density Single and Multi-family Residential Zoning District (pg16).**

**Withdrawn by the applicant**

- i. **Request by Pursuit Investments, LLC for final plat approval of Arbor Hills, Phase I located on Young Rd SE. Property comprises Tax Map 66H Group B Parcels 25.00 & 25.01 and contains 2.46 acres. The property is zoned CH Commercial Highway Zoning District (pg18).**

Bill Estes requested item f. be moved to New Business, Item f.

Item h. was withdrawn by the applicant.

Clarke Taylor made a motion to approve the Consent Agenda subject to staff comments and Maryl Elliott seconded the motion. Ben Berry recused himself from item i. and voted to approve the other items on the Consent Agenda. The commission passed the Consent Agenda with a vote of 9-0.

#### **In Old Business,**

- a. **Request by Anthony Raspa and others to rezone property at on Georgetown Road between Kimberly Drive NW and Weston Hills Drive NW from R3 Multi-family Residential to PI Professional Institutional. The request includes Tax Map 33K Group A Parcel 001.01, Tax Map 33N Group E Parcel 002.00, Tax Map 33N Group E Parcel 003.00; Tax Map 33N Group E Parcel 004.00; Tax Map 33N Group E Parcel 005.00; and Tax map 33N Group E Parcel 005.01. The property contains approximately 4.5 acres, more or less (pg20).**

Ben Berry made a motion to approve and Clarke Taylor seconded the motion. A vote of 9-0 passed the motion.

Ben Berry stated that a highway widening project was planned due to the traffic congestion in the area. R1 single family homes facing a five (5) lane highway is not an ideal situation. Regardless of the motivation behind the request of the applicant, having a non-residential use on a five (5) lane highway is good planning. The non-residential use has protection for the R-1 district, has buffer requirements, and extreme limitations on the uses that go in the PI district. It will be similar to what's across the street and compatible to the thoroughfare that is there. Also, it will be compatible to what's undeveloped to the north that's zoned in a PUD.

**In New Business,**

**a. Consideration of an amendment to the Cleveland Airspace Zoning Ordinance (pg43).**

The amendment would make some adjustments to the airspace zoning ordinance as requested by the State Aeronautics Division and the Federal Aviation Administration. Most significantly, it establishes a runway protection zone which would restrict development in the subject area.

Bill Estes made a motion to approve the amendment changes to the Cleveland Airspace Zoning Ordinance and Jamie Creekmore seconded the motion. A vote of 9-0 by the commission passed the amendment.

**b. Request by Dewayne Wilson to rezone property at 2091 Candies Ln NW from R2 Low-density single- and multi-family residential to CG General Commercial Zoning District. The property comprises Tax Map 41G Group C Parcel 27.00 and contains approximately 0.70 acres, more or less (pg56).**

Clarke Taylor made a motion to approve the rezoning request and Blake Allison seconded the motion. The commission passed the request with a vote of 9-0.

**c. Request by Rebecca Keller to rezone property at 2572 Humphrey Bridge Rd SW from R1 Single Family Residential Zoning District to CH Highway Commercial Zoning District. The property comprises Tax Map 56 Parcel 79.00 and contains approximately 2.58 acres, more or less (pg61).**

Josh and Rebecca Keller withdrew their request to rezone their property at this time.

**d. Consideration of an amendment to the zoning ordinance concerning the zoning districts which permit various types of financial institutions (pg67).**

Staff prepared a draft amendment which would allow branch banking with drive in lanes as permitted in the PI Zoning District but cash advance, title pawns, flex loans businesses and the like would only be permitted within the CH Zoning District.

Bill Estes made a motion to approve the draft amendment and Jamie Creekmore second the motion. The commission voted 9-0 to pass the amendment.

**e. Discussion of Potential Amendments to the Subdivision Regulations (pg70).**

Corey Divel stated changes to the subdivision regulations are final with the planning commission and does not go to the city council. Corey Divel requested more direction from the commission in the potential amendments.

Larry Presswood requested the planning commission hold a work session to discuss the amendments in more detail. Blake Allison stated he would reach out to ORBA – Ocoee Regional Builder’s Association. Tricia Pennington requested the surveyors be notified of the work session.

- f. **Request by BHK Property Investments for preliminary plat approval Dashwood Subdivision, a cluster development, located on Angie Ln. The property comprises Tax Map 50B Group A Parcel 13.01 and contains 14.52 acres. The property is zoned R2 Low Density Single and Multi-family Residential Zoning District (pg12).**

This item was moved from the Consent Agenda by the request of Bill Estes.

This item was withdrawn by Randy Brown of Brown Surveying on 8-20-19

**In the Chairman’s Report,**

Tricia Pennington announced the MTAS class on Robert’s Rules Basics and Open Meetings Law at 3 P.M. in the council room.

**There was no Director’s report.**

**The meeting adjourned at 7:13 P.M.**