

**MINUTES OF THE WORK SESSION OF THE  
KINGSPORT REGIONAL PLANNING COMMISSION**

The Improvement Building  
201 W. Market Street, Kingsport, TN 37660

April 15, 2013

12:00 Noon

**Members Present**

Dennis Ward, Chairman  
Colette George, Vice-Chairman  
Alderman Mike McIntire  
Jim Lewis  
David Stauffer  
Mark Selby

**Members Absent**

“Buzzy” Breeding  
George Coleman  
Hoyt Denton

**Staff Present**

Ken Weems  
Karen Combs  
Corey Shepherd  
Forrest Koder  
Hank Clabaugh  
Chris Alley  
Tim Elsea  
Mark Haga  
Oluwole Moronkeji

**Visitor’s List**

At 12:00 p.m., the meeting was called to order by Ken Weems. There were no items presented for consent agenda and there was no unfinished business.

**NEW BUSINESS**

**04-01 Carpenter Subdivision – Final Plat - (13-201-00011)** – The Planning Commission heard a presentation to consider a request for Final Plat approval for the Carpenter Subdivision. Staff presented the details of the subdivision, which consists of three lots located in Sullivan County, outside the City limits but inside the Urban Growth Boundary. Staff stated this was a unique request for several reasons which need to be explained in further detail. Mr. Carpenter currently resides on parcel 69.00 and is land locked. Access to a public street is via a private drive (Valley High PVT. Drive). Mr. Carpenter would like to allow his daughter to build on his property as he already has his son living in an existing house on parcel 70.00 fronting on Sullivan Gardens Drive. In order to accomplish this and clear the non-conforming status of his current residential dwelling, staff recommended utilizing the existing parcels that currently have public frontage on Sullivan Gardens Drive and configure all lots to meet the current Minimum Subdivision Regulations. Additionally Mr. Carpenter is purchasing a small portion of property from Mr. Calhoun. The side by side color coded comparison indicates the before and after of this proposed subdivision. The newly created Lot 1 will provide frontage for Mr. Carpenter’s residence which was previously land locked. A little further west is another access with 54 feet of frontage for Lot 2 and the existing Lot 3 frontage remains the same. All newly created lots will have access off the private road, via a 20’ to 30’ R.O.W. known as Valley High Private Drive for perpetual use. Commissioner George asked about creating a non-conforming lot due to setbacks requirements. Staff stated the lot lines in question were not moved but that staff would verify that with the surveyor thereby not creating a non-conforming lot. Several Commissioners questioned the use of the private road for access even though the newly created lots would have frontage on Sullivan Gardens Drive. Staff

stated the plat indicated that all lots had right of ingress/egress from the private roads as it was on the plat and also within the deeds to Mr. Carpenter's property. Staff also stated the septic system field bed for the apartments was across the private road and located on Mr. Carpenter's property and would be required to relocate once the system failed onto their own property by TDEC. There being no additional questions, no official action was taken on this item.

**04-02 Harmony Ridge Subdivision – Amended Final Plat - (13-201-00012)** – The Planning Commission heard a presentation to consider a request for Amended Final Plat approval for the Harmony Ridge Subdivision. Staff stated the applicant is requesting approval to amend the previously approved plat for the Planned Development known as Harmony Ridge. Currently the property owner is Tru Point Bank who acquired the property through foreclosure. They have a potential buyer in Eastern 8 contingent upon the replat approval. Eastern 8 would like to purchase the property and construct low-mod income homes and one of their requests is to increase the size of lot the lots from +50 foot fronts to lots having a minimum of 60-65 foot wide lots. This has created a reduction in the total number of lots from 92 to 87 or a loss of 5 lots. Tru Point Bank has recently been working very hard to address the issues pertaining to drainage and other infrastructure requirements as required by the City. A bond in the amount of \$180,660 has been posted by Tru Point Bank for the remaining improvements and it expires on June 16, 2013. The remaining infrastructure includes concrete sidewalks, completing the detention pond, and a 6% contingency fee. The banks representative, Mr. Jerry Petzoldt has requested a reduction in the bond amount and the ability to install sidewalks only as the units are built and has stated this is a contingency of the sale from Tru Point Bank and Eastern 8. Engineering has concerns over the building of sidewalks as the units are built and will address this during the presentation. Staff stated as for the reduction in the bond amount, a reduction cannot be supported at this time as the detention pond issues have yet to be completed as evidenced by the photos in the agenda packet. Chris Alley addressed the sidewalk issue and the difficulty in keeping track of the bond on an individual unit build-out. Many Commissioners voiced their opinions to not support a sidewalk by sidewalk construction for each unit, but to have the sidewalks built-out as a whole. Make the individual home builder responsible for the sidewalk of the unit he is constructing and should it become damaged in the process, then the builder would be responsible for the repairs prior to the issuance of the CO. There being no further questions, no official action was taken.

**04-03 Cherry Property – Annexation, Zoning, and Plan of Services – (13-201-00005)** – The Planning Commission heard a presentation to consider approval and recommendation of the annexation, zoning, and plan of services for the Cherry property. Staff presented the details of the owner-requested annexation, which contains a veterinary clinic. Commissioner George requested further clarification regarding the current county zoning. Staff commented that the current county zoning is B-3. The Commission also asked about the annexation history of the property and surrounding areas. Staff explained to the Commission that these were the final two properties in the area that were not parts of the original Fort Henry Drive annexation from 2005. There being no further questions, no additional action was taken.

**04-04 City Wide – Zoning Text Amendment – (13-801-00003)** – The Planning Commission heard a presentation to consider approval and recommendation of a zoning text amendment for the Planned Development (PD) Zone. Staff presented the details of the action, demonstrating need for changes. Staff emphasized the largest changes to the zone standards concerned density and the ability of a potential developer to cluster proposed buildings, adding that staff had committed a large amount of time to refine the requirements. Alderman McIntire added that the amendment is necessary to keep pace with innovative planning design. The Commission also asked for further clarification pertaining to when the City will accept proposed open space, adding that it should not be a given that any open space will be accepted. Staff agreed to provide the clarification. There being no further questions, no additional action was taken.

**04-05 Granby Road - Rezoning – (13-101-00002)** – The Planning Commission heard a presentation to consider approval and recommendation of the rezoning of 800 Granby Road. Staff presented the details of the rezoning case, which would rezone Hunter Wright Stadium from R-3 to B-3. Staff also commented that the rezoning would bring the current use as a sports stadium and concert venue with

concession sales into compliance via appropriate zoning. The Commission asked why only a portion of the parcel was proposed for rezoning. Staff commented that only the stadium portion of the parcel was in need of a zoning change to accommodate the existing use. Staff further commented that the vacant portion of the parcel and the portion containing Dogwood Park did not require rezoning action. There being no further questions, no additional action was taken.

**04-06 2013 Consolidated Plan for Housing and Community Development** – The Planning Commission heard a presentation to consider approval and recommendation. Staff presented its recommendation for use of Community Development Block Grant and HOME funds stating that the CDBG recommendation mirrored the recommendation and program plan from FY 2012 because HUD had yet to release allocation amounts to entitlement cities. The HOME recommendation was based on HUD’s notification that the HOME grant, through the Northeast TN/Southwest VA HOME Consortium, would reflect a 5% reduction in funding. There being no further questions, no additional action was taken.

#### **OTHER BUSINESS**

Mr. Weems announced to the Commission that Mr. Jim Lewis would be leaving his seat on the Historic Zoning Commission (HZC) after many years of service. The vacant seat on the HZC, which must be filled by a Planning Commission member, was advertised to the Commission. There being no additional business and no further changes to the agenda, the work session was closed at approximately 1:20 p.m.

Respectfully Submitted,



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Ken Weems, Acting Planning Commission Secretary