

**MINUTES OF THE REGULAR MEETING OF THE
KINGSPORT REGIONAL PLANNING COMMISSION**

City Hall
225 W. Center Street, Kingsport, TN 37660

April 18, 2013

7:00 p.m.

Members Present

Dennis Ward, Chairman
Colette George, Vice-Chairman
Alderman Mike McIntire
George Coleman
Hoyt Denton
Jim Lewis
Mark Selby

Members Absent

“Buzzy” Breeding
Dave Stauffer

Staff Present

Lynn Tully
Forrest Koder
Karen Combs
Ken Weems
Corey Shepherd
Hank Clabaugh
Mark Haga
Chris Alley

Visitor’s List

Danny Carr
Andy Cherry
Chad Jenkins
Brian Poepeck
Ashlea Ramey
Jerry Petzoldt

At 7:00 p.m., Chairman Dennis Ward called the meeting to order, welcomed the audience, introduced the commissioners and staff and summarized the meeting procedures. Chairman Ward asked for approval of the agenda. A motion was made by Mike McIntire seconded by Mark Selby to approve the agenda as presented. The motion was approved, 6-0. Chairman Ward asked for changes to the minutes. There being none, a motion was made by Hoyt Denton seconded by Mike McIntire to approve minutes of the work session held on March 18, 2013 and the regular meeting held on March 21, 2013. The motion was approved unanimously, 6-0.

There were no items on the consent agenda and no unfinished business.

NEW BUSINESS

04-01 Carpenter Subdivision – Final Plat – (13-201-00011) – The Planning Commission considered a request to approve the final subdivision plat for the Carpenter Subdivision on Sullivan Gardens Drive. The property is located inside the corporate limits of the City of Kingsport, 13th Civil District of Sullivan County. Mr. Forrest Koder presented the item noting that this is a replat for three lots. The property includes all of the property under the Carpenter ownership with a portion of the adjoining Calhoun property being included. The intent for the creation of these three new lot configurations is for a new home to be constructed for one of the Carpenter children. Although this is somewhat of an unusual lot configuration, the request allows the lots to be replatted to meet all the current regulations. There’s a private road that also accesses the lots. This private road does have two names and is noted as Nokomis Private Drive and Valley High Private Drive. This private drive does preserve additional access for all

three lots as well as their required road frontage. Commissioner George asked if the adjoining property has septic lines on the Carpenter property. Staff noted that yes they do indeed have field lines on the Carpenter property that serve the adjoining property. There is currently a deeded easement for these septic lines and staff further noted that if the septic unit fails then the Tennessee Department of Environment & Conservation (TDEC) would require replacement of the tank and lines on the adjoining lot versus via the easement. Commissioner George also asked about the access to the private road. Staff did state that it is a deeded access. Commissioner Denton asked how close the existing sewer line is in that area, to which staff noted that it is somewhat far from the existing line. The new construction proposed would be too far back off the front property line to be required to hook on to the sewer system. Staff recommended the replat of property. There being no further questions, Chairman Ward opened the item for public hearing. Mr. Danny Carr spoke in favor of the request noting he was available for any additional questions. There being no further speakers, Chairman Ward closed the item for public hearing. After little discussion, a motion was made by Jim Lewis seconded by Colette George to approve the subdivision plat as proposed. The motion was approved unanimously, 6-0.

04-02 Harmony Ridge Subdivision – Amended Final Plat – (13-201-00012) – The Planning Commission considered a request to approve the amended subdivision plat for Harmony Ridge Subdivision on Harmony Ridge Drive. The property is located inside the corporate limits of the City of Kingsport, 12th Civil District of Sullivan County. Mr. Forrest Koder presented the item noting the location at the intersection of Peach Orchard Drive with Ramsey Road. The previous plat had 92 lots shown with the current replat identifying only 87 lots. The City does hold a bond for the completion of infrastructure for the development currently. Mr. Koder noted that an email received from the developer indicated that the sidewalks will be installed prior to the bond expiration. Staff does recommend the amended plat as shown. Mr. Koder also noted that next month the bond will be presented for extension prior to the expiration date. Commissioner George asked if the final plat is all one phase to which staff responded that yes, although split onto two pages for recording, the final plat is all in one phase. Commissioner Lewis asked what the difference was between this and the prior plat approved. Staff noted that the lots are a little big bigger and therefore overall they lost five lots in the replat. Commissioner George asked how many houses are complete within the subdivision currently. Mr. Jerry Petzoldt spoke as representative of the development noting that ten lots have been sold in the subdivision with seven houses being constructed. Chairman Ward opened the item for public hearing. Jerry Petzoldt spoke in favor of the replat noting that the last time the property was platted it did not consider the sewer and water utilities currently installed on the site. The redistributed lot lines have been replatted to match the existing utility installations. He further noted that the bond requirement did include beginning the sidewalk construction by April 15, 2013 and that that has been complete with additional storm water requirements being met with current construction. There being no further questions and no further speakers, the public hearing was closed. After some discussion, a motion was made by Hoyt Denton seconded by Mike McIntire to approve the replat as presented. The motion was approved unanimously, 6-0.

04-03 Cherry Property – Annexation, Zoning and Plan of Services – (13-201-00005) – The Planning Commission considered a request to approve and recommend to the Board of Mayor and Aldermen the annexation, zoning and plan of services for Cherry Property. The property is located outside the corporate limits of the City of Kingsport, 14th Civil District of Sullivan County. Mr. Corey Shepherd presented the item for staff. Staff noted that the Cherry property was being presented for annexation as per the owner request. It includes two parcels at approximately 0.6 acres off Fort Henry Drive. The property was formerly a drive-through convenience store and included the adjacent veterinary clinic. The current owner is proposing to expand the veterinary clinic onto the convenience store property. Staff noted that the proposal includes City B-3 zoning, similar to the current County zone, and the property does have adequate water and sewer existing to the site. Staff recommended in favor of the annexation, zoning and plan of services. Chairman Ward opened the item for public hearing. Dr. Andy Cherry spoke in favor of the request. There being no further speakers

Chairman Ward closed the item for public hearing. Colette George made a motion to approve and recommend the annexation, zoning and plan of services as proposed and recommended by staff. The motion was seconded by Jim Lewis, and passed unanimously by the Commission, 6-0.

04-04 City Wide – Zoning Text Amendment – (13-801-00003) – The Planning Commission considered a request to approve an amendment to the Planned Development District Zoning Code addressing enforcement, density calculations and redefining open space. Mrs. Karen Combs provided the Commissioners with a revised report and presented the request. Staff noted that the department has been working on updating the Planned Development Ordinance for quite some time to address issues such as enforcement, density calculations and open space. These items were included specifically based on property owner requests in planned developments as well as redefining City processes. Regarding enforcement, staff has recommended that the amenities should be constructed during the first phase of development of a planned development project. The Planning Director is required to review permit applications within planned developments prior to issuance. It was noted that this would extend the timeframe for permit issuance by a short period and this would be presented to the home builders prior to implementation. Further noted was that certificates of occupancy cannot be issued within the development until a final development plan has been approved. The Planning Director may also approve minor changes to the final development plan.

Regarding density, staff noted that typically four units per acre have been developed in recent planned development projects due to our current topography and other factors. Therefore additional development density was not included. However, staff did include a bonus for additional density if there is a set-aside of open space as common and dedicated to the City, and that is further accessible to the public.

Open space is also defined with three classifications; one being open space that is dedicated to the City; the other being simple common open space, or finally, privately owned open space..

Thirty five percent of the overall property acreage shall be devoted to permanent open space for passive or active recreation. Commissioner Denton asked if this was an increase in the percentage of open space. Staff stated that yes it is an increase however there are more areas allowed to be considered as open space including wetlands, steep slopes, etc. Commissioner Coleman asked if although it's conveyed, does it require acceptance by the City? Staff noted that this is being reviewed by legal however we believe it does not have to be accepted. We will await a response from the legal department.

Commissioner Denton asked if this has been reviewed by the developers at this time. Staff noted that is has not yet been reviewed by developers because it does typically mimic the current development requirements and allow more options for development with a density bonus. Commissioner George asked if it still required a buffer around the project to which staff answered yes, although it is considered a setback versus a buffer. Additionally, the setback could be considered as open space. Commissioner Lewis asked how we would get the word out about the expanded options. Staff noted that we are currently working with the development public as well as Chris Alley in Engineering to get concept plans prior to engineering drawings and we would alert the development community. Commissioner Denton noted that he would like to get comments from the development public prior to the hearings before the Board of Mayor and Aldermen as well as the Home Builders Association. Commissioner George asked if we could table the item to which staff noted that that is an acceptable action. Chairman Ward opened the item for public hearing. There were no speakers in favor of or opposition to the request. Therefore, Chairman Ward closed the hearing. A motion was made by Mike McIntire seconded by Colette George to table the item for City attorney input and additional input from the development community. The item will be brought back for hearing once that input is received. The motion was approved unanimously, 6-0.

04-05 Granby Road – Rezoning – (13-101-00002) – The Planning Commission considered a request to approve the rezoning of the stadium and parking portion of 800 Granby Road from R-3, Low Density

Apartment District, to B-3, Highway Oriented Business District. This property is located inside the corporate limits of the City of Kingsport, 12th Civil District of Sullivan County. Mr. Ken Weems gave the presentation. Mr. Weems noted that the property in question includes the Hunter Wright Stadium and the parking area only. The adjacent vacant area and Dogwood Park is excluded from the request. Most of the single family properties nearby front interior roads off Granby Road with a church being over 400 feet from the stadium venue. Staff did recommend the rezoning. Commissioner Selby asked if the primary basis for the rezoning was for concession sales. Staff stated that although it is not conforming as it is, it could continue in that status. However, the rezoning would also allow the stadium to be eligible for an on-premise beer permit. Chairman Ward opened the item for public hearing. There being no speakers in favor of or opposition to the request, the hearing was closed. Commissioner Selby stated that he struggles with this as a family-friendly venue currently and hoped that they would not apply for a beer license. Director Tully noted that she serves on the Beverage Board and confirmed that there is a pending application for the stadium to apply for a beer service license. Commissioner Lewis noted that many professional baseball stadiums do have beer sales and that is a typical service provided. Commissioner Lewis asked the applicant the purpose for the license. Mr. Brian Poepeck spoke in favor of the request noting that their company was taking over the existing concession sales as well as the food vending and noted that there would be an alcohol free area for families to enjoy clearly marked in the stadium. Alderman McIntire asked if all the other rookie leagues sell beer at their stadiums. Mr. Poepeck answered that about half in the Appalachian League do. Mr. Judd Teague spoke in favor of the request stating that they leased the stadium from the City and then the lease is turned over to the Kingsport Mets. Commissioner George asked if this would allow opportunity for other uses within the stadium. Mr. Teague noted that yes, potentially there would also be concerts and festivals allowed in the stadium, which have not previously been available. He further noted that some collegiate events and high school events and tournaments would be hosted at the stadium in the near future. However, those would typically be non-alcoholic but this would depend on the specific college and tournament. He noted that there had been similar requests from participants using the stadium for both options to serve or not to serve alcohol. Commissioner George asked if service was their choice or ours. Mr. Teague noted that the choice was indicated by the leasee of the event. Some do want it available and some don't. Commissioner Lewis noted that he was glad to see additional uses for the stadium itself and would hope that this change would allow for many opportunities that were previously missed for gatherings there. After some additional discussion, a motion was made by Colette George seconded by Mike McIntire to approve the request. The motion was approved, 5-1, with Mark Selby voting "no."

04-06 2013 Consolidated Plan for Housing and Community Development – The Planning Commission considered a request to forward a favorable recommendation to the Board of Mayor and Aldermen for the 2013 Consolidation Plan for Housing and Community Development. Mr. Mark Haga presented the request. Mr. Haga noted that the Community Development Block Grant (CDBG) portion is pretty much the same as the previous year's budget. He has heard that there are proposed to be a variety of reductions in the budget however have not seen final numbers. There was also one recent indication that there might be an increase in that budget. However, no final forms have been posted by HUD at this time. Therefore, he is projecting and proposing a plan based on the current allocations. As in years past, the budget is based on the national objectives of the CDBG program to principally benefit lower moderate income persons with a priority on the prevention of slums and blight

The CDBG budget presented is approximately \$334,299 in total. This includes Kingsport Alliance for Home Revitalization (KAHR), the learning centers of Kingsport Housing and Redevelopment Authority (KHRA), Court Appointed Special Advocates (CASA), South Central Kingsport Community Development Corp., Hope VI project and administration monies. The Home Consortium grant was reduced by approximately five percent and includes a total of \$139,125 for the areas of homeownership

citywide, and rehabilitation and reconstruction. The emergency shelter grant would typically be included in this number; however, there is too much flux in the federal monies to predict the allocation for that project. If a final number is received prior to the hearing by the Board of Mayor and Aldermen, then staff will recommend a proportionate share for the emergency shelter grant funds. However, he does not expect those numbers prior to presentation to the Board of Mayor and Aldermen. Commissioner Coleman asked the rate of default on the homeownership grants. Staff noted that although that specific information is not readily available, there is not typically more than the percentage nationwide. In the past three years there has only been one recapture. The folks in the program typically tend to move up to larger housing with more amenities and not vice versa. Commissioner George stated that there are still traditional programs that allow for 105 percent loans and this does not supplant private banking interests. The homeownership grants actually would require more participation by potential clients than the current funding market. Chairman Ward opened the item for public hearing. Mrs. Connie Steer presented the CASA requirements for funding. She noted that in the last calendar year they served 550 children. That number has been reduced from previous years. However, numbers of children in need of the service has increased extensively during that same time. She noted that CDBG funding is vital to the CASA program. Mrs. Steer distributed a flyer regarding CASA outcomes. There being no other speakers, the public hearing was closed. After some discussion, a motion was made by Hoyt Denton seconded by Jim Lewis to approve the consolidated plan as presented. The motion was approved unanimously, 6-0.

There were no speakers for public comment.

OTHER BUSINESS

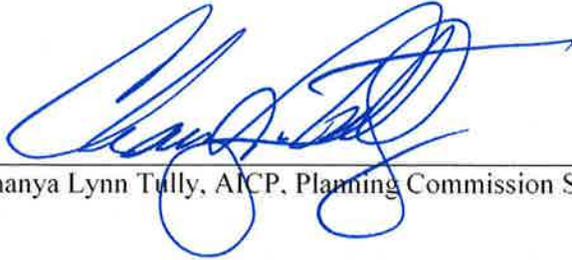
- 04-07 Receive a letter of subdivision of the Walter J. & Mattie Tomlinson Property, Spurgeon Road.
- 04-08 Receive a letter of resubdivision of the Gibson Addition, Lots 29 & 30, Robertson Street.
- 04-09 Receive a letter of resubdivision of the City of Kingsport, Lots 7, 8 & 9 of Block 62, Tennessee Street.
- 04-10 Receive a letter of resubdivision of the Moody Lake Subdivision, Lots 16 & 17, Lakeside Drive.
- 04-11 Receive a letter of resubdivision of the Windsor Forest Subdivision, Lots 24, 25 & 26, Windsor Forest Drive.
- 04-12 Receive a letter of resubdivision of the Norman Castle property, Lots 2, 3, 4, 5, 6 & 7, Blakley Drive.
- 04-13 Receive, for informational purposes only, the minutes of the Board of Zoning and Appeals for the February 7, 2013 regular meeting.
- 04-14 Receive, for informational purposes only, a monthly report from the Building Division, March 2013 as well as a report for the first quarter, 2013.
- 04-15 Receive, for informational purposes only, a monthly report of new businesses submitted by Jeff Fleming.

ADJOURNMENT

Kingsport Regional Planning Commission
April 18, 2013, Regular Meeting

Director Tully asked for Commissioners to consider participation in the Historic Zoning Commission as Mr. Lewis has asked to step down from that commission and a Planning Commission representative is required. Mr. Hoyt Denton volunteered to serve on the Historic Zoning Commission. There being no further business, a motion was made by George Colman seconded by Mike McIntire to adjourn the meeting at approximately 8:13 p.m. The motion was approved unanimously, 6-0.

Respectfully Submitted,



Chanya Lynn Tully, AICP, Planning Commission Secretary