

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

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

October 14, 2013

12:00 Noon

**Members Present**

Dennis Ward, Chairman  
Alderman Mike McIntire  
“Buzzy” Breeding  
David Stauffer  
Mark Selby  
John Moody  
Beverley Perdue

**Members Absent**

Dr. Heather Cook  
Hoyt Denton, Vice Chairman

**Staff Present**

Lynn Tully  
Forrest Koder  
Ken Weems  
Corey Shepherd  
Chris Alley  
Michael Thompson

**Visitor’s List**

At 12:00 p.m., the meeting was called to order by Lynn Tully. Mrs. Tully presented the tentative agenda for the October 17, 2013 regular meeting of the Planning Commission for discussion. There were no changes proposed for the agenda. Mrs. Tully asked for any changes to the minutes for the September 16, 2013 work session and the regular meeting held September 19, 2013. No changes were proposed to the minutes and they will be presented as presented and they will be presented at the October 17, 2013 regular meeting for approval.

**10-01 Ridgefield’s Subdivision – Final Subdivision – (12-201-00067)**

The Planning Commission heard a presentation to consider a final subdivision approval for the Ridgefield’s Subdivision on Pendragon Road. The subdivision request is for three lots, replatting a section of the Ridgefield’s Subdivision that was platted in the mid 1940’s and are currently lots of record. There are no changes to the infrastructure or other utilities and the plat meets the requirements of the subdivision regulations as proposed. Staff has recommended approval of the final subdivision replat of the 3 lots. There being few questions no official action was taken on this item.

**10-02 Barnett Drive Extension – Release of Irrevocable Letter of Credit (ILOC) – (12-201-00018)**

The Planning Commission heard a presentation to consider the release of the ILOC for a minor extension of Barnett Drive in the amount of \$16,800 held by CAN Surety. Mr. Koder stated that all items covered by the bond had been completed to the approval of the engineering department at this time and has recommended and has asked for release of the ILOC. There being no question no further action was taken at this time.

**10-03 Harmony Ridge Development – Release of Irrevocable Letter of Credit (ILOC) – (13-201-00012)** The Planning Commission heard a presentation to consider the release of the ILOC for the Harmony Ridge Development in the amount of \$180,660 held by Fidelity & Deposit Company of Maryland. Mr. Forest Koder presented the item noting that this long standing bond has infrastructure which has been completed and approved by the Engineering Department as of this date and staff has recommended approval and release of the ILOC as stated. There being few question, no official action was taken on this item.

**10-04 3408 East Stone Drive Rezoning – (13-101-00008)**

The Planning Commission heard a presentation to consider the rezoning of 3408 East Stone Drive from M-1R to B-3 to allow for the operation of a used car lot and related vehicle repair shop on this property. Mr. Ken Weems presented the item indicating the current uses of the property as well as the surrounding uses of zoning M-1R and B-3. Mr. Weems noted that the property is being used for used car sales at this time and no changes are being proposed for development on the site. Mr. Weems stated there is a current code enforcement legal case is pending with our legal department. He further mentioned that most of the salvage materials that were taken from the cars under the previous code enforcement infraction have been removed as of his most recent property inspection. The Commission had several questions on the current use of the property and the intended use as well as expectations for changes to the exterior of the property. The Planning Commission also had additional questions regarding the current pending legal case and the effect this rezoning would have on city standing. There being no additional questions, no official action was taken on this item.

**10-05 711 West Stone Drive Rezoning – (13-101-00009)**

The Planning Commission heard a presentation to consider the rezoning of 711 West Stone Drive from B-1 to B-3 to allow for the operation of a retail firearms store. Mr. Ken Weems presented the item indicating that this too is a rezoning of a property that is currently developed. He indicated that no additional changes are expected to be made to the property as it is currently developed. Mr. Weems noted the location of the site and proximity to other uses including single family residential and a public school. There were several questions posed by the commission regarding the operation of a firearms sales store. Mr. Weems informed the commission that much contact had been made with the ATF and the City's Legal Department regarding the location of the store and they have found no indications that this location would be outside regulations. Concerns were expressed by the commission regarding the proximity to the school. Mr. Weems noted that all entities had been informed regarding this potential and the store itself has erected a sign indicating their use although no transactions appear to be taking place within the store's lease space at the present time. No calls have been received in opposition to the request or in support other then the applicant at this time. There being no additional questions, no official action was taken on this item.

**10-06 Edinburgh Subdivision Phase 4 – Final Plat – (12-201-00069)**

The Planning Commission heard a presentation to consider approval for the final plat in the Edinburgh Subdivision Phase 4 located on Rock Springs Road and Edinburgh Channel Road. The property location as presented is an extension to the present subdivision including 9.90 acres and 31 lots. Mr. Koder noted the request is for final approval although infrastructure is yet to be totally complete. The expectation at the time of the request was that the infrastructure would be completed prior to the Planning Commission meeting however; there have been some minor scheduling setbacks which have kept the infrastructure from being fully completed. Based on the fact that this subdivision is so close to completion and the with the Engineering Departments support, staff has recommended final approval be given with the contingency that a cashier's check in the small amount necessary to complete the subdivision be provided. All signatures will be held until either the cashier's check is provided or the infrastructure is complete. Mr. Koder informed the Commission that state law does not allow approval of a final subdivision plat

without surety of completion on infrastructure. This proposal would be a new policy for the board and staff and would be used in a limited and sparing fashion based on very minor improvements to be completed. The expectation is that any approvals given in this fashion would have relatively small cahier checks to be held by staff. The developer has informed staff that he has currently 6-8 lots pending sale based on receipt of final approval and recording of the final plat. There was some discussion amongst the Commission regarding the holding of a cashier's check in lieu of a bonding instrument. The consensus was that in small amounts the risk is minimal and a cashier's check would be sufficient. Staff stated that based on the discussion the report would be revised and an appropriate approval mechanism provided in the updated report at the regular meeting on the 17<sup>th</sup>. There being no additional discussion, no official action was taken.

**10-07 Airport Parkway South Area 1 – Annexation, Zoning, and Plan of Services – (13-301-00009)**

The Planning Commission heard a presentation to approve and recommend the Airport Parkway South Area 1 annexation. Mr. Corey Shepherd presented the item indicating 1551 and 1554 Shipley Ferry Road parcels are being presented for annexation approval. He noted the current zoning and the proposed city zoning as well as the current location of appropriate utilities and infrastructure. Mr. Shepherd further noted that the current property owners are Southeastern Freight and Lamar Advertising. Both property owners being commercial in nature, this annexation proposal is within the rules of the recent 1101 annexation moratorium. Mr. Shepherd recommended the annexation, zoning, and plan of services as presented. The Commission asked if this was the only property we would be looking at along the Airport Parkway and how far the City could annex before we reach the urban growth boundary along this corridor. Staff noted that the annexation growth boundary does stop short of the airport itself. This was done by agreement with the other Tri-Cities entities who participate in the airport board. Staff further indicated this is one of several areas staff is currently looking at within the urban growth boundary along airport parkway for annexation. There being no additional questions, no official action was taken.

**10-08 Kingsport Zoning Code – City Wide – Zoning Text Amendment – (13-801-00006)**

The Planning Commission heard a presentation for a Zoning Text Amendment for Article IV of the Kingsport Zoning Code to allow electronic message board signs for public schools and churches. Mr. Ken Weems presented the item stating that this was written specifically to address public schools and churches which are typically found within residential and other less intense zoning districts. The proposal limits electronic message boards to areas which are located on minor arterial or higher roadways and provides for design standards for such. It further requires specific illumination restrictions particularly during the nighttime hours. The expectation based on the presentation from staff is that these types of signs are becoming more and more frequent due to the relative low cost of these signs and the demand for such by schools and churches. There were several questions regarding the proposal and staff also noted that the proposal models in many ways the current electronic message board allowances within our zoning district. Of specific interest was the reduced size within residential zones of 50% of the allowable. There being no additional discussion, no official action was taken.

There was no public comment made during the work session. Chairman Ward stated he would be absent for the regular meeting and Dr. Mike McIntire would be holding the chair position in his absence as Mr. Hoyt Denton, Vice Chairman will also be absent.

There being no further changes to the Agenda and no additional discussion, the Work Session was closed at approximately 12:38 pm.

Kingsport Regional Planning Commission  
Work Session, Date

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be 'Chanya Lynn Tully', written over a horizontal line.

Chanya Lynn Tully, AICP, Planning Commission Secretary