

## **AGENDA FOR THE KINGSPORT REGIONAL PLANNING COMMISSION**

This meeting is an open and accessible meeting. If interested parties request special assistance or accommodations, please notify the Planning Department three (3) days in advance of the meeting.

November 15, 2012

7:00 p.m.

### **I. INTRODUCTION AND RECOGNITION OF VISITORS**

### **II. APPROVAL OF THE AGENDA**

### **III. APPROVAL OF THE MINUTES OF THE WORK SESSION HELD ON OCTOBER 15, 2012 AND THE REGULAR MEETING HELD OCTOBER 18, 2012.**

### **IV. CONSENT AGENDA** – Consent items are those items that have previously been brought before the Planning Commission, which have been reviewed by the Planning Commission in previous meetings or work sessions, or are minor subdivisions and final plats not requiring any variances.

**11-02 Polo Fields – McMurray Phase – Amended Final for 8 Units – (12-103-00007)** – The Planning Commission is requested to approve the amended subdivision approval for Polo Fields – McMurray Phase. This property is located inside the corporate limits of the City of Kingsport, 13<sup>th</sup> Civil District of Sullivan County. (Koder)

**11-03 Chase Meadows – Phase 3 – Final – (12-103-00006)** – The Planning Commission is requested to approve the final plan for Chase Meadows Subdivision Phase 3. This property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. (Koder)

### **V. UNFINISHED BUSINESS**

None

### **VI. NEW BUSINESS**

**11-01 St. Andrews Garth – Phase 1 – Irrevocable Letter of Credit (ILOC) – (11-103-00001)** – The Planning Commission is requested to consider an extension of the ILOC for St. Andrews Garth – Phase 1. (Koder)

**11-04 Harmony Ridge Subdivision - Irrevocable Letter of Credit (ILOC) – (10-201-00010)** – The Planning Commission is requested to approve extension of the ILOC for Harmony Ridge Development for completion of improvements within the subdivision. (Koder)

- 11-05 North Kingsport Area 1 – Annexation, Zoning, and Plan of Services – (12-301-00014)** – The Planning Commission is requested to approve and recommend to the Board of Mayor and Aldermen the annexation, zoning, and plan of services for North Kingsport Area 1. This property is located outside the corporate limits of the City of Kingsport, 12<sup>th</sup> Civil District of Sullivan County. (Weems)
- 11-06 Tourist Accommodation (TA) Districts along Union Street (TM-45D, G-K, P-1.15) – Rezoning – (12-101-00010)** – The Planning Commission is requested to approve and recommend to the Board of Mayor and Aldermen rezoning TA Districts along Union Street from split zoning R-3, Multi Family Residential and TA, Tourist Accommodation to R-3, Multi Family Residential. This property is located inside the corporate limits of the City of Kingsport, 12<sup>th</sup> Civil District of Sullivan County. (Combs/Koder)
- 11-07 Tourist Accommodation (TA) Districts along Union Street (TM-45C, G-A, P-1.00 & 1.05) – Rezoning - (12-201-00011)** – The Planning Commission is requested to approve and recommend to the Board of Mayor and Aldermen rezoning TA Districts along Union Street from TA, Tourist Accommodation to B-3, General Business District. This property is located inside the corporate limits of the City of Kingsport, 12<sup>th</sup> Civil District of Sullivan County. (Combs/Koder)
- 11-08 Tourist Accommodation (TA) Districts at W. Stone Drive / Lynn Garden Intersection – Rezoning – (12-101-00012)** – The Planning Commission is requested to approve and recommend to the Board of Mayor and Aldermen rezoning TA Districts at W. Stone Drive / Lynn Garden Intersection from TA, Tourist Accommodation to B-3, General Business District. This property is located inside the corporate limits of the City of Kingsport, 11<sup>th</sup> Civil District of Sullivan County. (Combs/Koder)
- 11-09 Stewart Taylor Properties – Rezoning – (12-101-00009)** – The Planning Commission is requested to approve the rezoning of the Stewart Taylor Properties from B-3, B-4P, R-3, and A-1 to TA/C, Tourist Accommodation/Commerce District. This property is located inside the corporate limits of the City of Kingsport, 14<sup>th</sup> Civil District of Sullivan County. (Koder)
- 11-10 Edinburgh Subdivision – Phase 4 – Preliminary Plan – (12-201-00053)** – The Planning Commission is requested to approve the preliminary plan for Edinburgh Subdivision, Phase 4. This property is located inside the corporate limits of the City of Kingsport, 15<sup>th</sup> Civil District of Sullivan County. (Koder)
- 11-11 Corner of Millennium Drive & Shipley Ferry Road – Surplus Property – (12-601-00007)** – The Planning Commission is requested to approve and recommend to the Board of Mayor and Aldermen that the property at the corner of Millennium Drive and Shipley Ferry Road be placed back into private sector for development. This property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. (Combs)

**VII. OTHER BUSINESS**

- 11-12** Receive a letter of subdivision of the Dewey Bracken property.
- 11-13** Receive a letter of subdivision of Shekinah Church.
- 11-14** Receive a letter of resubdivision of the Edinburgh Subdivision on, Lott 66 property.
- 11-15** Receive a letter of resubdivision of the Edinburgh Subdivision, Lot 82 property.
- 11-16** Receive, for informational purposes only, the minutes of the Board of Zoning Appeals Called Meeting on August 23, 2012 and the Regular Meeting on September 6, 2012.
- 11-17** Receive, for informational purposes only, a report of New Businesses for October 2012 as provided by Jeff Fleming.

**VIII. ADJOURNMENT**

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

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

October 15, 2012

12:00 Noon

**Members Present**

Colette George, Vice-Chairman  
Alderman Mike McIntire  
George Coleman  
Hoyt Denton  
Jim Lewis  
David Stauffer

**Members Absent**

Dennis Ward, Chairman  
“Buzzy” Breeding

**Staff Present**

Lynn Tully  
Forrest Koder  
Jason Meredith  
Ken Weems  
Karen Combs  
Chris Alley  
Michael Thompson  
Tim Elsea

**Visitor’s List**

At 12:00 p.m., the meeting was called to order by Lynn Tully. Mrs. Tully made the announcement of Senior Planner Jason Meredith’s departure from the division to explore a new opportunity with Eastman Chemical Company as a Government Relations Officer. We wish him well and expect new and exciting challenges for him in the years ahead. She noted a farewell reception to be held the following day and invited all to attend.

Mrs. Tully presented the tentative agenda for the October 18, 2012 meeting of the Planning Commission for discussion. Mrs. Tully requested changes for the minutes of the September 17, 2012 work session and the September 20, 2012 regular meeting of the Kingsport Regional Planning Commission. With there being no changes to the minutes suggested the minutes were submitted as complete.

**CONSENT AGENDA**

None

**UNFINISHED BUSINESS**

None

## **NEW BUSINESS**

The Planning Commission heard a presentation regarding Colonial Heights Area 7 Part E – Annexation, Zoning, and Plan of Services – (12-301-00010). Mr. Ken Weems presented the proposed annexation area. The property in question has been included in the overall presentations for annexation in the Colonial Heights Area 7 proposal. Mr. Weems stated that a public meeting had been held for the annexation on October 4, 2012 at Kendrick’s Creek United Methodist Church. The proposed annexation includes approximately 48 acres of county R-1 property. The City’s request is to zone the property to city R1-B and A-1. Mr. Weems pointed out the unusual length of annexation between Interstate 81 and current City properties. This annexation will serve to complete and fill in that gap. Mr. Weems advised the Commission that he had been informed by an annexation area resident that an anti-annexation petition was circulating in the neighborhood. Mr. Weems advised that if the petition was received prior to the regular meeting that he would supply the Commission with a copy. After some discussion, no official action was taken.

The Planning Commission considered a request to declare property on Westfield Drive as surplus property – (12-601-00002). Mrs. Karen Combs presented the request stating that property located between 340 and 368 Westfield Drive had originally been used as a water tower and upon annexation and rerouting of water lines is currently not in service. In fact, the water tower structure itself has also been demolished at this time. The request is to declare this property surplus for the use of the adjoining property owners. There being some discussion regarding the original acquisition of the property, no official action was taken.

The Planning Commission heard a presentation regarding the declaration of surplus property for Cherokee Village Drive – (12-601-00003). Mrs. Karen Combs presented the item stating that the property located at 323 Cherokee Village Drive is requested to be designated as surplus property. The property was acquired for right-of-way during a significant roadway project including the rerouting of Gibson Mill Drive. Upon completion of that project it was found that this lot could remain as a buildable property on a cul-de-sac and the request is to surplus the property for use by the Kingsport Housing and Redevelopment Authority (KHRA). Mrs. Combs stated the property is to be developed in partnership with KHRA and Eastern Eight and taken back to the private sector for development. There was little discussion and no official action was taken.

The Planning Commission heard a presentation regarding the request for an Amended Concept Phase for Preston Park Subdivision – (12-201-00050). Mr. Forrest Koder made the presentation stating that the property is located in the 11th Civil District of Sullivan County off of the existing Preston Park Subdivision. Mr. Koder presented the history of the subdivision and previous zoning actions and variances. There was much discussion regarding the continuance of the variances and the completion of the original project as originally presented. Mr. Forrest Koder also noted that the proposal is to decrease the number of lots being requested from the original approval. There being no further discussion, no official action was taken.

A presentation was made to the Planning Commission regarding the Estate of Golan Cox English Subdivision – (12-201-00054). Mrs. Karen Combs made the presentation noting that the subdivision is being requested with a variance and a letter to that affect was presented to the Planning Commission at that time from the applicant, Mr. Richard Kitzmiller, and his surveyor. Mrs. Combs noted that the subdivision request, although is in congruous with current subdivision regulations, is in conformance with the County zoning regulations. The existing condition of the site is non-conforming under either regulation and the proposal will make the property less non-conforming however will not alleviate all conditions without the variance request being granted. After much discussion regarding the requirements of the County’s regulations versus the City’s subdivision regulations, there was no further action taken.

Kingsport Regional Planning Commission  
Work Session, October 15, 2012

Mrs. Tully presented items of other business for the Planning Commission's review, no official action was taken. There being no further changes to the agenda and no additional discussion, the Work Session was closed at approximately 12:30 p.m.

Respectfully Submitted,

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Chanya Lynn Tully, AICP, Planning Commission Secretary

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

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

October 18, 2012

7:00 p.m.

**Members Present**

Dennis Ward, Chairman  
Colette George, Vice-Chairman  
Alderman Mike McIntire  
“Buzzy” Breeding  
George Coleman  
Hoyt Denton  
Jim Lewis  
David Stauffer

**Members Absent**

**Staff Present**

Lynn Tully  
Forrest Koder  
Karen Combs  
Ken Weems  
Chris Alley

**Visitor’s List**

Jeff Mull  
Ron Morrison  
Bobby Hamilton  
Jeff McLain  
Todd Carpenter  
Richard Kitzmiller  
Rick English  
Tim Lingerfelt

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. A motion was made by Hoyt Denton seconded by “Buzzy” Breeding to make changes to the agenda. The changes included in the motion were to move items 10-02 and 10-03 to the consent agenda. Those items were pertaining to surplus properties. After little discussion, the motion was approved unanimously, 7-0.

The minutes of the work session held September 17, 2012 and the regular meeting held September 20, 2012 were presented for approval. A motion was made to approve the minutes as submitted by Dave Stauffer seconded by Mike McIntire. The motion was approved unanimously, 7-0.

**CONSENT AGENDA**

The Planning Commission heard consent agenda items which were previously brought before the Planning Commission for presentation during their work session held October 15, 2012.

**10-02 Westfield Drive - Surplus Property – (12-601-00002)** – The Planning Commission considered recommendation to the Board of Mayor and Aldermen that the property located between 340 and 368 Westfield Drive to be officially designated as surplus property. The property is located inside the corporate limits of the City of Kingsport, 13th Civil District of Sullivan County.

**10-03 Cherokee Village Drive – Surplus Property – (12-601-00003)** – The Planning Commission considered recommending to the Board of Mayor and Alderman that the property located at 323 Cherokee Village Drive be officially designated as surplus property. The property is located inside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County.

After little discussion a motion was made by Mike McIntire seconded by Colette George to approve the consent agenda items as presented. The motion was approved unanimously, 7-0.

#### **UNFINISHED BUSINESS**

None

#### **NEW BUSINESS**

**10-01 Colonial Heights Area 7 Part E – Annexation, Zoning, and Plan of Services – (12-301-00010)** – The Planning Commission considered recommending approval of the continued annexation, zoning, and plan of services for Colonial Heights Area 7 Part E to the Board of Mayor and Aldermen. The property is located outside the corporate limits of the City of Kingsport, 14th Civil District of Sullivan County. Planner Ken Weems presented the item indicating this to be the final annexation area in the two-year period of annexations for this portion of the Colonial Heights community. The Chesterfield Subdivision makes up the bulk of the 48 acre area included within the annexation. This includes a 10 foot outlet to county property excluded from previous annexations. The area includes 66 parcels and portions of 35 additional parcels. The property is currently zoned residential by the County and is being considered for R1-B, Single Family Residential, and A-1 zoning within the city zoning districts. This would allow the Horse Creek Farms property to remain A-1 similar to the rest of the farm included within the City. Mr. Weems presented an average property owner financial impact study for the area. Additionally, a total of 28 children are included in the annexation area which will be allowed to enter John Adams Elementary School, Robinson Middle School and Dobyns-Bennett High School upon annexation. A public meeting was held on October 4, 2012 with 18 guests in attendance. Mr. Weems stated that he has recently received a petition submitted for the Planning Commission to consider denial of the annexation area. A copy of the petition was made available. Within the petition, approximately 39 properties are represented within the Chesterfield Subdivision. Commissioner Denton asked Planner Weems to indicate the geographic area of the two-year annexation effort within this community. Planner Weems noted on the map that the areas included separate annexation areas from Ashley Oaks to the current property being considered. Commissioner Denton asked if any streets or alleys had been excluded within that area. Staff stated that none have been excluded at this time and this completes the area as originally planned. Chairman Ward asked when the taxes will be assessed for these properties. Staff stated that these property taxes would be due November 2013 although the accrual of taxes begins in January 2013. Commissioner McIntire asked about the current sewer availability. Planner Weems stated that parts 1 through 4 do have sewer service currently, but areas 5 through 7 have been obligated for a five year implementation of installation for sewer according to their plan of services. Commissioner Breeding asked the number of residents in the area that are not currently on sewer but are within a plan of services agreement. Staff estimated approximately 1,100 citizens were within that area. Commissioner Coleman verified that the 7E area being considered tonight completes the areas with the exception of areas C and D that are currently under consideration by the Board of Mayor and Aldermen. There being no further questions, Chairman Ward opened the item for public hearing. Mr. Todd Carpenter spoke indicating his opposition to the annexation area stating he felt there was some dishonesty in the presentation. Mr. Carpenter took exception with the annexation process itself indicating his opposition to all annexation by any other means than referendum. He indicated that although he had researched the laws, the City is within its rights to annex, he is still opposed. Mr. Carpenter stated at length his opposition to the law and the process for annexation as well as the plan of services and installation of

sewer specifically. Chairman Ward noted that the process was followed within the guidelines of the law. Specific representation for annexation in Colonial Heights occurred during the discussions of the Urban Growth Boundary Committee in 2000 prior to the adoption by the City and County as well as the cities of Bluff City and Johnson City. In this committee there were appointed representatives from all those areas. Of particular note was the moratorium extended to Colonial Heights for ten years barring any annexations within that area. That moratorium has since expired. Commissioner McIntire stated that although sewer service is expensive, it is necessary for the growth of the City in the future. This particular area is urbanized and prime for service at this time. The recuperation of the sewer expenditures may take many years however, it is felt that this is beneficial for the City overall. Commissioner George stated that the last large urbanized area for annexation was Lynn Garden prior to the Colonial Heights area. Mr. Stauffer pointed out that houses on septic systems have much greater risk than those on sewer, and are valued accordingly. Mr. Jeff McLain stated his opposition to the annexation area and submitted a petition with 41 signatures. He further stated that the signatures he didn't receive included three who indicated a need for sewers although they have pools in their backyards and have used their septic area and what would be any back-up area for providing a pool for their houses. He felt that they did not need additional city services including brush pick up and said that they would likely sell their homes. There being no further speakers, the public hearing was closed. After some additional discussion, a motion was made by Colette George seconded by Dave Stauffer to recommend the annexation, zoning and plan of services to the Board of Mayor and Aldermen. The motion was approved unanimously, 7-0.

**10-04 Preston Park – Subdivision – Concept Phase Amended – (12-201-00050)** – The Planning Commission considered a request to approve the amended concept phase for Preston Park Subdivision. The property is located inside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County. A presentation was made by Mr. Forrest Koder. Planner Koder noted the long history of the Preston Park Subdivision from 1993 in phases 1 and 2 to present. He noted the final phase had no current construction documents at that time. Different variances have been granted in the past for construction of the subdivision regarding sidewalks and length of cul-de-sacs. An area of split-zoning was found on a portion of the rear of some of the lots that adjoined Pendleton Place Subdivision. This happened as part of the land was added after the initial development of Pendleton Place. Staff researched additional information regarding the sidewalk variances previously granted but none has currently been found. Staff stated that the intent of the previous variances will be honored as far as was granted. The Commission previously requested an emergency exit for the end of the subdivision and this has been shown on the current phase being considered. Staff does recommend the concept plan approval. Preliminary approval would be granted with construction documents and brought before the Commission separately. Commissioner Denton asked if the cost of the initial installation was not paid by the developer can they now pay for it and get the benefit of the variance. Commissioner McIntire felt strongly that the costs have been accounted for and remembered specifically the steepness of sidewalk and the Planning Commission's concern at that time for a trail connection to Exchange Place. Chairman Ward noted that there has been a history of drainage issues within the area and asked staff to be diligent in preparing the engineering department as well as the applicant for the anticipated issues and obstacles. Further, he asked the developer to consider discussing the plans with the adjoining neighborhood prior to beginning any additional grading work due to the past history of violations. Staff member Chris Alley stated that the rules have changed significantly since the original approval for the subdivision regarding TDEC and erosion control. Now there are many new steps in the process. They have stabilized the site currently however and limited many of the previous drainage issues. There being no further comments, Chairman Ward opened the item up for public hearing. There being no one to speak in favor of or opposition to the item, the public hearing was then closed. A motion was made by Colette George seconded by "Buzzy" Breeding to approve the concept plan as presented. The motion was approved unanimously, 7-0.

**10-05 The Estate of Golan Cox English – Subdivision – Final with Variance Requested – (12-201-00054)** – Page one of the subdivision report was revised and provided to the Planning Commission at the beginning of the meeting. The Planning Commission considered a request to approve the final subdivision with requested variance for The Estate of Golan Cox English. The property is located outside the corporate limits of the City of Kingsport but within the Urban Growth Boundary, 13th Civil District of Sullivan County. Mrs. Karen Combs presented the item stating that the proposal is to subdivide the property into two lots of 1.5 and .79 acres respectively. The lots contain road frontage with one having only 25 feet of road frontage. The property is currently non-conforming with two principle structures on one lot and the proposal, although not totally conforming, would clean up the lot with a variance to the road frontage. There being no additional questions, Chairman Ward opened the item for public hearing. Mr. Richard Kitzmiller spoke in favor of the item representing his wife and her brother to separate the property to meet the needs of the children and the wishes of the deceased in this matter. Mr. Kitzmiller noted that it had informally been subdivided by the family previously and this proposal is to clean up the lines as shown. Mrs. Combs noted a shared driveway currently exists for access to both lots. There being no additional speakers, the public hearing was closed. After little additional discussion, a motion was made by Mike McIntire seconded by Jim Lewis to approve the item as presented. The motion was approved unanimously, 7-0.

#### **OTHER BUSINESS**

**10-06** Receive a letter of subdivision of the Marvena Birdwell Estate Property.

**10-07** Receive a letter of subdivision of the Patricia Hamer Property.

**10-08** Receive a letter of subdivision of Lot 13, Blk L Quail Creek Estates, Sec 3 and Lot 14, Blk L Quail Creek Estates, Sec 5.

**10-09** Receive, for informational purposes only, the Building Division monthly report, September 2012.

**10-10** Receive, for informational purposes only, New Businesses report, September 2012.

**10-11** Receive, for informational purposes only, Building Permits report, 3rd quarter, 2012.

**10-12** Receive, for informational purposed only, Building report, 3rd quarter, 2012.

#### **ADJOURNMENT**

There being no further business, a motion was made by Mike McIntire seconded by George Coleman to adjourn the meeting at approximately 8.03 p.m. This motion approved unanimously, 7-0.

Respectfully Submitted,

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Chanya Lynn Tully, AICP, Planning Commission Secretary

# Memorandum

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**To:** Kingsport Regional Planning Commission  
**From:** Forrest Koder, Planning Division  
**Date:** 11/2/2012  
**Re:** Request Extension – One -Year  
**Case:** 11-103-00001

The Kingsport Regional Planning Commission approved an extension for the Irrevocable Letter of Credit for the St. Andrews Garth development located on Rock Springs Road during the November 2011 meeting.

Mr. & Mrs. Gerber are requesting a one year extension to complete the remaining infrastructure in the amount of \$47,700 as established by the Engineering Department. If approved the staff will forward the Planning Commission's recommendation to the Gerber's in order for them to proceed with a replacement Irrevocable Letter of Credit from Sun Trust Bank.

It should be noted that staff is recommending this be the last extension for this phase of the development. We know the Gerber's are proposing to start phase 2 of this development and staff feels the completion of phase 1 should be foremost and completed as soon as possible since this will be their fourth extension.

**BOND ESTIMATE  
FOR  
St. Andrew's Garth- Phase 1  
REVISED December 30, 2010**

ITEM NO.	QUAN	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1	2,300	SF	4" CONCRETE SIDEWALK (575 LF)	\$ 4.50	\$ 10,350.00
		LF	6" CONCRETE EXTRUDED CURB	\$ 20.00	\$ -
2	200	TON	ASPHALT TOPPING	\$ 80.00	\$ 16,000.00
		TON	ASPHALT BINDER COURSE	\$ 70.00	\$ -
		TON	STONE BASE	\$ 24.00	\$ -
		LF	8" PVC GRAVITY SEWER PIPE	\$ 35.00	\$ -
		EA	CLEANOUT ASSEMBLIES & LATERALS	\$ 300.00	\$ -
		EA	STANDARD SEWER MANHOLES	\$ 2,000.00	\$ -
		LF	8" DUCTILE IRON WATERLINE	\$ 45.00	\$ -
		EA	FIRE HYDRANT	\$ 3,000.00	\$ -
		EA	8" GATE VALVE & BOX	\$ 750.00	\$ -
		LF	18" RCP STORM SEWER	\$ 60.00	\$ -
		LF	24" RCP STORM SEWER	\$ 70.00	\$ -
		EA	STORM SEWER INLET	\$ 3,550.00	\$ -
		EA	STORM SEWER HEADWALL	\$ 750.00	\$ -
3	1	LS	DETENTION POND	\$ 12,000.00	\$ 12,000.00
		EA	AS-BUILT SURVEY/RECORD DRAWINGS	\$ 12,000.00	\$ -
4	1	EA	CROSSWALK	\$ 1,000.00	\$ 1,000.00
<b>CONSTRUCTION TOTAL</b>				<b>\$</b>	<b>39,350.00</b>
CONTINGENCIES (6%)				\$	2,450.00
				<b>\$</b>	<b>41,800.00</b>
ENGINEERING (14%)				\$	5,900.00
				<b>\$</b>	<b>47,700.00</b>

All sections listed hereon are a part of the Tennessee Public Works  
Construction Standards - Kingsport, Tennessee



**Chris Alley, P.E.**  
**Civil Engineer**  
**City of Kingsport**

December 30, 2010

AFFIDAVIT AND CERTIFICATE OF NON-COMPLIANCE

STATE OF TENNESSEE:  
COUNTY OF SULLIVAN:

I, Henry A. Clabaugh, having first been duly sworn according to law, depose and state on personal knowledge and information, as follows:

As the City Engineer for the City of Kingsport, I hereby certify that Leonard O. Gerber has not properly complied with the construction improvements as listed in the Letter of Credit issued by Sun Trust Bank dated November 29, 2011 in the amount of \$47,700.00. The construction improvements that have not been completed include the following:

- 1. 2300 SF 4" Concrete Sidewalk (575 LF)
- 2. 200 T Asphalt Topping (SECTION 02513)
- 3. 1 Detention Pond
- 4. 1 Crosswalk

The improvements cannot be completed by December 15, 2012.

Further the Affiant sayeth not

  
\_\_\_\_\_

Henry A. Clabaugh  
City Engineer

STATE OF TENNESSEE:  
COUNTY OF SULLIVAN:

Sworn to and subscribed before me this \_\_\_\_ day of November 5, 2012.

\_\_\_\_\_  
Notary Public

My commission expires:  
\_\_\_\_\_



12-103-00007

<b>PROPERTY INFORMATION</b>	<b>Polo Fields – McMurray Phase - Amended</b>
<b>ADDRESS</b>	<b>Rock Springs Road</b>
<b>DISTRICT, LAND LOT OVERLAY DISTRICT</b>	<b>13<sup>th</sup> Civil District, Tax Map 91E, Group A, Parcel 5.00 Not Applicable</b>
<b>EXISTING ZONING</b>	<b>Planned Development</b>
<b>PROPOSED ZONING</b>	<b>No Change</b>
<b>ACRES</b>	<b>1.2 acres – 8 units - 0 miles of new road.</b>
<b>EXISTING USE</b>	<b>Single Family Residential</b>
<b>PROPOSED USE</b>	<b>Single family Residential</b>

**PETITIONER** Mr. Jack McMurray  
**ADDRESS**

**REPRESENTATIVE** Danny Carr – Carter Carr and Associates  
**PHONE** 423-349-6920

### INTENT

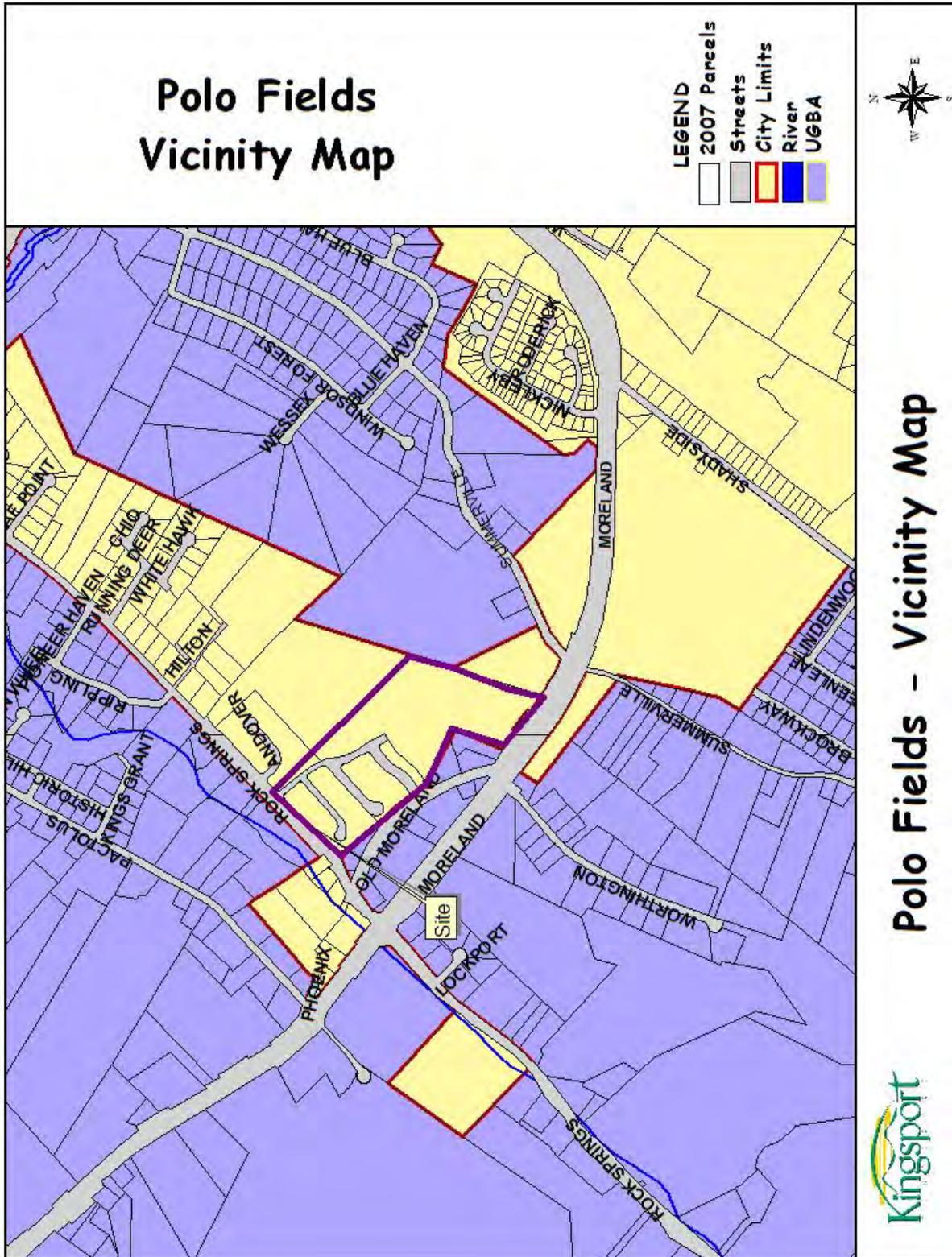
The applicant is requesting an amended final approval for eight (8) of the units previously approved as part of the overall development to allow single-family lots for individual ownership rather than all in common from the previously approved plat. The original plat indicated a total of 29 units or patio homes all on common ground. This is a change that would allow only the first eight; seven fronting on Rock Springs Road and one with frontage on Martingale Square. This is the same approach taken on the rear portion by the State of Franklin Bank. Since the property is zoned PD, Planned Development, this is allowable as long as the remaining requirements such as common open space, road system and sidewalk system have not changed. Nothing other than the establishment of eight (8) lots has change. Per the previous approved plan there were eight residential footprints located in the same area as the lots are now indicated.

There is the possibility the remaining area for the additional 21 units will be converted to single-family lots and even a possible reduced in density as the other portion to the south which was recently approved. All infrastructure improvements are in place including the pedestrian mobility pathway system.

No variances have been requested for this change in the development and it meets the planned development and minimum subdivision requirements.

**Staff recommends approval of the amended Final Planned Development Plat for Polo Fields.**

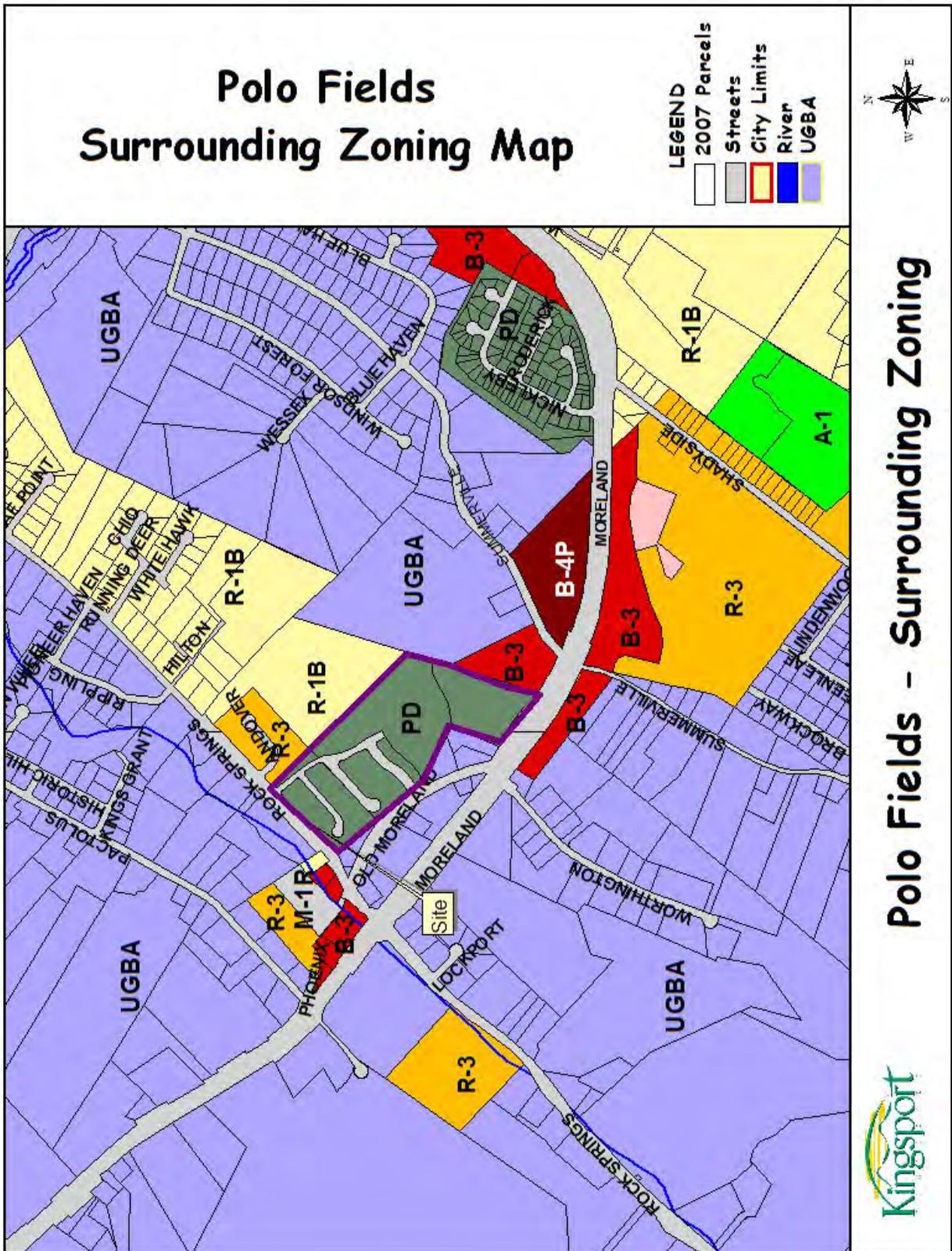
12-103-00007



Polo Fields - Vicinity Map

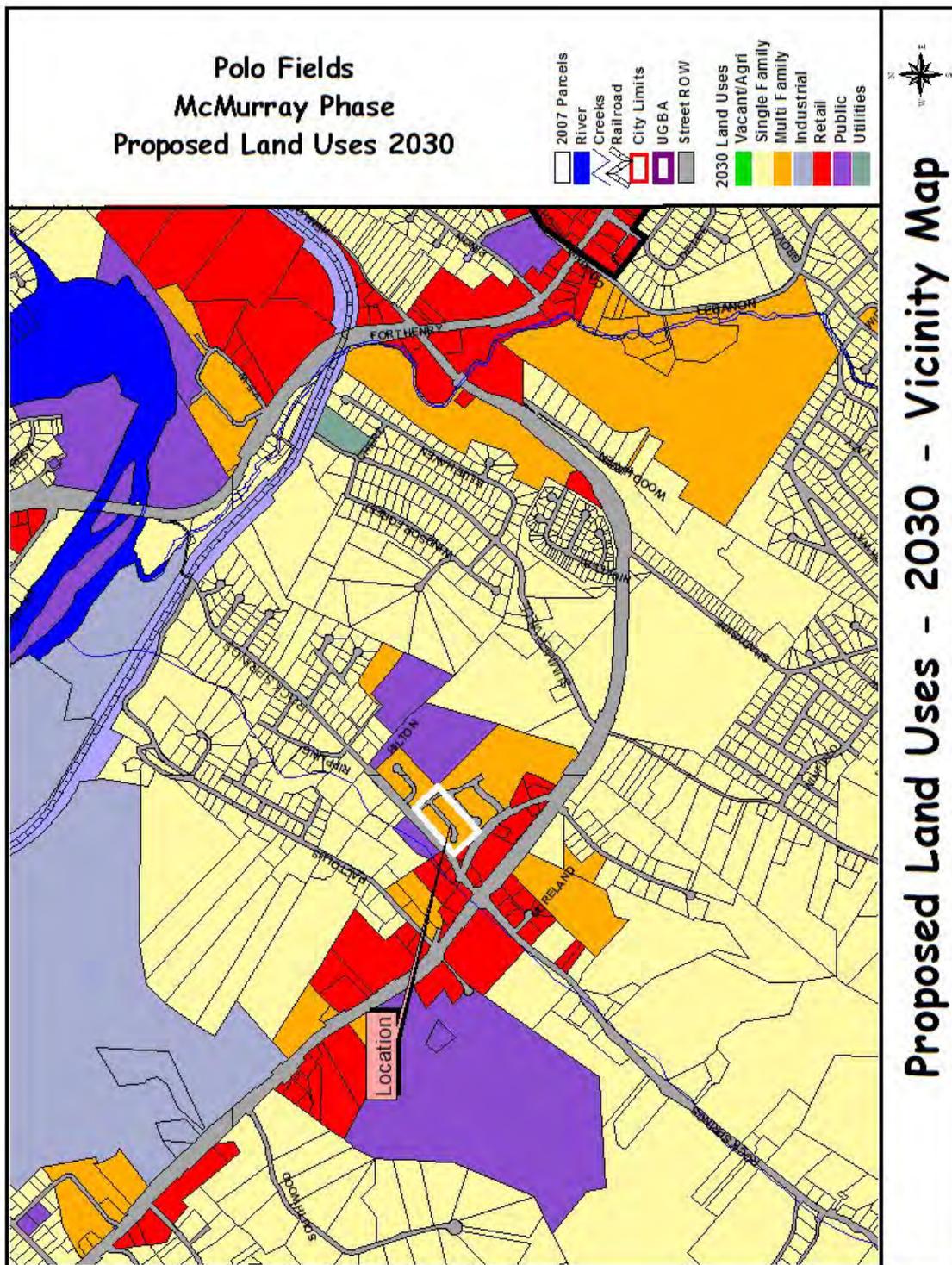


12-103-00007



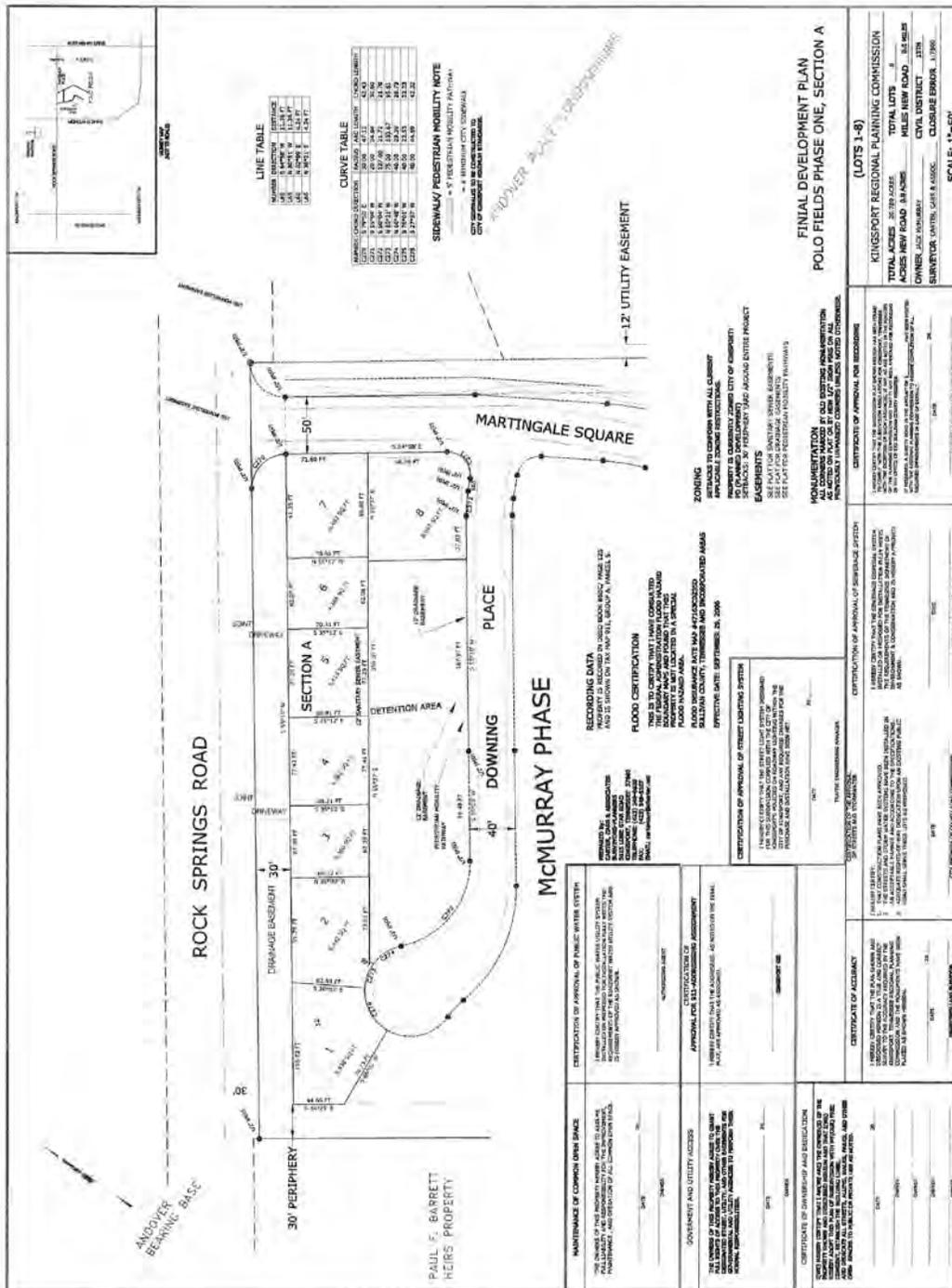
Prepared by Kingsport Planning Department for the  
Kingsport Regional Planning Commission Meeting on September 20, 2011

12-103-00007



Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on September 20, 2011

12-103-00007



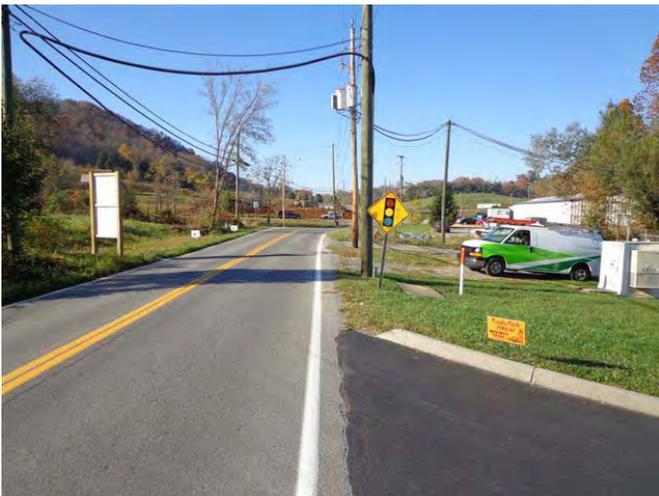
12-103-00007



Looking South



Looking East



Looking West



Looking North

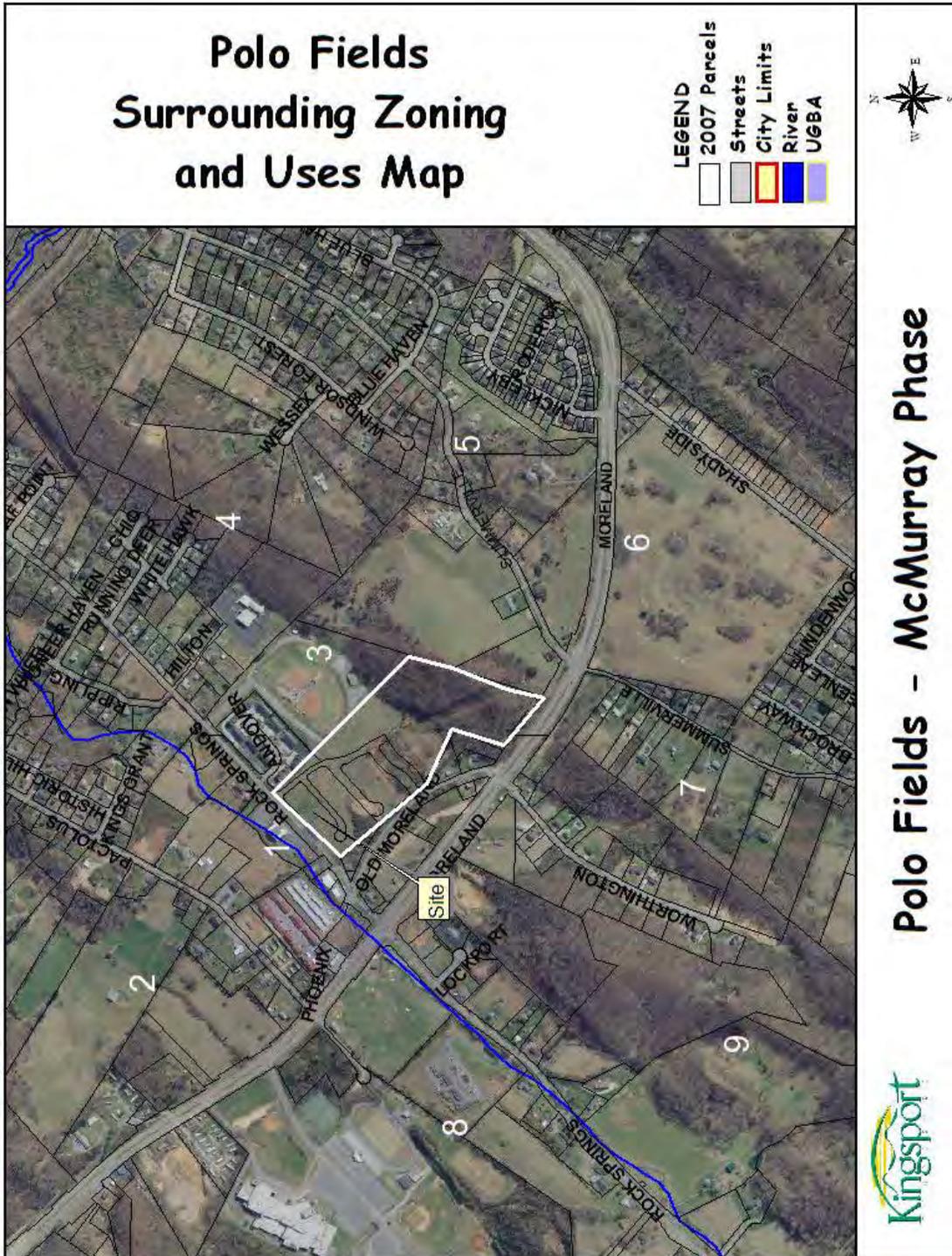
12-103-00007

Location	Parcel / Zoning Petition	Zoning / Name
North, East, Northwest	<b>1</b>	Rock Springs Rd. then County A-1 and R-1 single family. To the NW is some City zoned M-1R and B-3.
Further North and Northwest	<b>2</b>	County SF Subdivisions zone either A-1 or R-1. Sullivan South HS to the northwest.
East	<b>3</b>	City R-1B and R-3 with Andover Villas, multi-family apartments directly adjacent.
Further East	<b>4</b>	City R-1B zoning and land uses in single family residential housing.
Southeast and South	<b>5</b>	Very steep ridgeline on the back property line that abuts County R-1 and has single family housing.
Further South	<b>6</b>	County zoning of R-1 up to Copperfield Subdivision zoned PD then onto Moreland Drive.
West	<b>7</b>	Old Moreland Drive and all County zoned PBD-3 and mostly vacant.
West Further	<b>8</b>	Up to and across Moreland Drive, County zoned R-3A, R-1 and B-4 with mixed uses.
Southwest	<b>9</b>	All County zoned R-1 with SF as the uses.

### EXISTING USES AND LOCATION

**THE MAJORITY OF THE PARCELS SURROUNDING POLO FIELDS SUBDIVISION ARE LOCATED IN SULLIVAN COUNTY WITH THE EXCEPTION OF MOCASSIN RIDGE SUBDIVISION WHICH IS DIRECTLY EAST OF THIS SUBDIVISION. THE MAJORITY OF THE PROPERTY IN THE COUNTY IS ZONED EITHER A-1 OR R-1 WHICH ALLOWS SINGLE FAMILY AND AGRICULTURE. POLO FIELDS IS ZONED PD, PLANNED DEVELOPMENT, WHILE MOCASSIN RIDGE IS ZONED R-1B, SINGLE FAMILY RESIDENTIAL. ALL OF THIS AREA AND SURROUNDING AREA IS ZONED FOR ARGICULTURE AND SF HOUSING AND HAS COMPATIBLE USES.**

12-103-00007



**EXISTING USES LOCATION MAP**

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on September 20, 2011

**12-103-00007**

**CONCLUSION**

**Staff recommends APPROVAL of the Amended Final Plat for Polo Fields.**



<b>PROPERTY INFORMATION</b>	<b>Chase Meadows Phase 3 Final</b>
<b>ADDRESS</b>	<b>Fall Creek Road, east of Warriors Path State Park</b>
<b>DISTRICT, LAND LOT</b>	<b>7<sup>th</sup> Civil District, Tax Map 78, Parcel 16.00 Sullivan Cnty. Tax Maps Final Plat Request</b>
<b>OVERLAY DISTRICT</b>	<b>Not Applicable</b>
<b>EXISTING ZONING</b>	<b>Planned Development</b>
<b>PROPOSED ZONING</b>	<b>No Change</b>
<b>ACRES</b>	<b>7.43 acres – 37 units - 0.27 miles of new road – 789.9 linear feet of Pedestrian Mobility Path</b>
<b>EXISTING USE</b>	<b>Single Family Residential</b>
<b>PROPOSED USE</b>	<b>Single family Residential</b>

**PETITIONER** Mr. Ken Bates

**ADDRESS**

**REPRESENTATIVE** Mr. Ken Bates

**PHONE**

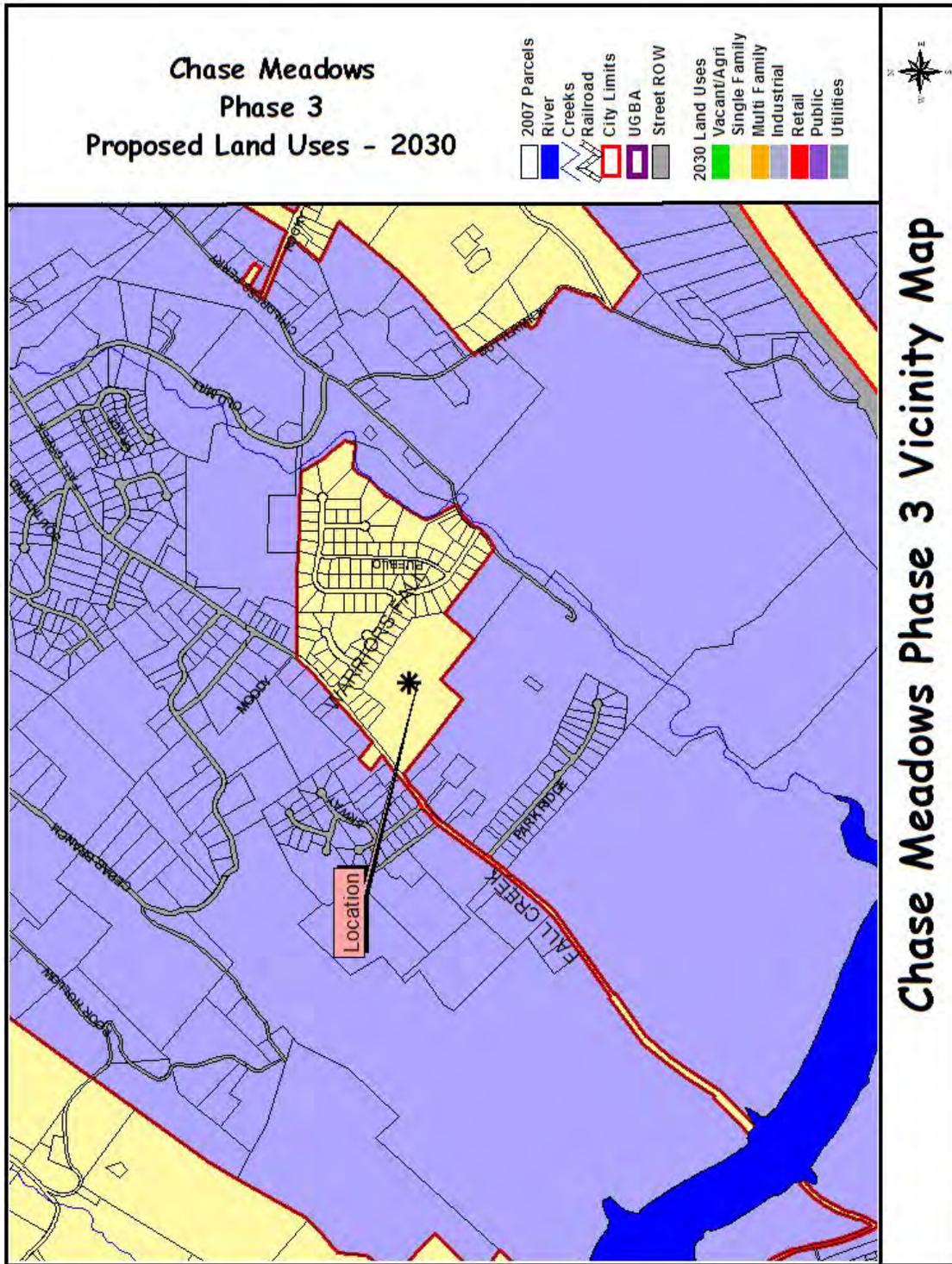
### INTENT

The applicant is requesting final approval for Phase 3 of the Chase Meadows Development which is located in 7<sup>th</sup> civil district and more fully described as Parcel 16 of Tax Map 78 of the Sullivan County Tax Maps for 2011. This is a new phase for this development and the majority of the infrastructure has been completed. Mr. Bates requested in lieu of sidewalks, the use of a pedestrian mobility pathway system throughout the development. In this phase there are several streets with 40' right-of-ways and the main street has a 50' right-of-way. Cayman Way and Convent Garden Court end in cul-de-sac's and Ethans Court is a stub-out street with a temporary cul-de-sac. Total density for this phase is 37. units and this has not changed from the initial presentation several years ago. All previously approved building footprints are the same as previously approved by the Commission in 2008.

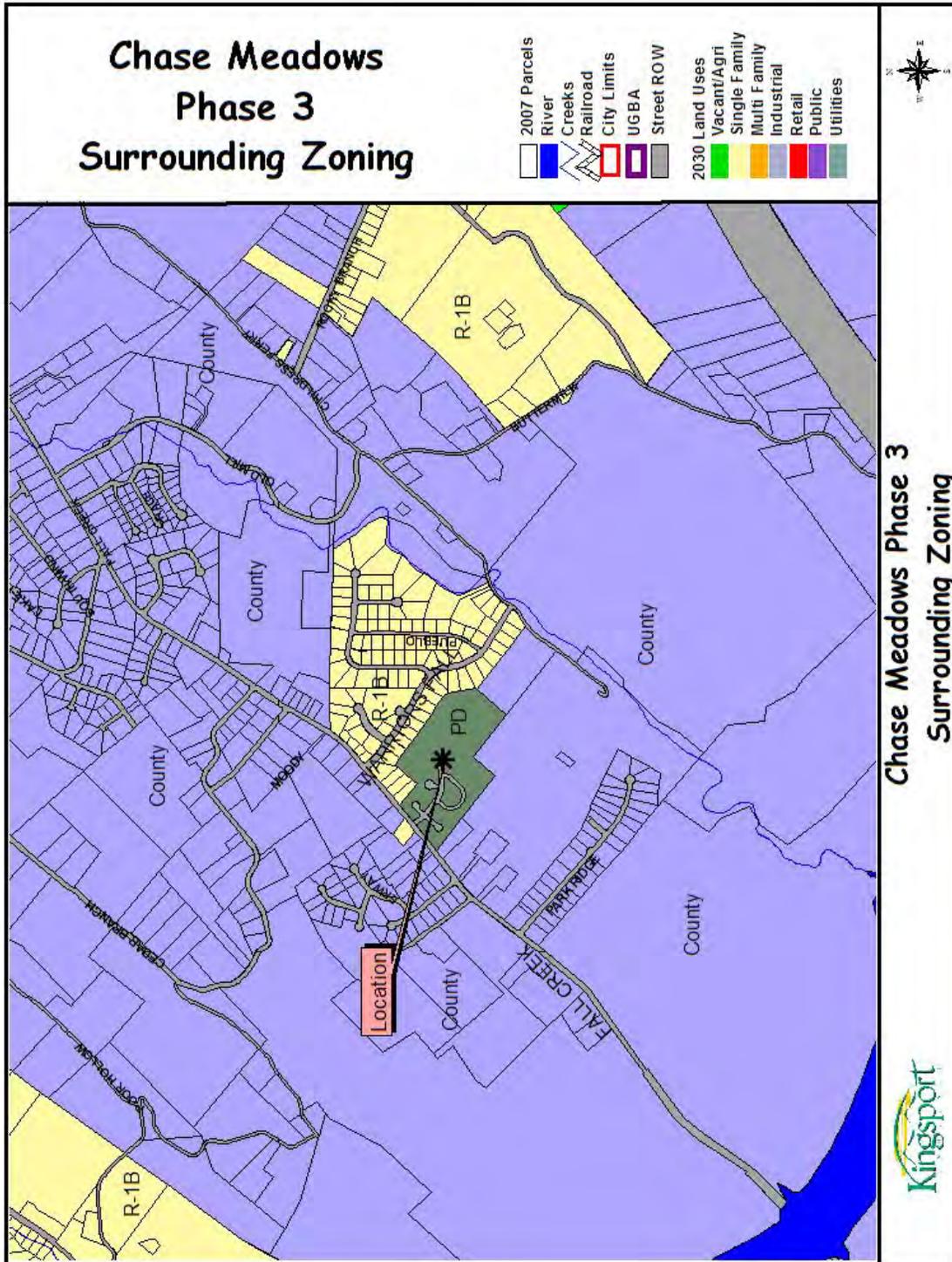
The new phase will require a bond in the amount of \$69,271.53 to cover the cost of the remaining infrastructure. Mr. Bates has an outstanding ILOC in the amount of \$5,300 for completion of a portion of the pedestrian mobility pathway for the previous phase. This is a minor amount and Mr. Bates is requesting permission to add this amount to the total for Phase 3. A new ILOC would be submitted prior to releasing the old one in the amount of \$5,300.

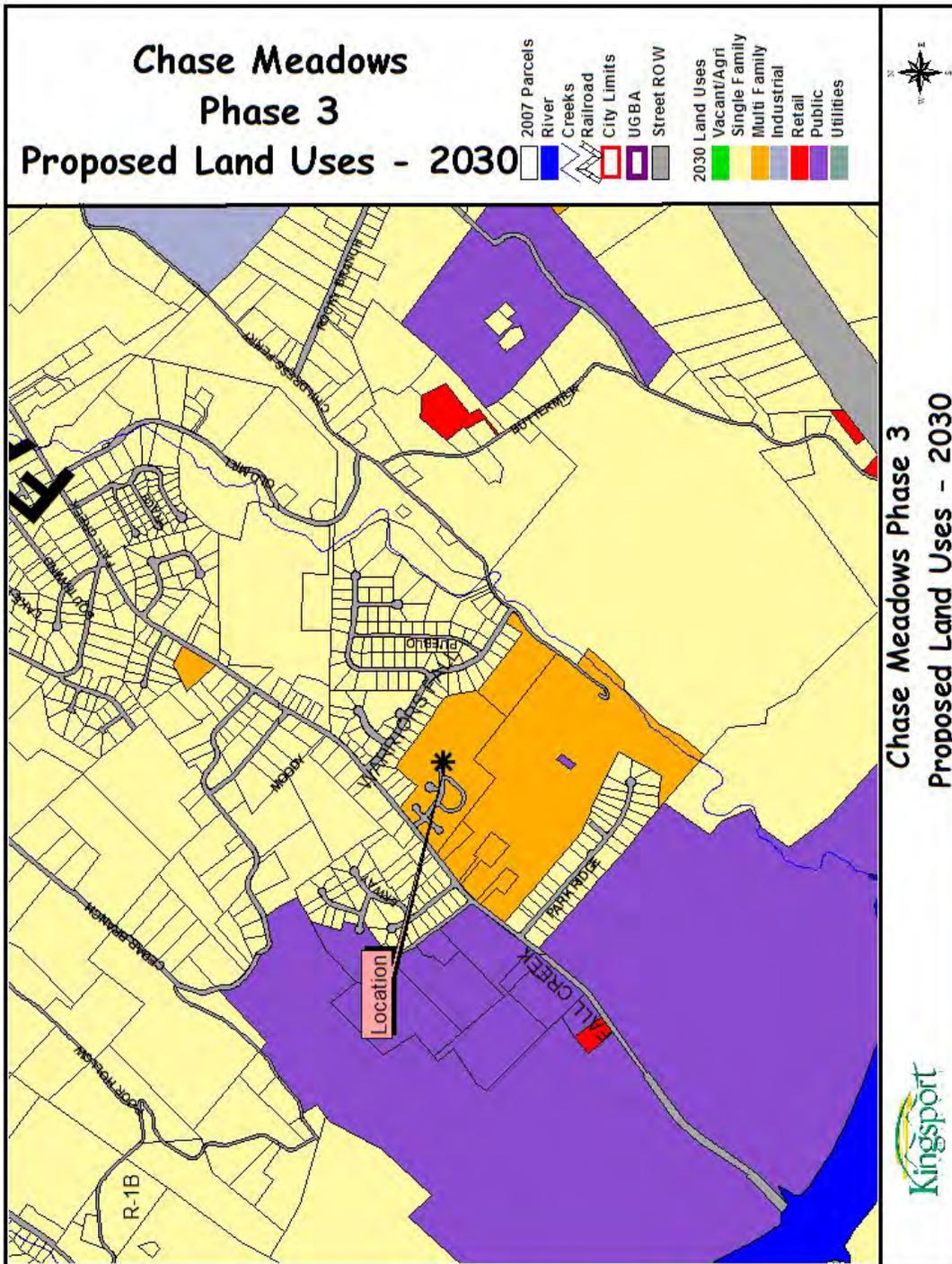
No variances have been requested for this phase of the development and phase 3 meets the planned development and minimum subdivision requirements.

**Staff recommends Final Planned Development Plat approval for Phase 3 contingent upon a new bond in the amount of \$74,571.53 being submitted.**



Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012









**Looking North**



**Looking East**



**Looking South**

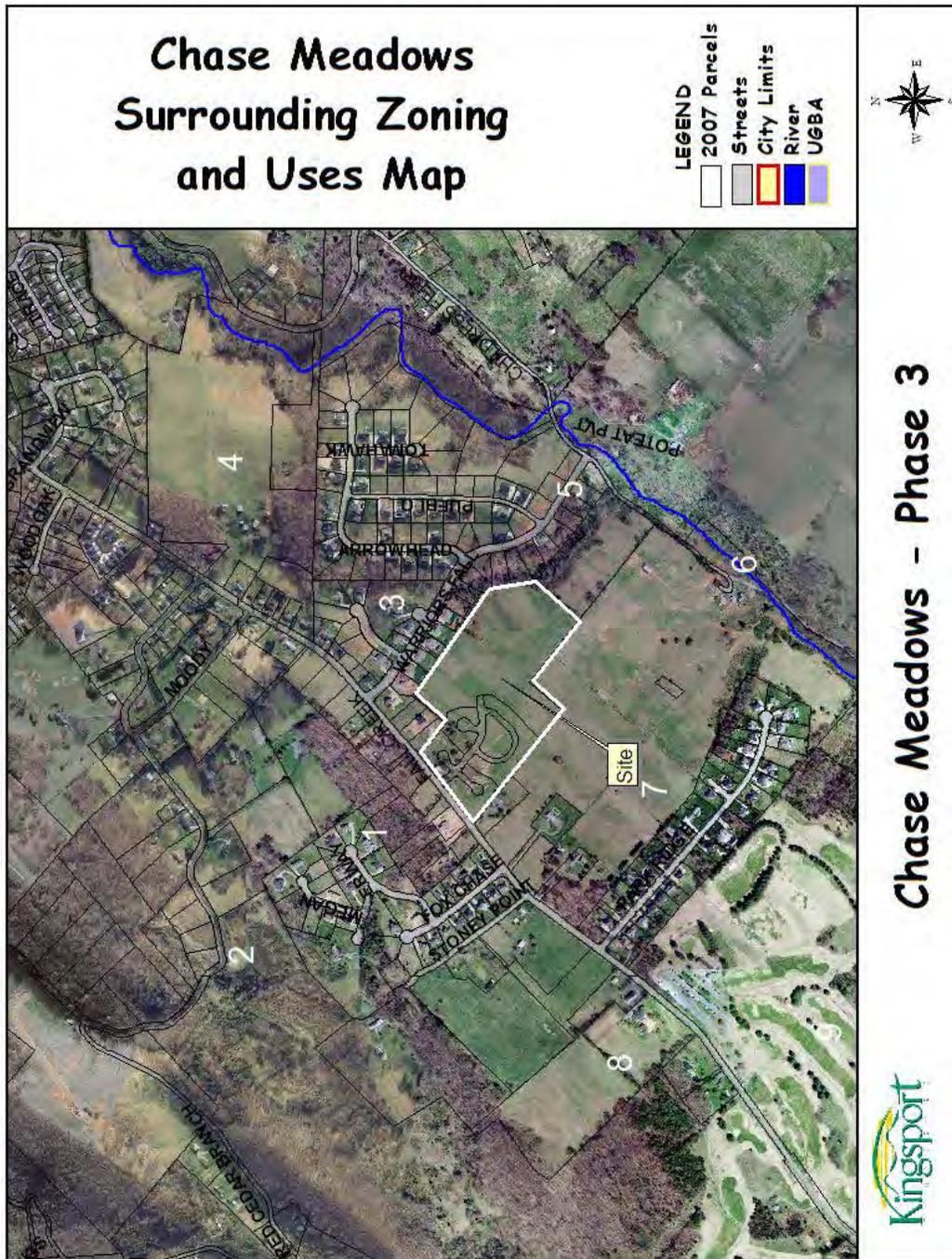


**Looking West**

<b>Location</b>	<b>Parcel / Zoning Petition</b>	<b>Zoning / Name</b>
North, East, Northwest	<b>1</b>	Fall Creek Road and County parcels
Further North and Northwest	<b>2</b>	County Single Family Subdivisions zoned A-1 and R-1
East	<b>3</b>	City R-1B with Warrior Falls Sub. Directly adjacent.
Further East	<b>4</b>	County parcels mostly small Single family with vacant tracts.
Southeast and South	<b>5</b>	Warrior Falls Subdivision with Poteat Farm which is in the County, zoned A-1.
Further South	<b>6</b>	Huddle farm property, also County zone A-1
West	<b>7</b>	Huddle Farm, County zone A-1
West Further	<b>8</b>	SF Residential in the County known as Park Ridge Estates zoned R-1.
Southwest	<b>9</b>	Huddle Farm, see 7 above.

### EXISTING USES AND LOCATION

All parcels surrounding the Chase Meadows Subdivision are located in Sullivan County with the exception of Warrior Falls Subdivision which is directly east and adjoins this subdivision. The majority of the property in the county is zoned either A-1 or R-1 which allows single family residential and agriculture. Chase Meadows is zoned PD, Planned Development, while Warrior Falls is zoned R-1B, single family residential. All of this area and surrounding area is zoned for agriculture and Single Family housing and has compatible uses.



EXISTING USES LOCATION MAP

## CONCLUSION

**Staff recommends APPROVAL of the Final Plat for Phase 3 contingent upon the Planning Commissions acceptance of combining the two bonds and submittal of the bond afterward.**

# Memorandum

**To:** Kingsport Regional Planning Commission  
**From:** Forrest Koder, Planning Division  
**Date:** 11/5/2012  
**Re:** Process to call ILOC– Harmony Ridge Subdivision  
**Case:** 10-201-00010

The Kingsport Regional Planning Commission approved the extension for the Irrevocable Letter of Credit for Harmony Ridge Subdivision during the October, 2011 meeting in the amount of \$137,000. The Expiration Date for this ILOC is December 16, 2012. The developer (Mr. Bob Garrett and his bank – TruPoint Bank) are requesting approval for a one-year extension of the ILOC in the same amount as stated above. The current ILOC was granted with stipulations from the Kingsport Regional Planning Commission. These stipulations were as follows:

1. New/Revised Stormwater control calculations prepared by a qualified design professional are submitted.
2. A comprehensive site stabilization plan prepared by a qualified design professional and proof of implementation.
3. Monthly meetings with the Inspector implementing the stabilization plan and the City stormwater Inspector for the term of the ILOC.

These stipulations were to be met by December 15, 2011 by 5:00 P.M. or the Planning Commission would call the letter of credit for the Harmony Ridge Development in the full amount of \$137,000.

The developer did attempt to correct and stabilize the slopes, but this was not completely successful. The Engineering Department recommends the following course of action.

1. Place the developer and bank on notice that the City intends to call the ILOC at any time after the November 16, 2012 "Performance Date" for failure to comply with all the terms outlined above.

November 5, 2012

2. Place the developer and bank on notice that the Stormwater fine will be issued on the same date due to failure to complete all erosion control items.
3. The current or new developer would have to agree to establish a new ILOC with the following contingencies if an extension were considered:
  - a. Agree to a revised ILOC estimate for more up-to-date unit costs.
  - b. Establish specific target dates for completion of repair to gullies; establish groundcover to prevent erosion, completion of sidewalks etc.
  - c. Establish only a six-month ILOC rather than the full year.

There was a fourth item that required additional funding for groundcover through the ILOC mechanism to control erosion and sediment, however this is not allowed under our current regulations. These issues will be addressed by the Stormwater Board.

Staff recommends granting a new ILOC for the Harmony Ridge Development contingent on the following:

1. The developer agrees to the new ILOC amount established by the Engineering Department and submits a new ILOC in the amount of \$XXXXX.
2. Engineering shall set specific dates for completion of all repair work to comply with Erosion and Sediment issues on the property as well as specific dates for completion of sidewalks. The developer shall agree to these dates in writing.
3. The new ILOC shall be due June 1, 2013.

Should compliance not occur by XXXXXX, the developer after agreement to the contingencies, the Planning Commission authorizes immediate calling of the letter of credit in the amount of \$XXXXX for the Harmony Ridge Development.

AFFIDAVIT AND CERTIFICATE OF NON-COMPLIANCE

STATE OF TENNESSEE:  
COUNTY OF SULLIVAN:

I, Henry A. Clabaugh, having first been duly sworn according to law, depose and state on personal knowledge and information, as follows:

As the City Engineer for the City of Kingsport, I hereby certify that Mr. Bob Garrett has not properly complied with the construction improvements as listed in the Letter of Credit issued by TruPoint Bank dated December 15, 2011 in the amount of \$137,000.00. The construction improvements that have not been completed include the following:

- 1. 2400 SY 4" Concrete Sidewalk/HC Ramps (SECTION 02528)
- 2. 1 Detention Pond
- 3. 1 As-Built/Record Drawings

The improvements cannot be completed by 5:00 P.M., December 16, 2012.

Further the Affiant sayeth not



Henry A. Clabaugh  
City Engineer

STATE OF TENNESSEE:  
COUNTY OF SULLIVAN:

Sworn to and subscribed before me this \_\_\_\_ day of October 29, 2012.

\_\_\_\_\_  
Notary Public

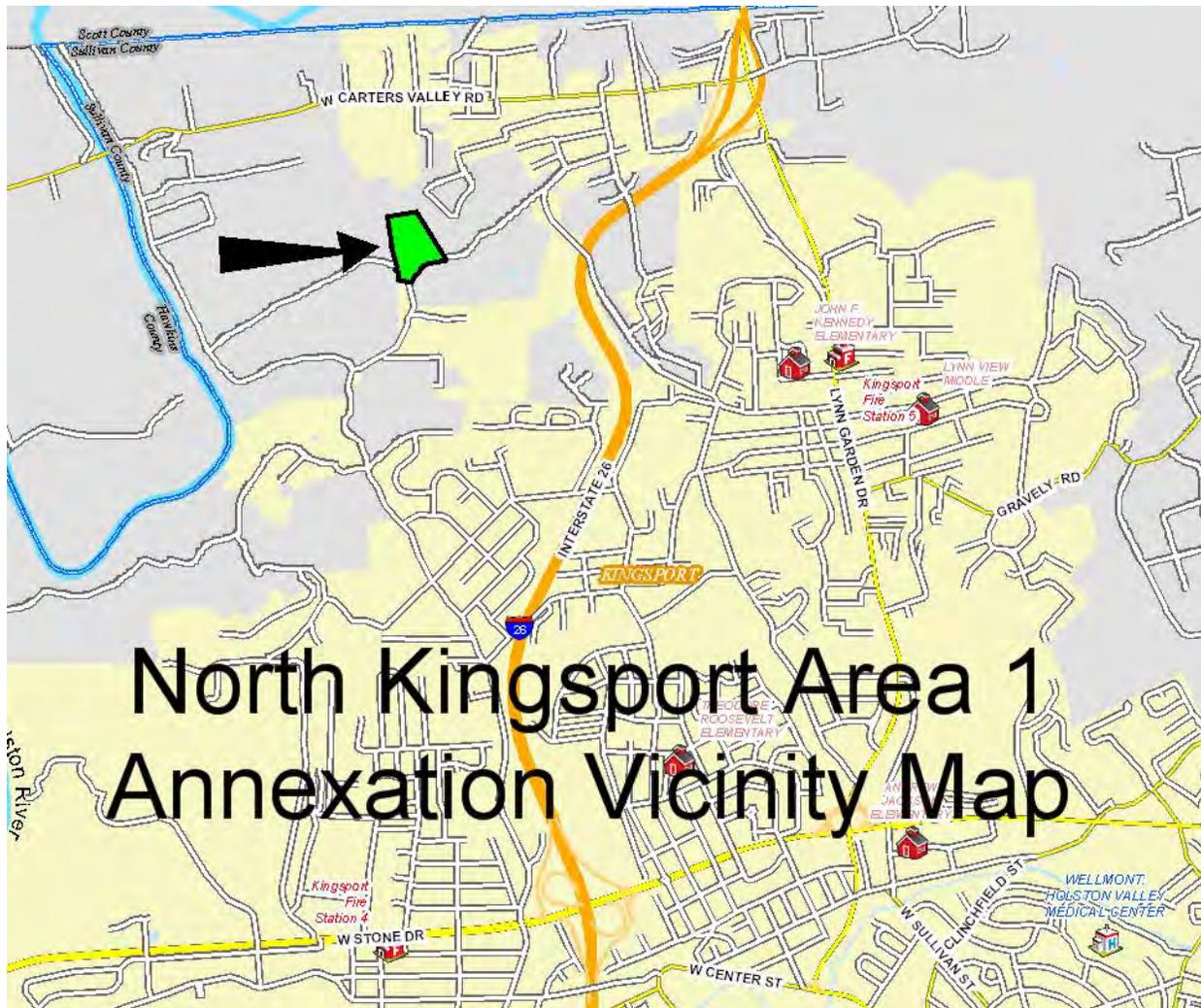
My commission expires:

\_\_\_\_\_

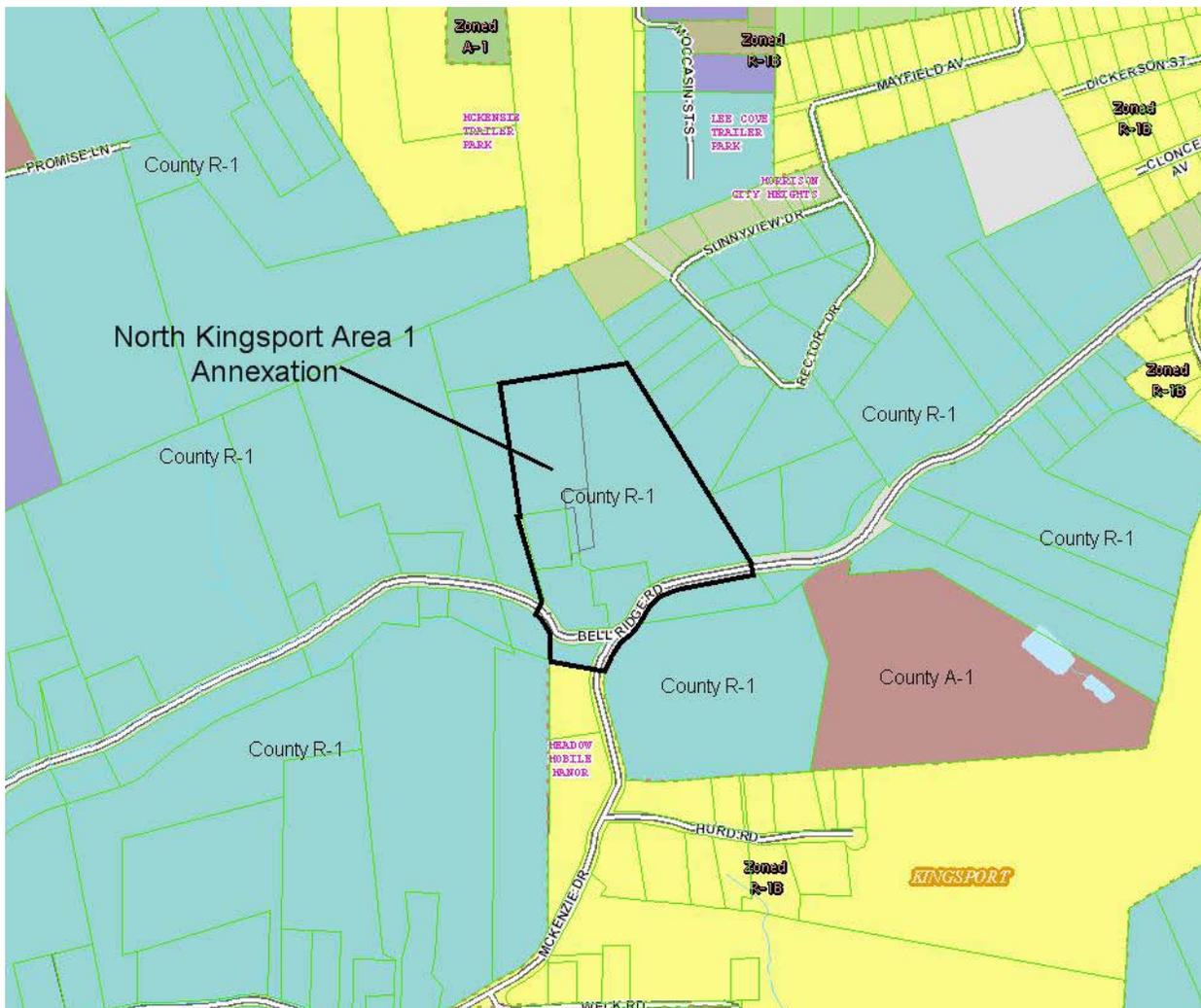
**Kingsport Regional Planning Commission**  
**Annexation Report** **File Number 12-301-00014**

<b>Property Information</b>	North Kingsport Area 1		
<b>Address</b>	865, 913, and 871 Bell Ridge Road		
<b>Tax Map, Group, Parcel</b>	29, B, 16, 17, 17.1, 18.1, and 19.1		
<b>Civil District</b>	12 <sup>th</sup>		
<b>Overlay District</b>	n/a		
<b>Land Use Plan Designation</b>	Single Family		
<b>Acres</b>	13.5+/-		
<b>Existing Use</b>	Single Family Residential & Agricultural	<b>Existing Zoning</b>	County R-1
<b>Proposed Use</b>	Single Family Residential & Agricultural	<b>Proposed Zoning</b>	City R-1B & A-1
<b>Owner /Applicant Information</b>			
<b>Name:</b> McQueen & Collins <b>Address:</b> 865, 913, and 871 Bell Ridge Rd <b>City:</b> Kingsport <b>State:</b> TN <b>Zip Code:</b> 37660  <b>Email:</b> mhmcqueen@yahoo.com <b>Phone Number:</b> (423) 367-6670 & (423) 612-7084		<b>Intent:</b> Annexation by request (petition attached)	
<b>Planning Department Recommendation</b>			
<p><b>RECOMMENDATION: Approval to recommend the Annexation, Zoning, and Plan of Services to the BMA</b></p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> <li>• <i>The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.</i></li> <li>• <i>It is reasonably necessary for the welfare of the residents and property owners of the affected territory.</i></li> <li>• <i>The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.</i></li> <li>• <i>Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.</i></li> <li>• <i>It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.</i></li> </ul> <p><b>Staff Field Notes and General Comments:</b></p> <p><b>Utilities:</b> City of Kingsport water currently serves the annexation area. Upgrades for the water system serving the annexation area consist of the addition of 1 hydrant to a density consistent within the current city limits and an 8" line extension. Sanitary sewer currently serves a portion of the annexation area and must be upgraded per the plan of services document (staff recommends 5 years from the effective date of annexation).</p>			
<b>Planner:</b>	Ken Weems	<b>Date:</b>	October 23, 2012
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>November 15, 2012</b>
<b>Approval:</b>			
<b>Denial:</b>		<b>Reason for Denial:</b>	
<b>Deferred:</b>		<b>Reason for Deferral:</b>	

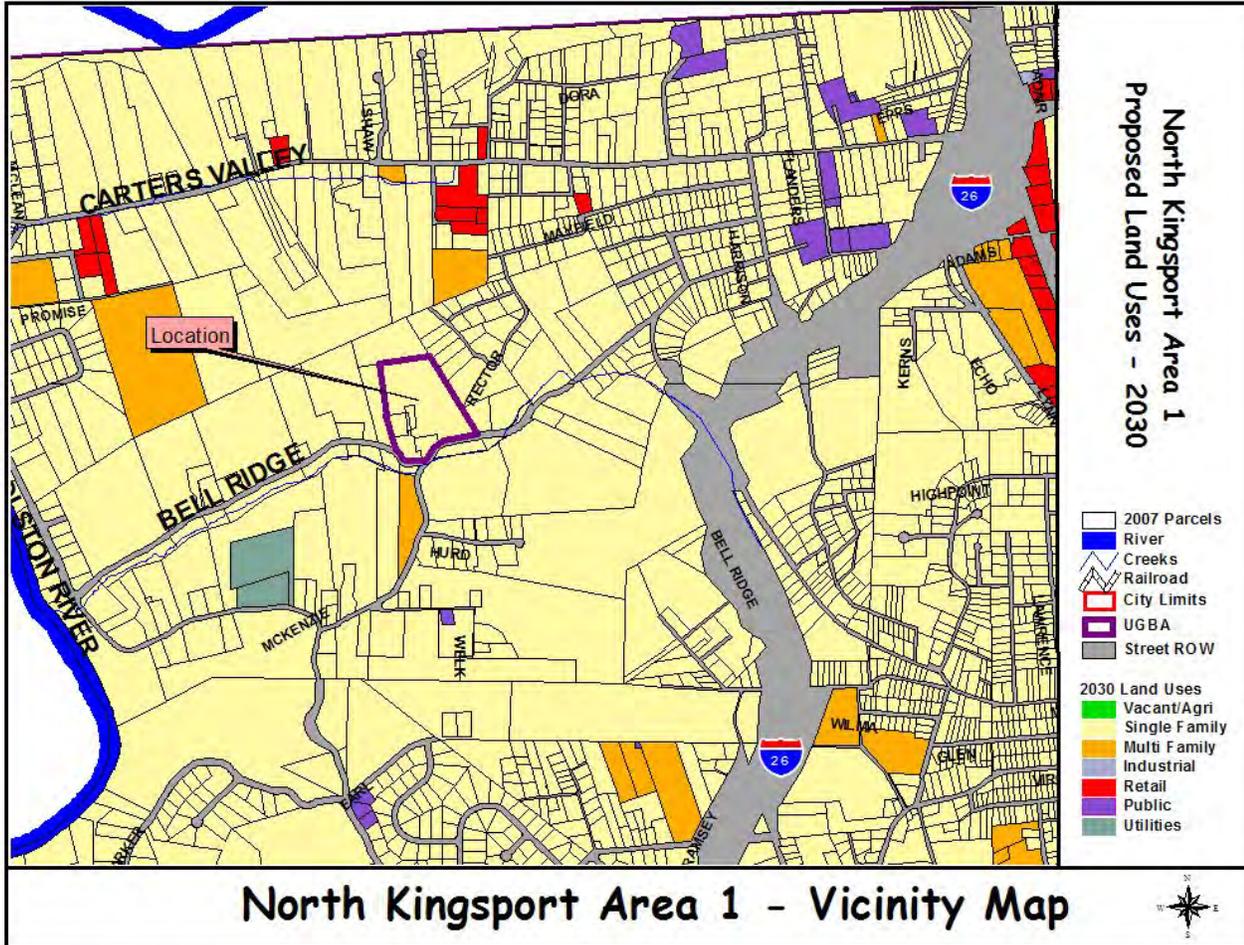
Area Map



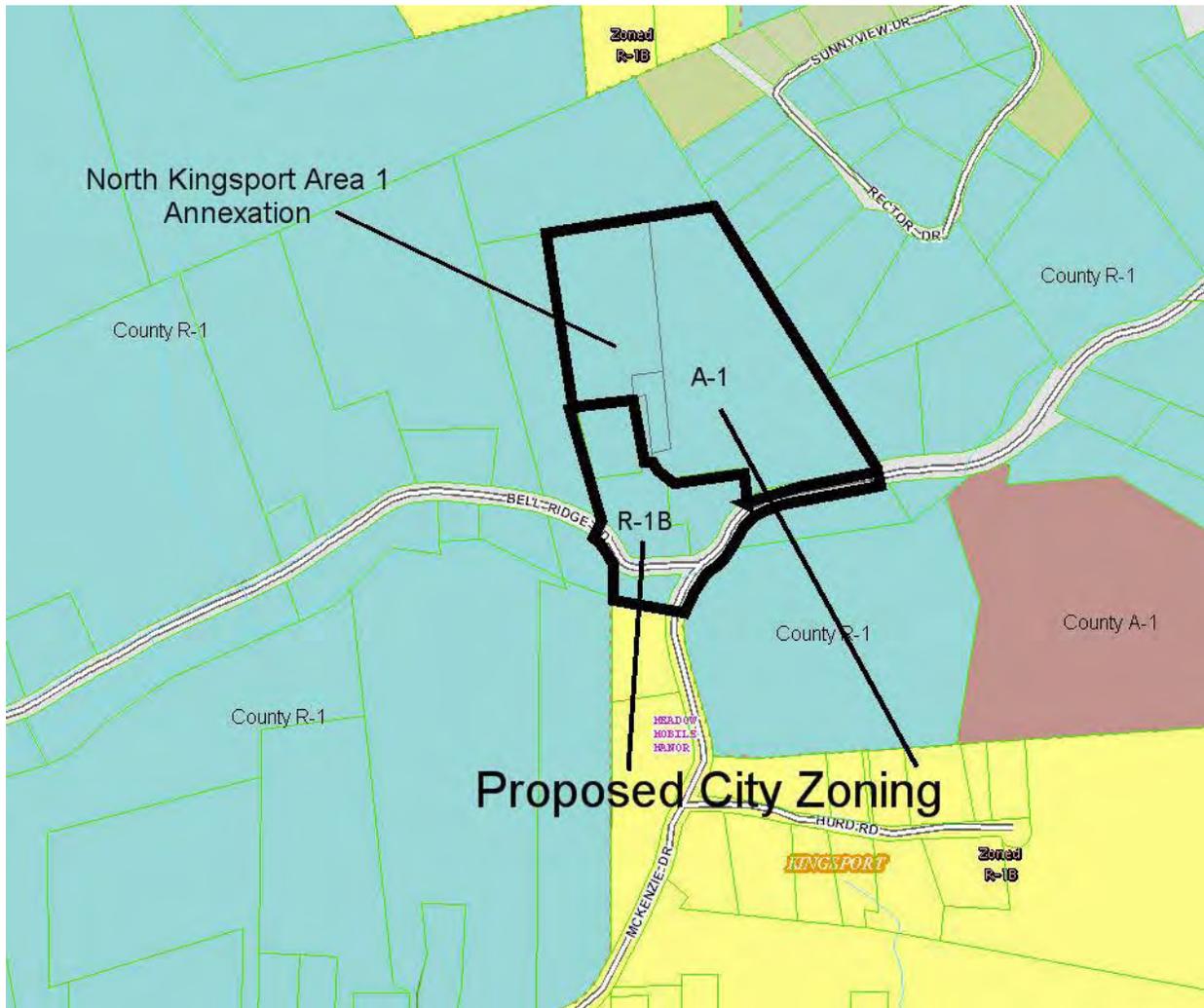
Current Zoning Map



FUTURE LAND USE PLAN MAP



PROPOSED ZONING MAP



Kingsport Regional Planning Commission

Annexation Report

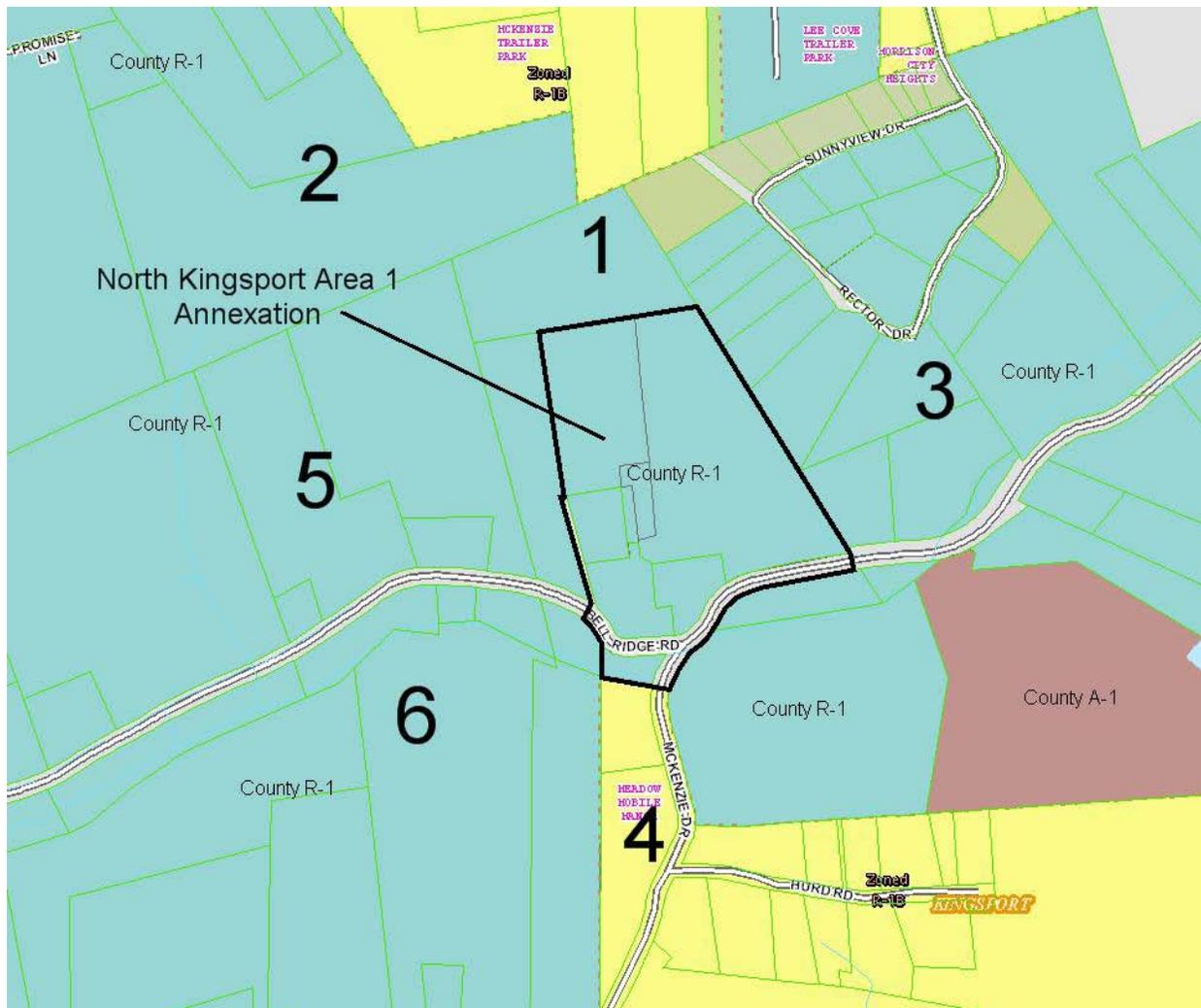
File Number 12-301-00014

**North Kingsport Area 1 Annexation Area**  
**COST ESTIMATE/ tax records as of 25 Oct 12**

Revenues	One Time	Reoccurring (annual)	
Property Taxes	X	\$3,098.00	
State Shared	X	\$1,248.00	12 res x 104 (estimated)
Sewer Tap Fees	\$3,900.00	\$0.00	2 taps
Water & Sewer Rev (loss)	X	-\$1,241.00	
<b>Total</b>	<b>\$3,900.00</b>	<b>\$3,105.00</b>	

Expenses	One Time	Reoccurring (annual)	
<b>Operating Budget</b>			
Police & Fire Service	0.00	0.00	
Street Lighting	7,000.00	891.00	
Traffic Controls	1,500.00	90.00	
Streets & Sanitation	0.00	1,950.00	
Subtotal	8,500.00	2,931.00	
<b>Capital Budget</b>			
Water	21,500.00	0.00	1 hydrant & 8" extension
Sewer	85,000.00	0.00	
Streets	3,442.00	0.00	
Subtotal	109,942.00	0.00	
<b>Grand Total</b>	<b>\$118,442.00</b>	<b>\$2,931.00</b>	

EXISTING SURROUNDING LAND USES



## Kingsport Regional Planning Commission

### Annexation Report

File Number 12-301-00014

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	<b>1</b>	<u>Zone: County R-1</u> Use: Vacant Land	Pending Annexation & zoning to City R-1B effective 7 Dec 12
Further North and Northwest	<b>2</b>	<u>Zone: County R-1</u> Use: Single Family Residential	Annexed as part of Colonial Heights Area 3 Annexation on 1 Apr2011
East	<b>3</b>	<u>Zone: County R-1</u> Use: Single Family Residential	No prior action known
Southeast and South	<b>4</b>	<u>Zone: City R-1B</u> Use: Mobile Home Park (12 trailers)	No prior action known
Northwest	<b>5</b>	<u>Zone: County R-1</u> Use: Single Family Residential	Annexed as part of Colonial Heights Area 4 on 24 Oct 2012
West	<b>6</b>	<u>Zone: County R-1</u> Use: Single Family Residential	Pending Annexation & zoning to City R-1B effective 7 Dec 12

CONCLUSION

The Kingsport Planning Division recommends approval for the following reasons:

- *The City of Kingsport should utilize annexation as urban development occurs and is necessary for present and future growth in an orderly manner.*
- *It is reasonably necessary for the welfare of the residents and property owners of the affected territory.*
- *The City of Kingsport can provide services through its Plan of Services that the County cannot provide to the residents of the area.*
- *Annexation spurs economic growth by providing basic services at a reasonable cost and allows those costs to be spread fairly to all who enjoy those services.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*

AERIAL PHOTO



**NORTH VIEW**



**WEST VIEW**



SOUTH VIEW



EAST VIEW



PETITION



CITY OF KINGSPORT, TENNESSEE  
Petition for Annexation

We, the property owners of record, hereby petition the City of Kingsport to be annexed,

1.	Name: Mike & Kelly McQueen	Address: 8105 Bell Ridge Rd
	Parcel # (if known): 017.10	Phone: 423 367 6670
	Email Address: mhmcqueen@lyda.com	# In Household & Ages: 5 48, 44, 15, 13, 11
	Signature: <i>[Signature]</i>	

2.	Name: Liz McQueen	Address: 913 Bell Ridge Rd
	Parcel # (if known): 019.10	Phone: 423 612 7084
	Email Address: LMcQueen@R12K.com	# In Household & Ages: 1 50
	Signature: <i>[Signature]</i>	

3.	Name: Zeeva Collins	Address: 893 Bell Ridge Rd
	Parcel # (if known): 018.10	Phone:
	Email Address: ---	# In Household & Ages: 1 87
	Signature: <i>[Signature]</i>	

4.	Name: Mike & Kelly McQueen	Address: 871 Bell Ridge Rd
	Parcel # (if known): 017.00	Phone: 423 367 6670
	Email Address:	# In Household & Ages: 0
	Signature: <i>[Signature]</i>	

5.	Name:	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature:	

INCLUDED PARCELS LIST

## Kingsport Regional Planning Commission

### Annexation Report

File Number 12-301-00014

ControlMap	Group_	ParcelNumber	Property Address	AssessedVal	City Tax
029B	B	1600	BELL RIDGE RD	1475	\$29.06
029B	B	1710	BELL RIDGE RD 865	89025	\$1,753.79
029B	B	1700	BELL RIDGE RD 871	12800	\$252.16
029B	B	1810	BELL RIDGE RD 893	33500	\$659.95
029B	B	1910	BELL RIDGE RD 913	20525	\$404.34

**RESOLUTION NO.****A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE  
NORTH KINGSPORT AREA 1 ANNEXATION OF THE CITY OF  
KINGSPORT, TENNESSEE**

WHEREAS, before any territories may be annexed under Tennessee Code Annotated §6-51-102, the governing body shall have previously adopted a plan of services setting forth the identification and timing of municipal services; and

WHEREAS, before any such plan of services shall have been adopted, it must have been submitted to the local planning commission for study and a written report; and

WHEREAS, a plan of services for the proposed North Kingsport Area 1 annexation was submitted to the Kingsport Regional Planning Commission on November 15, 2012, for its consideration and a written report; and

WHEREAS, prior to the adoption of a plan of services, the City shall hold a public hearing; and

WHEREAS, a public hearing was held December 4, 2012; and

WHEREAS, notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the municipality a minimum of seven (7) days prior to the hearing; and

WHEREAS, notice of the time and place of the public hearing was published in the Kingsport Times-News on November 19, 2012; and

WHEREAS, the City of Kingsport, pursuant to the provisions of Tennessee Code Annotated, §6-51-102 has endeavored to annex a portion of the 12<sup>th</sup> Civil District of Sullivan County, Tennessee, commonly known as the North Kingsport Area 1 Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the northern corner of parcel 17.10, Tax Map 12N; thence in a southeasterly direction, approximately 803 feet to a point, said point being the eastern corner of parcel 17.10 in common with the northern right-of-way of Bell Ridge Road; thence in a southerly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to a point, said point lying on the northern boundary of parcel 12; thence in a southwesterly direction, following the southern right-of-way of Bell Ridge Road and McKenzie Drive, approximately 680 feet to a point, said point lying on the boundary of parcel 11 in common with the eastern right-of-way of McKenzie Drive; thence in a northwesterly direction, crossing the right-of-way of McKenzie Drive, approximately 200 feet to a point, said point being the southwestern corner of parcel 16; thence in a northerly direction, approximately 100 feet to a point, said point being the northern corner of parcel 16 in common with the southern right-of-way of

Bell Ridge Road; thence in a northwesterly direction, following the southern right-of-way of Bell Ridge Road, approximately 100 feet to a point, said point lying on the boundary of parcel 15; thence in a northerly direction, crossing the right-of-way of Bell Ridge Road, approximately 50 feet to a point, said point being the southern corner of parcel 20; thence in a northwesterly direction, approximately 300 feet to a point, said point lying on the boundary of parcel 20; thence in an easterly direction, approximately 10 feet to a point; thence in a northwesterly direction, approximately 480 feet to a point, said point being the northwest corner of parcel 17.10; thence in a northeasterly direction, approximately 460 feet to the point of BEGINNING, and being all of parcels 16, 17, 17.10, 18.10, and 19.10, Tax Maps 12N, 12O, 29B, and 29C, as well as the streets of Bell Ridge Road, approximately 900 feet in length and McKenzie Drive, approximately 110 feet in length as shown on the April 2011 Sullivan County Tax Maps.

AND WHEREAS, the City of Kingsport deems it advisable to adopt a Plan of Services for the proposed annexation area. Now, therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF KINGSPORT, TENNESSEE, AS FOLLOWS:

SECTION I. That a Plan of Services for the North Kingsport Area 1 Annexation as bounded and described above is hereby adopted, subject to an enactment of an annexation ordinance for the annexation area, the said Plan of Services to be as follows:

**North Kingsport Area 1 Annexation  
Plan of Services**

**1. Police Protection**

- A. On the date of annexation the Kingsport Police Department will respond to all calls for service for police protection, including criminal calls, traffic accidents and traffic related occurrences, and other prevention and interdiction calls for service.
- B. Effective with annexation, all resources currently available within the Kingsport Police Department will become available to the citizens of the area. The Kingsport Police Department has an authorized accredited force of 116 police officers and approximately 60 civilian personnel to provide services 24-hours per day, 365 days a year.
- C. The Kingsport Police Department is accredited with the Commission on Accreditation for Law Enforcement Agencies and has met 358 mandatory and 72 other-than mandatory standards in order to attain this status. Kingsport Police Department was only the third accredited department in the State of Tennessee and the first in northeast Tennessee.
- D. Upon annexation, existing police department personnel will be utilized to provide services by expanding the contiguous patrol sections to include the newly incorporated area. Existing police personnel and equipment will be shifted to

provide needed coverage of the area. Each section will be patrolled by units of the Kingsport Police Department and will be augmented by other departments and units such as investigators, specialized assigned details etc.

- E. When needed, the Kingsport Police Department will hire additional police officers to provide more response to annexed areas. The officers will undergo 450 hours of basic recruit training before being certified as a police officer. Upon completion of the classroom training, the officers will undergo 480 hours of field officer training where they will work and be trained by designated training officers.
- F. The Kingsport Police Department will provide upon request crime prevention programs, traffic safety education programs, drug education/awareness programs including D.A.R.E. to the citizens of the area. Additional programs include department personnel to address groups on law enforcement topics or concerns, home and business security checks and establishing and maintaining neighborhood watch programs.
- G. The Kingsport Police Department currently maintains an approximate 5 minute average response time to emergency and urgent calls within the corporate limits.

## **2. Fire Protection**

- A. On the operative date of annexation, the City of Kingsport will answer all calls for service for fire, disaster, hazardous materials, special rescue and medical first responder. The Kingsport Fire Department goes beyond the basic fire services required of a City Government.
- B. The City of Kingsport Fire Department is an Internationally Accredited Agency, one of only three in the State of Tennessee. We operate 8 fire stations, housing fire suppression, hazardous materials, rescue and other emergency equipment. Staffed by 106 full-time professional firefighters, 24 hours a day, 365 days a year to provide service. The City of Kingsport maintains a Class 3 insurance rating saving its residents the most possible on their insurance rates. Our response time average is approximately 4 minutes, 35 seconds after we receive the call from our dispatch center.
- C. Free fire safety inspections will be available upon request on the effective date of annexation. Water lines will be upgraded within five (5) years after the effective date of annexation to provide needed fire flow to protect the properties.
- D. All structures must be brought into compliance with the City-wide smoke detector ordinance within thirty (30) days of the effective date of annexation. This is strictly to provide residents with the best fire protection service available.
- E. The City of Kingsport Fire Department has a Hazardous Materials Response Team, which has state-of-the-art equipment to handle all calls of an emergency nature dealing with incidents relating to hazardous chemicals. The department also has a Technical Rescue Team that has specialized rescue capabilities and equipment for all types of hazards.

- F. The City of Kingsport Fire Department provides First Responder emergency medical services to all life-threatening medical emergencies resulting from serious illness or injury. We provide advanced life support (paramedics) for victims until ambulance service arrives for transport.

### 3. Water

- A. Water will be billed at in City rates rather than out of City rates, which will result in a reduction in water rates for annexed citizens already receiving City water. Those not currently receiving City water will be required to obtain a water-tap in order to obtain City water.
- B. The City of Kingsport Water Department operates and maintains a 28 MGD water filtration plant, 22 water storage tanks, 15 water booster station and over 750 miles of waterlines. The water treatment plant is staffed by state certified operators 24 hours a day, 365 days a year to provide safe drinking water to our customers.
- C. The City of Kingsport Water Department meets or exceeds water quality standards set forth by the State of Tennessee and the United States Environmental Protection Agency. The plant was the recipient of the 2005 Julian Fleming Award for Outstanding Water Treatment Plants.
- D. The Kingsport Water Treatment Plant has a capacity of 28 MGD and an average daily demand of 15 MGD leaving a surplus capacity of approximately 18 MGD for increased demand.
- E. The Water Distribution Division is managed with a professional staff who are members of key professional organizations such as: American Water Works Association, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a distribution system in the State of Tennessee.

### 4. Electricity

Electric service in this area is currently under the jurisdiction of AEP and is currently available.

### 5. Sanitary Sewer

- A. City of Kingsport sanitary sewer will be installed and extended to the property within five (5) years after the effective date of annexation. Citizens in the annexed territory will be responsible and required to obtain a sewer-tap from the City of Kingsport before connection to the sanitary sewer system.
- B. Sanitary sewer fees are based on usage of water and are direct reflection of the amount of water used by the resident.
- C. The City of Kingsport operates and maintains a 12.4 MGD wastewater treatment plant, 88 sewer lift stations and approximately 525 miles of sanitary sewer collection lines in to provide sewer service to our customers.

- D. The City of Kingsport Wastewater Treatment Plant recently experienced over 21 million dollars of improvements to provide a reliable and dependable infrastructure.
- E. The wastewater treatment plant is staffed with State Certified Operators 24 hours a day, 365 days a year. Treatment plant operators exceed State of Tennessee training requirements.
- F. The Sewer Collection Division is managed with a professional staff who are members of key professional organizations such as: Water Environment Federation, Tennessee Association of Utility Districts, National Society of Professional Engineers, American Society of Civil Engineers. Several key members of the staff also hold certificates and licenses in the operations of a collection system in the State of Tennessee.

## **6. Solid Waste Disposal**

Sanitation garbage (routine household refuse), trash (grass clippings, tree trimmings, bulky items), and recycling collection will be provided to the annexed area on the same basis as that received by properties located within the existing City Limits. Collection will begin within thirty (30) days following the effective date of annexation. Members of the collection crews receive ongoing training in their fields. The City of Kingsport also owns and operates a demolition landfill that residents can use for a fee. That landfill is supervised by a SWANA certified Manager of Landfill Operations. This supervisor also holds other certifications from SWANA and TDEC.

## **7. Public Road/Street Construction & Repair**

- A. Emergency and routine maintenance of streets and street signs, pavement markings and other traffic control devices will begin on the operative date of annexation. Emergency pothole repairs are generally made within 24 hours of notification. Crews are available on a 24 hour basis for major emergency call-outs.
- B. Cleaning of streets of snow and ice clearing will begin on the operative date of annexation on the same basis as now provided within the present City limits. This includes major thoroughfares, State highways and emergency route to hospitals as first priority, with secondary/collector streets and finally residential streets in that order as priority II. Snow removal crews receive yearly training to help keep them up to date with changes in procedures and techniques. Snow removal crews also respond on a 24 hour emergency call in basis.
- C. Streets affected by utility construction will be repaired as soon as possible after the utility construction is completed.
- D. Routine Right of Way maintenance is also provided on the effective date of annexation. These crews include a certified Arborist, certified Pesticide Applicators, and other trained personnel to respond to emergencies and routine maintenance requests.
- E. The Streets and Sanitation Division is managed and supervised by a professional staff who are members in good standing of several Professional Organizations such

as the Tennessee Chapter of the American Public Works Association, the national chapter of the American Public Works Association, the Volunteer Chapter of the Solid Waste Association of North America, the national chapter of the Solid Waste Association of North America, the Tennessee Urban Forestry Council, the Tennessee Nursery and Landscape Association, National Arbor Day Association, Tennessee Vegetation Management Association, and the Keep Kingsport Beautiful Council. The staff receives ongoing training through these Professional Organizations. Members of the staff are active in their respective organizations. Members of the staff also serve as trainers and instructors for various training venues.

## 8. Recreational Facilities

- A. Residents of the annexed area may use existing City recreational facilities, programs, parks, etc. on the effective date of annexation at City rates rather than out of City rates.
- B. Residents of the annexed area may use all existing library facilities and will be exempt from the non-residential fee on the effective date of annexation.
- C. Residents of the annexed area (50 years or older) will be eligible to use the Senior Citizens Center with no non-residential fees and with transportation provided on the effective date of annexation.
- D. The Department of Parks and Recreation has more than 4,800 acres of city-owned land to provide parks and recreation programs to all our citizens. The amenities and programs offered by many of the parks and recreation areas through the Leisure Services Department include playing fields for baseball and softball, basketball courts, play grounds, volley ball, tennis courts, a skate park and concession areas and restrooms to serve these facilities. Other amenities offered include General meeting areas, multi-function areas, Community Centers, senior programs, Theater and Cultural Arts programs. Many of the parks have walking and hiking trails and Bays Mountain, the City's largest park, includes animal habitats, a farm area, camping sites, and a Planetarium.

## 9. Street Lighting

Within five years of the operative date of annexation the City will take over responsibility (including payment) for dusk-to-dawn lights presently in place that meet City standards. The City will request that AEP install additional streetlights on collector-class and lower streets in accordance with the policy on roadway lighting within five (5) years of the effective date of annexation. Lighting on minor and major arterials will be installed per prevailing City policy.

## 10. Zoning Services

- A. The area will be zoned R-1B (Residential District) and A-1 (Agricultural District).
- B. The Kingsport Regional Planning Commission is the comprehensive planning agency and administers zoning and land subdivision regulations for the City of

Kingsport as provided in State law. The Kingsport Regional Planning Commission consists of nine (9) commissioners appointed by the Mayor of the City of Kingsport.

- C. The Kingsport Regional Planning Commission will exercise planning and zoning activities for the area being annexed upon the operative date of annexation.
- D. Appeals to the Zoning regulations are heard by the Board of Zoning Appeals and variances are granted if the request meets the criteria established for granting variances under Tennessee Code Annotated.

## 11. Schools

- A. Upon annexation, children currently attending County schools will be allowed to attend City of Kingsport schools or remain in County schools per the prevailing County policy at the time.
- B. Tuition paid by non-city residents now attending City schools will cease upon the effective date of annexation and those students may continue to attend City schools without charge until graduation.
- C. Children at all grade levels may attend City schools tuition-free. Transportation will be provided for students, whose homes are more than 1.5 miles from their designated school, beginning with the school year following annexation.

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The previous sections are titled and listed in the order prescribed by Tennessee Code Annotated 6-51-102(b) (2). The following sections are provided by the City of Kingsport in addition to the minimum requirements.

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## 12. Traffic Control

The City will verify all street name signs and traffic control devices in accordance with the Manual on Uniform Traffic Control Devices.

## 13. Inspection Services

All inspection services now provided by the City on a fee basis (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin in the annexed area on the effective date of annexation. A free safety inspection of plumbing vents will be required at the time sewer connections are made to make sure that proper protection is available to prevent sewer gas from entering houses.

## 14. Animal Control

Animal control service equivalent to that presently provided within the City will be extended to the annexed area on the effective date of annexation.

**15. Storm Sewers**

The installation of any needed storm sewers will be accomplished in accordance with existing standards and engineering principles provided for by present City policies. Maintenance of existing storm sewer and drainage systems is also provided on an as needed basis. Response to emergency storm drainage calls is also provided on a 24 hour call in basis.

**16. Leaf Removal**

The City will collect loose leaves with the vacuum truck between October 15 and January 15, and it will be provided to the annexation area on the same basis as it is currently provided to other City residents beginning on the effective date of annexation. Bagged leaves are collected year round. Leaves are transported to the City's Demolition Landfill where they are composted and used as an amendment to existing dirt stockpiles. This enhanced dirt is then used on City Projects for backfill and topsoil applications.

**17. Litter Control**

The City's litter control program will be extended to the area on the effective date of annexation. It is provided on a regular schedule along major routes and on an "as needed" basis throughout the City.

**18. Graffiti Control**

The City's graffiti control program, which is aimed at eliminating graffiti on public rights-of-way such as bridge abutments, street signs, railroad underpasses, and the like, will be extended to the area on the effective date of annexation. It is provided on an "as needed/on call" basis. Response time for "offensive" graffiti removal is generally within 48 hours.

**19. Other Services**

All other services not classified under the foregoing headings such as Executive, Judicial, Legal, Personnel, Risk Management, Fleet Maintenance, Finance and Administration and other support services will be available upon the effective date of annexation.

SECTION II. This Resolution shall be effective from and after its adoption, the public welfare requiring it.

ADOPTED this the 4<sup>th</sup> day of December 2012.

ATTEST:

\_\_\_\_\_  
DENNIS R. PHILLIPS, Mayor

\_\_\_\_\_  
JAMES H. DEMMING

City of Kingsport, Tennessee, Resolution No. ,  
Ref: AF:

City Recorder

APPROVED AS TO FORM:

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J. MICHAEL BILLINGSLEY, City Attorney

## Abstract

<b>Property Information</b>	City initiated rezoning of TA districts along Union Street		
<b>Address</b>			
<b>Tax Map, Group, Parcel</b>	TM- 45D, G- K, P- 1.15		
<b>Civil District</b>	12		
<b>Overlay District</b>	None		
<b>Land Use Designation</b>	Commercial and TA (Tourist Accommodation)		
<b>Acres</b>	1.88 total acres		
<b>Existing Use</b>	Driveway for apartments	<b>Existing Zoning</b>	Split zoning - R-3 and TA
<b>Proposed Use</b>	None	<b>Proposed Zoning</b>	R-3, Multi Family Residential
<b>Owner /Applicant Information</b>			
<b>Name:</b> Mark and Elizabeth Dishman <b>Address:</b> 1701 Island Road <b>City:</b> Blountville <b>State:</b> Tennessee <b>Zip Code:</b> 37617 <b>Email:</b> <b>Phone Number:</b>		<b>Intent:</b> <i>To rezone from TA to R-3 because the parcel is split zoned and cannot meet the new TA development regulations.</i>	
<b>Planning Department Recommendation</b>			
<p><b>Approve recommendation to the BMA to rezone part of parcel 1.15 to R-3, Multi Family Residential District</b></p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> <li>• <i>Parcel is split zoned</i></li> <li>• <i>The parcel cannot meet the new TA development regulations as it exists.</i></li> </ul> <p><b>Staff Field Notes and General Comments:</b></p> <ul style="list-style-type: none"> <li>• <i>The area in question has steep topography and is vacant with thick undergrowth and woods.</i></li> </ul> <p><b>Utilities</b></p> <ul style="list-style-type: none"> <li>• Utilities are provided to the site.</li> </ul>			
<b>Planner:</b>	KC/ FK	<b>Date:</b>	10/11/12
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>11/15/12</b>
<b>Approval:</b>			
<b>Denial:</b>		<b>Reason for Denial:</b>	
<b>Deferred:</b>		<b>Reason for Deferral:</b>	

**PROPERTY INFORMATION    City initiated rezoning of TA districts along Union Street**

**ADDRESS- Not listed**

**DISTRICT, LAND LOT - Tax Map- 45D, Group- K, Parcel- 1.15**

**OVERLAY DISTRICT – None**

**EXISTING ZONING – Split R-3, Multi Family Residential and TA, Tourist Accommodation**

**PROPOSED ZONING – R-3, Multi Family Residential**

**ACRES- Total parcel 1.88**

**EXISTING USE – Access for adjoining apartments**

**PROPOSED USE - Same**

**PETITIONER – City of Kingsport**

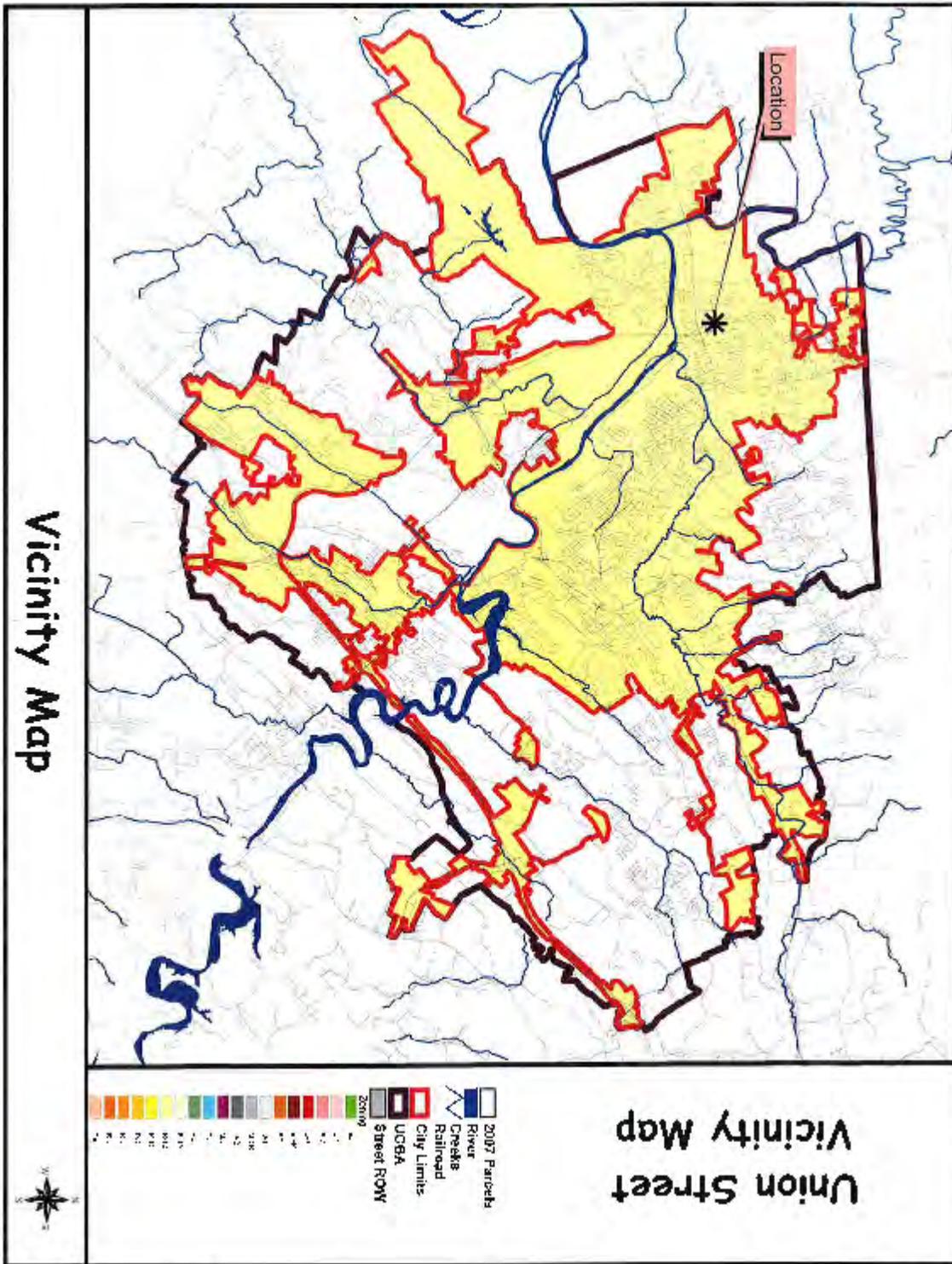
**ADDRESS – 225 W. Center Street**

**REPRESENTATIVE – Karen Combs and Forrest Koder**

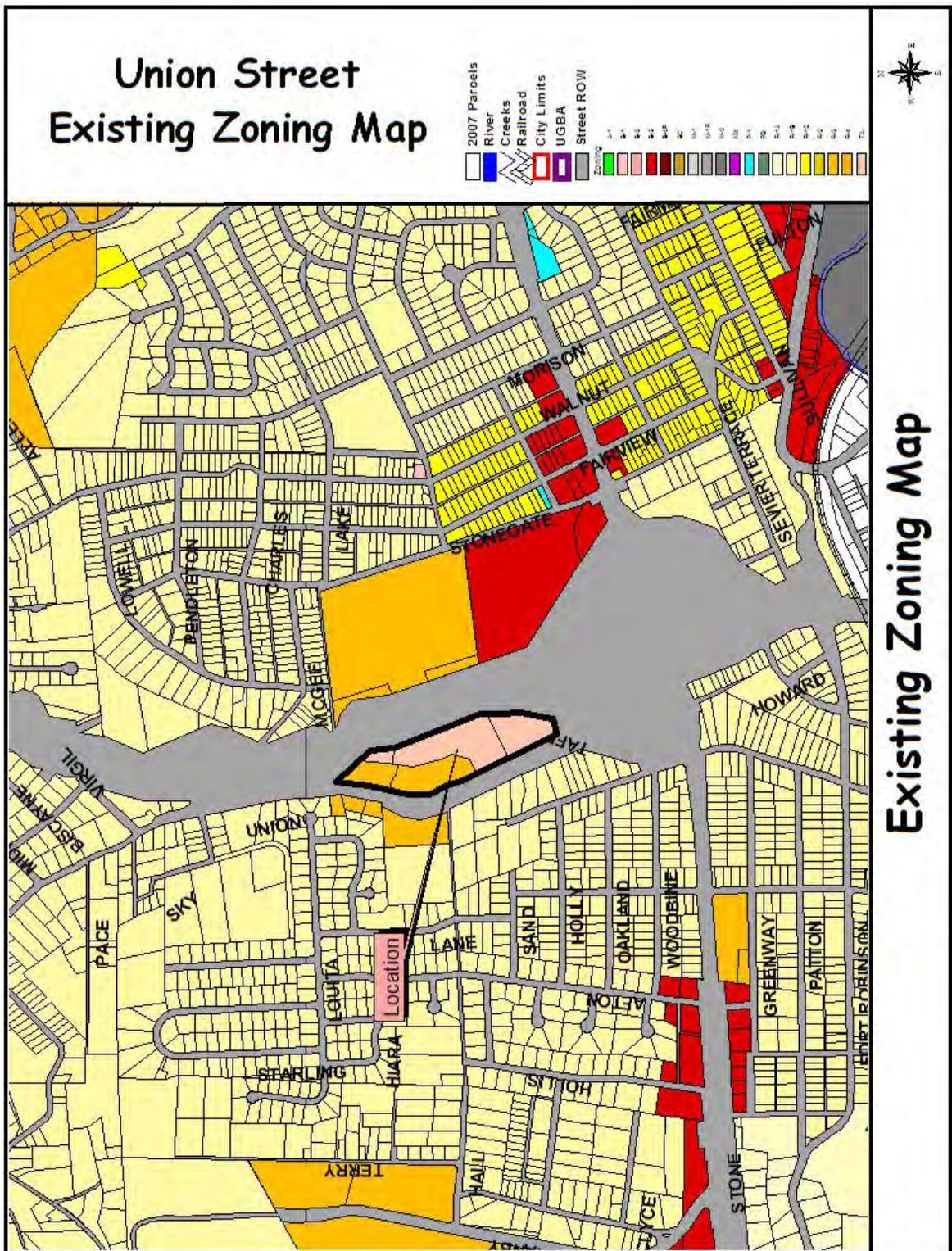
**PHONE 423-224-2482**

**INTENT**

*To rezone part of the parcel from TA, Tourist Accommodation to R-3, Multi Family Residential because the parcel no longer conforms to the TA, Tourist Accommodation District Regulations.*

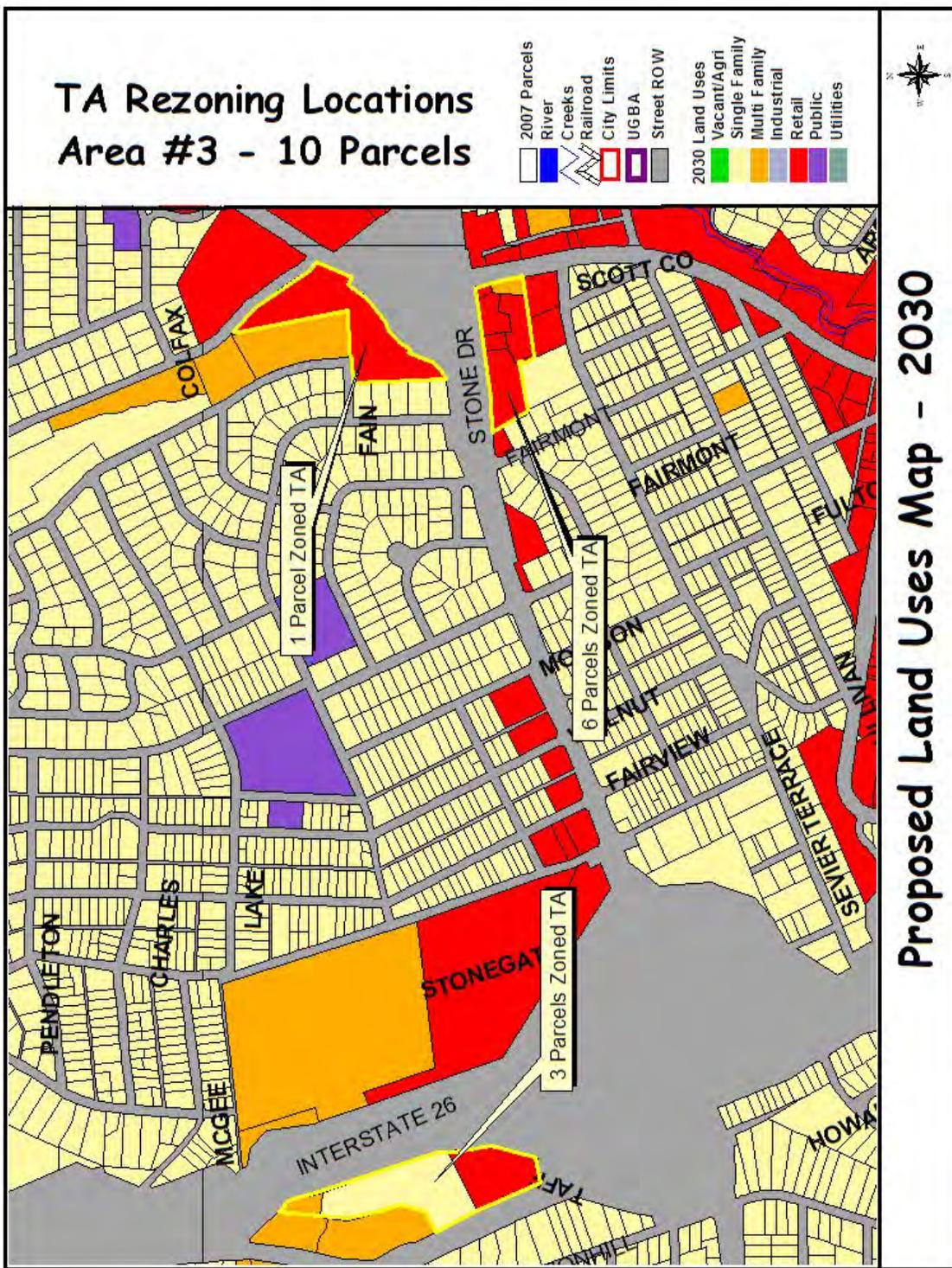


LOCATION MAP



CURRENT ZONING MAP

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012



FUTURE LAND USE PLAN MAP

**Pictures of site and surrounding area**



**North**



**South- the apartments**



East - at top of hill interstate interchange



West across Union Street

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	Zone – R-1B, Single Family Res Use - Vacant	
East	2	Zone – R-3, Multi Family Res Use – Interstate 26	
South	3	Zone – R-3 and TA Use – R-3, Apartments; TA - vacant	
West	4	Zone – R-1B, Single Family Use – Single Family Residence	
Southwest	5	Zone – R-3, Multi Family Res Use - Vacant	
Further Northwest		Zone – R-1B, Single Family Res Use – Single Family Residence	
Further East		Zone – R-3 Multi Family Res Use – Model City Apartments	
Further West		Zone – R-1B, Single Family Use – Single Family Residence	

### EXISTING USES AND LOCATION



**SUBJECT SITE:**

This site is split zoned with R-3, Multi Family Residential District. The property in question is part of a lot that is currently used as a Driveway for apartments located on the adjoining lot. Planning does not see how this lot could be developed under the current TA zoning regulations. *Under the Intent of the zoning designation* – This district is intended to provide the traveling public and regional residents an area for large scale shopping centers of 350,000 square feet or more in one or more buildings on 40 or more acres of land. Water is provided to the parcel but sewer is not.

**DESCRIPTION OF PROPERTY FEATURES**

The topography is steeply wooded and crests to a small level cleared section adjoining the interstate right of way. It seems this property is used to buffer the apartments from the interstate traffic.

**Standards of Review**

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 11, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** Yes, this property is part of a split zoned parcel that is currently developed with a multi-family use.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** No – Adjoining properties are developed or are interstate.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** No – It is not of the right size, topography or has reasonable individual access to be developed in any manner other than it is currently being used.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** No
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

**Future Land Use Plan Map:** Yes

**Proposed use/density:** Yes

The Future Land Use Plan Map recommends Multi-Family for the subject site.

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The existing parcel does not meet the TA zoning regulations in the it is not 40 acres in size and does not contain a shopping complex that would be considered a “destination place”.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** No
8. **Whether the change will create an isolated district unrelated to similar districts; i.e. is this spot zoning?** No – It actually adjoins and extends the existing R-3 district.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** Yes
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** No
11. **Whether it is impossible to find adequate sites for the proposed use in districts permitting such use?** N/A

## CONCLUSION

Staff recommends APPROVAL to rezone from TA to R-3 to in order to: bring this piece of property into compliance with current zoning regulations.

## Abstract

<b>Property Information</b>	City initiated rezoning of TA districts along Union Street		
<b>Address</b>	Unknown and 818 Jonathan Way		
<b>Tax Map, Group, Parcel</b>	TM- 45C, Group A, Parcels 1.00 and 1.05		
<b>Civil District</b>	12		
<b>Overlay District</b>	None		
<b>Land Use Designation</b>	Single Family and Commercial		
<b>Acres</b>	Approximately 7.15 total acres		
<b>Existing Use</b>	Vacant/Restaurant	<b>Existing Zoning</b>	TA, Tourist Accommodation
<b>Proposed Use</b>	None	<b>Proposed Zoning</b>	B-3, General Business District
<b>Owner /Applicant Information</b>			
<b>Name: Constance Ramey / JHL Investment Group</b> <b>Address: 20 Northern Dr/ 2124 Longreen Rd</b> <b>City: Uppersaddle River/ Kingsport</b> <b>State: NJ /Tennessee      Zip Code:07458/37660</b> <b>Email:</b> <b>Phone Number:</b>		<b>Intent: To rezone from TA to B-3 because these parcels cannot meet the new TA development regulations.</b>	
<b>Planning Department Recommendation</b>			
<p><b>Approve recommendation to the BMA to rezone parcels 1.00 and 1.05 to B-3, General Business District</b></p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> <li>• <i>The parcel cannot meet the new TA development regulations as it exists.</i></li> <li>• <i>One parcel is vacant and the other houses a restaurant/commercial use.</i></li> </ul> <p><b>Staff Field Notes and General Comments:</b></p> <ul style="list-style-type: none"> <li>• <i>The vacant lot needs the road extended and water and sewer lines in order to develop.</i></li> <li>• <i>The lot with the restaurant cannot develop any further.</i></li> </ul> <p><b>Utilities</b></p> <ul style="list-style-type: none"> <li>• <b>Utilities are provided to the site containing the restaurant.</b></li> <li>• <b>Utilities are NOT provided to the vacant lot and the road must be extended at the developer's expense.</b></li> </ul>			
<b>Planner:</b>	KC/ FK	<b>Date:</b>	10/11/12
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>11/15/12</b>
<b>Approval:</b>			
<b>Denial:</b>		<b>Reason for Denial:</b>	
<b>Deferred:</b>		<b>Reason for Deferral:</b>	

**PROPERTY INFORMATION**

**ADDRESS- Unknown and 818 Jonathan Way**

**DISTRICT, LAND LOT - Tax Map- 45C, Group- A, Parcels- 1.00 and 1.05**

**OVERLAY DISTRICT – None**

**EXISTING ZONING –TA, Tourist Accommodation**

**PROPOSED ZONING – B-3, General Business District**

**ACRES- Vacant parcel approximately 4.7; Restaurant lot – approximately 2.45**

**EXISTING USE – Vacant and Restaurant**

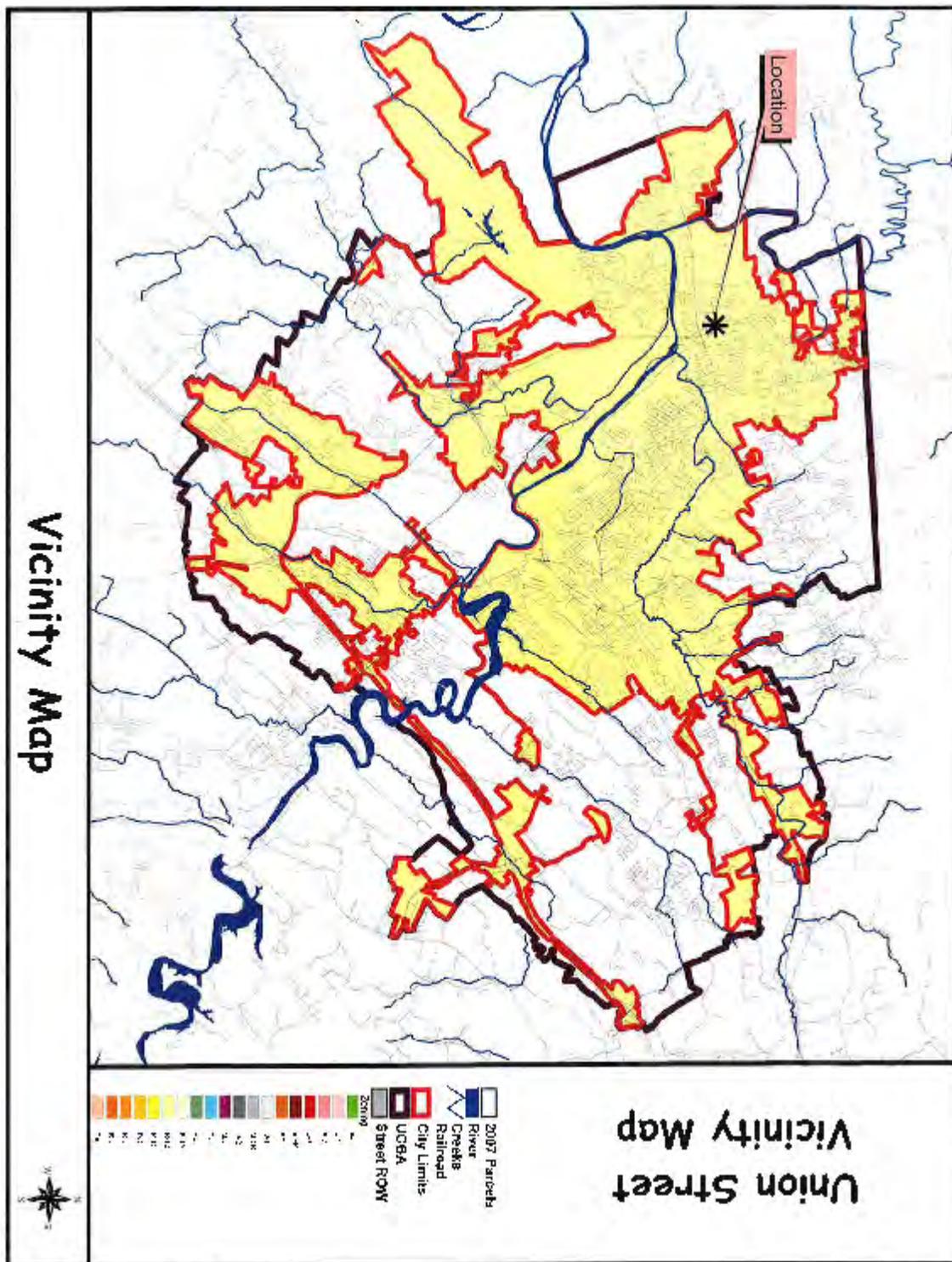
**PROPOSED USE - Same**

**PETITIONER – City of Kingsport  
ADDRESS – 225 W. Center Street**

**REPRESENTATIVE – Karen Combs and Forrest Koder  
PHONE 423-224-2482**

**INTENT**

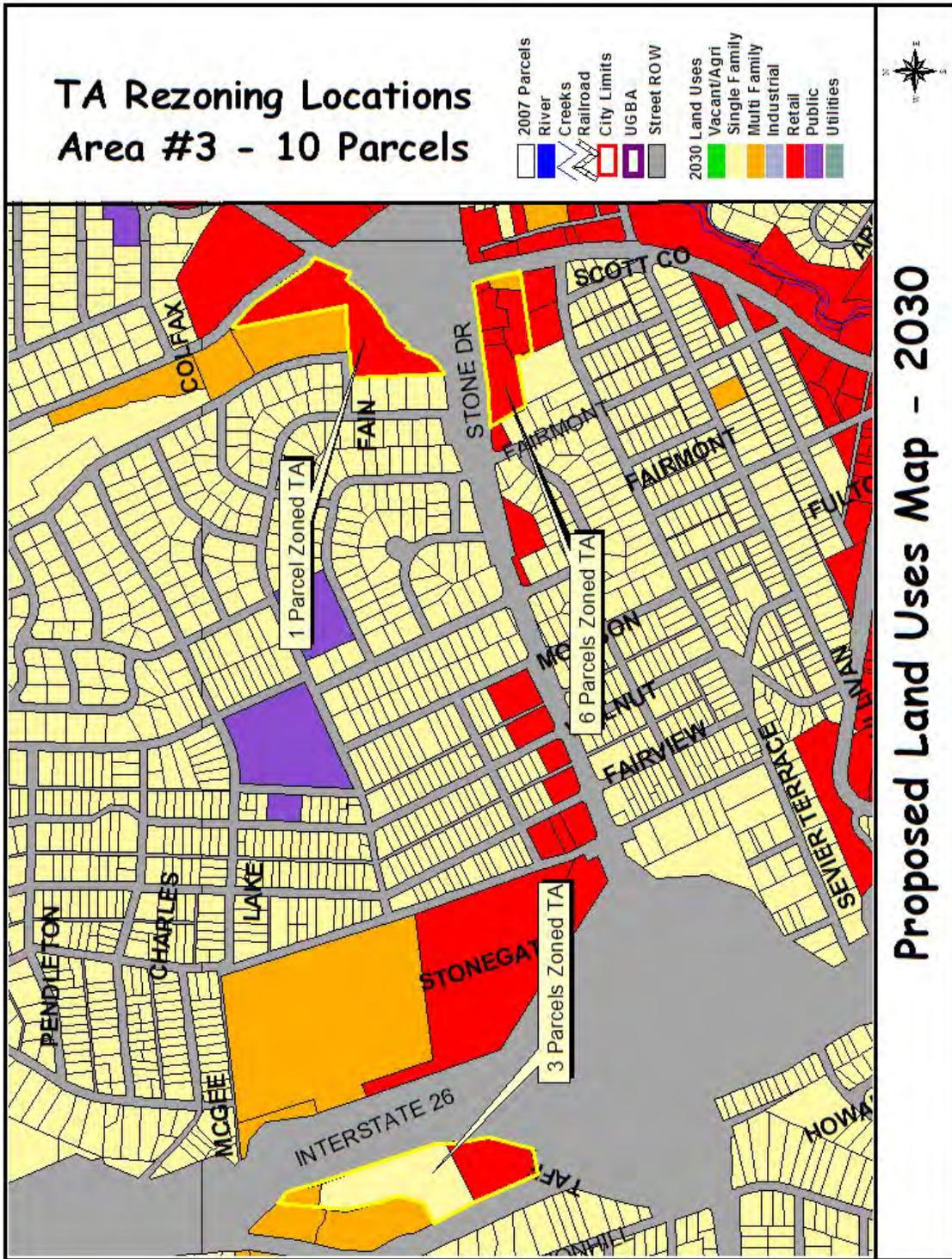
*To rezone all of the parcels from TA, Tourist Accommodation to B-3, General Business District because the parcels no longer conform to the TA, Tourist Accommodation District Regulations.*



LOCATION MAP

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012





FUTURE LAND USE PLAN MAP

**Pictures of site and surrounding area**



**North**



**South- restaurant on right**



East



West

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	<b>1</b>	Zone – R-3 and TA Use – R-3, Apartments; TA - vacant	
East	<b>2</b>	Zone – R-3 and TA Use – R-3, Apartments; TA - vacant	
South	<b>3</b>	Zone – R-1B, Single Family Res Use – Single Family Residence	
West	<b>4</b>	Zone – R-1B, Single Family Use – Interstate	
Southwest		Zone – B-3, General Business District Use - Vacant	
Further Northwest		Zone- R-3 Multi family Use - Apartments across interstate	
Further East		Zone – R-3 Multi Family Res Use –Apartments	
Further West		Zone – R-1B, Single Family Use – Single Family Residence	

### EXISTING USES AND LOCATION



### EXISTING USES LOCATION MAP

Prepared by Kingsport Planning Department for the  
Kingsport Regional Planning Commission Meeting on November 15, 2012

**SUBJECT SITE:**

*This site is zoned TA, Tourist Accommodation. Planning does not see these lots developing under the current TA zoning regulations. The TA-C district is intended to provide the traveling public and regional residents an area for large scale shopping centers of 350,000 square feet or more in one or more buildings on 40 or more acres of land. Water and sewer are provided to the lot containing the restaurant but is not provided to the vacant parcel. A road will have to be constructed to serve the vacant lot.*

**DESCRIPTION OF PROPERTY FEATURES**

*The topography is relatively flat at the sites. However these parcels are on top of a steep hill and providing water and sewer may be an issue for a larger development.*

**Standards of Review**

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 11, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** Yes, one parcel already contains a use that is appropriate to B-3.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** No
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** Yes, But as the property exists, further commercial development and/or redevelopment is more limited under the existing zoning district.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** No
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

**Future Land Use Plan Map:** Yes

**Proposed use/density:** Yes

The Future Land Use Plan Map recommends Single Family and Commercial for the subject site.

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The existing parcels do not meet the new TA zoning regulations, in size requirements or intent of a Tourist Accommodation zoning.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** No
8. **Whether the change will create an isolated district unrelated to similar districts; i.e. is this spot zoning?** No, adjoining properties are currently being used/zoning as B-3 properties.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** Yes
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** No
11. **Whether it is impossible to find adequate sites for the proposed use in districts permitting such use?** N/A

#### CONCLUSION

Staff recommends APPROVAL to rezone from TA to B-3 to in order to bring these properties into compliance with current zoning regulations.

## Abstract

<b>Property Information</b>	City initiated rezoning of TA districts at W. Stone Dr/Lynn Garden Intersection		
<b>Address</b>	700 Lynn Garden Dr; 3 lots at 1017 W.Stone Dr; 1009 W.Stone Dr; 2 lots at 608 Lynn Garden Dr		
<b>Tax Map, Group, Parcel</b>	TM- 45D, Group D, Parcels 3.50, 3.10, 4.00, 7.00, 4.01, 5.00,6.00		
<b>Civil District</b>	11		
<b>Overlay District</b>	None		
<b>Land Use Designation</b>	Commercial		
<b>Acres</b>	7 lots total		
<b>Existing Use</b>	Commercial	<b>Existing Zoning</b>	TA, Tourist Accommodation
<b>Proposed Use</b>	Same	<b>Proposed Zoning</b>	B-3, General Business District
<b>Owner /Applicant Information</b>			
<b>Name:</b> Various attached to report <b>Address:</b> <b>City:</b> <b>State:</b> <b>Zip Code:</b> <b>Email:</b> <b>Phone Number:</b>		<b>Intent:</b> <i>To rezone from TA to B-3 because the parcels cannot meet the new TA development regulations.</i>	
<b>Planning Department Recommendation</b>			
<p><b>Approve recommendation to the BMA to rezone parcels 3.50, 3.10, 4.00, 7.00, 4.01, 5.00 and 6.00 to B-3, General Business District</b></p> <p>The Kingsport Planning Division recommends approval for the following reason:</p> <ul style="list-style-type: none"> <li>• <i>The parcels cannot meet the new TA development regulations as it exists.</i></li> </ul> <p><b>Staff Field Notes and General Comments:</b></p> <ul style="list-style-type: none"> <li>• <i>A small vacant lot is located next to 608 Lynn Garden</i></li> <li>• <i>The rest of the lots already have commercial businesses on them.</i></li> </ul> <p><b>Utilities</b></p> <ul style="list-style-type: none"> <li>• <b>Utilities are provided to the all sites.</b></li> </ul>			
<b>Planner:</b>	KC/ FK	<b>Date:</b>	10/23/12
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>11/15/12</b>
<b>Approval:</b>			
<b>Denial:</b>		<b>Reason for Denial:</b>	
<b>Deferred:</b>		<b>Reason for Deferral:</b>	

**PROPERTY INFORMATION**

**ADDRESS- various – 7 lots**

**DISTRICT, LAND LOT - Tax Map- 45D, Group- D, Parcels- 3.50, 3.10, 4.00, 7.00, 4.01, 5.00,600**

**OVERLAY DISTRICT – None**

**EXISTING ZONING –TA, Tourist Accommodation**

**PROPOSED ZONING – B-3, General Business District**

**ACRES- Total – broken down into 6 lots – Lot 1 – 3.35 acres; Lot 2 - 1.63 acres; Lot3 - 0.254 acres; Lot 4 - 1.02 acres; Lot 5 - 0.68 acres; Lot 6 - 0.12acres; Lot 7 - 0.31 acres**

**EXISTING USE – Commercial and one vacant lot**

**PROPOSED USE - Same**

**PETITIONER – City of Kingsport**

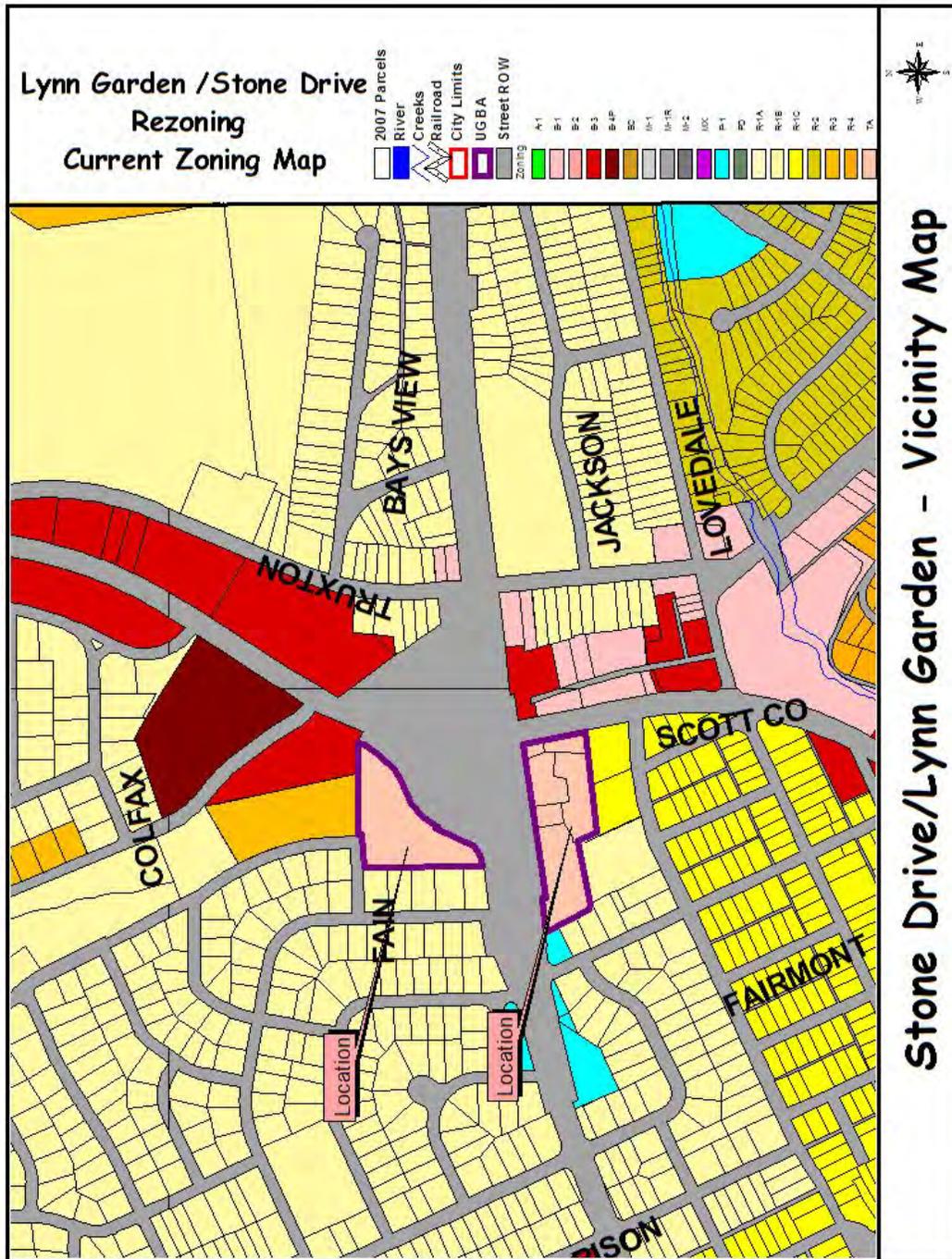
**ADDRESS – 225 W. Center Street**

**REPRESENTATIVE – Karen Combs and Forrest Koder**

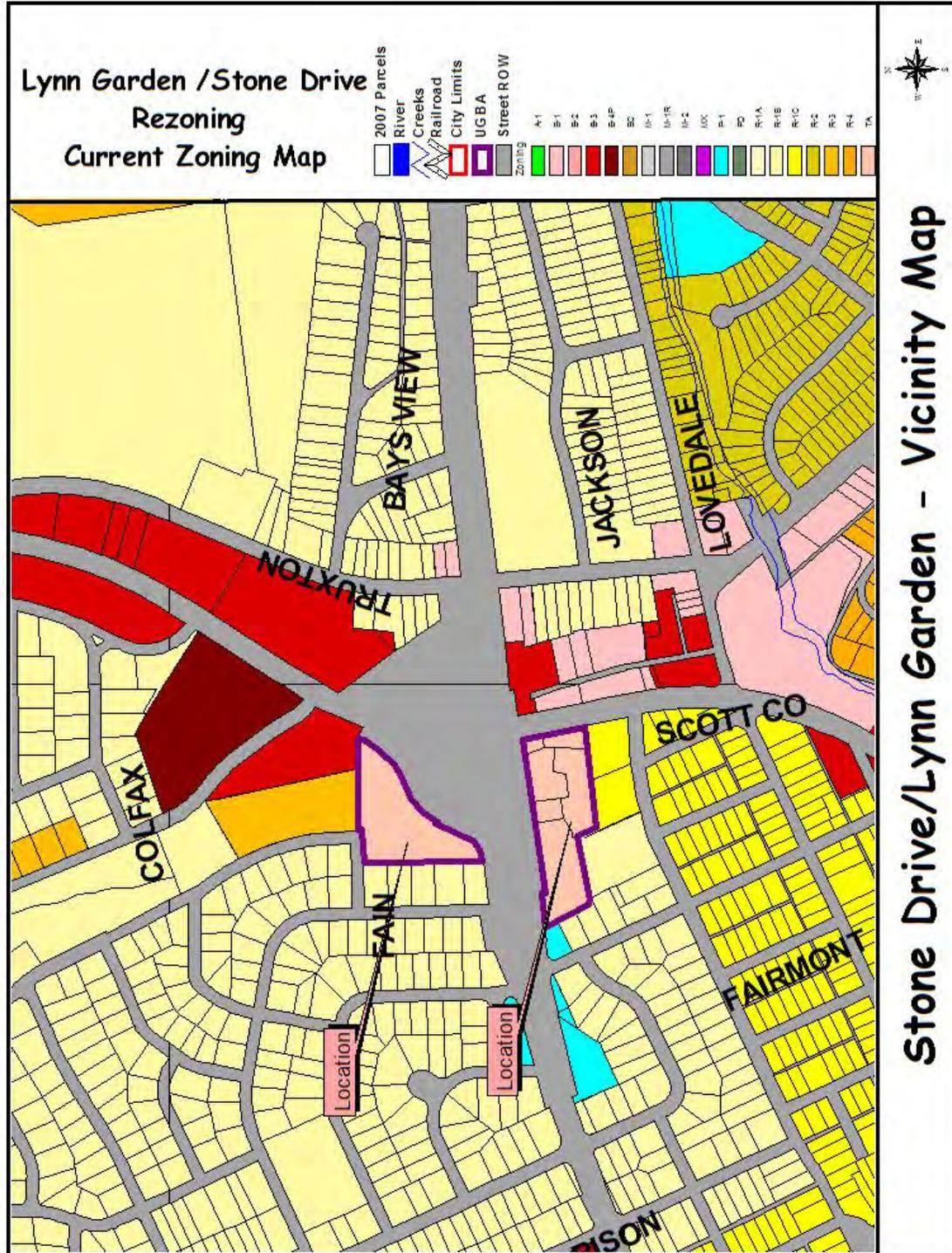
**PHONE 423-224-2482**

**INTENT**

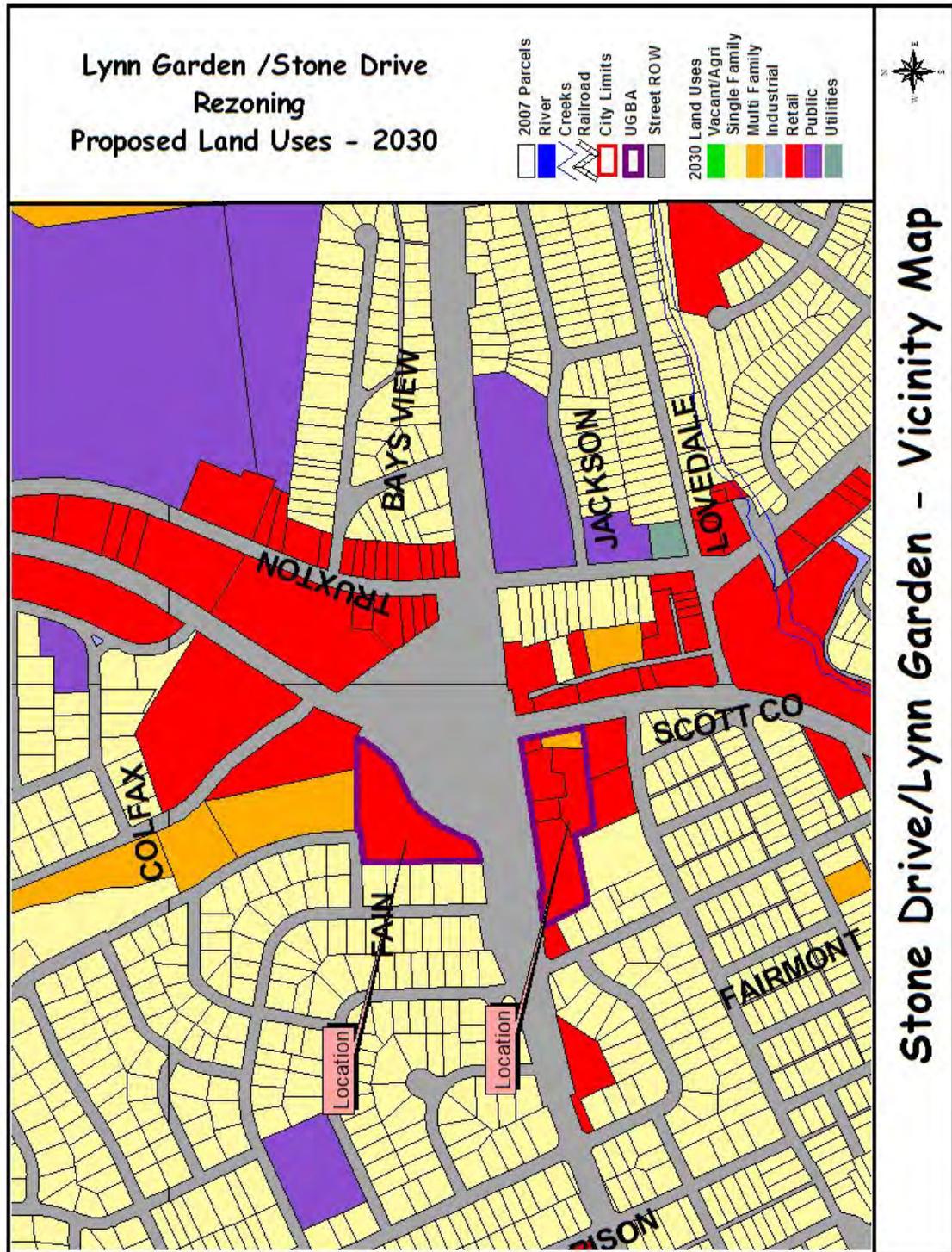
*To rezone the parcels from TA, Tourist Accommodation to B-3, General Business District because the parcels no longer conform to the TA, Tourist Accommodation District Regulations.*



LOCATION MAP



CURRENT ZONING MAP



FUTURE LAND USE PLAN MAP

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012



Pictures of site and surrounding area



North facing Stone Dr from Westside Inn



South view from Westside Inn



**East view from Westside Inn**



**West view from Westside Inn**

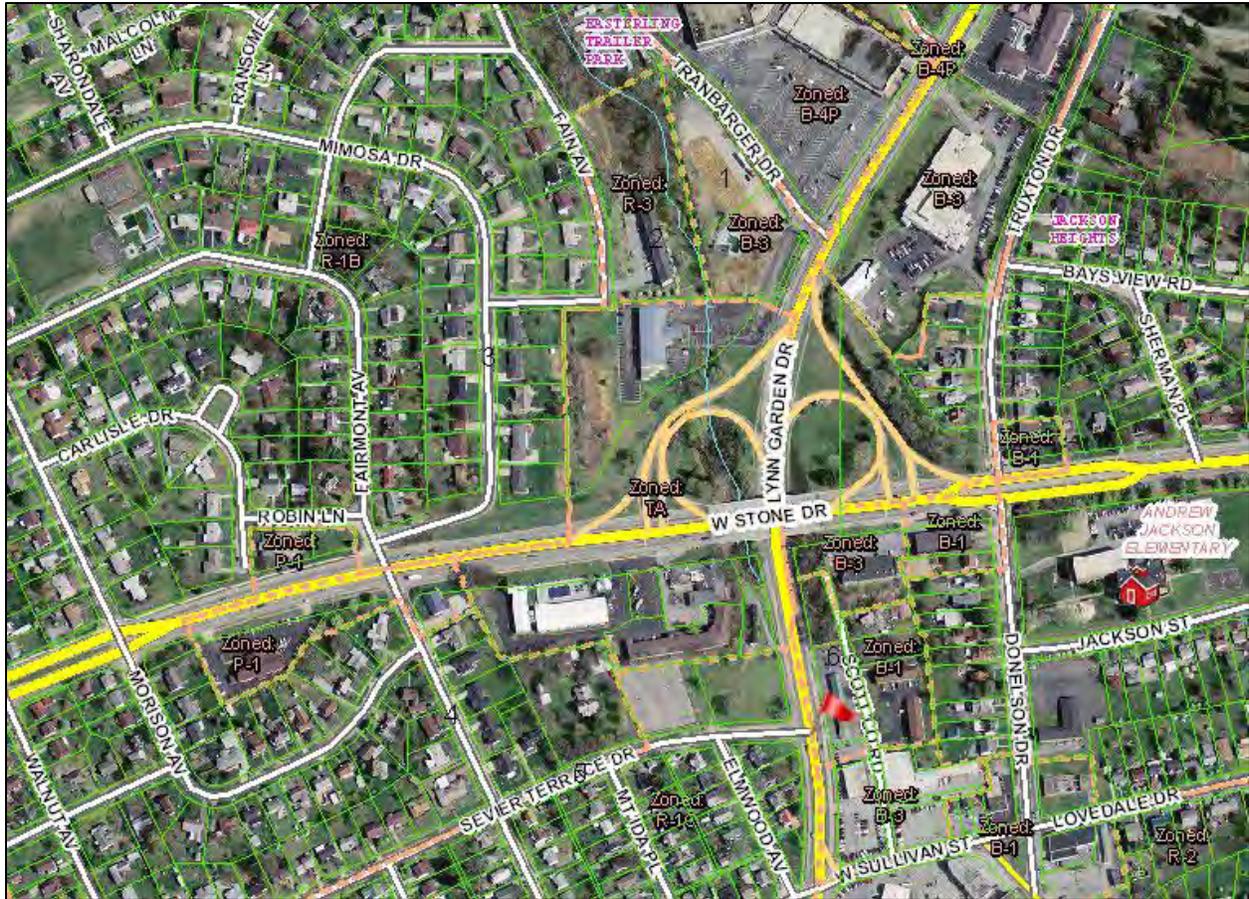


**North view from Super 8 hotel**

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	Zone – B-3 Use – Liquor Store	This area was zoned TA in 1969
East	2	Zone – R-3 Use – R-3, Apartments	Case 69-101-00008
West	3	Zone – R-1B Use – Single Family Residence	
Southwest	4	Zone – R-1C Use – Single Family Residence	
South	5	Zone – R-1C Use – Single Family Residence	
East	6	Zone- B-1 and B-3 Use - various commercial	
Northeast	7	Zone – B-3 Use –Kingsport Press	
Further East		Zone – R-1B Use – Single Family Residence	
Further North		Zone – B-4P Use – Commercial Center	
Further West		Zone – R-1B Use – Single Family Residence	
Further South		Zone – R-1C Use – Sevier Terrace	

**EXISTING USES AND LOCATION**



**EXISTING USES LOCATION MAP**

**SUBJECT SITE:**

*This site is zoned TA, Tourist Accommodation. Due to the small size of the lots, planning does not see these lots developing under the current TA zoning regulations. Water and sewer are provided to all lots. The properties, except for one, are all developed with commercial businesses.*

DESCRIPTION OF PROPERTY FEATURES

*The properties are all developed except for one small parcel.*

**Standards of Review**

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 11, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** Yes, all parcels already contain a use that is appropriate to B-3.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** No
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** Yes, however redevelopment would be limited by the current TA district requirements. This effect would be diminished under the B-3 zoning district.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** No
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

**Future Land Use Plan Map:** Yes

**Proposed use/density:** Yes

The Future Land Use Plan Map recommends Commercial for the subject site.

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** The existing parcels do not meet the TA zoning regulations. The lots are too small.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** No
8. **Whether the change will create an isolated district unrelated to similar districts; i.e. is this spot zoning?** No – B-3 is in the vicinity and fronts much of Lynn Garden Drive and Stone Drive.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** Yes
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** No
11. **Whether it is impossible to find adequate sites for the proposed use in districts permitting such use?** N/A

**CONCLUSION**

Staff recommends APPROVAL to rezone from TA to B-3 to in order to: bring these properties into compliance with zoning regulations.



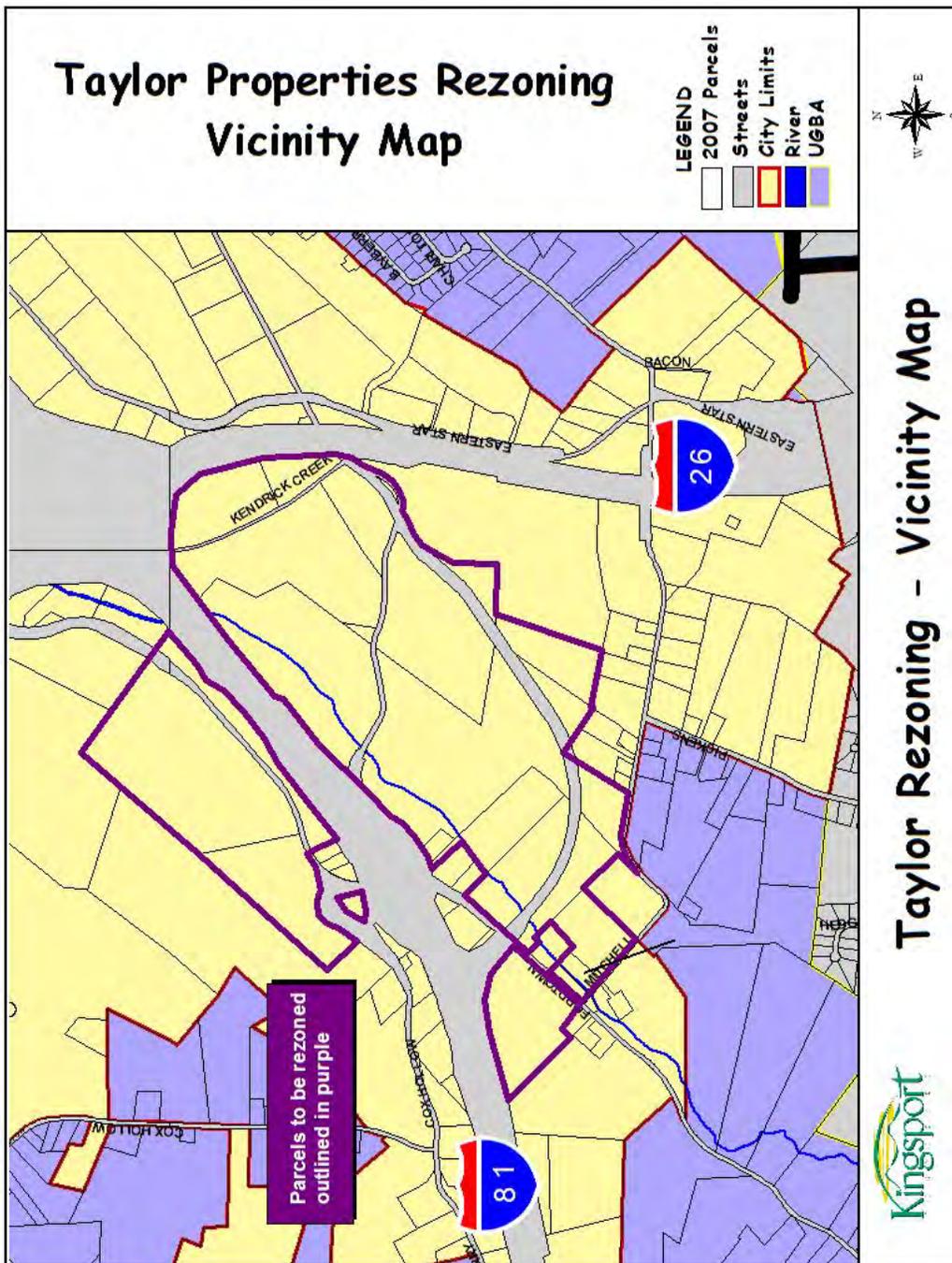
## Kingsport Regional Planning Commission

Rezoning Report

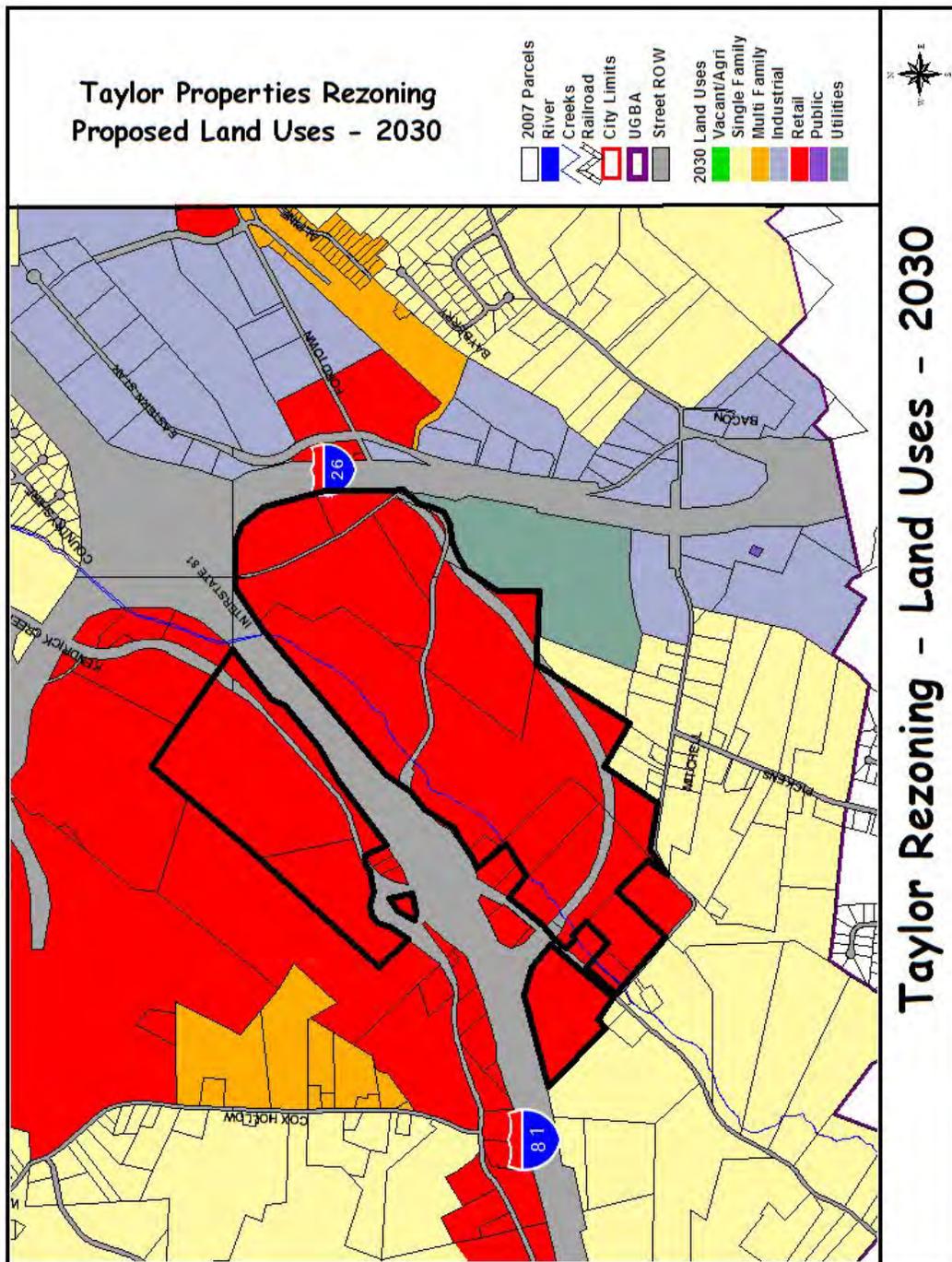
File Number 12-101-00009

**PROPERTY INFORMATION****ADDRESS** Southwest and northwest quadrant of I-81 and I-26**DISTRICT, LAND LOT** 14<sup>th</sup> Civil District**OVERLAY DISTRICT** Gateway Way**EXISTING ZONING** B-3, B-4P, R-3, M-1R and A-1**PROPOSED ZONING** TA/C**ACRES** 335.43 +/-**EXISTING USE** Vacant**PROPOSED USE** Large Scale Regional Shopping Center**PETITIONER** Stewart Taylor  
**ADDRESS** 1043 Fordtown Road**REPRESENTATIVE** Stewart Taylor**PHONE** 423-247-2406**INTENT**

*To rezone the parcels indicated from B-3, B-4P, M1-R and A-1 to TA/C in order to construct a proposed large scale regional shopping center. The property totals 335.43 acres with 76.42 acres north of I-81 and west of I-26 consisting of 2 parcels on the north side of I-81 and 259.01 acres in 12 parcels on the south side of I-81. All parcels are located in the southwest and northwest quadrant of the intersection of I-81 and I-26 and they are well suited for this zoning district based on the Kingsport Land Use Plan – 2030 as all parcels are indicated for commercial uses. The parcels meet the requirements of the zoning district and this is the highest and best use for these parcels.*



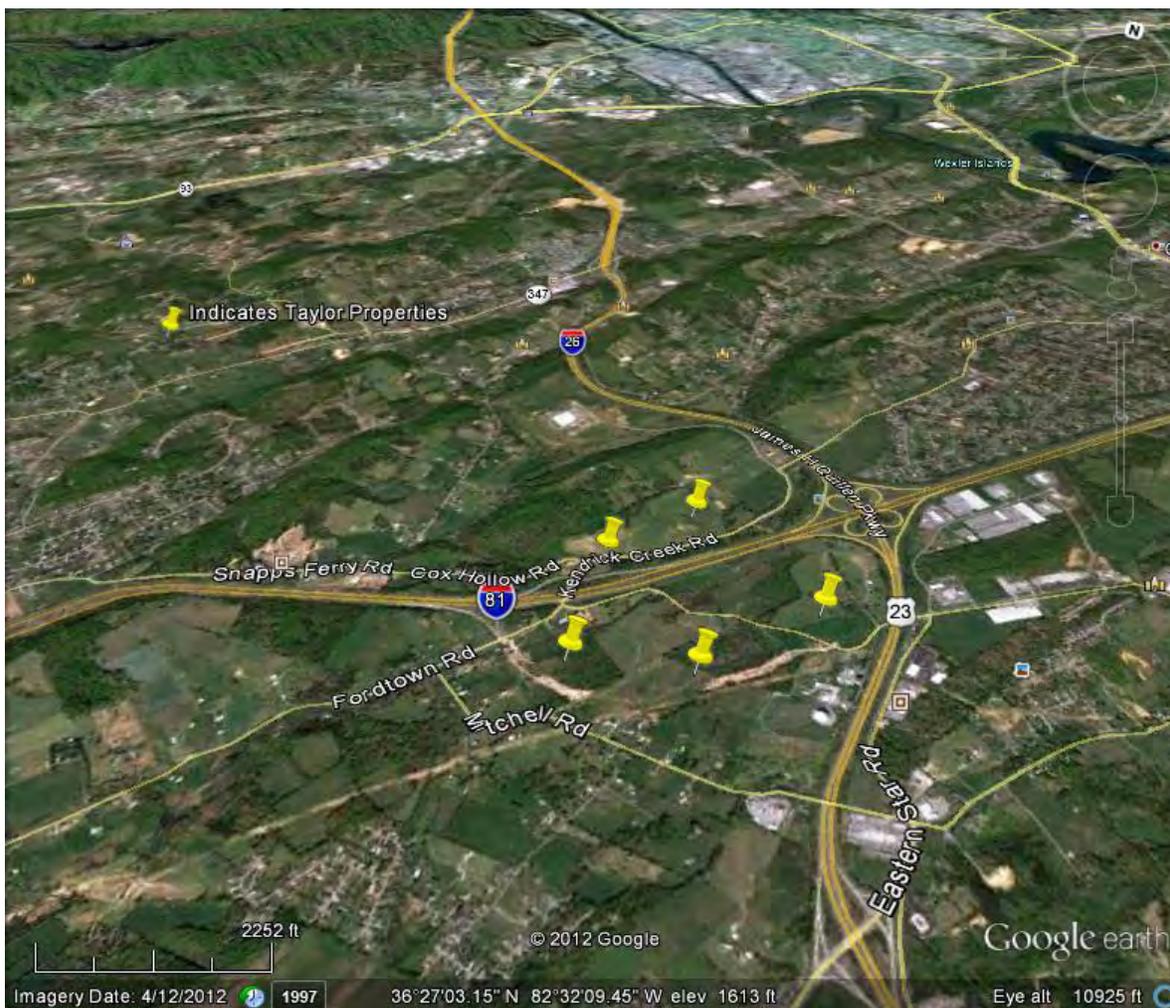




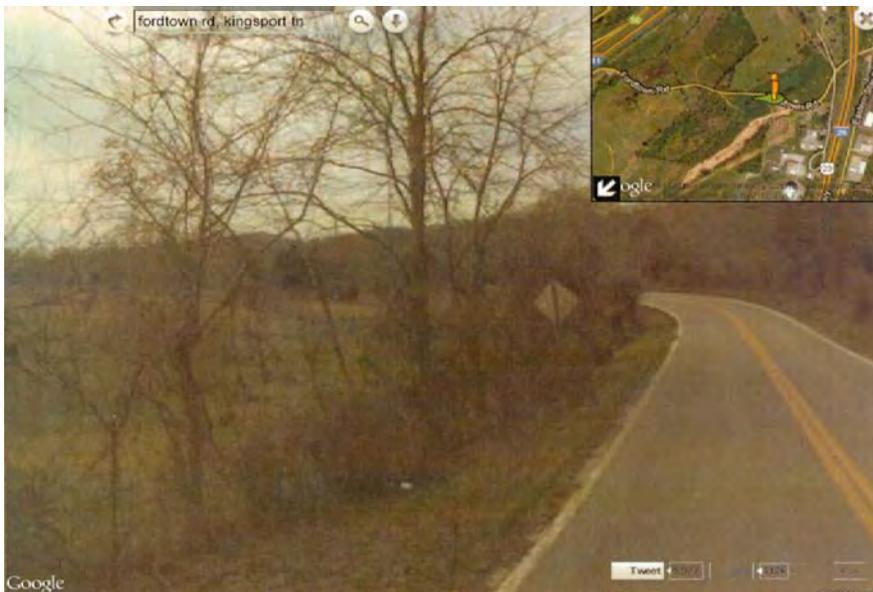


Site Plan

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on November 15, 2012



Flyover Map



**Existing Fordtown Road**

## Kingsport Regional Planning Commission

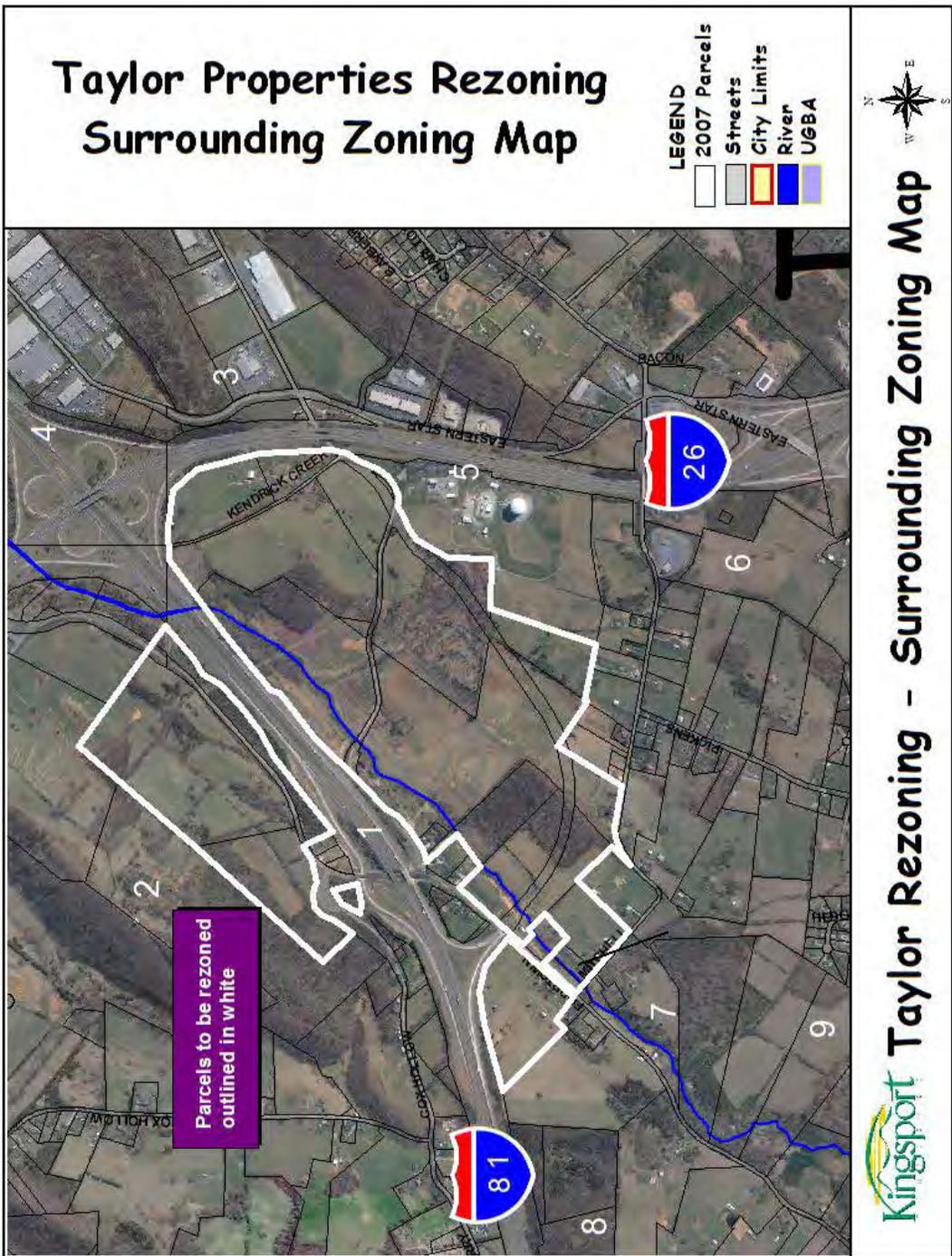
### Rezoning Report

File Number 12-101-00009

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	<b>1</b>	B-4P and Interstate 81, Few SF Vacant, Federal Interstate, few SF	
Further North and Northwest	<b>2</b>	Across I-81 is M-1R and B-4P and A-1 Land is vacant, mostly old farm land	M-1R zoned with the industrial park?
East	<b>3</b>	Adjacent to I-26 mostly B-3 zoning Retail Tire Service, rest vacant.	
Further East	<b>4</b>	County zoning, outside UGBA Residential	
Southeast and South	<b>5</b>	City zoning A-1 (our Holding Zone) Mostly small SF and vacant parcels	
Further South	<b>6</b>	Past the extents of the City's UGBA	
West	<b>7</b>	Some City A-1, mostly County past that. Small SF and mostly vacant Agri.	
Further West	<b>8</b>	Some City A-1, mostly UGBA. Small SF, mostly vacant or Agri.	
Southwest	<b>9</b>	City UGBA and outside UGBA Again mostly Agri. Or vacant.	

### EXISTING USES AND LOCATION

**The overwhelming majority of the property is currently vacant from the farmhouses that did occupy the parcels. There is open rolling vacant farm land and a few scattered single-family homes that did front on both Fordtown Road and Mitchell Road. Currently the properties are being graded for potential future development.**



## Kingsport Regional Planning Commission

## Rezoning Report

File Number 12-101-00009

**CONCEPTUAL ZDP ANALYSIS**

Based on the applicant's site plan submitted to the Planning Department on October 19, 2012, Staff offers the following considerations:

DEVELOPMENT STANDARDS – SEC. 114-201 for TA/C District

- Front yard – (setback) 30 feet
- Side yard – none required
- Side yard adjacent to a street – none required
- Rear yard- none required
- Minimum lot frontage – 50 feet
- No lot coverage requirements
- Height - There shall be a maximum height limit of 60 feet

The ZDP indicates conceptual compliance with the development standards.

Ingress-Egress

The development site on the northern side of interstate 81 will utilize the existing Kendrick Creek Road. This section is currently labeled as a future development area. The development site located on the southern side of Interstate 81 will utilize both existing and future roads that are either currently under construction or proposed for future construction. The existing road to be utilized is approximately 3,000 ft of the current Fordtown Road, to be terminated on the eastern side of the development area in the future due to the Fordtown realignment project. The future road network of the newly realigned Fordtown Road contains approximately 5,500 ft of new road. Internal, future roads (as proposed on the master plan) total approximately 4,000 ft. All proposed roads will be constructed to non-residential street standards, suitable for serving commercial needs.

Commercial Development

The total acreage showing development on the master plan is approximately 335 acres in size. The developer is proposing a mix of retail shops/ big box retail (949,808 sq ft), hotels (72,864 sq ft), restaurant (74,647 sq ft), and convenience/ gas stores (6,150 sq ft). The current total of proposed commercial square feet is 1,103,469. Final square footage will be determined once specific commercial entities come forward and go through the development process. The Planning Commission will be required to review all specific commercial development as part of the preliminary and final zoning development plan approval process. Parking, as shown on the master plan, will be a mix of shared and individual commercial entity parking. Specific amounts of parking and exact location must be approved by final zoning development plan.

**Kingsport Regional Planning Commission****Rezoning Report****File Number 12-101-00009**Signs

This master plan is indicating a yet to be approved sign ordinance that is specific to the TA/C zone. The proposal contains a system of 5 street-level signs, 2 wayfinding signs, and 2 interstate identity signs. A complete sign ordinance proposal, detailing the characteristics of each proposed sign, will be brought to the Planning Commission in the future for separate approval.

Amendments to the Plan

Should the concept plan change to the extent that it does not fully meet the requirements of this section of the code, it must be re-presented to the Planning Commission for amended approval. This also holds true for the Preliminary and Final Zoning Development Plans. Minor changes may be approved by the Planning Director, however if there is any question concerning compliance or the approved uses, the Planning Director shall refer the case back to the Planning Commission.

Current property features

The existing conditions of the site can be classified as rolling hills, with agricultural use. The site currently contains a mix of pasture and woods.

Recommendation

Staff recommends granting conceptual ZDP approval

### Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 11, below, as well as any other factors it may find relevant.

1. **Whether or not the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby Property?** Probably not so much on the south side of Interstate 81 because the majority of the parcels are in the County and very close to the limits of the UGBA. However just the opposite occurs on the north side as it is the location of the Gateway Commerce Park. Now it can be said that as development occurs on the southern side the existing fringe areas will sell off and in all probability become part of the TA/C development. A lot depends on the economy.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** Not at all....as stated above these parcels will likely be absorbed by the new development in the future.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** Probably not in the future due to the noise and increased traffic caused by the new development. It would make a good transition zone from commercial adjacent to multi-family on these parcels.
4. **Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?** Definitely not on schools....increased traffic WILL happen, at least this is the purpose of this zoning district...a destination zone. On utilities no, the water and sewer plants are not near capacity. One good aspect is the availability of two access points from two interstate interchanges to handle the increased traffic.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?** The 2030 Land Use Plan indicates this entire area as being commercial in its use.

The Future Land Use Plan Map recommends **Commercial** for the subject site.

## Kingsport Regional Planning Commission

## Rezoning Report

File Number 12-101-00009

The proposed development is consistent with the following Plan Policies if developed:

- *We should ensure adequate land is available for cluster developments to which can serve as major shopping hubs for intense commercial activities.*
- *We should through its economic development initiatives seek out those commercial ventures not currently in the corporate limits to allow a product selection available to all levels of personal income.*
- *Kingsport should when providing land use areas for commercial development ensure the integrity of residential areas when abutting residential land uses. This should also pertain to expansion of existing commercial areas when rezoned to commercial and abutting residential uses.*
- *Support Transportation Development Plans for these areas to accommodate ease of access.*

6. **Whether there are other existing or changed conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the proposal?** No.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** No not at all. The adverse and objectionable uses were specifically kept out of the new TA/C District when it was presented and approved before the Planning Commission and Board of Mayor and Alderman.
8. **Whether the change will create an isolated district unrelated to similar districts; i.e. is this spot zoning?** One could say this due to this being the only TA/C in the area, but when looking at the entire overall acreage and the purpose and intent of the proposed district, it is pretty clear this is a logical change.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** All the property Mr. Stewart owns are being proposed with one exception on the north side of I-81 that would not meet the requirements of the TA/C District, so I would say yes, the boundaries are logical.

## Kingsport Regional Planning Commission

### Rezoning Report

File Number 12-101-00009

10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** Not when you consider the proposed district was written for this specific type of use for any to develop.
  
11. **Whether it is impossible to find adequate sites for the proposed use in districts permitting such use?** Realistically there is one other site that currently could qualify for this zoning and that is the old Carolina Pottery at Exit 66. Kingsport is unique in that it has other exits off I-81 that should a developer be able to meet the requirements of the TA/C district, the City would easily entertain rezoning those parcels to TA/C. The limiting factor at some of these other locations is the extent of the UGBA.

### CONCLUSION

**Staff recommends APPROVAL to rezone from B-4P, B-3, M-1R, & A-1 to TA/C to in order to:  
Construct a proposed Regional Shopping Center**



<b>PROPERTY INFORMATION</b>	<b>Edinburgh Subdivision Phase 4 Preliminary</b>
<b>ADDRESS</b>	<b>Rock Springs and Edinburgh Channel Road</b>
<b>DISTRICT, LAND LOT</b>	<b>15<sup>th</sup> Civil District, part of Parcel 11 of TM 119, Edinburgh Phase 4 Preliminary Plat Request</b>
<b>OVERLAY DISTRICT</b>	<b>Not Applicable</b>
<b>EXISTING ZONING</b>	<b>Planned Development</b>
<b>PROPOSED ZONING</b>	<b>No Change</b>
<b>ACRES</b>	<b>9.90 – 31 lots - .259 miles of new streets</b>
<b>EXISTING USE</b>	<b>Single Family Residential</b>
<b>PROPOSED USE</b>	<b>Single family Residential</b>

**PETITIONER** Edinburgh Group represented by John Rose

**ADDRESS** John – jhnrose8@gmail.com

**REPRESENTATIVE**

**PHONE**

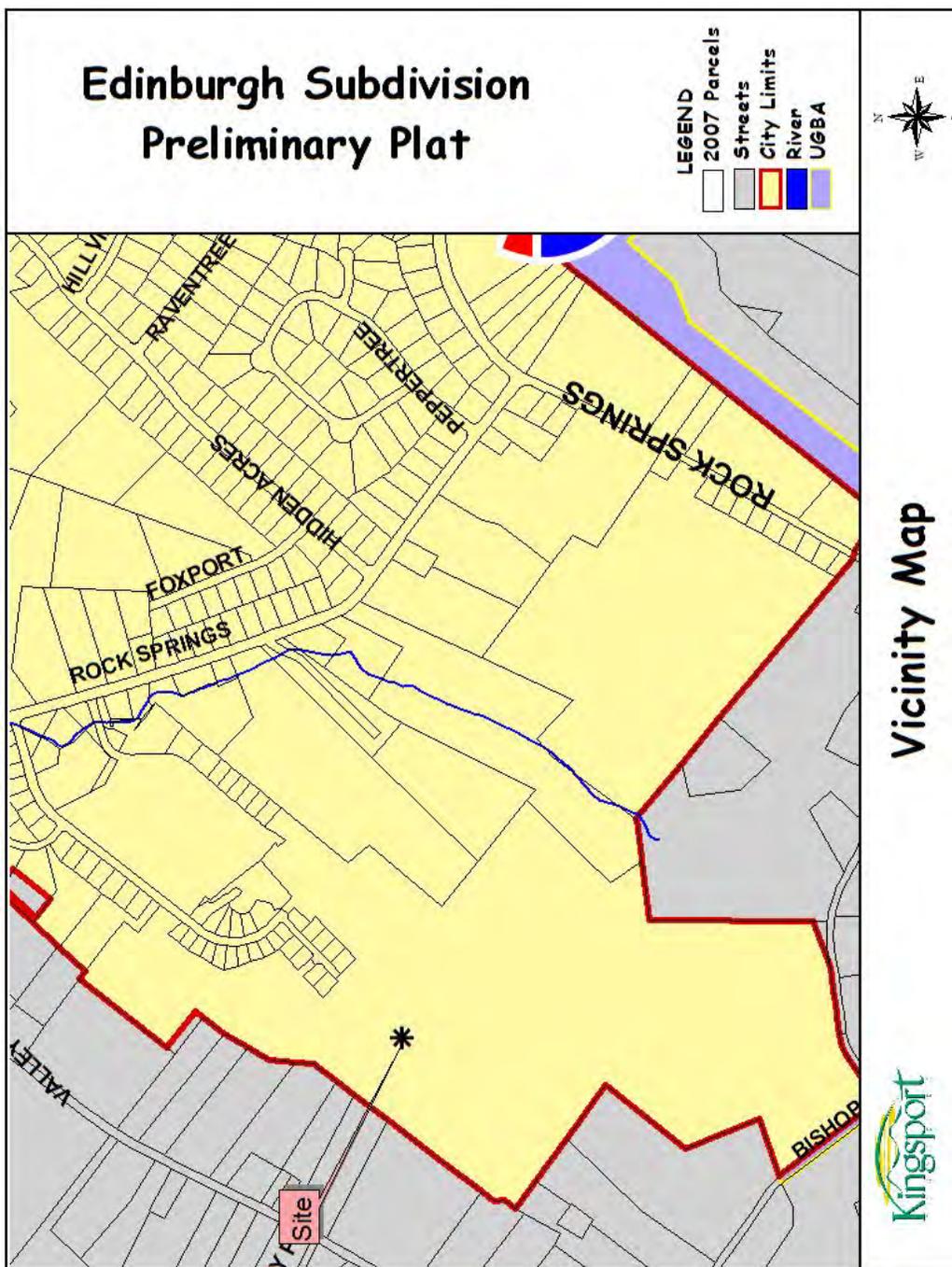
### INTENT

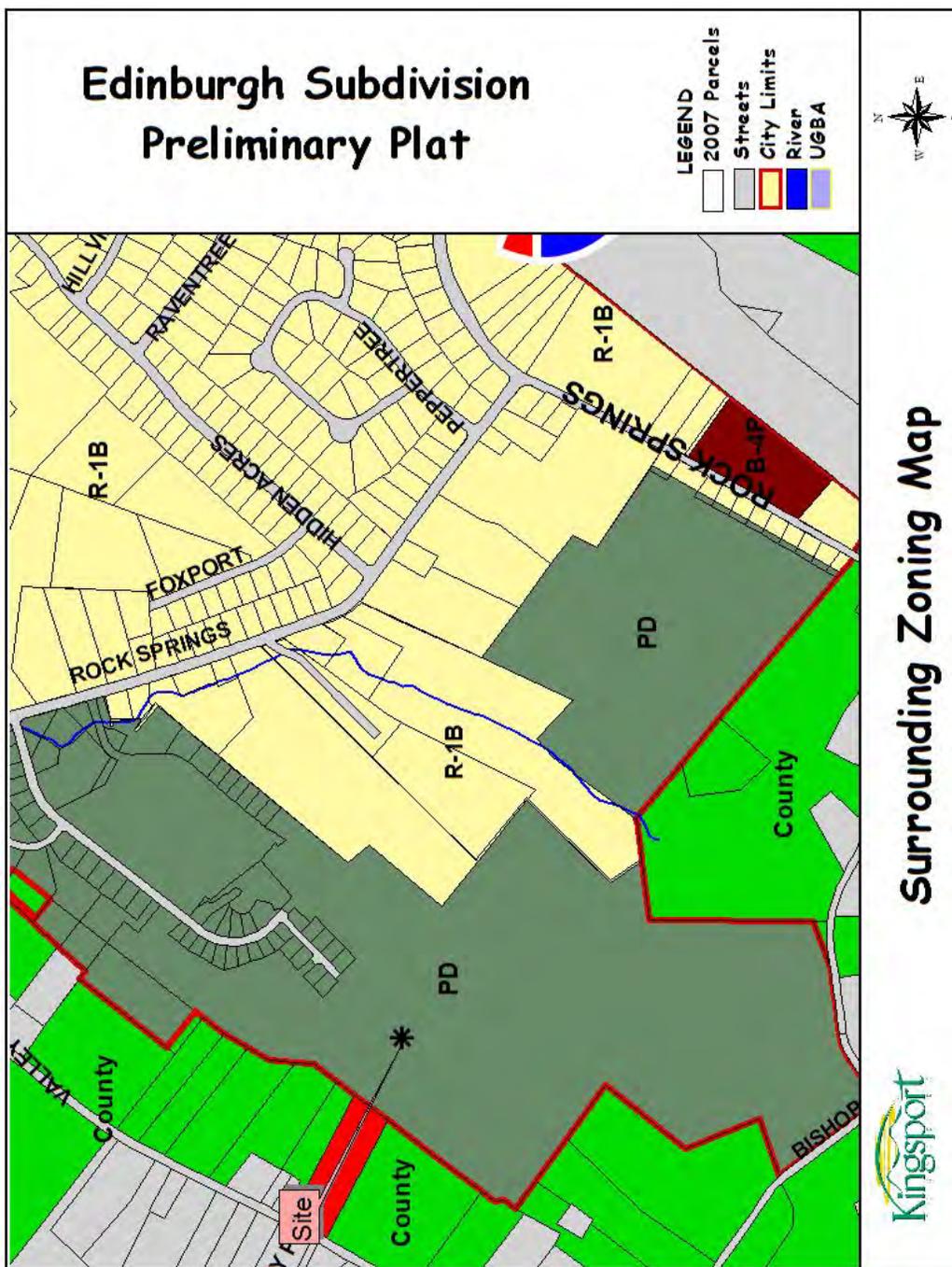
The applicant is requesting preliminary plat for Phase 4 of the Edinburgh Subdivision which is located in 15<sup>th</sup> civil district and more fully described as part of Parcel 11 of Tax Map 119 of the Sullivan County Tax Maps for 2011.

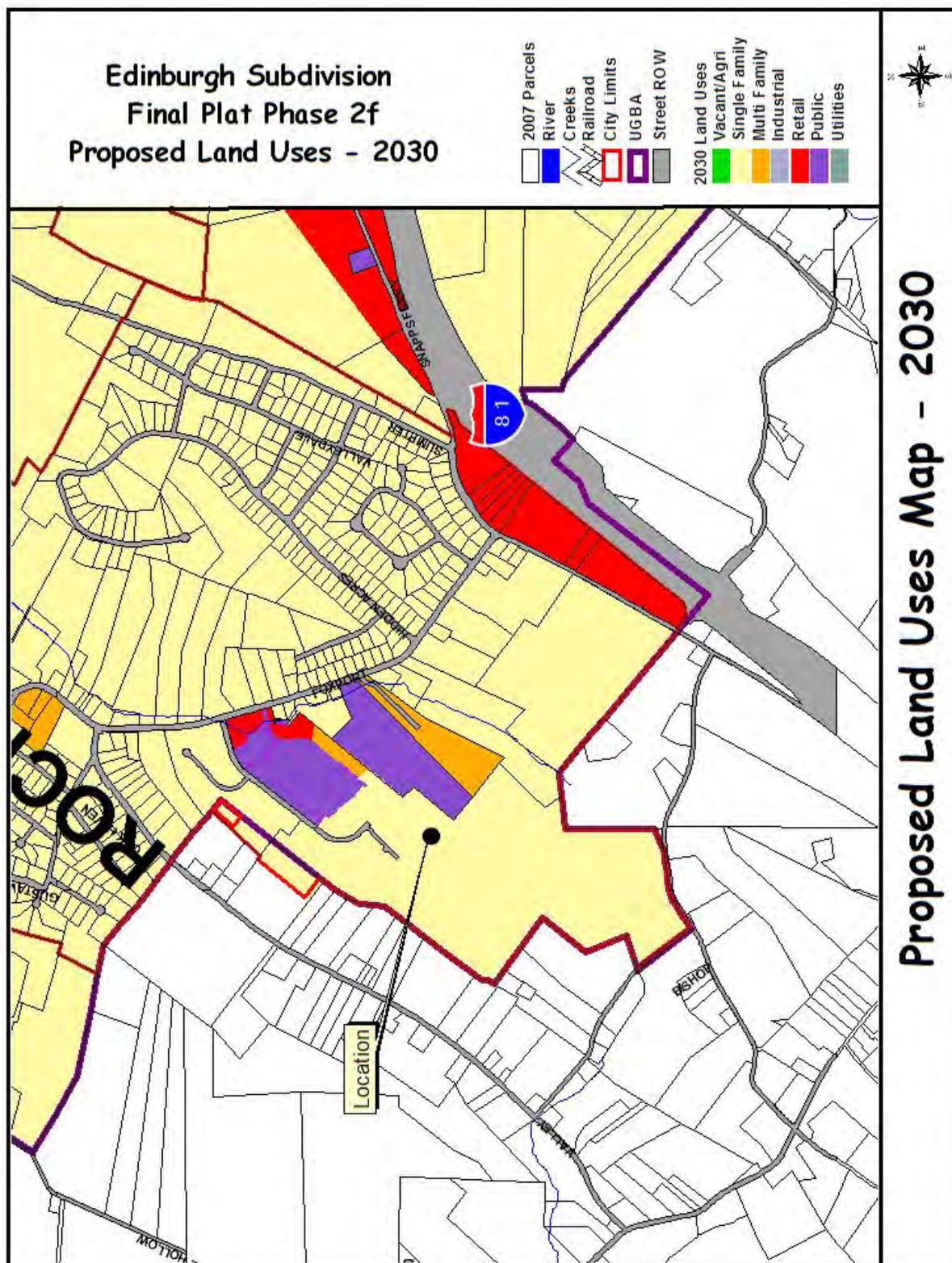
This is a new phase for this development and requires the construction document submittal at the time of submittal of the preliminary plat. The Engineering Department has received these documents and is in the process of reviewing said documents. The applicant has not stated if the infrastructure will be bonded or built out-right. Phase 4 will have a 50 foot right-of-way for the main street starting adjacent to Lot 82 and 66 on Bridgeforth Crossing and extending around the corner to the entrance of Phase 4. A 40 foot right-of-way will accommodate the houses along the cul-de-sac street yet to be named with a sidewalk on one side.

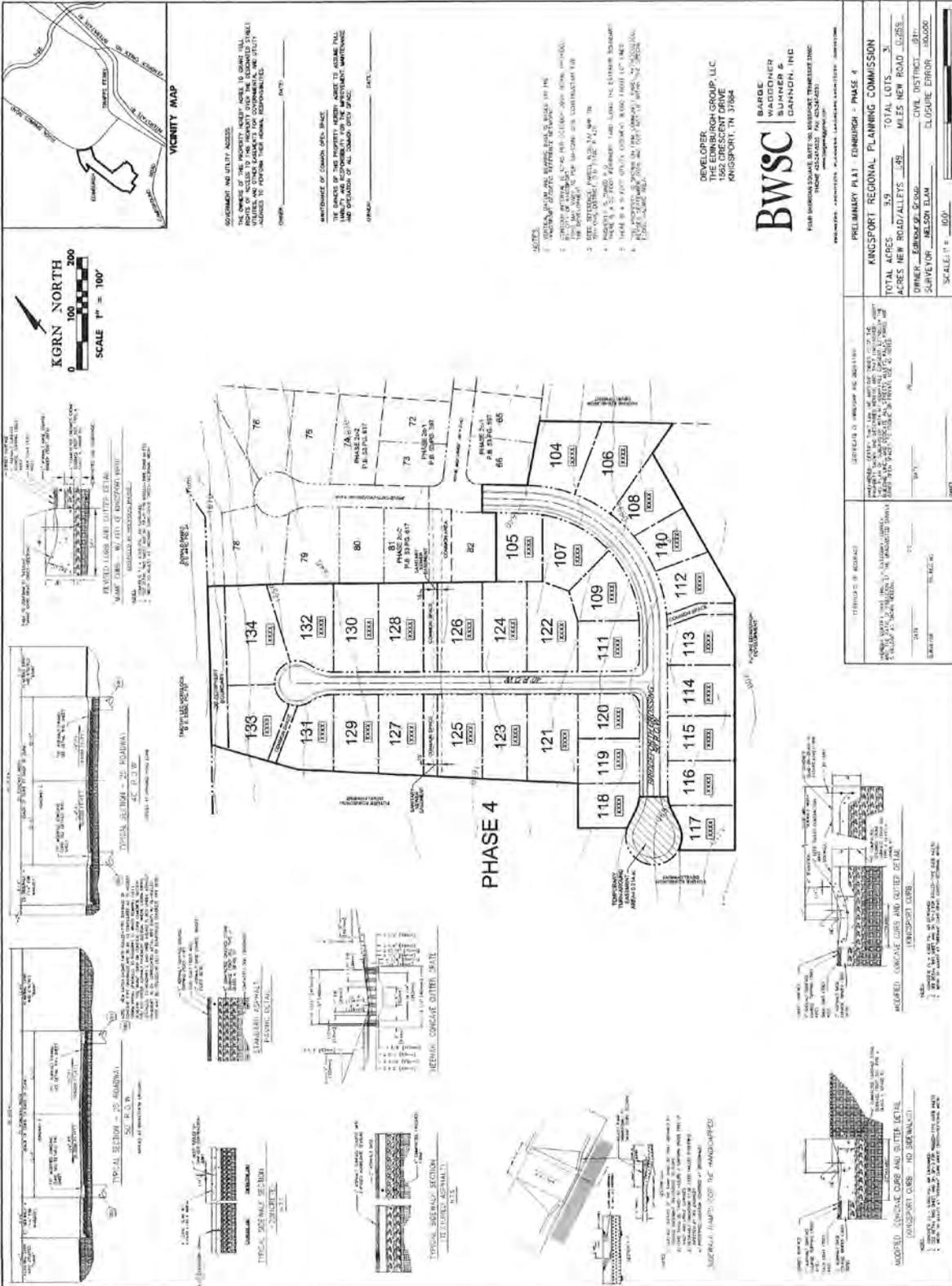
No variances have been requested for this phase of the development and phase 4 meets the minimum subdivision requirements.

Staff recommends Preliminary Plat approval contingent upon the naming of the street with the 40' right-of-way and acceptance of that name and assignment of addresses.









Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on September 20, 2011



Looking South



Looking West



Looking North



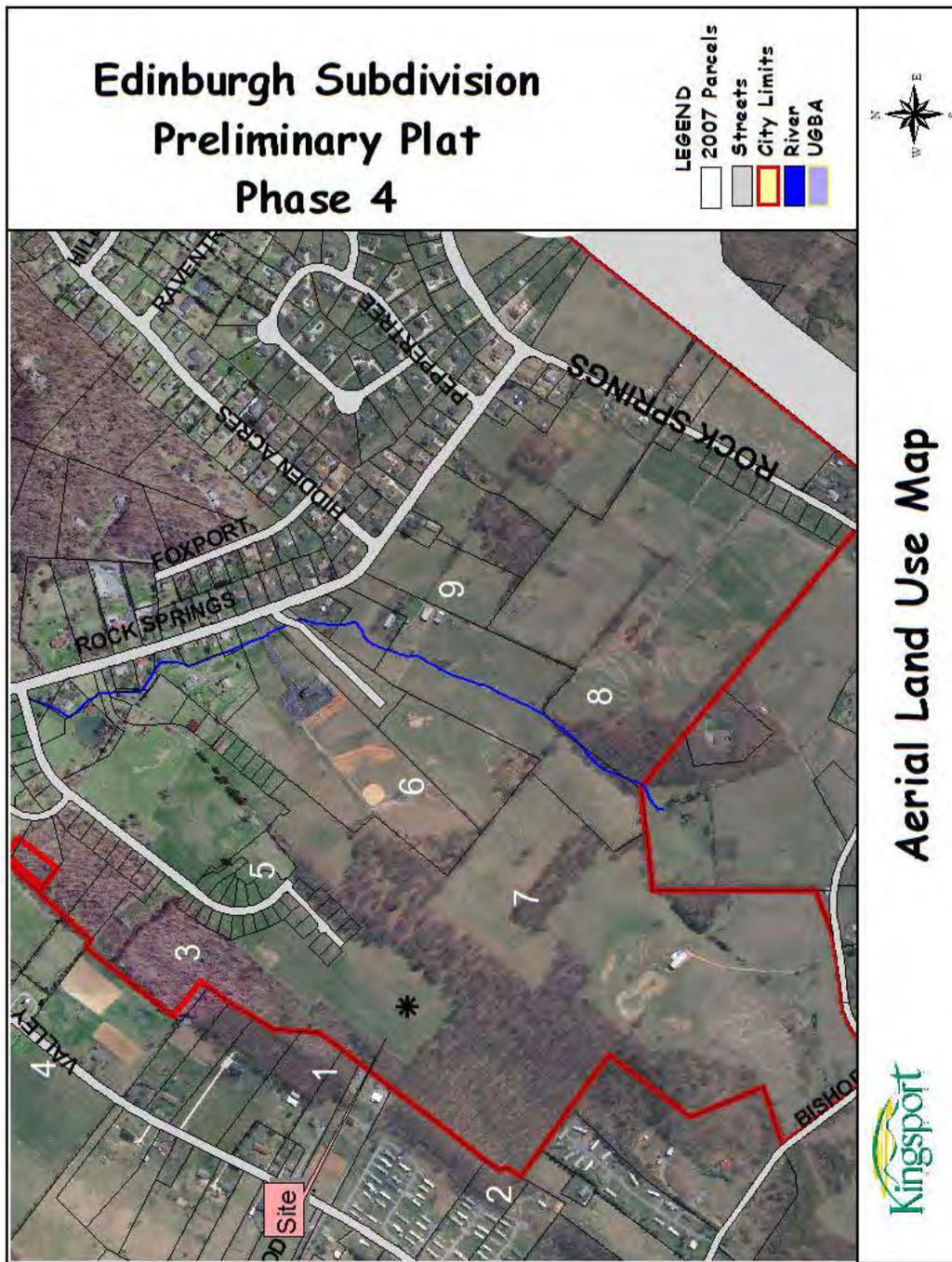
Looking East

Location	Parcel / Zoning Petition	Zoning / Name
North, East, Northwest	<b>1</b>	Edinburgh subdivision, zoned PD.
Further North and Northwest	<b>2</b> (any recent rezoning case number)	Portions of Edinburgh zoned PD and the limit of the UGBA. County thereafter, mainly residential and farm.
East	<b>3</b>	Edinburgh Subdivision, Zoned PD.
Further East	<b>4</b>	Rock Springs Road and across Rock Springs South subdivision, City R-1B recently annexed.
Southeast and South	<b>5</b>	Edinburgh Subdivision zoned PD.
Further South	<b>6</b>	Church property then adjacent to the church is St. Andrews Garth.
West	<b>7</b>	Edinburgh Subdivision, zoned PD.
West Further	<b>8</b>	Limits of the UGBA, then all County zoned R-1 and A-1 for agricultural.
Southwest	<b>10</b>	Same as above for west.

**EXISTING USES AND LOCATION**

**ALL PARCELS SURROUNDING THE EDINBURGH SUBDIVISION ARE ZONED EITHER COUNTY R-1, SINGLE-FAMILY OR A-1 FOR AGRICULTURAL USES. IT SHOULD BE NOTED THAT THE EDINBURGH SUBDIVISION BOUNDARY IS ALSO THE LIMITS OF THE CITY'S URBAN GROWTH BOUNDARY LIMIT AND NO ANNEXATIONS MAY OCCUR PAST THIS BOUNDARY UNLESS THE UGBA IS AMENDED AND ADOPTED BY ALL PARTICIPATING PARTIES. ACCESS IS VIA ROCK SPRINGS ROAD WHICH HAS ACCESS TO BOTH INTERSTATE SYSTEMS. UTILITIES ARE BEING CONSTRUCTED BY THE DEVELOPER AND WILL BE PART OF THE CITY'S MATERIALS AGREEMENT.**

EXISTING USES LOCATION MAP



## CONCLUSION

**Staff recommends APPROVAL of the Preliminary Plat contingent upon the naming of the 40' right-of-way and acceptance of the name and all addresses.**

<b>Property Information</b>	Corner of Millennium Dr & Shipley Ferry Road		
<b>Address</b>	None		
<b>Tax Map, Group, Parcel</b>	TM 78, Parcel 70.20		
<b>Civil District</b>	7		
<b>Overlay District</b>	None		
<b>Land Use Designation</b>	B-3, General Business District		
<b>Acres</b>	2.42 acres		
<b>Reason Purchased</b>	Fire Station		
<b>Purchased Amount</b>	\$200,00		
<b>Owner /Applicant Information</b>		<b>Surveyor Information</b>	
<b>Name: City of Kingsport</b> <b>Address: 225 West Center Street</b> <b>City: Kingsport</b> <b>State: TN</b> <b>Zip Code: 37660</b> <b>Email:chrismccartt@kingsporttn.gov</b> <b>Phone Number: 423-229-9372</b>		<b>Name: N/A</b> <b>Address:</b> <b>City:</b> <b>State:</b> <b>Zip Code:</b> <b>Email:</b> <b>Phone Number:</b>	
<b>Planning Department Recommendation</b>			
<p><b>Approve and recommend to BMA to declare property surplus</b></p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> <li>• Place property back into private sector for development</li> <li>• Property is no longer needed as a fire station</li> </ul> <p><b>Staff Field Notes and General Comments:</b></p> <ul style="list-style-type: none"> <li>• Relatively flat and should be easy to develop.</li> <li>• TDEC mitigation completed by City</li> </ul> <p><b>Utilities</b></p> <ul style="list-style-type: none"> <li>• <b>Water is available to site</b></li> <li>• <b>Sewer is available to site</b></li> </ul>			
<b>Planner:</b>	Karen Combs	<b>Date:</b>	10/22/12
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>11/15/12</b>
<b>Approval:</b>			
<b>Denial:</b>		<b>Reason for Denial:</b>	
<b>Deferred:</b>		<b>Reason for Deferral:</b>	

**MEMORANDUM**

**TO:** KINGSFORT REGIONAL PLANNING COMMISSION  
**FROM:** KAREN COMBS, PRINCIPAL PLANNER  
**SUBJECT:** MILLENNIUM DRIVE SURPLUS PROPERTY  
**DATE:** 10/22/12  
**PROJECT NO:** 12-601-00007

---

**INTRODUCTION**

The Commission is requested to recommend to the Kingsport Board of Mayor and Alderman that the property located at the intersection of Millennium Drive and Shipley Ferry Road and identified as Tax Map 78, Parcel 70.20 on the Sullivan County Tax Map, be officially designated as surplus property. This property is located within the 7<sup>th</sup> Civil District.

**PRESENTATION**

The City of Kingsport has petitioned the Kingsport Regional Planning Commission to declare the property located on Tax Map 78, Parcel 70.20 surplus so that it may be placed back into the private sector for development. This property was purchased to house a fire station. Another fire station was built that covers this area on another piece of property. City staff especially the Fire Department, sees no future use for this property.

Under TCA 13-4-104, the Kingsport Regional Planning Commission is required to designate City owned property as surplus before the City can dispose of the property. The Planning Commission is asked to deem this property surplus for the purpose of returning this property back to private ownership.

**OPTIONS**

The Planning Commission's options are as follows:

1. Recommend approval.
2. Deny approval and state the reasons for denial in writing.
3. Postpone action pending receipt of additional information.

**RECOMMENDATION**

Option 1 - **Recommend approval** for the following reasons:

1. City staff sees no future use for this property as it exists.
2. This action would place the property back into the private ownership.

**APPLICATION**  
Surplus Property



**APPLICANT INFORMATION:**

Last Name	McCarthy	First	Chris	M.I.		Date	9/27/12
Street Address	225 W. Center St			Apartment/Unit #			
City	Kingsport	State	TN	ZIP 37640			
Phone	229-9372		E-mail Address ChrisMcCarthy@KingsportTN.gov				

**PROPERTY INFORMATION:**

Tax Map Information Tax map: 078 Group: Parcel: 070.20 Lot:

Street Address	Millenium Dr. (on corner of Shipley Ferry Rd)	Apartment/Unit #
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**DISCLAIMER AND SIGNATURE**

The applicant agrees to indemnify and hold harmless the City of Kingsport from any and all claims, demands, losses, causes of action, damage, lawsuits, judgments, including attorneys' fees and costs, arising out of or relating to the vacating and surplus of the requested property.

The applicant agrees to supply the City with a title opinion from a Tennessee Licensed Attorney showing the owner of the requested property and the chain of title.

If this application leads to the attainment of requested property, I understand that I will be required to pay for all costs incurred by the City associated with the transfer of property. If the appraised value of the property is \$5,000 or more the City will first offer the property for sale to the adjacent property owners. **(Reference City of Kingsport Code of Ordinances Sections 2-461 and 2-462.)**

I understand that if for any reason I choose not to acquire the property after the appraisal services are obtained, or of the Kingsport Board of Mayor and Aldermen (BMA) disapproves conveyance of the property, I will not be entitled to a refund. I also understand that if for any reason the BMA approves conveyance of the property to any party other than myself I will receive a refund for this appraisal fee after the property is fully conveyed.

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Planning Commission will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are requesting the submitted action.

Signature	<i>Chris McCarthy</i>	Date	10-1-12
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Signed before me on this 1 day of October, 2012  
 a notary public for the State of Tennessee  
 County of Sullivan

Notary Angela L. Marshall  
 My Commission Expires 10/12/14



FOR CITY RECORDER'S OFFICE	
City Deed Number	844
Signature of City Recorder	<i>Ingrid Marshall</i>
Date	9/27/12
CITY PLANNING OFFICE	
Received Date	9/27/12
Received By	<i>B</i>
Application Fee Paid	<i>Waived City Project</i>
Previous requests or file numbers	<i>N/A</i>
Planning Commission Meeting Date	<i>11/15/12</i>
Board of Mayor and Alderman Meeting Date	
Signature of City Planner	<i>[Signature]</i>
Date	10/1/12

03922

THIS INSTRUMENT PREPARED BY:

Tax Map #78  
Parcel #70

Office of the City Attorney  
City of Kingsport, Tennessee 37660

**WARRANTY DEED**

THIS DEED, made this 10<sup>th</sup> day of May, 2002, between, BOONE CREEK PROPERTIES PARTNERSHIP, Party of the First Part, and CITY OF KINGSFORT, TENNESSEE, a municipal corporation of the State of Tennessee, Party of the Second Part.

**WITNESSETH:**

That said Party of the First Part, for and in consideration of the sum of TWO HUNDRED THOUSAND DOLLARS AND 00/100th's (\$200,000.00), and other good and valuable consideration to them in hand paid by the said Party of the Second Part, the receipt of which is hereby acknowledged, has granted, bargained, sold, conveyed, and do hereby grant, bargain, sell and convey unto the Party of the Second Part, the following described premises, to-wit:

*Beginning on the northerly Right-of-Way line of Shipley Ferry Road and the southerly front corner of lot 3, Millennium Business Park; thence leaving said northerly Right-of-Way line of Shipley Ferry Road N 42°34'29" W a distance of 147.91'; thence S 43°25'32" W a distance of 117.92'; thence N 32°54'37" W a distance of 215.03'; thence N 61°09'07" E a distance of 373.09'; thence with a curve to the southeast having a radius of 332', an arc length of 126.34', a chord bearing of S 39°44'52" E and a chord distance of 125.58'; thence S 50°38'58" E a distance of 114.59'; thence with a curve to the right having a radius of 30', an arc length of 50.42', a chord bearing of S 02°30'14" E and a chord distance of 44.69' to the northerly Right-of-Way line of Shipley Ferry Road; thence with said Right-of-Way line with a curve to the right having a radius of 3,444.41', an arc length of 104.92', a chord bearing of S 46°30'52" W and a chord distance of 104.91'; thence with a curve to the right having a radius of 1,059.14', an arc length of 157.71', a chord bearing of S 51°39'10" W and a chord distance of 157.56' back to the point of beginning.*

*And being part of the same property conveyed to Parties of the First Part by Deed of Record in the Register's Office for Sullivan County at Blountville, Tennessee, in Deed Book 1259C at page 24, to all of which reference is hereby expressly made.*

TO HAVE AND TO HOLD unto the Party of the Second Part, its successors and assigns, in fee simple forever.

The Party of the First Part covenants with the Party of the Second Part, its successors and assigns, that they are lawfully seized and possessed of said property; that they have a good and lawful right to convey the same as herein conveyed; that said property is free, clear and unencumbered, and that he will forever warrant and defend the title to said property against the lawful claims of all persons whomsoever.

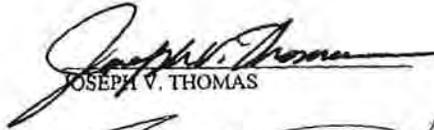
1783C  
C0254

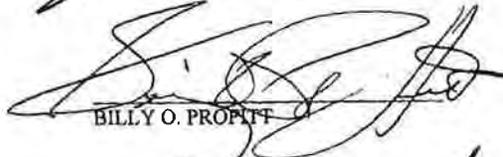
BOOK 1783C PAGE 254

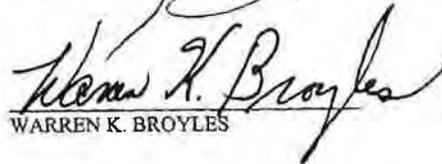
This conveyance is expressly made subject to all covenants, conditions, restrictions, and reservations contained in former deeds and other instruments of record applicable to said property, and to any easements apparent from an inspection of said property.

WITNESS the signatures of the Party of the First Part, on this the day and year first above written herein.

BOONES CREEK PROPERTIES  
PARTNERSHIP

  
JOSEPH V. THOMAS

  
BILLY O. PROFFITT

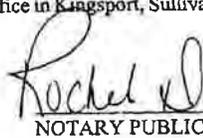
  
WARREN K. BROYLES

STATE OF TENNESSEE

COUNTY OF SULLIVAN

Personally appeared before me, Rochelle D. White, a Notary Public in and for the State and County aforesaid, JOSEPH V. THOMAS, BILLY O. PROFFITT, and WARREN K. BROYLES, the within named bargainers, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledge that they have executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal at office in Kingsport, Sullivan County, Tennessee, this 10<sup>th</sup> day of May, 2002.

  
NOTARY PUBLIC



My Commission Expires:

5/16/05

1783C  
C0255

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

BOOK 1783C PAGE 255

I hereby swear and affirm that the actual consideration of this transaction or value of the property transferred, whichever is greater is \$ None, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Rocky D White  
AFFIANT

SWORN TO AND SUBSCRIBED before me this the 10<sup>th</sup> day of May, 2002.

Carol E. Crowe  
NOTARY PUBLIC



My commission expires:

01-25-05

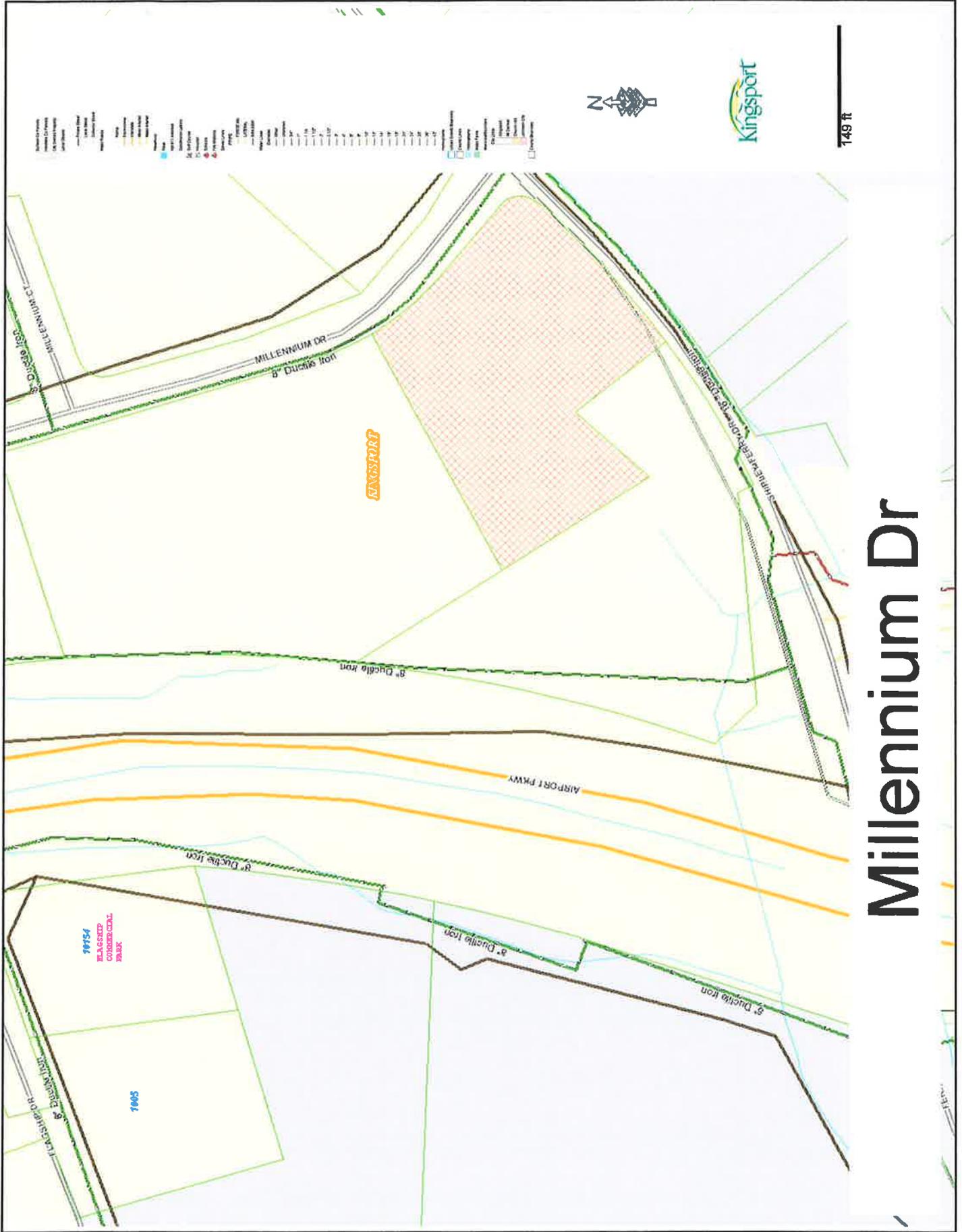
MARY LOU DUNCAN  
REGISTER OF DEEDS  
SULLIVAN COUNTY, TENNESSEE  
6-20-2002 TIME 10:00  
BOOK 1783C PAGE 253  
TAX CCF 2  
FEE 15.00 TOTAL 17.00  
RECEIPT NO. 299897-001

Sullivan County, Tenn. Register of Deeds: Received for record on the 20 day of

June 2002 at 9:40 Noted in Note Book 51 Page 88

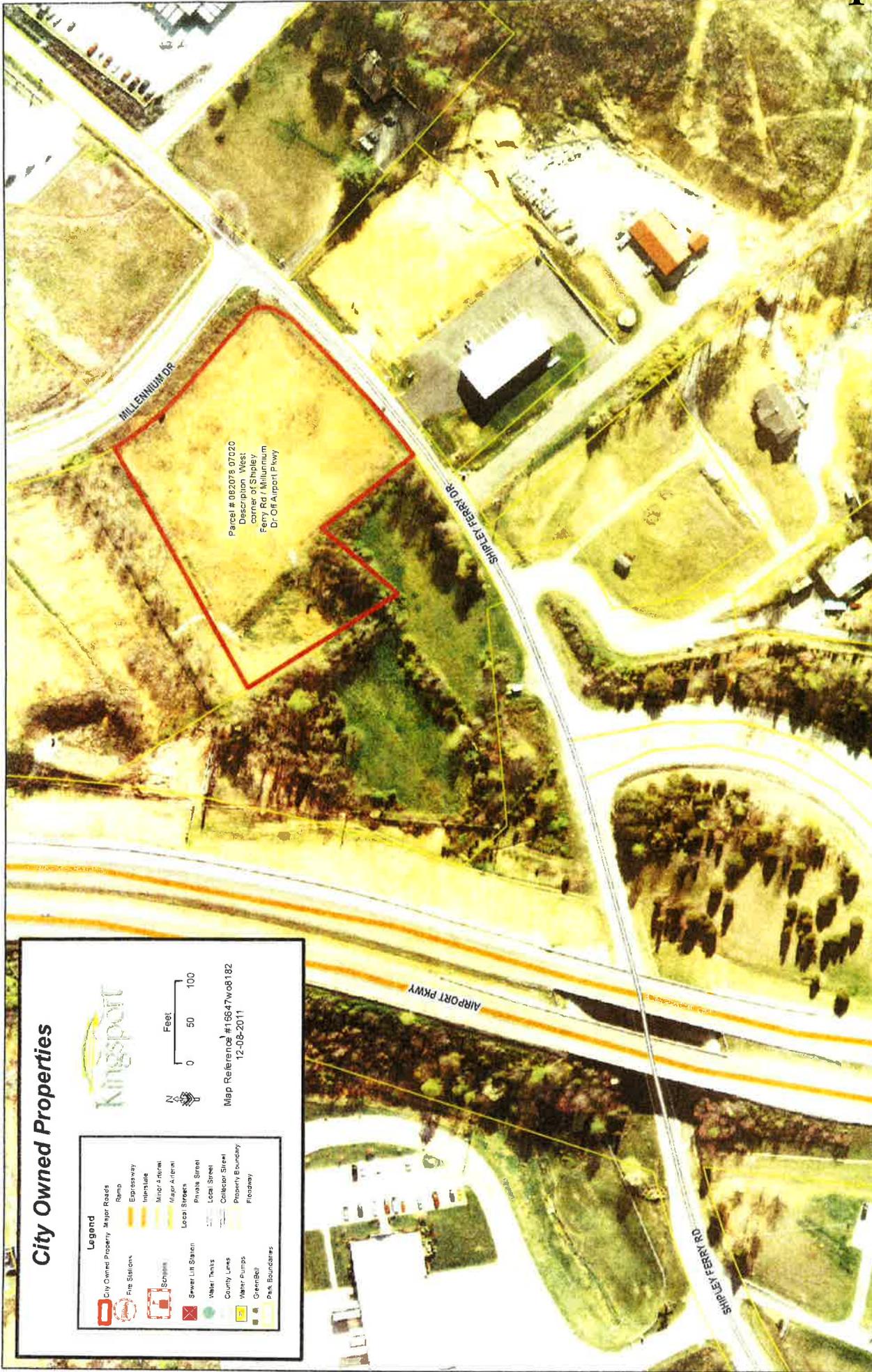
Mary Lou Duncan  
Register





# Millennium Dr





Parcel #: 082075 07020  
 Description: West  
 corner of Sholey  
 Ferry Rd / Millennium  
 Dr-Off Airport Pkwy

# City Owned Properties

- Legend**
- City Owned Property
  - Major Roads
  - Ramp
  - Expressway
  - Interstate
  - Minor Arterial
  - Major Arterial
  - Local Streets
  - Private Street
  - Local Street
  - Collector Street
  - Property Boundary
  - Freeway
  - Bus Stations
  - Schools
  - Sewer Lift Station
  - Water Tanks
  - County Levee
  - Water Pumps
  - GreenBall
  - Park Boundaries



Map Reference #16647wo8182  
 12-08-2011



**Combs, Karen**

---

**From:** Combs, Karen  
**Sent:** Wednesday, October 03, 2012 11:33 AM  
**To:** Project Review; Leadership Team  
**Cc:** Combs, Karen  
**Subject:** Surplus property along Millennium Dr  
**Attachments:** Millennium Dr.jpg

Dear Members,

The Kingsport Regional Planning Commission is being asked to declare the City owned property located at the intersection of Millennium Dr and Shipley Ferry Rd surplus. Staff plans to take this item to the PC in November. A map is attached for your review.

Leadership Team member, please respond to this email as to whether or not your departments have a future use for this property by October 10<sup>th</sup>. Please remember that a response is required even if you have no use for the property.

If you have any questions, please do not hesitate to contact me.

Thank you.

*Karen Combs*

Principal Planner

City of Kingsport

[karencombs@kingsporttn.gov](mailto:karencombs@kingsporttn.gov)

423-224-2482

“ Our opinion of people depends less upon what we see in them than in what they make us see in ourselves. ”

— *Sarah Grand*

**Combs, Karen**

---

**From:** Austin, Chad  
**Sent:** Thursday, October 11, 2012 3:06 PM  
**To:** Combs, Karen  
**Cc:** McReynolds, Ryan; Ensor, Niki  
**Subject:** RE: Surplus property along Millennium Dr

No use for Water/Sewer Maintenance.

**Chad E. Austin, PE**

City of Kingsport, TN  
423.224.2509

---

**From:** Combs, Karen  
**Sent:** Wednesday, October 03, 2012 11:33 AM  
**To:** Project Review; Leadership Team  
**Cc:** Combs, Karen  
**Subject:** Surplus property along Millennium Dr

Dear Members,

The Kingsport Regional Planning Commission is being asked to declare the City owned property located at the intersection of Millennium Dr and Shipley Ferry Rd surplus. Staff plans to take this item to the PC in November. A map is attached for your review.

Leadership Team member, please respond to this email as to whether or not your departments have a future use for this property by October 10<sup>th</sup>. Please remember that a response is required even if you have no use for the property.

If you have any questions, please do not hesitate to contact me.

Thank you.

*Karen Combs*

Principal Planner

City of Kingsport

[karencombs@kingsporttn.gov](mailto:karencombs@kingsporttn.gov)

423-224-2482

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— *Sarah Grand*

**Combs, Karen**

---

**From:** Ensor, Niki  
**Sent:** Thursday, October 11, 2012 3:29 PM  
**To:** Austin, Chad; Combs, Karen  
**Cc:** McReynolds, Ryan  
**Subject:** RE: Surplus property along Millennium Dr

W/WW Facilities has no use for this property.

*Niki Ensor*  
*City of Kingsport*  
*W/WW Facilities Manager*  
*(423) 224-2487*

---

**From:** Austin, Chad  
**Sent:** Thursday, October 11, 2012 3:06 PM  
**To:** Combs, Karen  
**Cc:** McReynolds, Ryan; Ensor, Niki  
**Subject:** RE: Surplus property along Millennium Dr

No use for Water/Sewer Maintenance.

**Chad E. Austin, PE**  
 City of Kingsport, TN  
 423.224.2509

---

**From:** Combs, Karen  
**Sent:** Wednesday, October 03, 2012 11:33 AM  
**To:** Project Review; Leadership Team  
**Cc:** Combs, Karen  
**Subject:** Surplus property along Millennium Dr

Dear Members,

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Leadership Team member, please respond to this email as to whether or not your departments have a future use for this property by October 10<sup>th</sup>. Please remember that a response is required even if you have no use for the property.

If you have any questions, please do not hesitate to contact me.

Thank you.

*Karen Combs*

Principal Planner  
 City of Kingsport  
[karencombs@kingsporttn.gov](mailto:karencombs@kingsporttn.gov)  
 423-224-2482

**Combs, Karen**

---

**From:** Osborne, Gale  
**Sent:** Wednesday, October 03, 2012 2:10 PM  
**To:** Combs, Karen  
**Subject:** RE: Surplus property along Millennium Dr

Karen,

No use.

Gale

---

**From:** Combs, Karen  
**Sent:** Wednesday, October 03, 2012 11:33 AM  
**To:** Project Review; Leadership Team  
**Cc:** Combs, Karen  
**Subject:** Surplus property along Millennium Dr

Dear Members,

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Thank you.

*Karen Combs*

Principal Planner

City of Kingsport

[karencombs@kingsporttn.gov](mailto:karencombs@kingsporttn.gov)

423-224-2482

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— *Sarah Grand*

**Combs, Karen**

---

**From:** Demming, Jim  
**Sent:** Wednesday, October 03, 2012 12:47 PM  
**To:** Combs, Karen  
**Cc:** Marshall, Angie  
**Subject:** RE: Surplus property along Millennium Dr

Karen,

Finance has no need for this property.

Jim

James H. Demming  
 City Recorder/CFO  
 City of Kingsport  
 225 West Center Street  
 Kingsport, TN 37660  
 (423)-224-2520  
 (423) 224-2566 FAX

[jamesdemming@kingsportTN.gov](mailto:jamesdemming@kingsportTN.gov)

*The information contained in this message and any attachment may be proprietary, confidential, and privileged or subject to the work product doctrine and thus protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by replying to this message and deleting it and all copies and backups thereof. Thank you.*

---

**From:** Combs, Karen  
**Sent:** Wednesday, October 03, 2012 11:33 AM  
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**Cc:** Combs, Karen  
**Subject:** Surplus property along Millennium Dr

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*Karen Combs*

Principal Planner  
 City of Kingsport  
[karencombs@kingsporttn.gov](mailto:karencombs@kingsporttn.gov)  
 423-224-2482

**Combs, Karen**

---

**From:** Frazier, Kitty  
**Sent:** Wednesday, October 03, 2012 11:58 AM  
**To:** Combs, Karen  
**Subject:** RE: Surplus property along Millennium Dr

No issue from parks and rec for surplus on this property.

*Kitty Frazier*

Kingsport Parks and Recreation  
 Manager  
 Civic Auditorium  
 1550 Fort Henry Drive  
 Kingsport, TN 37664  
 p:423-229-9457  
 f: 423-229-9362  
[KittyFrazier@KingsportTN.gov](mailto:KittyFrazier@KingsportTN.gov)  
[www.kingsportparksandrecreation.org](http://www.kingsportparksandrecreation.org)

*"Do not go where the path may lead; go instead where there is no path and leave a trail" - Ralph Waldo Emerson*

---

**From:** Combs, Karen  
**Sent:** Wednesday, October 03, 2012 11:33 AM  
**To:** Project Review; Leadership Team  
**Cc:** Combs, Karen  
**Subject:** Surplus property along Millennium Dr

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*Karen Combs*

Principal Planner  
 City of Kingsport  
[karencombs@kingsporttn.gov](mailto:karencombs@kingsporttn.gov)  
 423-224-2482

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— *Sarah Grand*

**Combs, Karen**

---

**From:** Fleming, Jeff  
**Sent:** Wednesday, October 03, 2012 4:26 PM  
**To:** Combs, Karen  
**Subject:** RE: Surplus property along Millennium Dr

Development Services has no need for the property.

---

**From:** Combs, Karen  
**Sent:** Wednesday, October 03, 2012 11:33 AM  
**To:** Project Review; Leadership Team  
**Cc:** Combs, Karen  
**Subject:** Surplus property along Millennium Dr

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— *Sarah Grand*

**Combs, Karen**

---

**From:** Dye, Craig  
**Sent:** Monday, October 08, 2012 10:23 AM  
**To:** Combs, Karen  
**Subject:** RE: Surplus property along Millennium Dr

Karen,

As you know this was to be the site of a future Fire Station for the Airport area.

Any station in the area would be placed north of the interstate to cover both the area south toward the airport and north to the Fall Creek area.

Therefore the property in question is not needed.

The purchase price was \$200,000 and another approximately \$28,000 was spent do to TDEC required mediation of runoff.

Thank you,  
 Chief Dye

---

**From:** Combs, Karen  
**Sent:** Wednesday, October 03, 2012 11:33 AM  
**To:** Project Review; Leadership Team  
**Cc:** Combs, Karen  
**Subject:** Surplus property along Millennium Dr

Dear Members,

The Kingsport Regional Planning Commission is being asked to declare the City owned property located at the intersection of Millennium Dr and Shipley Ferry Rd surplus. Staff plans to take this item to the PC in November. A map is attached for your review.

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If you have any questions, please do not hesitate to contact me.

Thank you.

*Karen Combs*

Principal Planner

City of Kingsport

[karencombs@kingsporttn.gov](mailto:karencombs@kingsporttn.gov)

423-224-2482

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— *Sarah Grand*



## CITY OF KINGSPORT, TENNESSEE

October 22, 2012

Mr. Dennis Ward, Chairman  
Kingsport Regional Planning Commission  
225 West Center Street  
Kingsport, TN 37660

Dear Mr. Ward,

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the subdivision of Dewey Bracken property, located along Buttermilk Road and surveyed by Steven Pierce of Iron Mountain Surveying Company, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

Sincerely,

Lynn Tully  
Director of Community Development

cc: Kingsport Regional Planning Commission  
KC file







## CITY OF KINGSPORT, TENNESSEE

October 22, 2012

Mr. Dennis Ward, Chairman  
Kingsport Regional Planning Commission  
225 West Center Street  
Kingsport, TN 37660

Dear Mr. Ward,

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the subdivision of Shekinah Church, located along Buttermilk Road and surveyed by Steven Pierce of Iron Mountain Surveying Company, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

Sincerely,

Lynn Tully  
Director of Community Development

cc: Kingsport Regional Planning Commission  
KC file







## CITY OF KINGSPORT, TENNESSEE

October 31, 2012

Mr. Dennis Ward, Chairman  
 Kingsport Regional Planning Commission  
 225 W. Center Street  
 Kingsport, TN 37660

Dear Mr. Ward:

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Edinburgh Subdivision, Lot 66 on Royal Mile Divide, surveyed by Nelson Elam of BWSC, RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

Sincerely,

Lynn Tully  
 Planning Manager

C: Kingsport Regional Planning Commission



1999

City Hall    225 West Center Street    Kingsport, TN    37660-4237    (423) 229-9400

Kingsport — *The Best Place To Be*



1999





## CITY OF KINGSPORT, TENNESSEE

October 31, 2012

Mr. Dennis Ward, Chairman  
Kingsport Regional Planning Commission  
225 W. Center Street  
Kingsport, TN 37660

Dear Mr. Ward:

This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the resubdivision of the Edinburgh Subdivision, Lot 82 on Bridge Forth Crossing, surveyed by Nelson Elam of BWSC, RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes.

Sincerely,

Lynn Tully  
Planning Manager

C: Kingsport Regional Planning Commission



City Hall 225 West Center Street Kingsport, TN 37660-4237 (423) 229-9400

Kingsport — *The Best Place To Be*





**MINUTES KINGSPORT BOARD OF ZONING APPEALS (BZA)  
Called Meeting**

Thursday August 23, 2012

NOON

Bob Clear Conference Room, on the first floor of the Development Services Building

**MEMBERS PRESENT:**

Leland Leonard, Chairman  
Frank Oglesby, Vice Chairman  
Diane Hills

**MEMBERS ABSENT:**

Bob Winstead Jr  
Bill Sumner

**STAFF PRESENT:**

Karen Combs  
Lynn Tully

**VISITORS:**

Jack Clevinger  
Charlie Glass  
Ryan Rubuh  
Jessie Hensley  
Matthew Lane

Jim Demmis  
Marc Wagner  
K.D. Moore  
Greg Hensley

Chairman Leonard called the meeting to order.

Chairman Leonard then explained the meeting procedures.

**Public Hearing:**

**Case: 12-701-00005 – Property located at 859 Indian Trail Drive; Control Map 47P, Group A, Parcel 04.10** Requests a special exception use as provided in Sec. 114-207(d) in order to construct a movie theater. Mr. Jessie Hensley was sworn in by Karen Combs. Mr. Jessie Hensley presented the case to the Board. In his presentation Mr. Hensley presented the Board with a pamphlet that Marquee Theaters has given him which had been distributed throughout the neighborhood; Chairman Leonard asked Mr. Hensley what this pamphlet had to do with his request? Mr. Hensley answered by stating the this theater is a recreational facility and this land had plans for a YMCA and the wetlands mitigation had taken place; the property sets on a dead end street and a red light was put at the end for properties on the corner. The property is located at the end of Indian Trail Drive and the theater sets on the same footprint as the YMCA. He has been talking with adjacent owners about ingress and egress and has accommodated them on their wishes. Mr. Hensley explained that the site added a sidewalk to would connect the greenbelt to K-Mart. Chairman Leonard asked; all of this property belongs to the YMCA and they did do remediation for the wetlands? Mr. Hensley stated yes, it is owned by the YMCA and yes that the remediation was for the YMCA site. Mr. Hensley stated that he does not have a letter from TDEC stating that he may build on the site. Chairman Leonard asked if he was in the process of rezoning the property. Mr. Hensley stated that he was in the process of rezoning part of the property. Mr. Hensley stated that part of the YMCA property would possibly need rezoning for a future project of apartments. Chairman Leonard clarified that Mr. Hensley was in the process of rezoning the property. Mr. Hensley said that staff and he were going back and forth on how much of the property needed to be rezoned. Staff

has advised Mr. Hensley that the entire property needed to be rezoned based upon the plan Mr. Hensley published in the Kingsport Times News. Staff also advised the Board the developer has submitted an incomplete application to rezone and that no development plans required for rezoning have been submitted by the developer. Chairman Leonard asked if Mr. Hensley was denied a permit. Mr. Hensley stated that his building plans had been approved by the Building Official. Staff informed the Board that in order to bring a case to the Board the Building Official must sign the application. By his signature the Building Official is stating that the developer has been denied a building permit. Chairman Leonard asked staff if Mr. Hensley could rezone the property. Staff said yes and that staff had encouraged, both verbally and through email, Mr. Hensley to rezone not only the movie theater but the rest of the properties that were made public in the article in the newspaper. Chairman Leonard explained that the Board of Zoning Appeals is the Board of last resort. If Mr. Hensley is denied a rezoning and he has exhausted all avenues, then he should apply to the Board of Zoning Appeals. Vice Chairman Olgesby clarified that if the Board made a decision today to deny, then the developer could not reapply if he was turned down by the Planning Commission for rezoning. Staff clarified that the policy of the Board is not to rehear a case after a final decision is made for one year unless there is a substantial change to the property. Mr. Hensley stated that he started talking with Mr. Jeff Fleming over a year ago. Mr. Hensley stated that if he had known the property needed to be rezoned he could have done that at that time. He stated that with the special exemption granted to the YMCA and the B-3 around the corner, he never thought that he would be able to build there. Chairman Leonard explained that Special Exceptions did not run with the property in perpetuity like dimensional variances. Once the YMCA chose not to build there, the special exception went away and stated that Mr. Hensley knew all along or should have known that the special exception was no longer in effect. Staff explained that individuals talk with staff everyday about future developments but until a plan has been submitted officially to the appropriate staff no action is taken to start the review process for any development and Mr. Hensley submitted a site plan to staff to last week to be used for this meeting only. Chairman Leonard then asked who was Jeff Fleming and what role does he play in planning. Staff stated that Mr. Fleming was the Assistant City Manager for Development and does not have any functions in the day to day planning activities such as approving development plans or rezoning property. Mr. Hensley was asked if he had anything else to present, he stated that when it comes to this development, if we could have rezoned just this property we would have done it months ago, we were told by Mrs. Tully, the Planning Director that we couldn't do that because he had to wait until all the problems that are associated with this piece but not a part of this piece had to be worked out prior to applying for a rezoning. Staff stated that the decision to look comprehensively was due to the plan that was made public by the Kingsport Times News. Staff knew by that published concept there was going to be more than just a theater and as stewards of public funds it is our responsibility to make sure that infrastructure can handle the entire concept. Staff stated that Mr. Hensley presented the concept as a whole plan to the public through the newspaper so why wouldn't staff want to see the whole plan? Mr. Hensley stated that this project (the theater) is a guaranteed thing and that the City shouldn't look at the rest because he has not turned any plans or timelines in for this development. Mr. Hensley further states that it does make sense to do the grade work for the entire development at the same time and to lay infrastructure at the same time but he does not have contracts for the rest of it. Mr. Hensley explained that the previous owner who had built East Stone Commons had everything along the back was put in and had in mind to extend the road across the property. Staff agreed but pointed out that Mr. Ball had turned in his development plans many months prior to construction for review and approvals. Mr. Hensley stated that Mrs. Tully told him he couldn't do that. Mrs. Tully stated that anyone can ask for any property to be rezoned, staff can ask that property be rezoned without the owner's consent, these things can happen in different ways, Mr. Hensley was advised on several occasions because of the plan was made public that his best chance for rezoning was to show all the site together and staff has consistently said this for the past three months. Chairman Leonard asked Mrs. Tully to define the site. Mrs. Tully stated that the site was defined as the properties identified in the paper as this development and the property that has been discussed by Mr. Hensley but not necessarily mapped. Mr. Hensley clarified that he had an option on the two pieces of property in question and when asked if he could pursue a rezoning he stated yes, if he could

work out a few issues that exist on one of the properties that are prolonging receiving his drawings. He stated that the theater fits the neighborhood, there is B-4P and B-3 adjacent to the property. The property sets on a dead-end road and access to the greenbelt will be provided. As far as a City review, if the City Engineers state that they can't do something then he won't do it. Mr. Hensley states that the Board's decision is not a stamp that you take this plan and can do it. He states that he would have to follow all ordinances put in to place that this plan (presented to BZA) does not address. He needs to know if the theater can go here. Staff explained the rezoning process at the request of Vice Chairman Oglesby. Staff stated that the petitioner must fill out an application and submit plans to staff for review. Staff accepts what the petitioner brings in and makes a recommendation based upon the information provided by the petitioner. The deadline for the September's Planning Commission meeting was August 15<sup>th</sup>; Mrs. Tully stated that staff had extended this deadline on two different occasions for Mr. Hensley and that he still has not submitted anything to date for Planning Commission. Mr. Hensley stated that staff had received plans but they did not include the sewer lines and that staff has seen the concept. Staff then stated that all information that was turned in has been presented to the Board including the plans received last week. Mr. Hensley then clarified and stated that Mr. Fleming had seen the concept; to that Chairman Leonard stated that apparently Mr. Hensley had been going to the wrong staff member. Chairman Leonard asked if there was anything else that Mr. Hensley wished to present. Mr. Hensley said that should be it. At this time Chairman Leonard opened the meeting up to the public for comments:

1. Mr. Greg Hensley was sworn in and spoke in favor of this development and is Jessie's father. He explained that Jessie wants to be a developer in this City. He stated that he had stopped by the Building Department several times unofficially so that he may determine the best way to develop this property and advise his son. He discussed this exemption with Mike Freeman and Dee Morgan and the consensus of the group was to pursue the special exception because in their opinion a movie theater truly can't be anything but a recreational facility. Mike and he discussed if the exemption just applied to the YMCA and Mike stated you can't zone a business you have to zone the property. Mr. Hensley stated that Mike had told him that the exemption applied to the property and not just the YMCA and at that point he thought that would be how it would proceed. Mr. Hensley stated that there was great latitude in the code and that the key word is recreational and he knows that a movie theater can't be construed as anything but recreational. Mr. Hensley stated that Jessie is new to this and may need some extra guidance and that he is willing to work with the planning department to follow all the regulations. He (Jessie) assumes to know things that he apparently does not know but his effort is proper and he has done everything he knows to do to comply with the agency's request. He has worked diligently to complete one list only to have another list presented to him. He hopes that this Board would consider this exemption for what it is an exemption to place a movie theater on this property.

2. Donna Sell – owner of Salsarita's in town. Ms. Sell was sworn in. She stated that Jessie had been showing her these plans since day one and she is excited to see this area develop. She stated that if you say something you do it and that is the feeling she gets from them (Hensley's).

3. Jack Clevinger – Mr. Clevinger was sworn in. Chairman Leonard recognized him for his service to the Board of Zoning Appeals in the past. Mr. Clevinger stated that he was wearing several hats today; one in representing Vace Covenant Church in support for this development. Though the apartments are not before the Board today, the church likes people and would like to see the property developed where there are lots of people. The second reason is as a citizen. Stating that he is troubled setting here listening and it may be of his own makings, but that this developer is wanting to spend all this money in developing in Kingsport and is having this much trouble. Mr. Clevinger also stated that he is a realtor and maybe bias but we need a better system for developers that these folks can get from A to Z without running into all these vacuums; because someone fumbled here. He stated that the area was a mixed development with a church, doctors, restaurants, daycares and everything down that way. We need to get the property developed and if these folks stepped up to the plate, we need to let them develop this property. Being a

business man, he understands wanting to see the entire development and he believes that we have the whole plan; it is in the mill for this whole property but you have to strike when the ball is thrown. We already see a lot of traffic both vehicle and foot traffic behind the church and we would love to see it developed. It is good for our community. It would be difficult to find a fit for that property and believes that manufacturing would at the bottom of the list because the area is so diversified. The whole thing about it being manufacturing is wrong.

Chairman Leonard asked if there were any others wishing to speak in favor of this item. No one spoke. Then Chairman Leonard asked if there were anyone to speak against this item. No one from the audience spoke. Staff then presented the emails and phone messages received from the public to the Board. These items are attached to the minutes as part of the record.

Chairman Leonard then addressed the flyer that was sent to the surrounding neighborhoods. Stating that the only neighborhood was on Reedy Creek Road which is across the creek; Board members drove up to the neighborhood to ascertain how the neighborhood would be affected by this development. Chairman Leonard took the flyer and went over each statement. Statement one- an increase in crime- most would not cross the creek and climb the hill to get to the neighborhood. Statement two- Lower property values – don't see how. The closest house is down the hill and across the creek. You can't even see the house from the property for the vegetation. Statement three – more traffic – Chairman Leonard stated here again no one is going to be in the neighborhood across the creek and up the bank. Kid loitering – Again don't see this happening because it is down 200 ft. away. Section 8 renters- that can happen anywhere. Need for new traffic light on stone drive – they have two. Destruction along greenbelt – I think the greenbelt is preserved.

Chairman Leonard closed the public hearing and moved into discussion.

#### **Adjudication of Case:**

Chairman Leonard spoke that he was concerned that Mr. Hensley was either misguided or just misunderstood what the process was because this property could easily be rezoned so that the theater could be built. He knows that development must be held close in the arms during negotiations but that this went public. He feels somehow the City has mis-communicated the rezoning process and that Mr. Hensley may have started in the wrong place. You can ask for a rezoning of any property, however it may be denied.

The Board then discussed the special exception for the YMCA; stating that the YMCA is a non-profit organization and that non-profit status allowed the Board to grant that special exception because under the current code a non-profit is consider a club by definition and not a business. A business as a primary structure is prohibited in the code.

Vice Chair Oglesby stated that he felt through his experience with the Parks and recreation Board that the theater was entertainment not recreation as defined by the City's code. If look at the code it is specific with active uses such as tennis courts, indoor swimming pools, and such. There building fit in well with manufacturing as they are usually big long metal type buildings that look like warehouse buildings. He believes that that is the intent of the code and it is a totally different from a movie theater that is entertainment. He stated that he is not against the project and that it may fit in the area but he feels that the Board of Zoning Appeals is not the appropriate Board to make that decision. This item should go before the Planning Commission for review.

Ms. Diane Hills was concerned that at this point in the process if he went through the rezoning and something needed to be tweaked that he could not apply for a year without substantial changes to the

land. She feels that the developer has gotten the process reversed and should apply for a rezoning prior to approaching the Board.

The Board feels that the City is developer friendly and tries not to hold developers up even though the developers do may not believe that. The Board felt that they did not want to debate whether the use was an indoor facility at this time but instead wanted Mr. Hensley to pursue a rezoning prior to adjudicating this case.

**Case: 12-701-00005 – Property located at 859 Indian Trail Drive; Control Map 47P, Group A, Parcel 04.10** Requested a special exception use as provided in Sec. 114-207(d) in order to construct a movie theater.

**PROOF PRESENTED:**

A Special Exception allows a use of land that is not permitted in the district in which the property is placed. Because this type of relief is so significant, granting of a special exception requires the existence of an unnecessary hardship, which is demonstrated by showing that:

*1. The property would be uniquely restricted from a reasonable use for the purposes permitted in that zone district. The principle behind a special exception is that it is necessary because the property is so uniquely restrictive that it cannot be reasonably used as it is zoned. Therefore, a thorough review is needed to first establish that none of the uses currently permitted in the district are appropriate for the property. While it is true that financial considerations are not generally the subject of review for variances, this standard may be satisfied by a finding that the property would essentially be valueless if an attempt were made to develop it as zoned. Part of this review will require determining if the property can be reasonably used for any of the uses permitted in the district. This does not mean that the use has to be the most profitable, or the use proposed by the applicant. It only requires a finding that there is one or more uses permitted in the district which could reasonably be placed on the property.*

This was not addressed by the petitioner.

*2. The plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions. This standard is generally similar to that for variances, particularly with respect to the necessity for having unique circumstances that are specific to a property and not related to the applicant's personal situation. The other important aspect is the requirement that the situation on the property not be common in the area. If conditions are common to the area, a special exception would not be appropriate because the area should be reviewed by the planning commission to determine if the zoning for the entire area should be changed. But that is the function of the planning commission and not that of the zoning board of appeals.*

Through the petitioner's and other witness statements there are not any unique circumstances for this property. In fact the witnesses make a good argument for rezoning the property.

*3. The use would not alter the essential character of the area. Probably the most difficult aspect of this standard is determining what the essential character of an area is, and if the special exception is approved, what effect might the special exception have on that character.*

A special exception for a movie theater would not alter the commercial feel of the area by witness statements; adjacent commercial zones and uses.

**4. The problem is not self-created.** *This standard is essentially the same as that for variances. If the applicant created a particular situation that made a property essentially unusable as zoned, that applicant would not be entitled to relief by approval of a special exception. For example, if a property owner subdivides a large, residentially zoned property, leaving a corner lot as an isolated parcel, an argument that the parcel should only be used for nonresidential purposes could fail because the parcel was created by the direct action of the applicant.*

Statements by the developer say he was misled by staff. However, staff provided emails to the Board to show on several occasions that the developer was advised to pursue a rezoning; what the process of rezoning entailed and that deadlines had been extended to accommodate the developer. The developer was given options and chose not to follow staff's advise as provided by the emails.

**5. The other general requirements are met.** *As in the case of variances, an applicant must show that the special exception meets the state law requirements, that the spirit of the ordinance shall be observed, public safety secured and substantial justice done.*

No proof was provided by the petitioner.

**MOTION:** made by Diane Hills; seconded by Frank Oglesby– To defer action until the November 1, 2012 meeting so that the Kingsport Regional Planning Commission has the opportunity to consider a rezoning of the property because the Board feels that a rezoning of the property would be more appropriate than granting a special exception at this time.

**VOTE:** 3-0 to defer action on the request until November 1, 2012.



Karen B. Combs, Principal Planner

**MINUTES KINGSPORT BOARD OF ZONING APPEALS (BZA)**

**Thursday September 6, 2012**

NOON

Bob Clear Conference Room, on the first floor of the Development Services Building

**MEMBERS PRESENT:**

Leland Leonard, Chairman  
Frank Oglesby, Vice Chairman  
Bill Sumner  
Diane Hills

**MEMBERS ABSENT:**

Bob Winstead Jr

**STAFF PRESENT:**

Karen Combs

**VISITORS:**

Kevin and Lisa Morris  
Judy Leach

David Prince  
Alan Pairgin

Chairman Leonard called the meeting to order.

Chairman Leonard then explained the meeting procedures.

**Public Hearing:**

**Case: 12-701-00006 – Property located at 694 Clinchfield Street; Control Map 46H, Group C, Parcel 07.00** Requested a special exception use as provided in Sec. 114-200(c)(6) in order to establish a church. Mr. Kevin Morris was sworn in by Karen Combs. Mr. Morris presented the case to the Board. In his presentation he stated that the Church would not present a problem with parking because the doctor's office is closed when the Church is opened and parking would be shared between the two. Staff directed the Board to the letter written by the youth pastor Scott Harper in which the petitioner outlines the criteria outlined by the Board. Staff received no phone calls on this item. No one spoke for or against this item.

**Case: 12-701-00007 – Property located at 3212 Hull Drive; Control Map 77H, Group B, Parcel 09.00** Requested variance of 5 feet 7 inches to the front yard setback requirement [Sect.114-192.(e)(1)(c)] in order to construct a porch in a R-1B, Single Family Residential District. The code requires a 30 foot front yard setback. Mr. Alan Pairgin was sworn and gave the presentation to the Board. In his presentation he stated that the structure would be front porch 3 feet wide and covered. The covering was necessary in order to keep the front door out of the weather. He also stated that due to the fact that this lot was a fill lot which left steep topography in the rear, the house had to be pulled to the front of the lot in order to set the house. Staff received no phone calls on this item. No one spoke for or against this item.

**Case: 12-701-00008 – Property located at 2001 East Sevier Avenue; Control Map 61L, Group K, Parcel 03.00** Requested variance of 1 foot to the accessory building placement requirement [Sect.114-139.(2)] in order to construct a covered carport/ picnic area in a R-1B, Single Family Residential District. The code requires any accessory structure to be placed five foot from the principle structure. Ms. Judy Leach was sworn and presented to case to the Board. In her presentation, she stated that she was not aware the her contractor had not received a permit for the structure and did not find out until Mr. Mike

Freeman, the Building and Zoning Administrator visited her property and issued a stop work order. Following a discussion with Mike Freeman, Ms. Leach was directed to appeal to the Board because Mr. Freeman said that the structure was not five feet behind her house as required, in his opinion, in the zoning ordinance. Staff was asked to provide the ordinance to the Board. Staff received no phone calls for this item and no one spoke for or against this item at the meeting.

Seeing no one else wishing to speak, Chairman Leonard closed the Public Hearing.

**Other Business:**

On a motion by Diane Hills, the Board voted unanimously to approve the June 7, 2012 minutes as amended.

The BZA stated for the public record the next application deadline on September 17, 2012 at noon and that the next meeting date would be on October 4, 2012.

**Adjudication of Case:**

**Case: 12-701-00006 – Property located at 694 Clinchfield Street; Control Map 46H, Group C, Parcel 07.00**

During discussion of this item it was noted that this would be a good use for this facility. That the shared parking would be sufficient and the landscaping would be improved or maintained at its current level.

**PROOF PRESENTED:**

1. The property would be uniquely restricted from a reasonable use for the purposes permitted in that zone district.  
*Under Federal Law, a church can be placed in any zoning district. The City of Kingsport allows Churches as special exception uses so that issues of traffic and parking and such can be addressed.*
2. The plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions.  
*This site is separated from any neighborhood and is located on a Major Arterial, In the past a daycare has occupied the site thus leaving a vase amount of screening from the neighborhood located at the rear of the property.*
3. The use would not alter the essential character of the area.  
*The use will not alter the neighborhood because of the professional offices located on this site in the past and the fact that this site faces a major arterial roadway.*
4. The problem is not self-created  
*The problem is not self created. The site was designed for professional offices and the Church will not conflict with hours of operation of the remaining doctor's office.*
5. The other general requirements are met.  
*All other requirements are met. The Church will locate in an existing building.*

**MOTION:** made by Bill Sumner; seconded by Diane Hills – To approve a special exception use as provided in Sec. 114-200(c)(6) in order to establish a church because the item met all criteria and the use would be acceptable for this facility.

**VOTE:** 3-0 to grant the special exception as requested.

**Case: 12-701-00007 – Property located at 3212 Hull Drive; Control Map 77H, Group B, Parcel 09.00** The Board discussed this item and the ordinance briefly.

**PROOF PRESENTED:**

1. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity. *This lot is a fill lot with very steep topography in the rear of the property. This required that the house be located closer to the front of the property.*

2. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.  
*The owner could not enjoy the property as it was intended because of the topography which caused the house to be located towards the front of the lot.*

3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.  
*This property was a fill lot. This created a situation where the house was moved toward the front of the property so that it may fit. The house was already out of compliance by 2 feet.*

4. Reasons that the variance will preserve not harm the public safety and welfare and will not alter the essential character of the neighborhood.  
*This lot is secluded with the current vegetation existing on the property. The lot is surrounded by a line of trees that are somewhat mature and thus the structure would be difficult to see from adjoining parcels.*

**MOTION:** made by Diane Hills; seconded by Bill Sumner – To grant the variance of 5 feet 7 inches to the front yard setback requirement [Sect.114-192.(e)(1)(c)] in order to construct a covered porch in a R-1B, Single Family Residential District because of the topography present on the lot and that with all the screening currently in place the variance would not be detrimental to the surrounding neighborhood.

**VOTE:** 3-0 to grant the variance request.

**Case: 12-701-00008 – Property located at 2001 East Sevier Avenue; Control Map 61L, Group K, Parcel 03.00** Requested variance of 1 foot to the accessory building placement requirement [Sect.114-139.(2)] in order to construct a covered carport/ picnic area in a R-1B, Single Family Residential District. The code requires any accessory structure to be placed five foot from the principle structure. The Board discussed this item and the ordinance briefly.

**PROOF PRESENTED:**

1. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity. *The Board found that this property was not out of compliance with the ordinance as written and that the Zoning Administrator was incorrect in his interpretation of said ordinance. The Board found that the ordinance states: that an accessory structure must be placed in the rear yard and accessory structures shall be at least three feet from all property lines and five feet from any other building*

*on the same lot. This structure was approximately 15.5 feet from the principal structure but 4.5 feet in the rear yard therefore this item was in compliance with the City's Code as written.*

2. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.
3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.
4. Reasons that the variance will preserve not harm the public safety and welfare and will not alter the essential character of the neighborhood.

**MOTION:** made by Diane Hills; seconded by Bill Sumner – To grant the variance of 1 inch in order to construct a covered carport / picnic area in a R-1B, Single Family Residential District because the Board disagreed with the Zoning Administrator's interpretation that an accessory structure had to be placed five feet in the rear yard. The ordinance states that an accessory structure must be placed in the rear yard and accessory structures shall be at least three feet from all property lines and five feet from any other building on the same lot. This structure was approximately 15.5 feet from the principal structure but 4.5 feet in the rear yard therefore this item was in compliance with the City's Code as written.

**VOTE:** 3-0 to grant the variance request.



Karen B. Combs, Principal Planner

**New Businesses - City of Kingsport,**

Oct-12

Business Name	Address	Owners Name	Mail Address 1	Mail Address 2	City	State	Zip	Area Code	Phone Number	Open Date
ADAMS REPAIR SERVICE	1362 WATAUGA ST	ADAMS, DEREK	1362 WATAUGA ST		KINGSPORT	TN	37660	423	4261251	121015
ALLANDALE HAND CAR WASH AND DE	4200 W STONE DR B	HUGHES JAMES	4200 W STONE DR B		KINGSPORT	TN	37660	423	4298915	121016
AM PM SERVICES	273 SLAUGHTER ST	DIMECH, MICHAEL	273 SLAUGHTER ST		KINGSPORT	TN	37664	423	3498488	121012
ASHLEY FURNITURE HOME STORE	2003 N EASTMAN RD	YOUNG, BOB	PROVIDENCE ENTERPRISES OF TN	263 JAMIE WHITTEN BLVD	SALTILLO	MS	38866	662	8695136	121015
BEAVERS TREE SERVICE	BTA OUT OF TOWN ADDRESS	SCHMITD, GORDAN	422 W MORGAN STREET		CHURCH HILL	TN	37642	423	3842380	121008
BRATTEN ELECTRIC	BTA OUT OF TOWN ADDRESS	BRATTEN, WILLIAM	4502 FENNEL RD		KNOXVILLE	TN	37912	865	9511927	121010
COMPLETE PROPERTY RESTORATION	BTA OUT OF TOWN ADDRESS		2569 STANLEY VALLEY RD		SURGOINSVILLE	TN	37873	423	7826830	121001
DIVERSIFIED ENCLOSURE & SCREEN	BTA OUT OF TOWN ADDRESS	PFEFFER, MICHAEL	PO BOX 4280		SEVIERVERVILLE	TN	37864	865	4536780	121022
HOLLYWOOD IN MEMPHIS ENTERTAIN	BTA OUT OF TOWN ADDRESS	MARION, GLENDA	8384 SADDLEBROOK TRAIL		OLIVE BRANCH	MS	38654	662	8904411	121027
INTERSTATE SIGN CO, INC	BTA OUT OF TOWN ADDRESS		1990 ROCKFORD STREET		MT AIRY	NC	27030	336	7893069	121004
LIGHTWAVE SOLAR ELECTRIC	BTA OUT OF TOWN ADDRESS	JOHNSON, STEVE	3026 OWEN DRIVE STE 104		ANTIOCH	TN	37013	615	6414050	121031
LINK 3D PRODUCTIONS, INC	2356 PENDRAGON RD	LINK PATRICK C	2356 PENDRAGON RD		KINGSPORT	TN	37660	423	8639081	121012
LUX NAIL SPA	1880 N EASTMAN RD STE 270	LINH, THAO	1880 N EASTMAN RD STE 270		KINGSPORT	TN	37664	423	7652223	121008
MASON JAR EATERY & EATERY CATE	604 DONELSON DR		604 DONELSON DR		KINGSPORT	TN	37660	423	2540785	121005
MATTHEW H HICKS BUILDING & PAI	BTA OUT OF TOWN ADDRESS	HICKS, MATTHEW H	296 AUSTIN SPRINGS RDSS		JOHNSON CITY	TN	37601	423	8339612	121029

