MINUTES OF THE REGULAR MEETING OF THE KINGSPORT REGIONAL PLANNING COMMISSION

November 17, 2011 7:00 p.m.

Members Present

Dennis Ward, Chairman
Colette George, Vice-Chairman
Mike McIntire, Alderman
George Coleman
"Buzzy" Breeding
Dave Stauffer
Hoyt Denton
Jim Lewis
Andy Hall

Members Absent

None

Staff Present

Lynn Tully
Ken Weems
Karen Combs

Visitors List

Donald Jobe
Carolyn Ledford
Jared Ledford
Allison Ledford
Neil Ledford

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. Staff advised that the changes made to the Tentative Agenda from the Work Session had been made, and a new Agenda was at their desk. A motion was made by Mike McIntire, seconded by George Coleman, to approve the Agenda as presented. This motion was approved unanimously, 8-0.

The minutes of the Regular Meeting held on October 20, 2011, were discussed. A motion was made by Colette George, seconded by Mike McIntire, to approve the minutes as presented. This motion was approved unanimously, 8-0.

CONSENT AGENDA

No items

UNFINISHED BUSINESS

No items

NEW BUSINESS

Request an Extension of Irrevocable Letter of Credit for Harmony Ridge Subdivision (10-201-00010) - The Planning Commission considered a request to extend an Irrevocable Letter of Credit (ILOC) for Harmony Ridge Subdivision. Lynn Tully presented the item regarding extension and stated that a revised memorandum was at their desk with a new recommendation for this Letter of Credit. Staff stated that upon speaking with Mr. Garrett, the developer for Harmony Ridge Subdivision, and the Engineering Department a new recommendation has been prepared, which accounts for the soil erosion and storm water conditions found on the site. There is a history of soil erosion and storm water control issues and complaints. Currently, there are several houses as the end of the subdivision, which house City residents. The new recommendation includes conditions for extension of the bond. The bond is currently due on December 16, 2011. The conditions include continue meeting with the stormwater inspector, as well as a comprehensive site stabilization plan with implementation, and a revised set of stormwater calculations prepared by a qualified engineer. The applicant will have until December 15, 2011, 5:00p.m. to produce the bond and comply with those contingencies. At that time the original Letter of Credit will be released to the bank. If the items are not produced then the bond will be called in favor of the City. The Chairman opened the item for discussion. A discussion was ensued regarding the current Letter of Credit and expiration date. Commissioner Denton asked if this originally had a different name. Staff stated that it was originally Peach Orchard Subdivision. Commissioner Denton further questioned if the City would complete the infrastructure items if the bond was called. Staff stated in an affirmative yes that the City would complete those items with the monies from the bond. Commissioner Lewis asked if the bank had been contacted regarding the Letter of Credit. Staff said that the bank had not been contacted.

The Chairman opened the item up for public hearing. There being no one to speak in favor or in opposition of the request, the item was closed. A motion was made by Mike McIntire, seconded by George Coleman, to approve a one year extension of the Irrevocable Letter of Credit for the Harmony Ridge development contingent upon receipt of 1) new revised stormwater control calculations prepared by a qualified design professional. 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 Irrevocable Letter of Credit. If these contingencies are not met by 5:00 p.m. on December 15, 2011, then the Planning Commission shall call the Letter of Credit for the Harmony Ridge development in the amount of $137,000 to ensure the infrastructure will be installed as required, and direct the City Treasurer to submit a request to TruPoint Bank on or before December 16, 2011.

This motion was approved with a vote of 7-0-1, with Jim Lewis voting no, and Dennis Ward abstaining.

Edinburgh Phase 2e, Preliminary Plat Approval (11-201-00060) – The Planning Commission considered granting preliminary plat approval for Phase 2e of the Edinburgh Subdivision, located off Rock Springs Road. The property is located inside the corporate limits of the City of Kingsport, 15th Civil District of Sullivan County. Staff stated that a letter had been presented to request withdraw of this item until additional information is received from City departments. The Chairman opened the item up for public hearing. Mr. Don Jobe was present to withdraw the request, and substantiated the need for withdraw. There being no further speakers the public

hearing was closed. A motion was made by George Coleman, seconded by Mike McIntire, to withdraw the request. The motion was approved unanimously, 8-0, with Dennis Ward abstaining.

Kendrick Creek Part B Annexation (11-301-00005) - The Planning Commission considered the annexation, zoning, and plan of services for property located in the northern quadrant of the I-26/I-81 interstate interchange. The property is located in the 14th Civil District of Sullivan County. Presentation was made by Ken Weems. Staff advised that the annexation area consisted of approximately 119 acres divided into 1.5 parcels. Also included in the annexation area was approximately 3,640 feet to street.

Mr. Weems did state that the property owner had been contacted regarding the zoning district applied to the annexation area, and the owner has requested an A-1 zoning district to preserve the farming and agricultural use of that property. He further stated that a 10-foot strip of County is continued to remain until the remaining portion of Colonial Heights is annexed. The Planning Commission went into discussion and Commissioner Denton questioned if whether or not the property owners were amenable to the A-1 zoning district, and staff affirmed that it is an active farm at this time, and the A-1 is a holding zone for future commercial use and has been approved by the property owners. There were no further questions. The Chairman opened the item for public hearing. There being no one to speak in favor or in opposition of the request, the item was closed.

A motion was made by Mike McIntire, seconded by Jim Lewis, to approve request as presented. The motion was approved unanimously, 8-0.

Sullivan County Zoning Text Amendment Report (11-801-00006) – The Planning Commission considered a Sullivan County Zoning Text Amendment to Article 3-104.2 relating to accessory structures in mobile home parks. Presentation was made by Karen Combs regarding the zoning text amendment. This text amendment proposes to add to Article 3-104.2. This amendment will add language to govern accessory structures within established and new mobile home parks within the county. A minor County Zoning Text Amendment to include provisions permitting and regulating the individual detached residential accessory structures within established and new mobile home parks within the county.

Amends Article 3-104.2 to include paragraph #11 below

11. Residential Accessory Structures – With written approval from the landowner, each tenant of the mobile home park may be permitted detached residential accessory structures so long as the structure(s) meets all other bulk regulations and site design standards as outlined above per Article 3-104.2 as well as the following limitations:
    a. Each approved mobile home park space (lot within park) may have one detached carport no larger than 400 square feet and shall be setback at least ten (10) feet from the interior access road; thirty (30) feet from the property line and twenty (20) feet from adjacent homes, in order to satisfy the site design standards as required per Article 3-104.2;
    b. Each approved mobile home park space (lot within park) may also have one additional detached residential storage building no larger than 120 square feet and shall also meet the same setbacks as stated above; and
    c. In order to safeguard the open space and common play area set aside for the enjoyment of all mobile home park residents, no other individual residential accessory structures may be permitted within the mobile home park.

d. *Communal accessory structures*, such as laundry facilities, playground equipment, common mail box stations, gazebos, maintenance sheds or other amenities must be shown on the comprehensive development plan and shall be approved by the Sullivan County Regional Planning Commission.

Staff recommended approval to the Kingsport Regional Planning Commission.

The Planning Commission conducted discussion regarding the item. Commissioner Stauffer asked if people in the County could have an accessory use larger than the 120 sq. feet recommended. Staff stated that a larger accessory use would be allowed as long as it meets the other zoning requirements, and obtain a permit.

There being no further discussion, a motion was made by Colette George, seconded by George Coleman, to recommend the zoning text amendment as presented. The motion was approved unanimously, 8-0.

Sullivan County Zoning Text Amendment Report (11-801-00007) – The Planning Commission considered a Sullivan County Zoning Text Amendment to Article 3-103.6(2)(a)(vi) relating to sizes of residential accessory structures. Presentation was made by Karen Combs.
This text amendment proposes to amend section 3-103.6 (2)(a)(vi). This amendment will change the square footage on exempt detached portable residential accessory structures (ex. Carports) from 200 square feet to 120 square feet. This change will bring the zoning code into compliance with the IRC building code standard. This request if adopted will minimize confusion by matching the zoning code requirements to the building code standards. Staff recommended approval to the Kingsport Regional Planning Commission.

The Planning Commission conducted discussion regarding the item. Commissioner Denton asked how this new change to the zoning text would be communicated to the Sullivan County residents. Staff stated that upon request of a permit the property owner would be notified of the new regulations and that the change is typically published in the legal section of the Times News, as well. Commissioner McIntire stated this is a similar process to the way City conducts zoning text amendments. Commissioner Denton asked if the City's County Commission representative would help to notify county residents of the proposed changed as well. There being no further discussion, a motion was made by Colette George, seconded by "Buzzy" Breeding, to approve the zoning text amendment as presented. The motion was approved unanimously, 8-0.

Sullivan County Zoning Text Amendment Report (11-801-00008) – The Planning Commission considered a Sullivan County Zoning Text Amendment to propose two new districts be added to the Sullivan County zoning code relating to campgrounds. Presentation was made by Karen Combs. Mrs. Combs did have conversation with two property owners by telephone regarding the text amendment and relayed the content of the conversations to the Planning Commission. In an effort to govern campgrounds within the county, staff proposed two new districts be added to the Sullivan County zoning code.

This first addition is AR2, Agricultural/Rustic Campground District. The purpose of this district is to allow for designated tent sites with basic amenities. The AR2 will not permit long term/seasonal stay with individual utilities. No RV/Campers are allowed in this zone and there is a time limit similar to the State owned campgrounds of 14 days.

The second amendment is the introduction of the CT, Commercial-Tourism District. This district allow campgrounds with full utility hook-ups, bath houses, sewer dump stations and are located

near or include commercial facilities. This zone may allow designated areas for long term recreational vehicle stay and camper sites and allows for a mixture of land uses but prohibits manufactured housing, mobile homes or other incompatible land uses.

Staff recommended approval of both items to the Kingsport Regional Planning Commission.

The Planning Commission conducted discussion regarding the item. Commissioner Denton asked if we were establishing a new zone for Sullivan County. Commissioner McIntire stated "no" we would be simply recommending the zones to the Sullivan County Commission similar to the process for BMA approval. Sullivan County's Commission would then make the final approval. Mr. McIntire further stated that Bristol would conduct the same type of hearing in reviewing the amendments prior to hearing by the County Commission.

Commissioner Ward stated that during those Regional Planning Commission meetings, where this item was discussed, the issue did appear to relate to primarily lake area properties. Commissioner George asked if the where places in the Urban Growth Boundary that would be appropriate for these zones. Commissioner Ward stated there are a few sites that would be eligible. He further stated that although eligible those sites would be required to be rezoned, and recommendation would be provided to the Kingsport Planning Commission regarding the appropriateness of the zones for any properties within the Urban Growth Boundary.

There being no further discussion, the Chairman opened up the item up for public hearing. Ms. Carol Ledford spoke in opposition to the item. She stated citing the loss of agricultural use in the area, and that the zone was prompted by a particular zone on a particular property and may have a larger affect on the County as a whole. Commissioner McIntire asked if Ms. Ledford had contacted her County representatives on the County Commission, as well. Ms. Ledford stated that she had in fact contacted her representatives. Commissioner Ward stated that the county discussion didn't necessarily identify one person, but did receive a lot of opposition from property owners particularly in the lake area. George Coleman asked if campgrounds currently exist in the County. Staff stated that they do and they are zoned commercial. Commissioner McIntire stated that four or more are currently in existence in range from small cabins to primitive camping. Commissioner Coleman asked what other uses were allowed in those zones. Commissioner McIntire stated they were very specific to campgrounds. Commissioner Coleman further stated that the property owner in question could then request anyone of the current county zones for a campground today. He further affirmed that this change only differentiates two different types of zoning for these campgrounds under this proposed change. Ms. Ledford stated the current version of this zoning was denied for the alleged property owner prompting the new zoning text. She asked that the Commission consider how this affects all of Sullivan County and not just the City of Kingsport. She stated that the new zones maybe easier to get approval for in the future.

There being no one else to speak in favor or in opposition the public hearing was closed. A motion was made by "Buzzy" Breeding, seconded by George Coleman, to approve the zoning text amendment recommendation as presented by staff. The motion was approved with a vote of 7-0-1, with Jim Lewis voting no and no abstentions.

OTHER BUSINESS

Proposed Amendment to the Business Conference Center Sign Regulations – The Planning Commission considered an amendment to Section 114-467(9) *Signs* of Division 9, Business Conference Center District in the City of Kingsport Zoning Code. The changes were explained to

the Planning Commission regarding the proposed new signs allowed within the business conference center district under this draft. The signs included for change were a new complex free standing center sign, which is an amendment to the current free standing center signage allowed. It creates a primary and secondary sign on the current allowances regarding the signs along the interstate. This really has very limited application within the Business Conference Center District and would apply to those businesses that are on the same parcel particularly for MeadowView. As an example, MeadowView may in the future have several businesses as well in addition to the conference center itself including potentially a winery, Aquatic Center, and the Cattails Golf Course, all of which are located on the same parcel. This allows for signage on the current interstate sign for those businesses. Staff stated that further changes include the allowance for a monument sign for each of those businesses as well, as those currently would not be allowed any additional signage along any roadways. The monument signs would be limited to each business on the same parcel and would be limited to the same size and height requirements and restrictions currently found in the Business Conference Center District. Additionally, a house-keeping change included specific detail as to the allowance of traffic directional signs on the site.

The Planning Commission received, for informational purpose only, a report of the FY2011 Year-to-Date Relocation Report.

The Planning Commission received, for informational purpose only, a report of permits issued by the Building Division for the period of October 1-31, 2011.

The Planning Commission received, for informational purpose only, a report of New Businesses as provided by Jeff Fleming.

The Planning Commission received the following minor subdivisions, letters, and maps approved in-house by the Planning Manager:

- Resubdivision of the Winkle Subdivision on Shadowtown Road
- Resubdivision of the Dean Trent Property on Stone Drive
- Replat of Lot 1, Josie Hood Subdivision

The Planning Commission held discussion regarding a request by Commissioner Denton for accumulative total cost for annexations including a net present value cost. Commissioner Denton requested this more in depth cost analysis to allow for a more accurate recommendation to the Board of Mayor and Aldermen regarding annexations and trying to follow current budget constraints. There was much discussion from the Commission regarding the difficulties in quantifying these annexation costs and benefits as they vary widely between acreage and residences of the types of properties that are included in each annexation. Commissioner Coleman did state that he felt the annexations could be better monitored by looking at the annexation areas or neighborhoods as a whole vs. individual small areas. Commissioner McIntire did state further that when looking at each of these annexations then we should also include the commercial costs and benefits that are contributing to the revenues particularly for this analysis. Commissioner McIntire further stated that many of the costs are still not completely capture in the current process particularly as they relate to school cost. Commissioner Coleman stated that his concerns centered around beginning down a path in a neighborhood that may or may not be profitable in the long run. Commissioner George stated her concerns the alternative to losing out on revenues and increasing cost by not annexing some of these areas, and that the annexations would then be more expensive in the long run that we have seen in several of the Colonial Heights annexations. Although she did state her support for studying the annexations by neighborhoods vs. the individual small areas. Additional discussion ensued regarding creating a better cost analysis tool to use in evaluations. Commissioner Lewis stated that he felt like Planning Commission should have more input in the proposed annexation areas and the future areas

slated for annexation. After some additional discussion, the item was closed. Staff did state they would work to include those items in our cost analysis that those items would probably be presented to the Planning Commission with the next set of residential annexations.

The Planning Commission also discussed a Christmas luncheon where the Commission would treat the Planning staff for lunch. It was decided that this would be held during the December 12th Planning Work Session, assuming that there would be few items on the agenda. Staff was to find a location of their choice.

ADJOURNMENT

There being no further business, a motion was made by George Coleman, seconded by Mike McIntire, to adjourn the meeting at approximately 8:02 p.m. This motion passed unanimously, 8-0.

Respectfully Submitted,

Chanya Lynn Tully, AICP, Planning Commission Secretary