

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

March 15, 2012

7:00 p.m.

Members Present

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

Members Absent

None

Staff Present

Lynn Tully
Ken Weems
Forrest Koder
Jason Meredith
Chris Alley

Visitors List

Mary Spears
Ike Spears
Kathy McKinley
Jack McKinley
Terry Cunningham
Tessa Murr

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 Mike McIntire, seconded by Dave Stauffer, to approve the Agenda as submitted. This motion was approved unanimously, 8-0.

The minutes of the Work Session held on February 13, 2012, and the Regular Meeting held on the February 16, 2012, were discussed. There being no corrections, a motion was made by Jim Lewis, seconded by Hoyt Denton, to approve the minutes as presented. This motion was approved unanimously, 8-0.

CONSENT AGENDA

No items

UNFINISHED BUSINESS

No items

NEW BUSINESS

Kingsport South Annexation (12-301-00001) – The Planning Commission considered the annexation, zoning, and plan of services for property located on the south side of Mitchell Road and at the terminus of Eastern Star Road. The property is located in the 14th Civil District of Sullivan County. A presentation was made by Mr. Ken Weems.

The presentation included a total of 164 acres including 9 single family homes within the annexation area. Water and sewer upgrades are necessary for the area, and are shown with cost estimates in the report. Current zoning is county A-1 zoning in the western portion and county R-1 in the northern portion, and the City is recommending a City A-1, Agricultural zoning, for all properties included in the annexation area. The area includes 5 school age children. A positive recommendation was received from staff for the Planning Commission's review. A question was raised by Commissioner Hoyt Denton regarding whether the Border Regions zone had already been approved by the Board of Mayor and Aldermen. Staff did state that yes it was approved and completed by the BMA. Commissioner Colette George asked if there was any development located on the northern parcel in the Kingsport South annexation area. Staff responded that there are no homes on that parcel; however, a driveway to another home is currently on the property. All the property is currently in agricultural use with no development. There being no additional questions for staff, the Chairman opened the item up for public hearing. No one spoke in favor of the annexation area. Mr. Ike Spears spoke in opposition, asking why his property was included within the annexed area. Staff responded that the portion of the annexation including Mr. Spears property was included within the Border Regions zone (his property is located in the Eastern Star Rd. part 2 annexation). Further, the home is surrounded by the city limits and the Border Regions zone. Mr. Weems explained the use and purpose of the border regions zone, and the new law allowing for shared sales taxes to be returned to the city for use for additional infrastructure within the area.

Commissioner Colette George stated that the law itself has already been approved by the State and has been enacted. Commissioner Andy Hall stated that this annexation is driven by the new law which makes the area attractive for economic development. Commissioner "Buzzy" Breeding asked why we removed the home located on Lebanon Rd. surrounded by the northern parcel of the Kingsport South Annexation. Staff stated that the property actually including the home is on a different parcel than the one that is included within the Border Regions area. Mr. Spears stated that Kingsport didn't want to spend additional funds for this parcel. Commissioner George Coleman stated that based on the presentation, Kingsport is currently going to expend about \$400,000 to serve the properties included in the Kingsport South annexation area, which includes the properties surrounding the home on Lebanon Road. Mr. Spears asked if this annexation would have been considered if Stewart Taylor's property was not being considered for development. Commissioner Mike McIntire stated that the city limits actually were primarily already there, and development of Mr. Taylor's property is incidental to this particular annexation, although it would be very beneficial for the City based on the Border Regions Law.

Ms. Barbara King spoke in opposition to the annexation as well, stating that although she felt it didn't matter she did want it to be in the record that she was opposed to the annexation. Commissioner Colette George restated that the annexation of Kingsport south is going to benefit the area as a whole based on the Border Regions Law with infrastructure monies set aside for improvements specifically for this area. There being no further discussion, the public hearing was then closed.

A motion was made by Jim Lewis, seconded by Dave Stauffer, to approve the Kingsport South annexation, zoning, and plan of services to the Board of Mayor and Aldermen for their public hearing. The motion was passed unanimously, 8-0.

Eastern Star Road Part 2 Annexation (12-301-00002) - The Planning Commission considered the annexation, zoning, and plan of services for property located on and around Eastern Star Road. The property is located in the 14th Civil District of Sullivan County. A presentation was made by Mr. Ken Weems.

The property includes three parcels with one elementary aged child within the area and approximately 3,000 linear feet of right-of-way for Eastern Star Rd. The current county zoning is M-1, which is an Industrial zoning. The City's comparable zoning being recommended is M-1R, Light Industrial Restricted, zoning district. Planning staff did recommend the area for positive recommendation to the Board of Mayor and Aldermen from the Planning Commission. Commissioner Hoyt Denton asked if this would complete the area within the border regions zone as identified by the Board of Mayor and Aldermen. Staff responded in the affirmative. Commissioner Colette George confirmed that sewer and water is available to all parcels included within the annexation area. There being no additional questions for staff, the Chairman opened the item for public hearing. No one spoke in favor of the annexation area. Mr. Ike Spears spoke in opposition. He asked how he would be charged for sewer if he uses well water on his property. Ken Weems stated that there was a process for that, and that potentially he could be required to tap onto both lines, but that would be worked out by the City's Public Works Department. There being no further discussion, the public hearing was then closed.

A motion was made by Jim Lewis, seconded by Dave Stauffer, to approve the Eastern Star Road Part 2 annexation, zoning, and plan of services to the Board of Mayor and Aldermen for their public hearing. The motion was passed unanimously, 8-0.

Ridgefields Road Rezoning Request (12-101-00001) – The Planning Commission considered a request to rezone approximately 551-acres of property from R-1A, Single Family Residential District , to GC, Golf Course Community District. The property is located along Ridgefields Road, inside the corporate limits of the City of Kingsport, 12th Civil District of Sullivan County. A presentation was made by Mrs. Lynn Tully. The rezoning is bounded by Ridgefields Road, the railroad, and the Holston River, and is requested to amend the previous rezoning efforts for a B-4P, for the Golf Course accessory uses enacted some time ago. This is part of the agreement of the original zoning, which required the creation of a new zoning district, which is the Golf Course Community District. This is the first of any rezoning to the new district and basically holds the development of anything within this area to a master plan. The master plan outlines the current residential lots to be used for residential and does not oppose any new restrictions on those residential lots, but continues the previous zoning characteristics. However, it further identifies specifically the golf course area on the master plan and the golf course accessory uses area on the master plan. To enlarge the golf course area or change significantly any of the uses within it would have to be reviewed by the Planning Commission through a revision to the master plan. The golf course is currently indicated on the master plan at its current locations, with the accessory uses identified as well along the northern edge of the district adjacent to the river. A public meeting was held which discussed the change in zoning as well as the new zoning district. Most all of the residents responded in the positive in regarding the zoning change, a lot of them being phone calls regarding the change. All have been very supportive of the change thus far. Mr. Stan Pace was contacted regarding two land locked parcels that are indicated as residential on the master plan and currently being used for maintenance materials for the golf course. He was asked whether he would prefer to change that or to simply allow the use to remain as non-conforming. Mr. Pace did not respond to indicating any need or request to change the uses, therefore it was shown on the master plan as being appropriate for residential uses. Staff did recommend the change as presented. There being no questions for staff, the Chairman opened the item for public hearing. There was no one to speak in favor or in opposition to the request. There being no further discussion, the public hearing was then closed.

A motion was made by Mike McIntire, seconded by George Coleman, to recommend the Ridgefields Road rezoning request as presented by staff. The motion was passed unanimously, 8-0.

**Staff notes that Mr. Jason Meredith was requested to present both the Planned Village Zoning Text Amendment and the Carver Street Rezoning request together within the same presentation.*

Planned Village District Zoning Text Amendment (12-801-00003) – The Planning Commission considered an amendment to the Planned Village District (PVD). The request is to amend the text to formally allow for duplexes and townhomes and live/work units as a special exception within the “Village Edge” areas of the PVD.

Carver Street Rezoning Request (12-101-00002) – The Planning Commission considered a request to rezone approximately .37-acres of property from R-1C, Residential District, to PVD, Planned Village District. The property is located at 300 Carver Street, inside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County.

A presentation for both items was made by Mr. Jason Meredith.

Regarding the zoning text amendment, Mr. Meredith presented the basics of the transect model for traditional neighborhood developments. This model was created by Smart Growth planners and used nationally for preparing form based zoning for traditional neighborhood developments. Mr. Meredith stated that typically the TND districts include three subzones within a traditional neighborhood development. One subzone being the village core (T4-5), the next the general urban zone(T4), and the suburban zone(T3) which includes strictly single-family lots. Our current PVD model includes the village core and village edge. The village core is identified with uses typical for a T5 urban center or village center zone including commercial uses primarily with live/work units, higher density apartments, and multi-family housing. The village edge includes single family uses only with some home occupations typical for suburban living being more akin to a T3 suburban zone. Mr. Meredith pointed out that the general urban zone which is a mixture of some small commercial particularly live/work units, duplexes, quad-plexes and some lower density apartments along with some single family homes is missing from the current PVD model. Mr. Meredith also pointed out that the T4 serves as a transitional area from the urban core area to the more suburban neighborhood area. Additionally, Mr. Meredith stated that the current master plan for the Planned Village District within the Riverview area includes two village centers with a village green. One being the V.O. Dobbins center (Village Center) and Dobbins park being a village green and the other village center being located along Martin Luther King Drive. The Village Edge portion outlined in the master plan includes duplexes and single family uses and is located adjoining both village centers at either end with the fabric of the existing single family neighborhood bounding PVD. Based on the current village edge inclusion of duplexes staff has recommended that the village edge area be more closely identified to allow duplexes and lower density townhomes within the village edge as well as single family along with live/work units as a special exception approved by the Board of Zoning Appeals. This would match the current PVD plan for Riverview and allow for the transitional area to occur within that zoning district and is not currently shown in the PVD text. There was much discussion regarding the initial creation of the Planned Village District and the thought that was put into creating the village center and the village edge. Commissioner Colette George stated that she felt that an additional zone was not necessary and that both would handle village center and village edge. Director Lynn Tully indicated that it may; however, currently we have included duplexes within a village

edge area that are not technically allowed by the zoning text and chart. Much additional discussion ensued regarding the need for duplexes and apartments as a transition from a single family neighborhood to a village edge center. Specifically, under discussion was the concern that much higher density apartments would be allowed within the village edge, which were not initially anticipated. Director Lynn Tully again did state that the current village edge does allow for eight single family units per acre within the zoning text; however, physically eight single family units per acre is a density which is not typically achieved without the units being attached units, i.e. condos, quad-plexes, town houses. She stated that it was very difficult to get individual single family homes at a density of eight units per acre as allowed by the text, which are not connected. Commissioner George Coleman stated that maybe that was the intention although it was not expressed. Additional discussion ensued regarding the transect and the definition of character of each transect variant. Mr. Jason Meredith went on to present the rezoning proposal which included a parcel on Carver Street currently adjacent to the village edge of the PVD shown on the master plan. The rezoning request was to rezone to PVD this .3-acre parcel in order to allow four units to be constructed to two individual sets of duplex units. Staff further stated that the request for the zoning text change would allow the extension of the village edge district to cover this parcel allowing the duplexes as proposed. Upon additional discussion, the Chairman opened the item for public hearing. Mr. Terry Cunningham spoke in favor of the request stating that the additional duplexes are necessary for replacement units from the Hope VI renovation which tore down the barrack style apartments and replaced those with single family attached and detached units. The extension of the zoning would allow for additional points to grant awards to construct these units which are important to the replacement number. Mr. Cunningham further stated that there are quite a few residents within that area who have been moved and displaced to other housing although they would much prefer to return to the Riverview area. Primarily these are seniors who have spent many years in that neighborhood and would like to continue to live in the Riverview community. This would allow an opportunity for those seniors to return to the community in which they have made friends and connections. Mr. Cunningham stated that the proposal is for two units to face Carver Street and two units to face Douglas Street. Additional discussion ensued, regarding how to appropriately zone this parcel in order to facilitate the construction of those duplexes without eroding the requirements of the Planned Village District. Planning Staff was asked whether there were other zones which would accommodate the proposed use to which Director Lynn Tully responded to yes. She stated that R-2 zoning allows duplexes; however, this particular use would require a subdivision of the property prior to those duplexes being permitted, as well as a rezoning to the R-2 district. Some discussion ensued regarding whether the proposal for R-2 would be appropriate, as well as whether it could be considered a "spot zoning". Staff stated that although this was an option, it was originally not preferred in order to avoid any appearance of spot zoning. There being no opposition to the request, the public hearing was closed.

After additional discussion, a motion was made by Colette George, seconded by George Coleman, to rezone the Carver Street property to City R-2 zoning. The motion passed unanimously, 8-0.

A motion was made by Colette George, seconded by George Coleman, to deny the zoning text amendment for Planned Village District. The motion was approved 8-0 for denial.

Edinburgh Subdivision – Phase 2a Amendment – Final Plat (12-201-00001) – The Planning Commission considered granting final plat approval for the Edinburgh Subdivision, Phase 2a, located adjacent to Edinburgh Channel Road. The property is located inside the corporate limits of the City of Kingsport, 15th Civil District of Sullivan County. Mr. Forrest Koder made the presentation.

Mr. Koder presented the resubdivision of four lots in the Edinburgh Subdivision Phase 2a into three lots in the Edinburgh Subdivision. No additional variances or bonds are required for the subdivision and staff recommended approval of the subdivision as presented.

OTHER BUSINESS

Receive, for informational purpose only, the Plan of Services Amendment for the Cherry Knoll Annexation.

The Planning Commission received, for informational purpose only, a report of permits issued by the Building Division for the period of February 1-29, 2012.

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

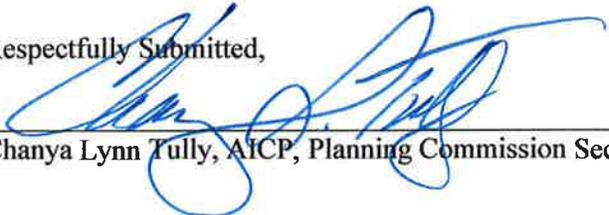
The Planning Commission received the following minor subdivisions, letters, and maps approved in-house by the Planning Manager:

- Resubdivision of the Wilcox Business Center Subdivision on Wilcox Court.
- Resubdivision of Lot 13 of Springdale Subdivision on Jan Way Drive.
- Resubdivision of Lot 2 into Lots 2R and 3 of Kidd Subdivision on Island Road.
- Resubdivision of Lots 1 & 2 of Maclean Subdivision on Airport Parkway.

ADJOURNMENT

There being no further business, a motion was made by “Buzzy” Breeding, seconded by George Coleman, to adjourn the meeting at approximately 8:45 p.m. This motion passed unanimously, 8-0.

Respectfully Submitted,



Chanya Lynn Tully, AICP, Planning Commission Secretary