

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

August 18, 2011

7:00 p.m.

Members Present

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

Members Absent

Hoyt Denton

Staff Present

Lynn Tully
Jeff Fleming
Forrest Koder
Ken Weems
Jason Meredith
Chris Alley

Visitors List

James Hensley	Hugh McCarney
Donald Anthony Henry	Rita McKenzie
Melissa C. Henry	Wayne John
Joe Bender	Wayne Buchanan
Charles Burks	Lisa Buchanan
Wanda Burks	Tony Grills
Darin Christian	Carolyn Cole
Alan Way	Christy Woods
Marianne Way	Patricia Kersic
Richard Mobley	Gerald Kersic
Douglas Rose	

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 there had been one change made to the Tentative Agenda adding the election of a new secretary for the Planning Commission. A motion was made by Colette George, seconded by “Buzzy” Breeding, to approve the Agenda as amended. This motion was approved unanimously, 7-0.

The Commission received a report from the Nominating Committee for the Election of the Office of Secretary for the 2011/2012 year. Lynn Tully was nominated as Secretary by Mike McIntire, seconded by Jim Lewis. This motion was approved unanimously, 7-0.

A motion was made by Mike McIntire, seconded by George Coleman, to approve the minutes of the Regular Meeting held July 21, 2011. This motion was approved unanimously, 7-0.

CONSENT AGENDA

No items

UNFINISHED BUSINESS

No items

NEW BUSINESS

North Kingsport Area A Annexation (11-301-00004) – The Planning Commission considered a request to recommend annexation, zoning, and a plan of services for property located north of West Carters Valley Road, titled North Kingsport Area A. The property is located in the 12th Civil District of Sullivan County, north of West Carters Valley Road. The 2030 Land Use Plan addresses this area as Single Family, Multi Family and Public. The annexation area is currently served with both water and sanitary sewer. Minor water upgrades are necessary. The annexation area is located along the northern right of way of West Carters Valley Road. Portions of the following public streets are included in the annexation: Tenneva Street (approximately 820 ft), Gregory Road (approximately 560 ft). This annexation area contains approximately 83 residents. The North Kingsport A & B areas contain a combined 11 students (8 elementary, 1 middle, 2 high school).

Staff recommended approval of Option 1; recommendation of the annexation, zoning, and plan of services for North Kingsport Area A Annexation.

The Chairman asked for, those speaking in favor, there being none, he requested any public opposed speak. Citizens speaking in opposition to the request included: Carolyn Cole, James Hensley, Rita McKenzie, Nathan Henry and Melissa Henry. Items of concern included the extension of the water and sewer lines for apartments owned by Ms. Cole, and benefits of services to those types of properties. Additionally, other concerns included the anticipated additional tax burden during difficult financial times as well as any potential benefits for those who are currently already receiving many City services. Ms. McKenzie specifically expressed issues with the difference in cost for a sewer tap considering her tap was purchased within the last year, outside the city, without knowing that the annexation was to be initiated in the very near future. Others expressed concern with the boundary lines as drawn. One citizen specifically expressed concern over the water quality currently being received, and asked for testing and other checks to be sure that water being received was of appropriate quality without rust and other contaminants.

The Planning Commission expressed concern regarding the extension of the water line and how those water lines were being tested. Mr. Chris Alley responded stating that the water lines were continuously tested and have not shown any issue. However, whether or not these parcels are annexed the water lines and the water will be continuously monitored for quality purposes. Additional Commission discussion included the drawing of the border lines as well as the ten (10) foot wide strip left out to avoid a separation of City property. A motion was made by Jim Lewis to table this item for ninety (90) days to address water and sewer line concerns. The motion died for lack of a second. Additional Commission discussion ensued regarding water and sewer line extension and the limited nature thereof to serve this particular annexation. A motion was made by Colette George to recommend the North Kingsport Area A annexation, zoning, and plan of services to the Board of Mayor and Aldermen. The motion was seconded by Dave Stauffer. The motion carried 6-1, with Jim Lewis opposing.

North Kingsport Area B Annexation (11-301-00005) – The Planning Commission considered a request to recommend annexation, zoning, and a plan of services for property located north of West Carters Valley Road, titled North Kingsport Area B. The property is located in the 12th Civil District of Sullivan County, located south of West Carters Valley Road. The 2030 Land Use Plan addresses this area as

Single Family and Retail. Minor water and sewer upgrades are necessary for the annexation area. The annexation area is located along the southern right of way of West Carters Valley Road. Portions of the following public streets are included in the annexation: Edison Street (approximately 720 ft), Fletcher Avenue (approximately 550 ft), Gleason Street (approximately 290 ft), Stella Street (approximately 255 ft). This annexation area contains approximately 128 residents. The North Kingsport A & B areas contain a combined 11 students (8 elementary, 1 middle, 2 high school).

Staff presented this item in conjunction with North Kingsport Area A Annexation, and no new presentation was made. A motion was made by Colette George to recommend the annexation, zoning, and plan of services as recommended by staff. The motion was seconded by Dave Stauffer. The motion carried 6-1, with Jim Lewis opposing.

Colonial Heights Area 4A Annexation (11-301-00001) – The Planning Commission considered a request to recommend annexation, zoning, and a plan of services for property located east of Lebanon Road, titled Colonial Heights Area 4A. The property is located in the 14th Civil District of Sullivan County. Staff provided the details of the annexation, which consisted of 34 acres on the east side of Lebanon Road. Staff informed the Commission that the proposed zoning for the area is City R-1B, compatible with the current County R-1 (single family) residential zoning. The plan of services was reviewed for the area, which consisted of all the necessary services as mandated by state law. Additionally, staff informed the Commission that the area is currently served with sanitary sewer and water service; however the annexation area does require a minor water upgrade in the form of increasing hydrant density and the addition of 200' of 6" water line.

Staff recommended the Planning Commission adopt Option 1, a recommendation of the annexation, zoning, and plan of services to the Board of Mayor and Aldermen. The Chairman opened the item for public comment. Mr. Alan Way, asked for clarification regarding the boundary of the annexation. He was concerned that the entire neighborhood was not being considered for this request. Another citizen, Mr. Charles Burks, also expressed concern regarding the cost of street lights currently paid for by the property owner. Staff stated that the City of Kingsport would pay for the street lights that light city roadways when annexed. Mr. Burks also questioned whether sidewalks would be provided as part of the annexation. However, staff noted that those are not a part of the annexation, but maybe added by the Sidewalk Committee at some future date. No public spoke in opposition to the request. After limited discussion, a motion was made by Colette George, seconded by Dave Stauffer, to recommend approval of the annexation, zoning, and plan of services for Colonial Heights Annexation Area 4A. The motion was approved unanimously, 7-0.

Colonial Heights Area 4B Annexation (11-301-00006) – The Planning Commission considered a request to recommend annexation, zoning, and a plan of services for property located east of Lebanon Road, known as Colonial Heights Area 4B. The property is located in the 14th Civil District of Sullivan County. Staff provided the details of the annexation, which consisted of 6 acres on the east side of Lebanon Road. Staff informed the Commission that the proposed zoning for the area is City R-1B, compatible with the current County R-1 (single family) residential zoning. The plan of services was reviewed for the area, which consisted of all the necessary services as mandated by state law. Additionally, staff informed the Commission that the area is currently served with sanitary sewer and water service.

The Commission questioned whether street lighting would be placed on Lebanon Road. Staff stated that it would be included, and power would be provided underground if a development currently has underground power for lighting. The Chairman opened the item up for public comment. No citizen spoke in favor and none spoke in opposition to this request. A motion was made by Colette George to

recommend the annexation, zoning, and plan of services to the Kingsport Board of Mayor and Aldermen. The motion was seconded by Andy Hall. The motion was approved unanimously, 7-0.

Colonial Heights Area 4C Annexation (11-301-00007) – The Planning Commission considered a request to recommend annexation, zoning, and a plan of services for property located off the northeast quadrant of I-26/181 interchange, known as Colonial Heights Area 4C. The property is located in the 14th Civil District of Sullivan County.

Staff provided the details of the annexation, which consisted of 60 acres. Staff informed the Commission that the proposed zoning for the area is City R-1B, compatible with the current County R-1 (single family) residential zoning. The plan of services was reviewed for the area, which consisted of all the necessary services as mandated by state law. Additionally, staff informed the Commission that the area is currently served with water service and mostly served with sanitary sewer. Several upgrades were brought to the attention of the Commission, specifically the need to increase hydrant density, the extension of 3 sewer taps, and the addition of 118' of new sanitary sewer line.

Staff recommended Option 1 to recommend the annexation, zoning, and plan of services to the Kingsport Board of Mayor and Aldermen for approval. The Chairman of the Commission opened the item up for public comment. One citizen spoke in favor of the request, Mr. Rick Mobley, asked if his additional lot was being considered in this annexation area. Staff assured Mr. Mobley that it was. Further, Mr. Hugh McCarney spoke in favor of the request, commending staff on a very professional meeting and questioned where hydrants were going to be located in the area. Mr. Gerald Kersic spoke in opposition to the request. His concerns included distance from his residence to the sewer line available, as well as any future issues this might cause if he was not hooked to the City sewer system.

A motion was made by Jim Lewis to delay the item for forty (40) days to investigate additional information regarding the sewer extension in this area. This motion failed due to lack of a second. The Commission discussed briefly the distances required before sewer lines are required to be tapped. A motion was made by Mike McIntire, seconded by Dave Stauffer. The motion passed unanimously, 6-1, with Jim Lewis opposing.

Colonial Heights 3 Piece Annexation (11-301-00009) – The Planning Commission considered a request to recommend annexation, zoning, and a plan of services for property located south of Kendrick Creek Road in Colonial Heights. The property is located in the 14th Civil District of Sullivan County. Staff provided the details of the annexation, which consisted of 1 acre of property and approximately 1,200' of Meadow Lane. Staff informed the Commission that the proposed zoning for the area is City R-1B, compatible with the current County R-1 (single family) residential zoning. The plan of services was reviewed for the area, which consisted of all the necessary services as mandated by state law the exception to the plan of services concerned sanitary sewer service to 308 Oak Court. Staff advised that the property is currently not served with sanitary sewer, and that sanitary sewer would not be provided via this annexation per property owner request. Additionally, staff informed the Commission that the property owners had requested annexation for the primary benefit of city schools.

Subsequently, including a specific recommendation for sewer service to be removed from the plan of services for a single parcel based on a request by the property owner. It was noted that the other areas of the annexation could have been brought in with recent past annexations due to their current water and sewer availability. The Planning Commission discussed whether or not we were setting a precedent for annexation without sewer via this annexation. Staff did assure the Commission that no breach of procedure would be an issue with this particular annexation, and that several of the children included in this annexation are currently being served in the City school system. The Chairman opened the item up for public comment. Mr. Wayne Buchanan spoke in favor. He specifically stated the basis for a request

for city schools without tuition. There being no opposition, a motion was made by Colette George, seconded by Jim Lewis, to recommend the annexation, zoning, and plan of services to the Kingsport Board of Mayor and Aldermen. The motion carried unanimously, 7-0.

Edinburgh Phases 2b & 2c, Variance Request (11-201-00018) – The Planning Commission considered a request to allow a nature trail in lieu of the required sidewalks for the Edinburgh Subdivision Phases 2b and 2c.

Ms. Colette George specifically informed the Commission that she had met with the developer and was comfortable the item being removed from the Agenda as appropriate. Staff did state that the applicant had requested in verbally and in writing the removal of this Agenda item. However, was not physically present that evening to remove the item from the Agenda. Therefore, the Commission was bound to vote for the item.

A motion was made by Collette George, seconded by “Buzzy” Breeding, to deny the request for a nature trail in lieu of the required sidewalks. The motion carried 6-1, with Dennis Ward abstaining.

The Planning Commission recessed for five minutes.

Ft. Henry Drive Zoning Study (11-101-00004) – The Planning Commission considered a request to adopt the Ft. Henry Drive Zoning Study by Resolution. Mr. Koder presented the background results of the study and its conclusions, which included several small changes from the Work Session draft. Staff stated this task was undertaken at the request of the Kingsport Regional Planning Commission just after the *City of Kingsport 2030 Land Use Plan* was adopted. The 2030 land use plan set the ground work for the zoning study with the recommendations included in the land use study. Part of the confusion from the residents came from the land use plan. The land use plan only recommends land use; be it commercial, residential, industrial etc. The red color represents all commercial uses, including B-3, B-4P and P-1, Professional Office, and is not specific as to any particular one. This study, if adopted, will give staff and the PC, the basis for recommendations in the future and clarifies the land use appropriate for this area and help protect the integrity of the remaining residential parcels.

The property adjacent to the current B-4P zoning with the adjacent parcel would be recommended as B-4P from PD and the Cox residence would be recommended as P-1, as well as the current parcels zoned for Manufacturing that should be shown and potentially changed in the study to a P-1. There was no total consensus from the public regarding the zoning study. However, the public discussion was very clear that restricting further commercial encroachment to either B-3 or B-4P was wanted.

The Chairman opened the item up for public comment. Mr. Tony Grills spoke in favor of the request; however, did express his concern with the property nearby his being considered as appropriate for B-4P zoning. Further, he stated that he has been in constant communication with other City and State officials regarding the soil and erosion control that is potentially lacking on that site. No one spoke in opposition.

A motion was made by Mike McIntire to recommend adopting by Resolution the *Ft. Henry Drive Zoning Study*, and to proceed with the rezoning of both the TA parcel and the M-1R parcels to a P-1 zoning. This motion was seconded by Jim Lewis, to approve the request as stated by Commissioner McIntire. The motion carried unanimously, 7-0.

OTHER BUSINESS

The Planning Commission received, for informational purpose only, the minutes of the Regular Meeting of the Board of Zoning Appeals held July 7, 2011.

The Planning Commission received, for informational purpose only, the minutes of the Regular Meeting of the Historic Zoning Commission held July 11, 2011.

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 July 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:

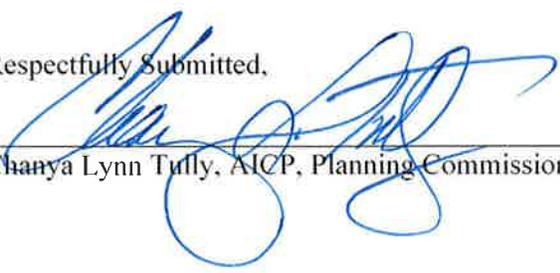
- Replat of Juanita Walton Property
- Division of Riverbend Property Development Co., LLC and the property of Gary Alexander
- Resubdivision of the Springdale Subdivision , Lot 13 on Jan Way Drive
- Resubdivision of the Hillcrest Heights Subdivision on Stratford Road

The Planning Director stated it was her intent to meet individually with each of the Planning Commissioners regarding potential annexation issues. Those meeting will take place in the next two weeks.

ADJOURNMENT

A motion was made by Colette George, seconded by George Coleman, to adjourn the meeting at approximately 9:17p.m.

Respectfully Submitted,



Chanya Lynn Tully, AICP, Planning Commission Secretary