

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.

December 20, 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 NOVEMBER 12, 2012 AND THE REGULAR MEETING HELD NOVEMBER 15, 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.

12-01 Edinburgh Subdivision – Irrevocable Letter of Credit (ILOC) – Credit Reduction (08-201-00068) – The Planning Commission is requested to consider approving the reduction to the ILOC for Edinburgh Subdivision Phase 2f. (Koder)

12-02 Intersection of Fordtown Road and Lebanon Road – County Subdivision Final Plat (12-201-00071) – The Planning Commission is requested to consider approving the final plat of property located at the intersection of Fordtown Road and Lebanon Road. The property is located outside the corporate limits of the City of Kingsport, 14th Civil District of Sullivan County. (Combs)

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

12-03 Lamberth Street – Annexation, Zoning, and Plan of Services (12-301-00013) – The Planning Commission is requested to consider approving and recommending to the Board of Mayor and Aldermen the Lamberth Street annexation, zoning, and plan of services. The property is located outside the corporate limits of the City of Kingsport, 10th Civil District of Sullivan County. (Weems)

12-04 Netherland Villas Development - Irrevocable Letter of Credit (ILOC) – Final Extension (06-201-00055) – The Planning Commission is requested to approve a final ILOC extension for Netherland Villas development. (Koder)

12-05 TA Districts South John B. Dennis Highway – City Initiated Rezoning (12-101-00013) – The Planning Commission is requested to consider approving and recommending to the Board of Mayor and Aldermen rezoning from TA, Tourist Accommodation, to BC, Business Conference District, in order to meet the new TA development regulations. The property is located inside the corporate limits of the City of Kingsport, 13th Civil District of Sullivan County. (Combs)

12-06 TA Districts Along Fort Henry Drive – City Initiated Rezoning (12-101-00014) – The Planning Commission is requested to consider approving and recommending to the Board of Mayor and Aldermen rezoning from TA, Tourist Accommodation, to B-3, General Business District, in order to meet the new TA development regulations. The property is located inside the corporate limits of the City of Kingsport, 14th Civil District of Sullivan County. (Combs)

12-07 264 Moreland Drive – County Rezoning (12-101-00015) – The Planning Commission is requested to consider approving the rezoning from County R-1, Single Family, to County B-1, Neighborhood Business District. The property is located outside the corporate limits of the City of Kingsport, 13th District of Sullivan County. (Combs)

VII. PUBLIC COMMENT - Speakers are limited to 5 minutes per item.

VIII. OTHER BUSINESS

12-08 Receive a letter of resubdivision of the Anna Marie McCann, Lots 1 and 2 on Emory Church Road.

12-09 Receive a letter of resubdivision of the Vaughn property located along Fordtown Road.

12-10 Receive a letter of resubdivision of the AEP-Wells Subdivision on Mill Creek Road.

12-11 Receive a letter of resubdivision of the Ebenezer Church property located at 1026 Maple Street.

12-12 Receive, for informational purposes only, New Businesses report, November, 2012.

12-13 Receive, for informational purposes only, Building Division Monthly Report, October and November 2012.

IX. ADJOURNMENT

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

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

November 12, 2012

12:00 Noon

Members Present

Colette George, Vice-Chairman
Alderman Mike McIntire
Mark Selby
“Buzzy” Breeding
George Coleman
Jim Lewis

Members Absent

Dennis Ward, Chairman
Hoyt Denton
David Stauffer

Staff Present

Lynn Tully
Forrest Koder
Karen Combs
Ken Weems
Hank Clabaugh
Chris Alley
Michael Thompson

Visitor’s List

At 12:00 p.m., the meeting was called to order by Lynn Tully. Mrs. Tully made the announcement welcoming Mr. Mark Selby to the Commission; Mr. Selby is one of our new county representatives on the Commission and comes to us with previous Planning Commission experience. Mrs. Tully also announced that new code copies for the zoning code to be available at Thursday evening’s meeting.

Mrs. Tully presented a letter from Mrs. Ambre Torbett regarding a subdivision plat within our Urban Growth Boundary but outside the City limits. The request is to consider a text amendment pertaining to nonconforming lots and subdivision of same. There was much discussion amongst the Commission regarding the current circumstances of the parcel which led to the request as well as similar parcels and areas found in the County and heard by the Planning Commission previously. Mrs. Tully asked that the Commission consider the request and we would discuss it further at the regular meeting on Thursday evening.

Mrs. Tully presented the tentative agenda for November 15, 2012 meeting of the Planning Commission for discussion. Mrs. Tully requested changes for the minutes of the October 15, 2012 work session and October 18, 2012 regular meeting for the Kingsport Regional Planning Commission. There being no changes to the minutes, the minutes will be submitted as complete during the regular meeting on November 15, 2012.

CONSENT AGENDA

11-01 - St. Andrews Garth – Phase 1 – Irrevocable Letter of Credit (ILOC) – (11-103-00001). The Planning Commission heard a presentation from Mr. Forrest Koder regarding the letter of credit for St. Andrews Garth Subdivision – Phase 1. The development is located on Rock Springs Road and a bond is outstanding in the amount of \$47,700 as established by the Engineering dept. previously. Staff noted that the extension being requested would be recommended based on the condition that this would be the last extension for this phase of the development. Based on discussions with the property owners, Phase II of the development is pending and upon completion of Phase I. Staff noted that two motions will be made for the item, one with the conditions as stated above and the second to call the item if necessary as no new bond is submitted. Based on the recommendation of two motions Mrs. Tully asked to remove the item from the consent agenda and place as the first item under new business. There was little discussion from the Planning Commission and no official action was taken.

11-02 - Polo Fields – McMurray Phase – Amended Final for 8 Units – (12-103-00007). Mr. Forrest Koder presented the Polo Fields development located off Rock Springs Road noting that the change is to remove the units from the approved plan and introduce lots in their stead. No density changes have been proposed at this time and all driveway accesses are included as per the original approved plan. After some discussion regarding the project layout and the project approvals for pedestrian mobility, there was no official action taken on this item.

11-03 Chase Meadows – Phase 3 – Final – (12-103-00006). The Planning Commission heard a presentation from Mr. Forrest Koder regarding Phase 3 of the Chase Meadows Subdivision. Mr. Koder noted that a small bond in the amount of \$5,300 remains from the previous phases for completion of the approved pedestrian mobility pathway. Staff stated that the recommendation for final planned development approval for Phase 3 is contingent on a new bond in the amount to cover the new Phase 3 as well as the previous outstanding letter of credit amount. The total bond being requested is \$74,571.53. Mr. Koder further noted that this phase is in compliance with the preliminary plan and meets all other subdivision criteria. After little discussion, the Planning Commission took no official action.

UNFINISHED BUSINESS

None

NEW BUSINESS

11-04 Harmony Ridge Subdivision - Irrevocable Letter of Credit (ILOC) – (10-201-00010). Mr. Forrest Koder presented the Harmony Ridge Subdivision request for extension of the ILOC for the Harmony Ridge Development. Mr. Koder noted that this extension has several issues. In particular, the bond itself has been in place for more than four years and the most recent extension was given with several stipulations. Those stipulations were partially complied with. Mr. Alley noted that the bond amount is currently significantly out of date and should be revised to include more current cost estimates. He noted that the developer made an attempt to correct deficiencies within the site for erosion control and those corrections have only been partially successful. Staff noted that the expiration date for the bond is in December 2012 however, it is prior to the December regular meeting of the Planning Commission therefore they are hearing it now. Mr. Koder asked that the Planning Commission be aware that a new report would be forthcoming on Thursday evening prior to the start of the meeting with a new bond amount being estimated at that time based on current costs. In addition, staff expects to set completion deadlines for the work to be done as a condition of the extension. After much discussion from the Planning Commission regarding the potential success of the project and causes for the extended length of the bond, there was no official action taken.

11-05 North Kingsport Area 1 – Annexation, Zoning, and Plan of Services – (12-301-00014). Mr. Ken Weems presented the request of annexation from petitioners within the Bell Ridge Road area. Mr. Weems noted that approximately three families are involved in the annexation area and that the area is part of a future growth area identified by the most recent annexation presentation to the Board of Mayor and Aldermen. There was much discussion regarding the history of this particular area regarding annexation and the actions and recommendations of the Board and Planning Commission in recent years. It was noted that this annexation is being considered per the petition and no additional properties have been included in the annexation request. Mr. Weems noted that according to the annexation presentation this is a small portion of an area which will be considered for annexation in larger part for the next five years. There was much discussion regarding the annexation area being considered and potential changes to that area as well as the plan of services. It was suggested that a revised plan of services be presented if the petitioners are amenable which would allow a change in the sewer delivery date for those specific parcels; thus reducing the cost of the overall annexation. Mr. Weems stated that he would contact the petitioners and offer that option and proceed if those petitioners are amenable. There being no additional discussion, no official actions were taken.

11-06 and 11-07 rezoning along Union Street - Tourist Accommodation (TA) Districts – (12-101-00010 and 12-201-00011). Mrs. Tully asked if these two items could be presented together due to their proximity and similarity of condition and for the convenience of the Planning Commission. Mrs. Karen Combs presented the rezoning request from TA to R-3 and B-3 zoning districts. Mrs. Combs stated the parcels exhibit characteristics which are incongruous with the new TA/C zoning District as it's currently written. She noted the existing uses on each site as well and that those uses are accommodated within the proposed zoning district. After some discussion, the Planning Commission took no official action.

11-08 – Tourist Accommodation (TA) Districts along W. Stone Drive at the Lynn Garden Intersection – (12-101-00012). Mrs. Karen Combs presented the parcels at the W. Stone Drive / Lynn Garden intersection currently zoned TA for rezoning to B-3 zoning districts. Similarly to the last presentation, the properties appear to be out of compliance with the new TA zoning district and the B-3 zoning district would be in accordance with the current uses and sizes of the properties. Mrs. Combs presented the existing conditions on the sites as well as the rationale for the change. Mrs. Combs recommended the change to B-3 in order to bring the properties into compliance with current zoning regulations. After little discussion, there was no official action taken.

11-09 -Stewart Taylor Properties – Rezoning – (12-101-00009). Mr. Forrest Koder presented a request from Stewart Taylor Properties to rezone properties from B-3, B-4P, R-3, and A-1 and M-1R to TA/C, to accommodate proposed shopping center development within that area. Mr. Koder stated that approximately 335 acres are being requested for rezoning to the new TA/C zoning district. He further noted the parcels have an ongoing road project in the vicinity and are included within the Gateway Zoning Overlay District. Mr. Ken Weems presented the conceptual zoning development plan for the site which includes a variety of retail, strip, and single big-box uses as well as new roadways and a realigned Ford Town Road. Mr. Weems also noted the proposed use of signage is in accordance with the staff's current new draft of the TA signage regulations. There being some discussion regarding the concept plan and new zoning requirements, the Planning Commission took no official action on this item.

11-10 Edinburgh Subdivision – Phase 4 – Preliminary Plan – (12-201-00053). Mr. Forrest Koder presented the preliminary plan for the Phase 4 Edinburgh Subdivision to the Planning Commission. He noted that the new phase will have a fifty foot right-of-way for the main street and a forty foot right-of-way to accommodate the houses along the cul-de-sac street which has yet to be named. No variances have been requested for this phase of the development and the Phase 4 project meets the current subdivision regulations. There was some discussion amongst staff and the Planning Commission

regarding the open space being shown for walkways between the existing phases and the new phase. There being no additional discussion, no official action was taken.

11-11 - Corner of Millennium Drive & Shipley Ferry Road – Surplus Property – (12-601-00007). Mrs. Karen Combs presented the potential surplus property noting that the site was originally purchased for a new fire station. Since that time additional fire station locations have been constructed which currently serve this area sufficiently. Further, she stated that all City departments have been contacted regarding the potential surplus property and none have responded indicating any need for the property. The Planning Commission asked which stations would be covering that area to which staff replied that the Memorial Drive Station 8 would be a backup and the new Rock Springs Station would also be a backup for this site. There being little discussion, no official action was taken.

Mrs. Tully presented items of other business for the Planning Commission's review – no official action was taken on those items. There being no further changes to the agenda and no additional discussion, the Work Session was closed at approximately 1:30 p.m.

Respectfully Submitted,

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

November 15, 2012

7:00 p.m.

Members Present

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

Staff Present

Lynn Tully
Forrest Koder
Karen Combs
Ken Weems
Chris Alley

Members Absent

Dennis Ward, Chairman

Visitor’s List

Ann Compton
Michael Grigsby
Chandra Solafire
Ron Smith
Jerry Petzoldt
Danny Carr
Bob Winstead
Peter Hooven
Anna Hooven
Cynthia Kessler
Stephen Ellis
Mike McQueen

At 7:00 p.m., Vice-Chairman Colette George called the meeting to order, welcomed the audience, introduced the commissioners and staff, and summarized the meeting procedures. Director Tully noted that a comment card was received requesting an opportunity to speak during public comment. A motion was made by Mike McIntire seconded by George Coleman to amend the agenda to add public comment immediately following the consent agenda items. The motion was approved unanimously, 7-0.

The minutes of the Planning Commission work session held October 15, 2012 and the regular meeting held October 18, 2012 were presented for approval. A motion was made to approve the minutes as submitted by George Coleman seconded by Mike McIntire. The minutes were 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 November 12, 2012.

11-02 Polo Fields – McMurray Phase – Amended Final for 8 Units – (12-103-00007) – The Planning Commission considered a request to approve the amended subdivision plat for Polo Fields – McMurray Phase. The plat includes eight lots and is located inside the corporate limits of the City of Kingsport, 13th Civil District of Sullivan County off Rock Springs Road.

11-03 Chase Meadows – Phase 3 – Final Plat – (12-103-00006) – The Planning Commission heard a request to approve the final plan for Chase Meadows Subdivision Phase 3. The plan included 37 lots on approximately 7.43 acres located off Fall Creek Road inside the corporate limits of the City of Kingsport,

7th Civil District of Sullivan County. The request includes the extension and submittal of a bond in the amount of \$74,571.53.

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

PUBLIC COMMENT

Mr. Michael Grigsby requested to speak during public comment. Mr. Grigsby passed out a tax parcel map indicating the property to be discussed. Mr. Grigsby identified the parcel in question owned by Ms. Wanda Cox's Heirs off Cox Hollow Road. Mr. Grigsby presented argument that the subdivision plat requirements are not applicable to this property. Mr. Grigsby noted his discrepancy with staff regarding the requirements and asked for the Commission to conduct a ruling on whether or not the property is truly considered a subdivision. Mr. Grigsby stated that he believed that the Commission had the power to make such ruling based on their approval authority on all subdivisions within the Urban Growth Boundary. The Commission asked several questions regarding requirements of the subdivision regulations and the specific situation noted. Staff stated that this is an unusual situation in that this parcel was recently annexed into the City however, is and was within the Urban Growth Boundary. Based on the discussion occurring at that time the Commission questioned whether the requirements of subdivision could be appealed from staff's decision. Director Tully briefly reviewed the regulations and could not point definitively to an appeals process for the subdivision regulations other than variances which are specifically noted within the regulations. Staff stated that additional research would be done regarding the appeals process. After extensive discussion, the Commission noted that although there is some disagreement regarding the surveyor and the application of the current state law, the Commission did feel that the presentation warranted a subdivision plat. On consensus, based on the information shown by Mr. Grigsby, the Commission agreed that the parcel in question did constitute a subdivision however, the Commission noted that there is no ruling to be conducted at this time; it was simply for public comment.

NEW BUSINESS

11-01 St. Andrews Garth – Phase 1 – Irrevocable Letter of Credit (ILOC) – (11-103-00001) – The Planning Commission is requested to consider extension of an ILOC for St. Andrews Garth – Phase 1. Mr. Forrest Koder presented the project noting that the development located off Rock Springs Road has a bond outstanding in the amount of \$47,700. Staff noted that the extension is recommended as the final extension of the bond for this phase. The bond included an amount for sidewalks and completion of topping of the roadways within Phase I. There was some discussion regarding the length of the bond. With no additional questions, Mrs. George opened the item for public hearing. Mr. Danny Carr spoke in favor of the item noting that he was the representing surveyor for the property owner. No one spoke in opposition to the request. There being no additional discussion the hearing was closed. A motion was made Mike McIntire seconded by George Coleman to approve a one year extension of the St. Andrews Garth Phase I ILOC in the amount of \$47,700. The motion was approved, 7-0. A second motion was made by Mike McIntire seconded by Jim Lewis to call the bond in the amount of \$47,700 if neither the improvements have been made based on affidavit certification of noncompliance, nor no new bond is presented by December 15, 2012. The motion was approved unanimously, 7-0.

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. Mr. Forrest Koder provided a new copy of the report and recommendation for the Harmony Ridge development at their desks. Mr. Koder presented the item noting that the bond extension has several issues one of which includes the length the bond has been outstanding. Mr. Koder did note that although the bond was extended this time last year, it was extended

with conditions. Those conditions have been only partially met at this time. Additionally, a new bond amount has been required by the Engineering department in order to ensure completion of the improvements as required. Mr. Koder noted that the recommendation according to the new report included a final extension for six months of the project with corrective action planned as noted on the report. Commissioner Stauffer asked if any work had been done on the items included with this project and bond. Staff member Chris Alley stated that several issues have been considered for corrective action and noted on the recommendation memo however, the work has not been done to date. Commissioner Lewis asked if there was a timeline for the corrections included. Mr. Alley informed them that timeframes have been outlined in the contingencies noted for extension of the bond. Additionally, the bond will be recommended for an extension for a six-month period versus a one-year period. Commissioner Stauffer asked if the scope of the work was the same as originally included. Staff noted that the scope of work is the same; however there has been change in the cost for installation of sidewalks based on current sidewalk bids versus quotes from the original four-year-old bond. Vice-Chairman George opened the item for public hearing. There was no one to speak in favor of or on opposition to the request. There being none, Commissioner George closed the item for public hearing. After little discussion, Commissioner Jim Lewis made a motion to grant the extension for a six month bond in the new amount of \$180,660 to be extended through July 19, 2013 with the contingencies as noted and recommended by staff. The motion was seconded by "Buzzy" Breeding and approved unanimously, 7-0. A second motion was made by Mike McIntire seconded by Dave Stauffer to call the bond in the amount of \$137,000 if no replacement bond has been received or the improvements not installed by December 15, 2012. The motion was approved, 7-0.

11-05 North Kingsport Area 1 – Annexation, Zoning, and Plan of Services – (12-301-00014) – The Planning Commission heard a request to approve and recommend to the Board of Mayor and Aldermen the annexation, zoning, and plan of services for North Kingsport Area 1 Annexation. This property is located outside the corporate limits of the City of Kingsport, 12th Civil District of Sullivan County. Mr. Ken Weems presented the annexation area summary with a new plan of services and cost estimate at their desks. He noted that there is a total of approximately 13.5 acres included with 5 parcels and 1,000 feet of public street. Mr. Weems stated that the City zoning is proposed as A-1 and R-1B zoning districts similar to the County zone of A-1. The discussion during the work session with the Commissioners prompted the petitioners to be contacted with regards to relaxing the date for the installation of sewer upgrades according to the plan of services as originally proposed. Staff noted the petitioners have been contacted and are in agreement with the revision to the sewer upgrade dates. Commissioner Denton asked why we are considering annexation within this area at this time. Mr. Ken Weems stated the property owners did request this annexation specifically for the attendance at City schools. George Coleman asked if there were future areas to be annexed within North Kingsport. Staff stated that per the February presentation, this is the first of several areas within the North Kingsport area expected to be included in the five-year timeframe. Commissioner Coleman noted that due to the change in the plan of services commitment, it may be several years before the City absorbs that area and now that the petitioner is in favor of holding off on installation of sewer until the rest of the area is served, he would be more in favor of this petition than he previously had expressed. Commissioner Denton asked if the City was very interested in annexation for this area. Planner Weems stated that the City is interested in this area and has already provided sewer to the area in many places and City schools area being provided for all the elementary-age children within the North Kingsport area at this time. The water service is also in place however, he did also note that new development potential is very limited within this area. Commissioner Selby asked if this agreement would be reflected in the deeds of the property and asked how a new property owner would know about the promise included in the plan of services. Staff stated that although it's not reflected on the deeds to the property, the plan of services is recorded in the County records. Commissioner George also noted that as part of the property's disclosure for real estate listing for sale the current property owner would be required to reveal that commitment and note that the property is currently served by septic systems although located within the City. There being no additional

discussion, Vice-Chairman George opened the item for public hearing. Mr. Mike McQueen spoke in favor of the request stating that he was one of the property owners and the land has been in his family for more than a century. The property is expected to stay in family hands for the foreseeable future. There being no one to speak in opposition to the request, the public hearing was closed. Commissioner Selby asked if the City police and fire currently service the area. Staff stated that although the property is currently under County service requirements, mutual aide agreements are in place such that City responders may be called upon to provide those services in this area already. There being no additional discussion, a motion was made by Hoyt Denton seconded by Dave Stauffer to approve the annexation area, zoning, and plan of services for North Kingsport Area 1 Annexation. The motion was approved, 6-1, with Jim Lewis voting “no.”

11-06 Tourist Accommodation (TA) Districts along Union Street (TM-45D, G-K, P-1.15) – Rezoning – (12-101-00010) – The Planning Commission considered a request 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, 12th Civil District of Sullivan County. Mrs. Karen Combs presented the item noting that the next three items are City initiated rezoning to TA Districts. In this particular case the parcels are split zoned and this recommended change will correct the zoning to the current use. The property is now nonconforming within the TA District based on the recent changes to the zoning text. After some discussion, Commission Hoyt Denton asked if we had contacted the owners regarding the change. Mrs. Combs stated that letters have been sent to the property owners however, no responses have been received to date. Some calls were received from adjoining property owners within 300’ of the request who also received notification; however, none were in opposition to the proposal. Vice-Chairman George opened the item for public hearing. There being no speakers Vice-Chairman George closed the item for hearing. There being no additional discussion, a motion was made by Mike McIntire seconded by George Coleman to approve the rezoning and to recommend to the Board of Mayor and Aldermen the rezoning along Union Street to TA District. The motion was approved unanimously, 7-0.

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 considered a request 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, 12th Civil District of Sullivan County. Mrs. Combs presented the parcels at the Union Street and Stone Drive intersection for consideration. The property is currently used as a single restaurant with the adjoining property being vacant. The parcels are currently nonconforming in size and do not meet the TA zoning district as it is currently written. Staff noted the proposed district, B-3, General Business District, allow the current uses as primary uses and would clean up the zoning discrepancies. There being no further discussion, Vice-Chairman George opened the item for public hearing. Mr. Bob Winstead spoke asking why the properties were originally zoned Tourist Accommodation. Staff noted that the properties were zoned in 1981 but the development did not follow the intent of the original TA District. There being no further speakers, the public hearing was closed. After little additional discussion, a motion was made by Hoyt Denton seconded by Mike McIntire to approve and recommend the rezoning to the Board of Mayor and Aldermen per staff’s recommendation. The motion was approved unanimously, 7-0.

11-08 Tourist Accommodation (TA) Districts at W. Stone Drive / Lynn Garden Intersection – Rezoning – (12-101-00012) – The Planning Commission heard a request to approve and recommend to the Board of Mayor and Aldermen the 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, 11th Civil District of Sullivan County.

Mrs. Combs presented the parcels noting that the properties appeared to be again out of compliance with the new TA zoning district and size and location while the B-3 zoning district would be in accordance with current uses and sizes of the properties. Mrs. Combs noted the existing uses and conditions on the sites and recommended the change in order to bring the properties into compliance with current zoning regulations. Staff noted that of the three City-initiated rezoning of the Tourist Accommodation Districts, this particular project had the most telephone traffic however, nearby property owners appeared to be in support of the rezoning request. Staff noted that water and sewer are provided on all lots which include service to hotels, offices, restaurant, and bars. Vice-Chairman George opened the item for public hearing. There being no one to speak in favor of or in opposition to the request, the hearing was closed. A motion was made by Jim Lewis seconded by "Buzzy" Breeding to approve and recommend the rezoning request of the TA Districts to B-3. The motion was approved unanimously, 7-0.

11-09 Stewart Taylor Properties – Rezoning – (12-101-00009) – The Planning Commission considered a request to approve and recommend to the Board of Mayor and Aldermen 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, 14th Civil District of Sullivan County. Mr. Koder noted that approximately 80 acres on the north side of Interstate 81 and 260 acres on the south side of Interstate 81 are being considered for the change in zoning. The property includes several different zoning districts to be consolidated into the new TA/C zone. The future land use plan shows commercial uses as appropriate for the property. Staff noted that improvements include a new Fordtown Road under construction as well as some minor changes to the existing Fordtown Road. Commissioner Denton asked why some parcels were excluded from the request. Mr. Koder noted that the property not included was outside the scope of Mr. Taylor's ownership. Staff further noted that the TA zoning district does require a zoning development plan and therefore it would be necessary for rezoning of those additional parcels. Mr. Ken Weems presented the potential zoning development plan for approval for the Taylor properties. This plan is considered a guide and is included as a guide for the development and is included for all the properties being considered under this rezoning request. He noted that the transportation network on the north side is to remain primarily the same as exists currently, however the southern portion will include the improvements previously stated for Ford Town Road and its feeder roadways. The property includes development at just under 1,000,000 square feet of retail and a mix of hotel and restaurant uses as well. The signage for the proposal that is included introduces a signage package for the entire development. Staff has been working with the developer regarding the use and sizes of signage for the development. New TA sign regulations are forthcoming however, have not currently been adopted at this time. Mr. Weems noted the Gateway guidelines do apply to the property as well and additional review would be required from the Gateway Review Commission upon development of the individual buildings. Commissioner Lewis asked where the Riggs property was located in relation to this development. Staff noted the location of the Riggs property on the map. After no further questions from the Commission, Vice-Chairman George opened the item for public hearing. There being no speakers the public hearing was closed. A motion was made by Mike McIntire seconded by George Coleman to approve and recommend the zoning request to TA/C zone as presented. The motion was approved unanimously, 7-0. A second motion was made by Jim Lewis seconded by Mike McIntire to approved and accept the concept zoning development plan for this site. The motion was approved unanimously, 7-0.

11-10 Edinburgh Subdivision – Phase 4 – Preliminary Plan – (12-201-00053) – The Planning Commission considered a request to approve the preliminary plan for Edinburgh Subdivision, Phase 4. This property is located inside the corporate limits of the City of Kingsport, 15th Civil District of Sullivan County. Mr. Forrest Koder presented the item noting that almost ten acres of property is included in Phase 4 of the Edinburgh development. This phase proposes 31 lots with a 50' right-of-way on the Bridgeforth Crossing and a 40' right-of-way on an unnamed cul-de-sac. Mr. Koder noted that the construction documents have been submitted and are currently under review by the engineering staff.

Staff did recommend approval of the subdivision Phase 4 preliminary plan contingent on naming the streets and address assignment based on those street names. Commissioner Stauffer asked when the lots will begin to be taxed to which staff replied that the taxation would be determined by the County Tax Assessor however, once the lot is recorded it is typically considered taxable. There being no further questions, Vice-Chairman George opened the item for public hearing. There being no one to speak in favor of or opposition to the request, the hearing was closed. A motion was made by Hoyt Denton seconded by Mike McIntire to approve the Edinburgh Subdivision Phase 4 Preliminary Plan per staff's recommendation. The motion was approved, 7-0.

11-11 Corner of Millennium Drive & Shipley Ferry Road – Surplus Property – (12-601-00007) –

The Planning Commission considered a request to approve and recommend to the Board of Mayor and Aldermen that the property located at the corner of Millennium Drive and Shipley Ferry Road currently owned by the City be placed back into the private sector for development. This property is located inside the corporate limits of the City of Kingsport, 7th Civil District of Sullivan County. Mrs. Karen Combs presented the item noting that the property to be declared surplus is based on a lack of need for future services by the City. The property was originally purchased as a fire station lot however other stations are currently servicing this area of the City. Staff noted that the property is relatively easily developed with level topography and utility services currently being provided. All City departments were notified and requested for comment regarding the disposal of this property. Specifically, the fire department was asked for verification. Commissioner Denton asked if the zoning would be changed on the property once it is surplus. Staff noted that the property is currently zoned B-3, General Business District, and the zoning is not requested to be changed at this time. Vice-Chairman George opened the item for public hearing. There being no one to speak in favor of or opposition to the request, the public hearing was closed. After little discussion, a motion was made by Mike McIntire seconded by George Coleman to approve the request and recommend to the Board of Mayor and Aldermen that the property be declared surplus. The motion was approved unanimously, 7-0.

Commissioner George Coleman noted that recently the Planning Commission had received a letter from Dr. Ailshie, Superintendent of Kingsport City Schools, representing the School Board, regarding the request for first consideration of surplus properties within the Dobyys-Bennett High School area. Mr. Coleman asked if the Chair would send a response to that letter. Staff stated that we would craft a response for the Chair's signature as per Planning Commission request.

Staff asked if there was any additional discussion or any additional consideration from the Planning Commission regarding the request from Ms. Torbett, Sullivan County Planning Dept. The request by letter was to consider a text amendment to allow some non-conformities to remain in subdivision plats. After some additional discussion, there was a consensus of the Commission that no action be taken regarding the request for a text change at this time; although the request was appreciated by the Commission from the County.

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.

ADJOURNMENT

There being no further business, a motion was made by George Coleman seconded by “Buzzy” Breeding to adjourn the meeting at approximately 8:28 p.m. This motion was approved unanimously, 6-0.

Respectfully Submitted,

Chanya Lynn Tully, AICP, Planning Commission Secretary

Memorandum

To: Kingsport Regional Planning Commission
From: Forrest Koder, Planning Division
Date: 12/5/2012
Re: Irrevocable Letter of Credit Reduction – Edinburgh – Phase 2f
Case: 08-201-00068

The Kingsport Regional Planning Commission is requested to approve the reduction of the previously approved amount of \$251,600 for the Irrevocable Letter of Credit for the Edinburgh Subdivision – Phase 2f. Engineering has inspected the installed improvements and has agreed to reduce the existing ILOC to a new amount. The reduced amount is now \$133,590 per the attached bond estimate.

Staff supports the recommendation to accept the reduced amount for infrastructure improvements. Should the Kingsport Regional Planning Commission approve the reduction, staff will secure an ILOC in the amount of \$133,590.

BOND ESTIMATE
FOR
Edinburgh Phase 2f
Plans Dated: June 28, 2012
Bond Estimate Revision: December 4, 2012

ITEM NO.	QUAN	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1	2,070	SF	CONCRETE SIDEWALK	\$ 5.00	\$ 10,350.00
2	690	LF	CONCRETE CURB	\$ 18.00	\$ 12,420.00
3	67	TON	ASPHALT TOPPING	\$ 100.00	\$ 6,700.00
4	135	TON	ASPHALT BINDER COURSE	\$ 90.00	\$ 12,150.00
5	670	TON	STONE BASE	\$ 24.00	\$ 16,080.00
6	384	LF	8" PVC GRAVITY SEWER PIPE	\$ 35.00	\$ 13,440.00
7	5	EA	CLEANOUT ASSEMBLIES & LATERALS	\$ 400.00	\$ 2,000.00
8	1	EA	SANITARY SEWER MANHOLES	\$ 2,000.00	\$ 2,000.00
9	290	LF	8" DUCTILE IRON WATERLINE	\$ 40.00	\$ 11,600.00
10	240	LF	2" PVC WATERLINE	\$ 20.00	\$ 4,800.00
11	1	EA	FIRE HYDRANT	\$ 3,000.00	\$ 3,000.00
	0	EA	8" GATE VALVE & BOX	\$ 1,100.00	\$ -
		EA	2" GATE VALVE & BOX	\$ 800.00	\$ -
	0	EA	2" BLOWOFF VALVE	\$ 1,000.00	\$ -
	0	LF	18" RCP STORM SEWER	\$ 50.00	\$ -
	0	LF	18" CMP STORM SEWER	\$ 25.00	\$ -
		LF	24" RCP STORM SEWER	\$ 65.00	\$ -
		LF	24" CMP STORM SEWER	\$ 35.00	\$ -
	0	EA	CATCH BASIN	\$ 2,500.00	\$ -
	0	EA	STORM SEWER HEADWALL	\$ 1,000.00	\$ -
18	1	LS	EROSION CONTROL	\$ 8,000.00	\$ 8,000.00
19	1	LS	AS-BUILT SURVEY/RECORD DRAWINGS	\$ 8,000.00	\$ 8,000.00
CONSTRUCTION TOTAL				\$	110,540.00
CONTINGENCIES (6%)				\$	6,640.00
				\$	117,180.00
ENGINEERING (14%)				\$	16,410.00
				\$	133,590.00



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

December 4, 2012

PROPERTY INFORMATION

ADDRESS 798, 802 Fordtown Road and 1165 Lebanon Road

DISTRICT, LAND LOT District 14, TM 106, Parcels 45.10, 45.20, 46.00

OVERLAY DISTRICT None

EXISTING ZONING County R-1, Single Family Residential District

PROPOSED ZONING No change

ACRES Total 5.313; Lot 1- 1.039; Lot 2- 1.061; Lot 3- 3.213

EXISTING USE Single Family

PROPOSED USE Single Family

PETITIONER Rick Vaughn

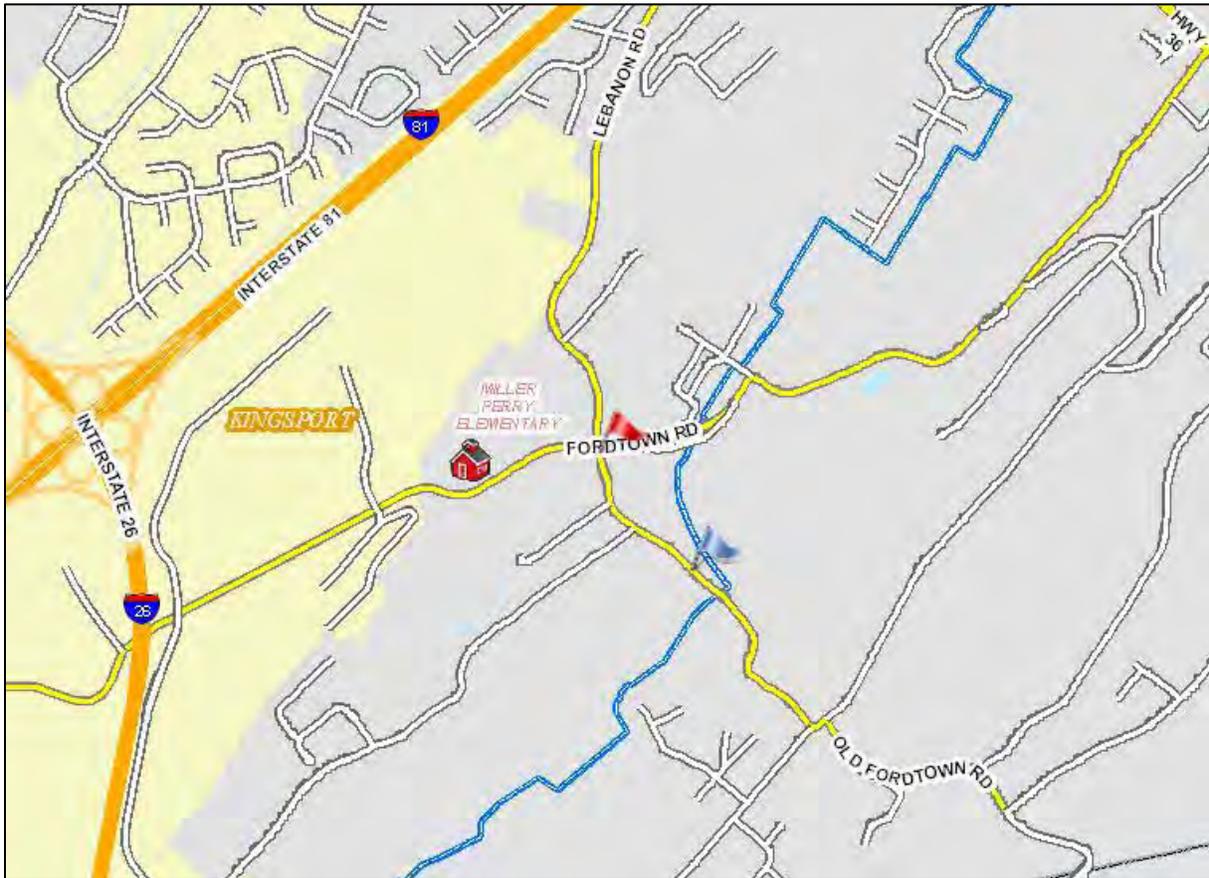
ADDRESS Not known

REPRESENTATIVE Danny Carr

PHONE 423-349-6920

INTENT

To subdivide property to make 2 existing lots a little bigger. This plat is increasing the size of lot 2 and 3. No infrastructure upgrades are required. This is a minor subdivision and is presented to the Planning Commission because it is more than 2 lots.



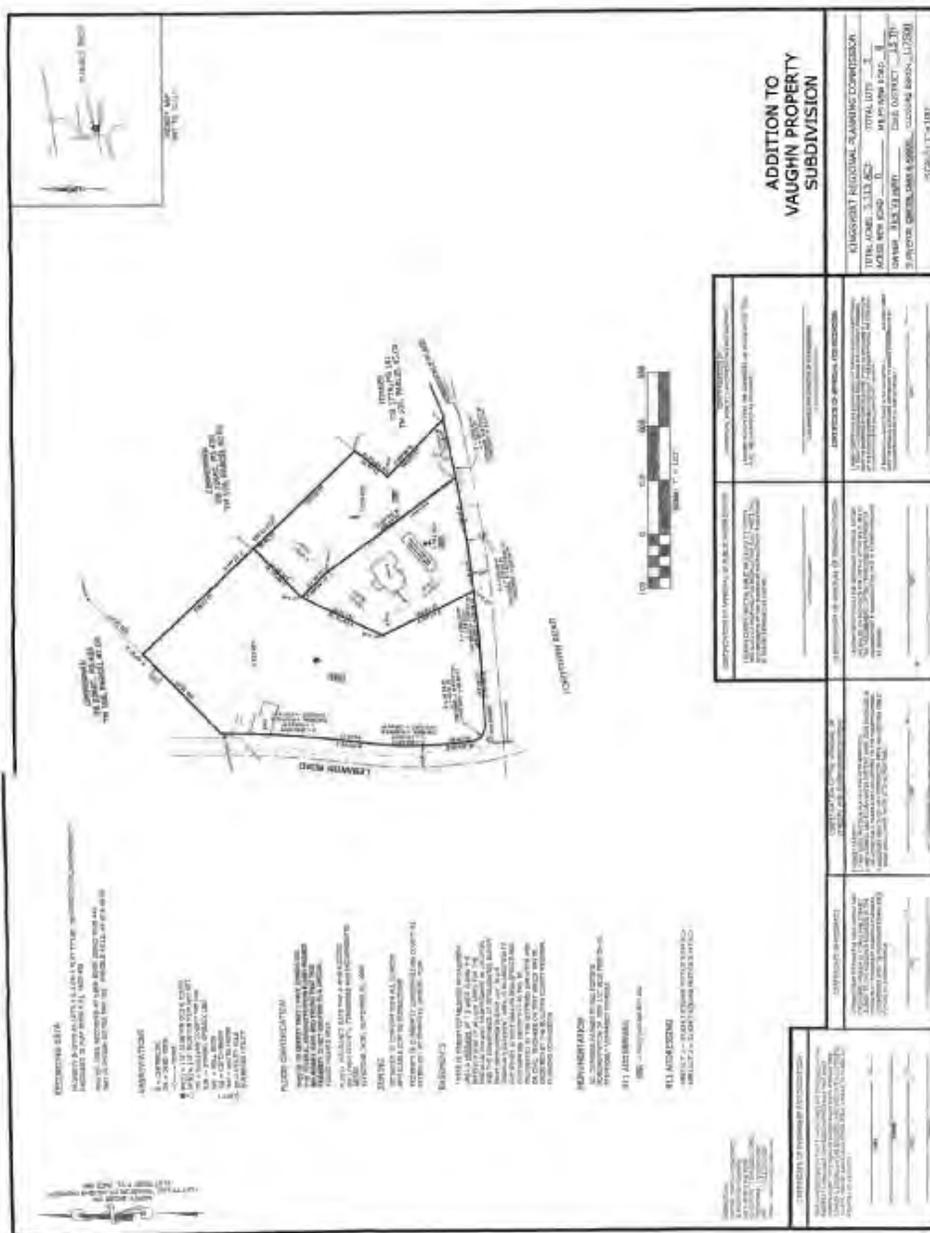
LOCATION MAP



CURRENT ZONING MAP



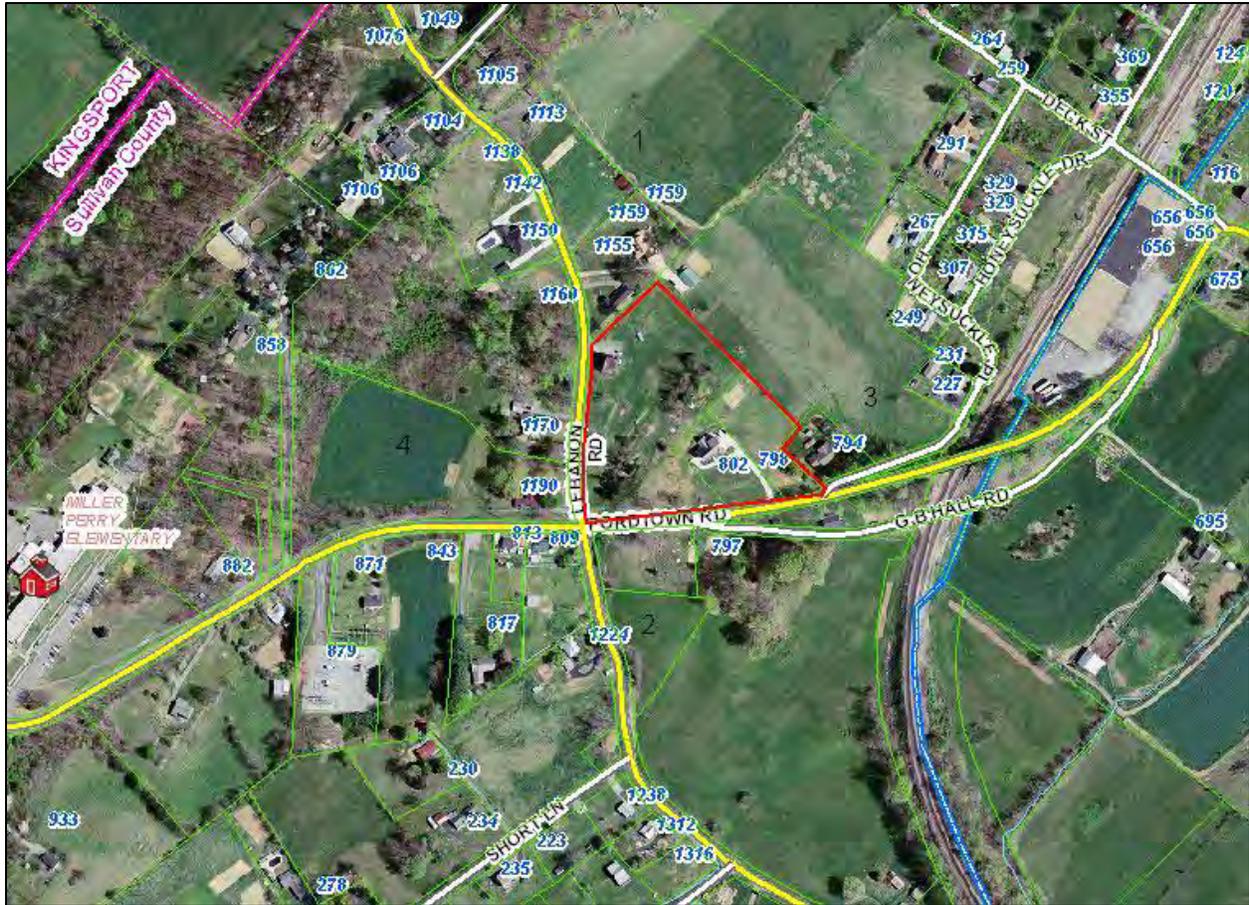
AERIAL OF EXISTING LOTS



PLAT

Location	Parcel / Zoning Petition	Zoning / Name	Approved Density
North	1	Zone - County R-1 Use – Single Family Residence	N/A
South	2	Zone - County R-1 and R-2 Use–Single Family Residence/Vacant	N/A
East	3	Zone - County R-1 Use – Single Family Residence	N/A
West	4	Zone - County R-1 Use – Single Family Residence	N/A
Further North		Zone - County R-1 Use – Single Family Residence	N/A
Further South		Zone - County R-1 and R-2 Use–Single Family Residence/Vacant	N/A
Further West		Zone - County R-1 Use – Single Family Residence	N/A
Further East		Zone - County R-1 Use – Single Family Residence	N/A

EXISTING USES AND LOCATION



EXISTING USES LOCATION MAP
(with numbers corresponding from previous page)

DESCRIPTION OF PROPERTY FEATURES

One parcel (802 Fordtown Road) has a house setting on the property. The other two parcels do not have principal structures located on them; one is completely vacant while the parcel facing Lebanon Road has an existing barn located on it. The barn, on this plat, is located partially in the Right of Way. This encroachment is due to the City of Kingsport revising its Major Street and Road Plan 2030 which now calls for an 80 foot Right of Way for Lebanon Road. This requirement did not exist at the time the barn was constructed nor was this amount of Right of Way required for previous subdivisions. Therefore this barn is “grandfathered” and until the barn is reconstructed, it may stand.

CONCLUSION

Staff recommends **APPROVAL** of the Vaughn subdivision.

Kingsport Regional Planning Commission
Annexation Report **File Number 12-301-00013**

Property Information	Lamberth Street Annexation		
Address	To be decided by City 911		
Tax Map, Group, Parcel	48H, A, 1		
Civil District	10 th		
Overlay District	n/a		
Land Use Plan Designation	Single Family		
Acres	12.13 +/-		
Existing Use	vacant	Existing Zoning	County R-1
Proposed Use	Single Family Residential	Proposed Zoning	City R-1B
Owner /Applicant Information			
Name: Alta Lamberth Address: 6032 Chestnut Ridge Rd. City: Kingsport State: TN Zip Code: 37664 Email: n/a Phone Number: 423-288-2938		Intent: Annexation by request (petition attached)	
Planning Department Recommendation			
<p>RECOMMENDATION: Approval to recommend the Annexation, Zoning, and Plan of Services to the BMA</p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> • <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> • <i>It is reasonably necessary for the welfare of the residents and property owners of the affected territory.</i> • <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> • <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> • <i>It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.</i> <p>Staff Field Notes and General Comments:</p> <p>Utilities: Both City of Kingsport water and sanitary sewer currently serve the annexation area. The annexation area itself does not have public street frontage, however the entire annexation area contains portions of newly formed parcels that have public street frontage. This unique configuration exists due to the parcels currently being split city/county limits. The Subdivision of the annexation area was approved during the October regular meeting of the KRPC. For reference purposes, the approved subdivision plat is included in this packet.</p>			
Planner:	Ken Weems	Date:	December 3, 2012

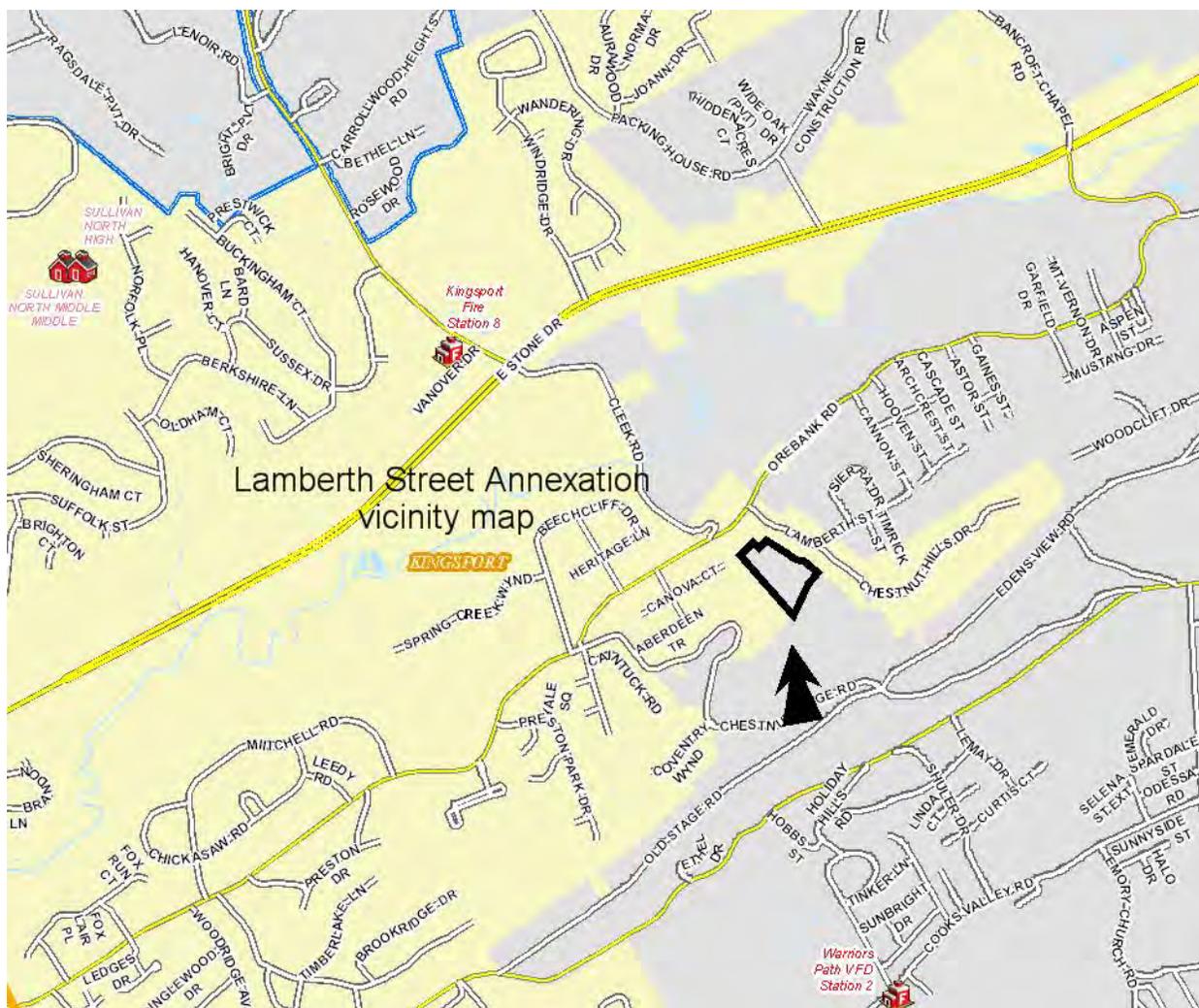
Kingsport Regional Planning Commission

Annexation Report

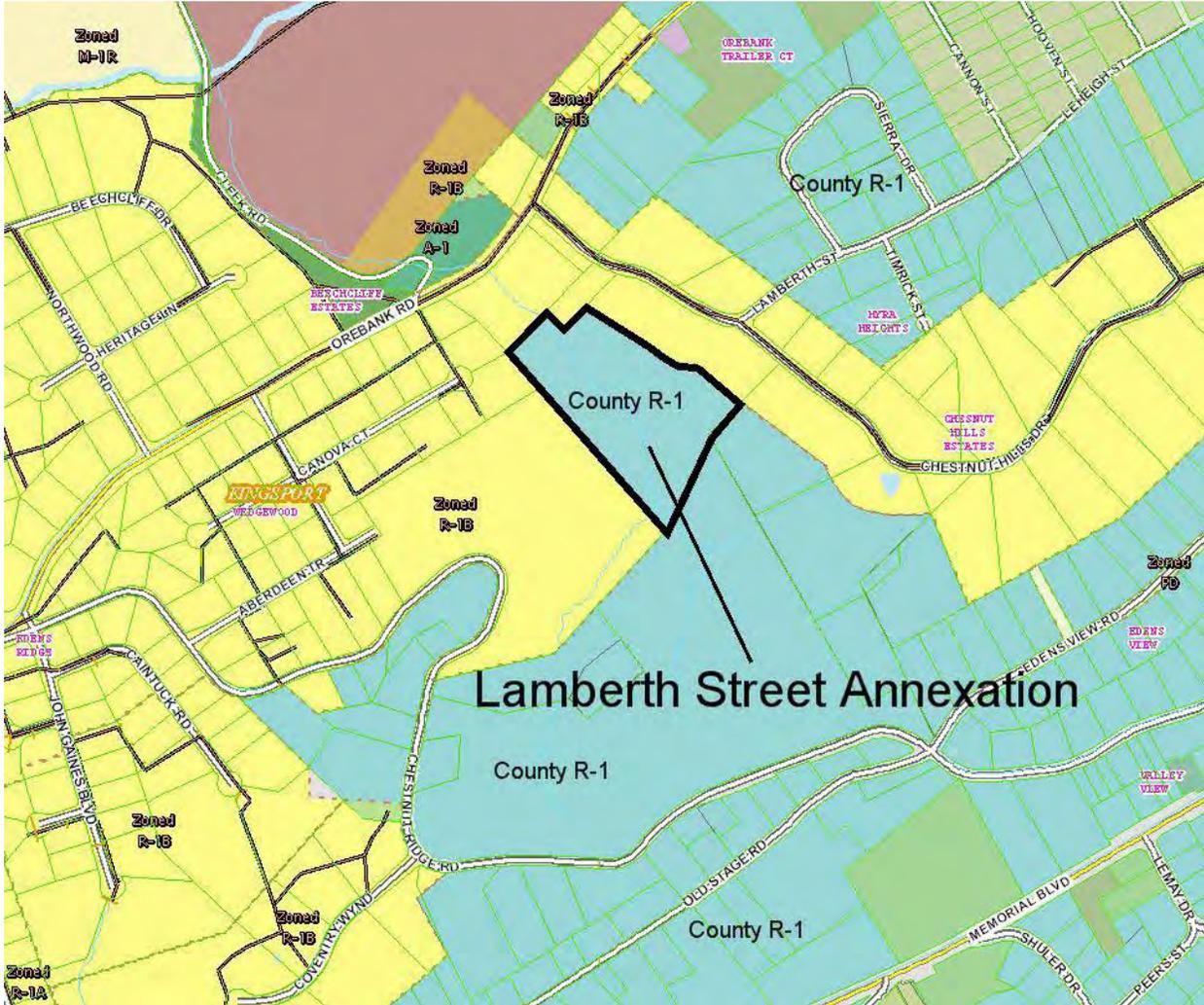
File Number 12-301-00013

Planning Commission Action		Meeting Date:	December 20, 2012
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

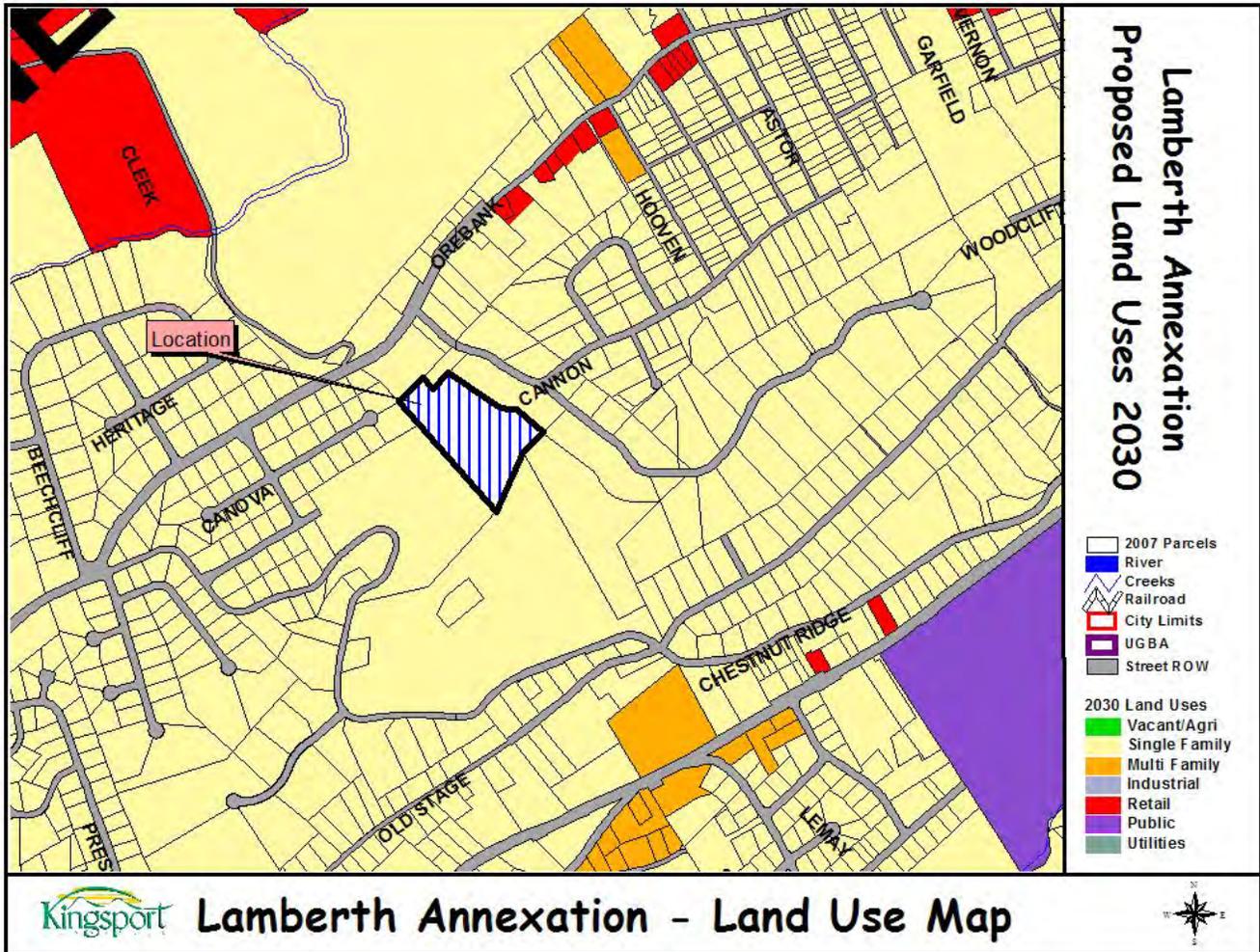
Area Map



Current Zoning Map



Future Land Use Map



Kingsport Regional Planning Commission

Annexation Report

File Number 12-301-00013

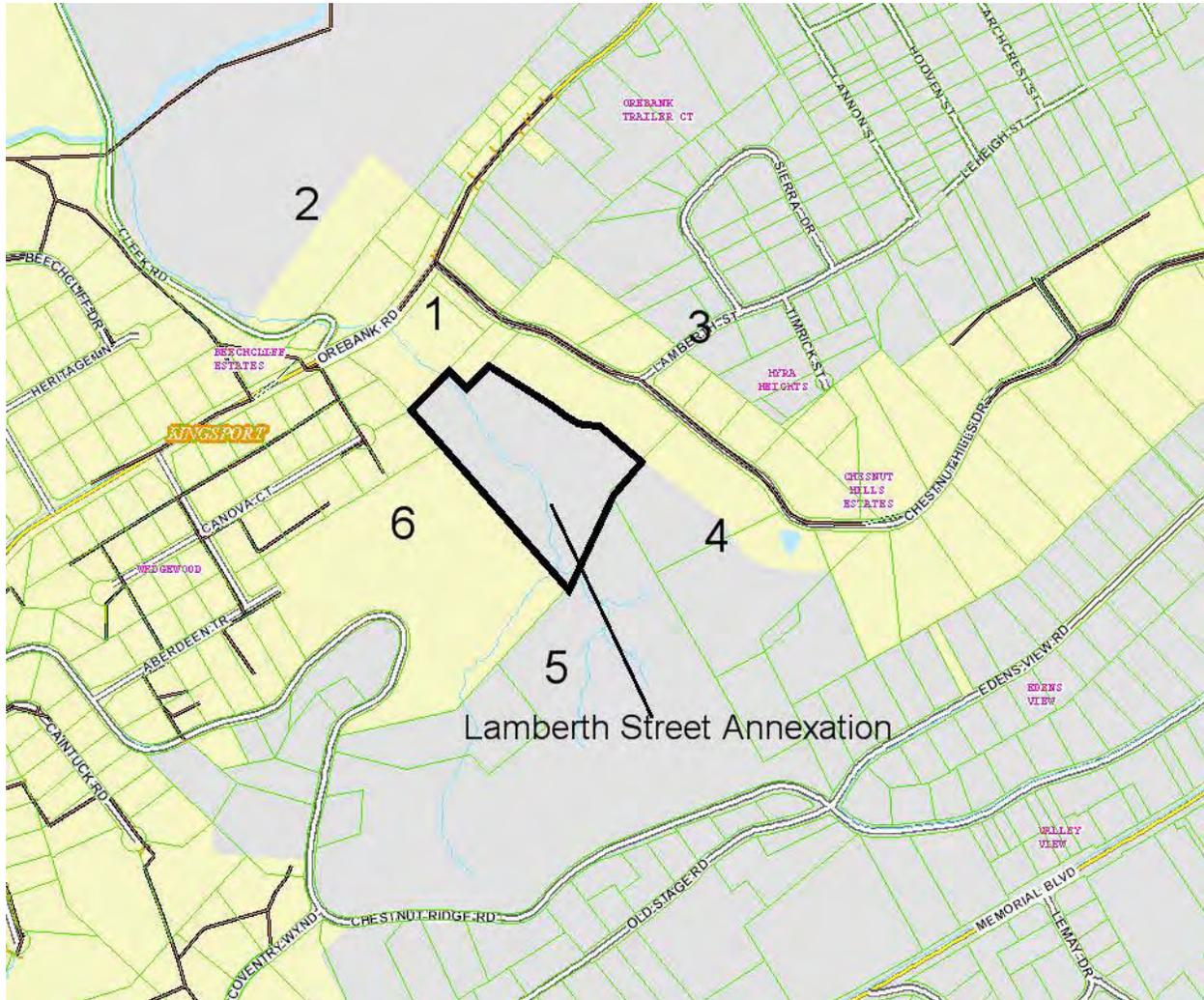
Cost

Lamberth Street Annexation Area
COST ESTIMATE/ tax records as of 3 Dec 12

Revenues	One Time	Reoccurring (annual)	
Property Taxes	X	\$0.00	future Sull Co Assessment no residents 6 future taps
State Shared	X	\$0.00	
Sewer Tap Fees	\$11,700.00	\$0.00	
Water & Sewer Rev (loss)	X	\$0.00	
Total	\$11,700.00	\$0.00	

Expenses	One Time	Reoccurring (annual)
Operating Budget		
Police & Fire Service	0.00	0.00
Street Lighting	0.00	0.00
Traffic Controls	0.00	0.00
Streets & Sanitation	0.00	0.00
Subtotal	0.00	0.00
Capital Budget		
Water	0.00	0.00
Sewer	0.00	0.00
Streets	0.00	0.00
Subtotal	0.00	0.00
Grand Total	\$0.00	\$0.00

Existing Surrounding Land Uses



Kingsport Regional Planning Commission

Annexation Report

File Number 12-301-00013

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	<u>Zone: City R-1B</u> Use: Single family residential	No prior action known
Further North	2	<u>Zone: City A-1</u> Use: Agricultural (Cleek Farm)	Partially annexed in 2010 to accommodate Cleek Rd improvements
East	3	<u>Zone: County R-1</u> Use: Single Family Residential	No prior action known
Southeast	4	<u>Zone: County R-1</u> Use: vacant and Single family	No prior action known
South	5	<u>Zone: County R-1</u> Use: vacant	No prior action known
West	6	<u>Zone: City R-1B</u> Use: Single Family Residential	No prior action known

Kingsport Regional Planning Commission

Annexation Report

File Number 12-301-00013

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



South View



West View



North View



Kingsport Regional Planning Commission

Annexation Report

File Number 12-301-00013

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: <i>Aita Lambert</i>	Address:
	Parcel # (if known):	Phone:
	Email Address:	# In Household & Ages:
	Signature: <i>A. Max Richards</i>	

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

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

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

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

RESOLUTION NO.**A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE
LAMBERTH STREET 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 Lamberth Street annexation was submitted to the Kingsport Regional Planning Commission on December 20, 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 January 8, 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 December 24, 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 10th Civil District of Sullivan County, Tennessee, commonly known as the Lamberth Street Annexation, said area being bounded and further described as follows:

BEGINNING at a point, said point being the eastern corner of parcel 20, Tax Map 47E; thence in a northeasterly direction, approximately 210 feet to a point, said point being the western corner of parcel 1.05; thence in a southeasterly direction, approximately 100 feet to a point, said point being the southern corner of parcel 1.05; thence in a northeasterly direction, approximately 140 feet to a point, said point lying on the boundary of parcel 1 in common with the boundary of parcel 1.05; thence in a southeasterly direction, crossing through parcel 1, approximately 745 feet to a point, said point lying on the boundary of parcel 12; thence in a southwesterly direction, approximately 200 feet to a point, said point being the western boundary of parcel 12; thence in a southwesterly direction, crossing through parcel 1, approximately 430 feet to a point, said point being the eastern corner of parcel 49.50; thence in a northwesterly direction, approximately 940 feet to the point of BEGINNING, and being a

portion of parcel 1, Tax Maps 47E, 47L, 48H, and 48I as shown on the March 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 KINGSFORT, TENNESSEE, AS FOLLOWS:

SECTION I. That a Plan of Services for the Lamberth Street 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:

**Lamberth Street 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 sanitary sewer currently serves the annexation area.
- 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

Not applicable

10. Zoning Services

- A. The area will be zoned R-1B (Residential 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.

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.

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 8th day of January 2012.

ATTEST:

DENNIS R. PHILLIPS, Mayor

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, City Attorney

Memorandum

To: Kingsport Regional Planning Commission
From: Forrest Koder, Planning Division
Date: 12/6/2012
Re: Request Extension – Six Month – Final Extension
Case: 06-201-00055

The Kingsport Regional Planning Commission approved an extension for the Irrevocable Letter of Credit (ILOC) for the Netherland Villas development, aka Bayberry Hills located on Netherland Lane during the December 2011 meeting.

Mr. Mitch Cox, developer, has the following options available for this Irrevocable Letter of Credit:

1. Renew the ILOC for a six-month period with the new amount of \$84,840 as established by the Engineering Division.
2. Complete the work prior to the ILOC expiration date of January 15, 2013.
3. Do nothing and the City of Kingsport will call the existing ILOC in the amount of \$78,800 prior to the expiration date of January 15, 2013.

It should be noted that staff is recommending this be the last extension for this development. Staff is recommending two motions be made on this agenda item. The first motion would approve a final six-month extension in the new amount of \$84,840 established by Engineering. The second motion would approve the calling of the ILOC in the amount of \$78,800 should the developer fail to submit a new ILOC prior to the expiration date of January 15, 2013.

BOND ESTIMATE
 FOR
VILLAS AT NETHERLAND LANE
 Bond Estimate Revision: December 6, 2012

ITEM NO.	QUAN	UNIT	DESCRIPTION	UNIT COST	TOTAL COST
1	760	SY	CONCRETE SIDEWALK	\$ 55.00	\$ 41,800.00
2	220	TON	ASPHALT TOPPING	\$ 120.00	\$ 26,400.00
3	1	EA	AS-BUILT RECORD DRAWINGS	\$ 2,000.00	\$ 2,000.00
CONSTRUCTION TOTAL					\$ 70,200.00
CONTINGENCIES (6%)					\$ 4,220.00
					\$ 74,420.00
ENGINEERING (14%)					\$ 10,420.00
					\$ 84,840.00



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

December 6, 2012

PROPERTY INFORMATION

ADDRESS- various – 2 parcels and one split zoned parcel

DISTRICT, LAND LOT - Tax Map- 76, Parcels- 5.00, 5.10, 600

OVERLAY DISTRICT – Gateway

EXISTING ZONING –TA, Tourist Accommodation

PROPOSED ZONING – BC, Business Conference District

ACRES- Total – broken down into 3 parcels Parcel 1 – 3.69 acres (split zoned); Parcel 2 – 5.04 acres; Parcel 3 – 1.22 acres

EXISTING USE – Residential and one vacant lot

PROPOSED USE - Same

PETITIONER – City of Kingsport

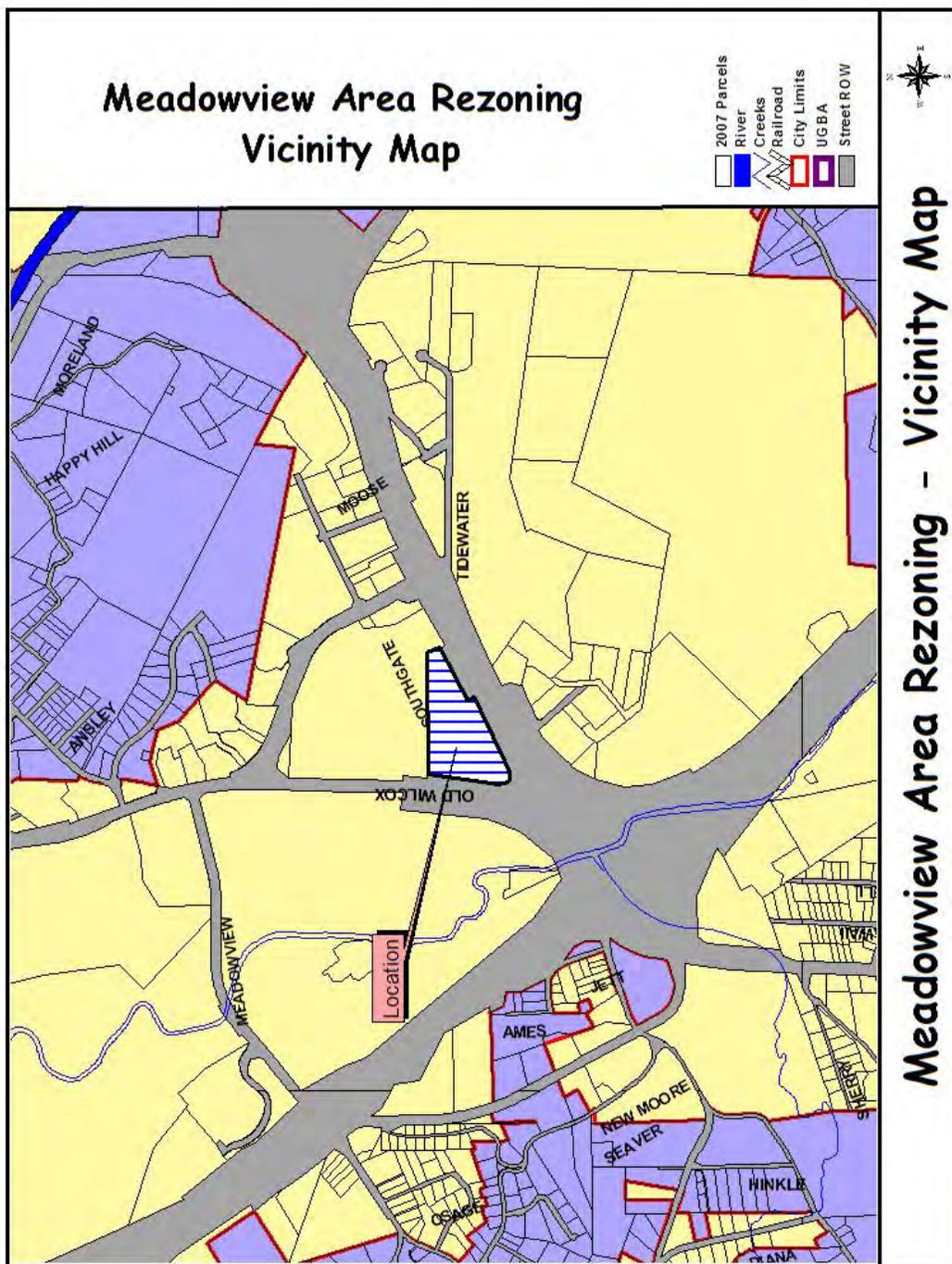
ADDRESS – 225 W. Center Street

REPRESENTATIVE – Karen Combs and Forrest Koder

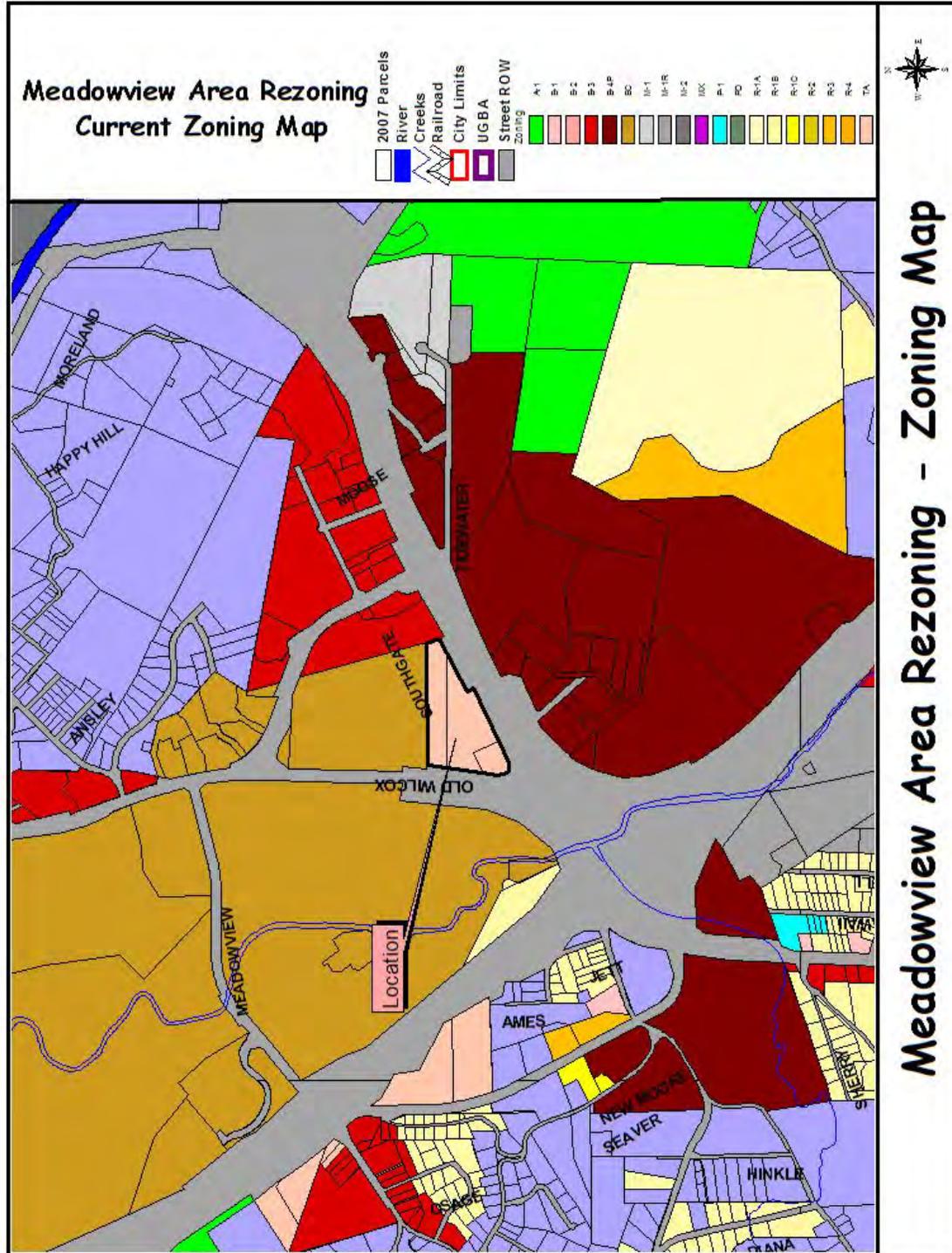
PHONE 423-224-2482

INTENT

To rezone the parcels from TA, Tourist Accommodation to BC, Business Conference District because the parcels no longer conform to the TA, Tourist Accommodation District Regulation in size or location.

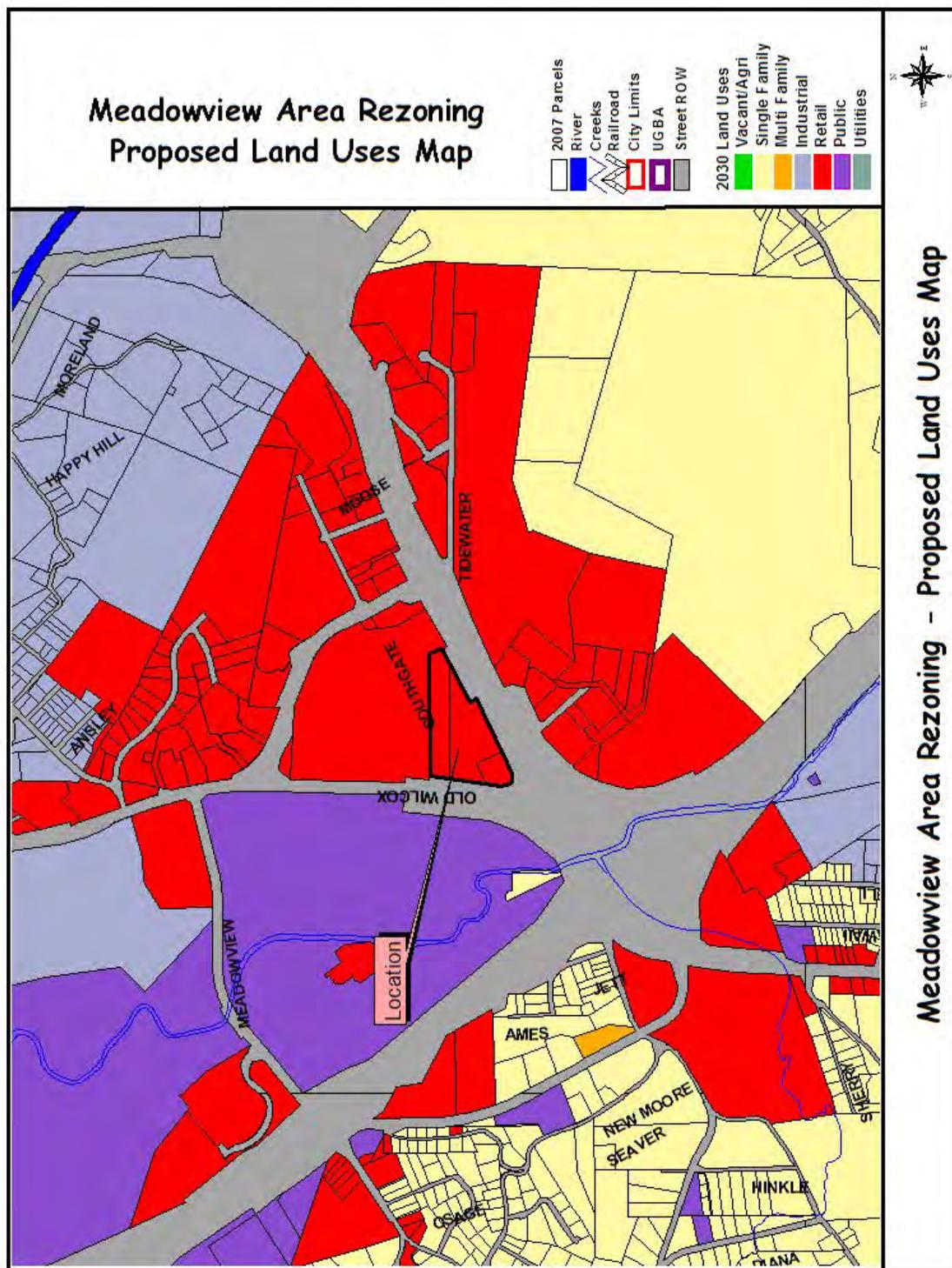


LOCATION MAP



CURRENT ZONING MAP

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



FUTURE LAND USE PLAN MAP

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

Pictures of site and surrounding area



House on corner of Wilcox and John B. Dennis



Farm that faces Wilcox Dr.



East view from intersection of Wilcox and John B. Dennis



View from New Wilcox Drive (Sheridan Square)



View from Sheridan Square towards Meadow View

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
Northeast	1	Zone – B3 Use – vacant	
Northeast	2	Zone – B-3 Use – Mexican Restaurant	
South	3	Zone – B-4P Use – Various Commercial	
West	4	Zone – BC Use – MeadowView Golf Course	
North	5	Zone – BC Use – Single Family Residence/Farm	
Further East		Zone – B-3 Use – Various Commercial	
Further North		Zone – BC Use – Katherine Square	
Further West		Zone – BC Use – MeadowView	
Further South		Zone – B-4P Use – Vacant	

EXISTING USES AND LOCATION



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

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.

DESCRIPTION OF PROPERTY FEATURES

One parcel is split zoned. It is currently use as a farm/ single family residential. There is a residence on the small parcel at the corner of Old Wilcox and S. John B. Dennis. The other parcel is vacant.

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, though two of the parcels contain single family residence, planning staff sees this property redeveloping to commercial uses based upon the location of the properties.
- 2. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** No – Many of the adjoining properties are vacant and the existing residential use may remain until it is developed commercially.
- 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 BC 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 effects are anticipated.
- 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 – BC is in the vicinity and is adjacent to the property.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** Yes, there is one parcel split zoned. This action would remedy this issue.
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 BC to in order to: bring these properties into compliance with zoning regulations.

PROPERTY INFORMATION

ADDRESS- 4524-4628 Fairlane Drive and 4618 Fort Henry Drive

DISTRICT, LAND LOT - Tax Map- 92N, Group- C, Parcels- 5.00 and 10.00

OVERLAY DISTRICT – None

EXISTING ZONING –TA, Tourist Accommodation

PROPOSED ZONING – B-3, General Business District

ACRES- Parcel #1(Hotel) approximately .92 acres; Parcel #2 (Restaurant)– approximately 1.05

EXISTING USE – Hotel and Restaurant

PROPOSED USE - Same

PETITIONER – City of Kingsport

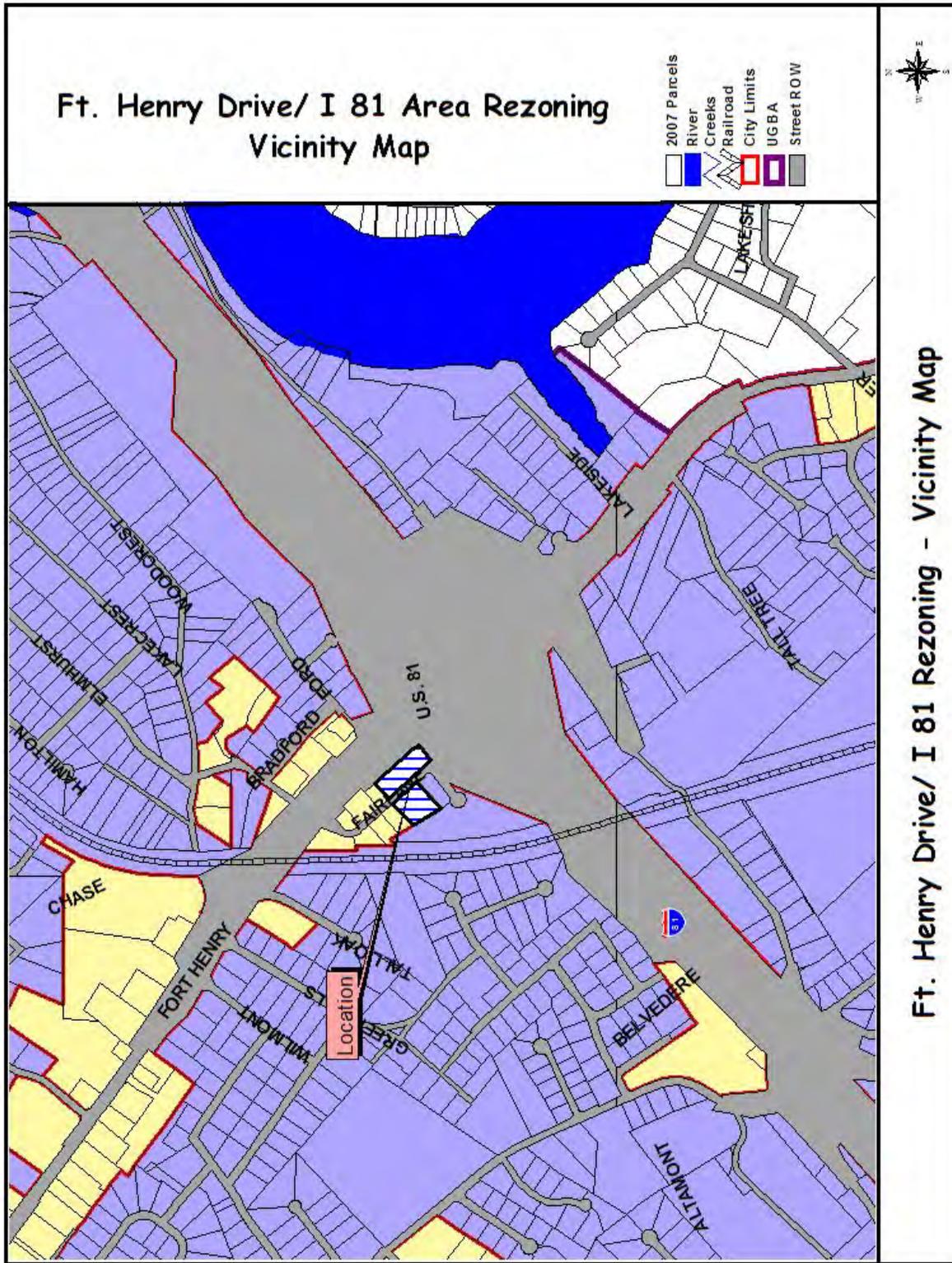
ADDRESS – 225 W. Center Street

REPRESENTATIVE – Karen Combs and Forrest Koder

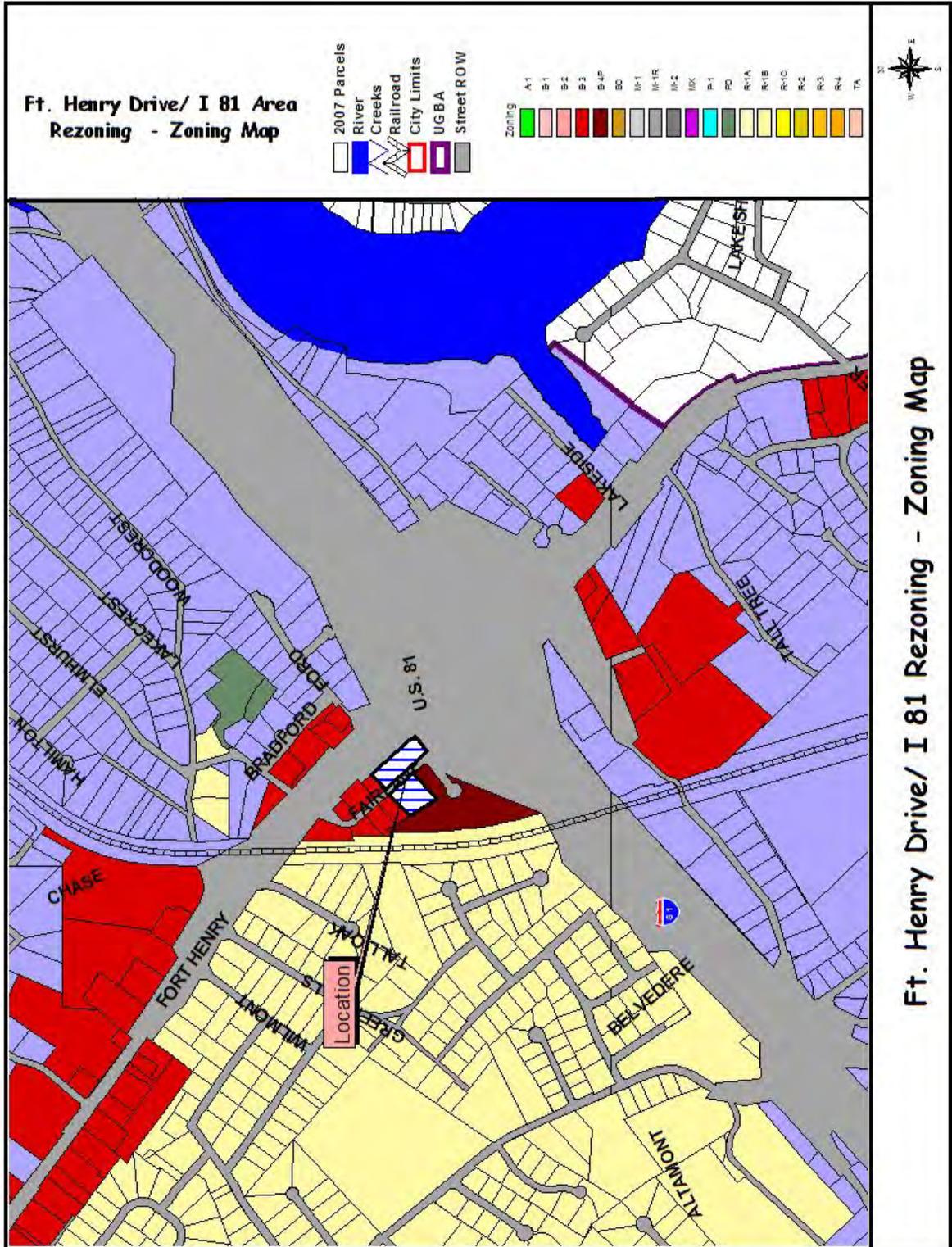
PHONE 423-224-2482

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 in size or location.

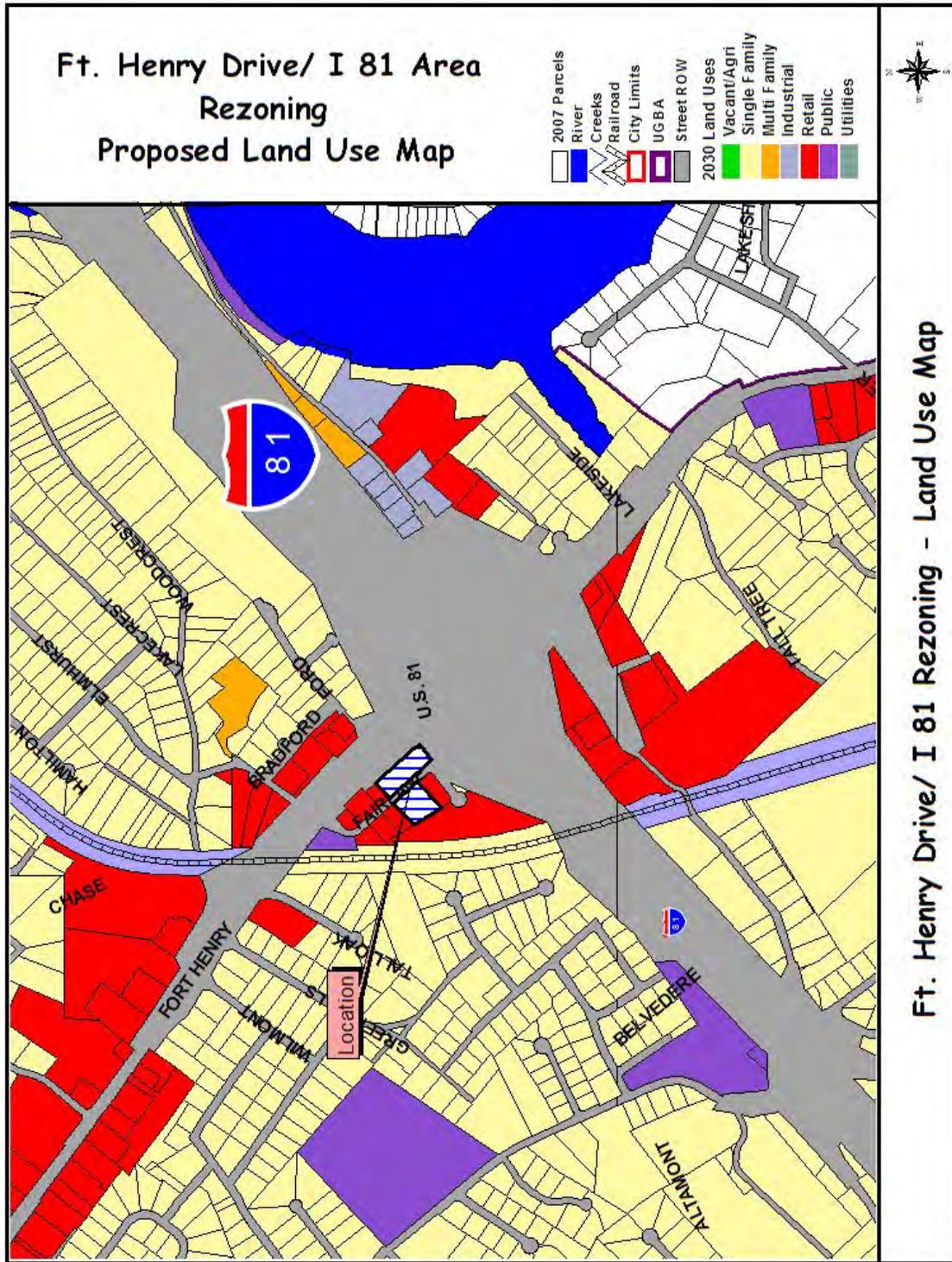


LOCATION MAP



CURRENT ZONING MAP

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on December 20, 2012



FUTURE LAND USE PLAN MAP

Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on December 20, 2012

Pictures of site and surrounding area



North behind motel



Northeast of restaurant- across Ft. Henry



Northwest of Restaurant



South of Motel

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North	1	Zone – B-3, General Business Use – Multi commercial uses	
South	2	Zone – B-4P, Planned Bus. District Use – Single Family Res	
East	3	Zone – B-3 Use – Fort Henry Drive	
West	4	Zone – B-4P Use – Vacant	
Further Southeast		Zone – B-3 Use – Interstate 81	
Further Southwest		Zone- R-1B Single Family Res Use - Single Family Residence	
Further Northeast		Zone – B-3 Use –Various commercial uses	
Further Northwest		Zone – B-3 Use – Various commercial uses	

EXISTING USES AND LOCATION



EXISTING USES LOCATION MAP

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 both parcels.

DESCRIPTION OF PROPERTY FEATURES

The topography is relatively flat at the sites. Both sites have been built out and staff does not see any future development occurring at these locations.

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, both 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, 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 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.

Kingsport Regional Planning Commission

Rezoning Report

File Number 12-101-00015

Abstract

Property Information	County Rezoning of 264 Moreland Drive from R-1 to B-1		
Address	264 Moreland Drive in Sullivan County Civil District 13		
Tax Map, Group, Parcel	TM- 76B; Group A; Parcel 47		
Civil District	13		
Overlay District	None		
Land Use Designation	R-1, Single Family		
Acres	Approximately 1 acre		
Existing Use	Vacant	Existing Zoning	County R-1
Proposed Use	Duplex/ Office	Proposed Zoning	County B-1
Owner /Applicant Information			
Name: Ronnie L. Jones Address: 4735 Upper Possum Creek Road City: Gate City State: VA Zip Code: 24251 Email: Phone Number:		Intent: To rezone from R-1 to B-1 in order to construct a duplex/ office building.	
Planning Department Recommendation			
<p>The Kingsport Planning Division recommends APPROVAL for the following reasons:</p> <ul style="list-style-type: none"> This 2030 Long Range Land Use Plan designates this area as Industrial and this request will allow the property to be as adaptive as possible during the transition from residential to industrial uses. There are commercial types uses located adjacent and near this property. A manufacturing zone (M-2) is located beside this property and a B-1 can be used as a buffer until more of the neighborhood transitions into industrial uses. <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> Mini warehouse storage units are located beside property. Vacant, flat property; easy to develop <p>Utilities</p> <ul style="list-style-type: none"> Water is available but not sewer. 			
Planner:	Karen Combs	Date:	12/4/12
Planning Commission Action		Meeting Date:	12/20/12
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

Kingsport Regional Planning Commission

Rezoning Report

File Number 12-101-00015

PROPERTY INFORMATION

ADDRESS	264 Moreland Drive
DISTRICT, LAND LOT	13, Parcel 47 of tax map 76B, Group A
OVERLAY DISTRICT	None
EXISTING ZONING	R-1, Single Family Residential
PROPOSED ZONING	B-1, Neighborhood Business District

ACRES Approximately 1 acre

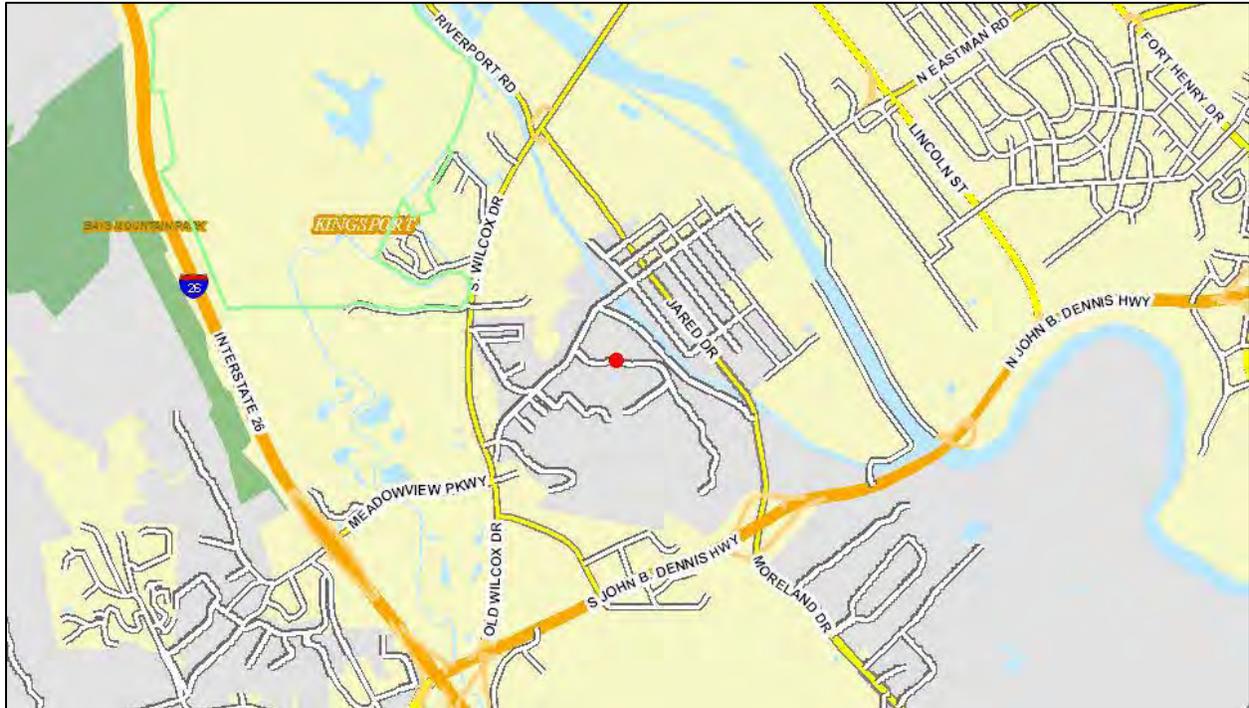
EXISTING USE	Vacant
PROPOSED USE	Duplex/Office Building

PETITIONER	Ronnie Jones
ADDRESS	4735 Upper Possum Creek Road, Gate City, VA 24251

REPRESENTATIVE	Vic Davis
PHONE	423-817-7300

INTENT

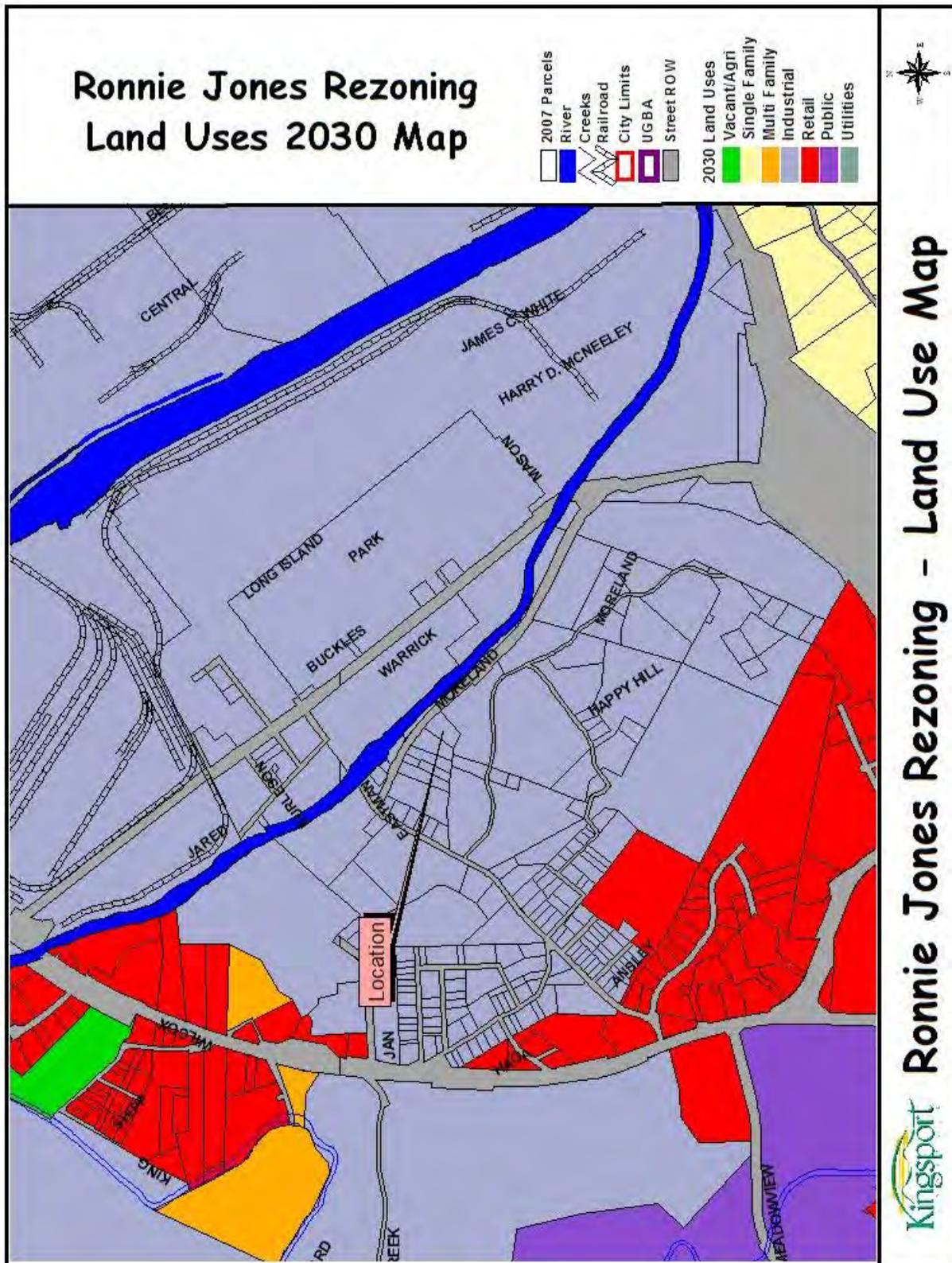
To rezone from R-1 to B-1 in order to locate a duplex or office building, Mr. Riggs wants to move an existing building that was located elsewhere in the City of Kingsport to this location. His intent is to either rent the building as a duplex or small professional office. The B-1 designation would allow either uses and allow more flexibility to the owner in developing this property.



LOCATION MAP



CURRENT ZONING MAP



Pictures of site and surrounding area



South of the property across river- industrial use



East of the property residential



West of the property adjacent storage units

Kingsport Regional Planning Commission

Rezoning Report

File Number 12-101-00015

Location	Parcel / Zoning Petition	Zoning / Name
South	1	Zone M-2 Use Mini warehouse storage/other
West	2	Zone R-1 Use Single Family Residence
North	3	Zone M-2 Use Manufacturing
East		Zone M-2 Use Manufacturing
Further South		Zone R-1 Use Single Family Residence
Further West		Zone M-2 Use Manufacturing

EXISTING USES AND LOCATION



EXISTING USES LOCATION MAP
(with numbers corresponding from previous page)

Prepared by Kingsport Planning Department for the
Kingsport Regional Planning Commission Meeting on 12/20/2012

SUBJECT SITE:

The owner of the property, Mr. Jones has requested that the property be rezoned to allow the placement of a duplex or office building. Staff feels that a B-1 designation would be appropriate under the current circumstances. Those being that the existing neighborhood is surrounding by manufacturing on three sides and single family residential on one. There are several homes for sale in this area that have been on the market for some time and do not seem to be selling. Staff sees this area in the future providing service type businesses that would enhance the manufacturing uses in the area. This designation of B-1 will also buffer the current residential homes in the area until such time as they too transition towards manufacturing.

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, the property next to this site is M-2 with what appears to be mini warehouse storage.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** No. The adjoining use of mini-warehouses has sporadic customer traffic and atypical workplace hours. The adjoining residential use may have some additional buffer from the more intense warehouse use by the placement of offices on the vacant lot.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** Although residential use is possible, based on the number of single family homes for sale in the neighborhood and the length of time listed on the market, it appears the area is no longer attractive for residential uses. The property therefore had a diminished economic use as currently zoned.
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 students are anticipated for the proposed use. The paved streets are acceptable for low traffic business uses. The property is currently served by water.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

Future Land Use Plan Map: Industrial

Kingsport Regional Planning Commission

Rezoning Report

File Number 12-101-00015

Proposed use/density: Duplex or Single use Office building/ density is lower than Industrial

The Future Land Use Plan Map suggests Industrial as appropriate use for the subject site.

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

- We will encourage the preservation of natural resources areas and preserve contiguous green open spaces development of land in appropriate designated areas as development occurs.
- We will promote the protection and maintenance of trees and contiguous green open space in new development.
- We will encourage development that is sensitive to the overall setting of the community and will contribute to our community's character and sense of place.

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?** This area is in transition. There are several houses that are for sale and have been on the market for a considerable amount of time. The long range plan calls for this area to become industrial uses. However staff sees this area as a buffer between the industrial uses to the north and the residential uses to the south. Therefore a commercial use is appropriate.
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, this request will step down the industrial use intensity and buffer the residential area located close by.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** Yes, the boundaries are somewhat illogical considering the extent of the Industrial uses in the vicinity.
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** No

Kingsport Regional Planning Commission

Rezoning Report

File Number 12-101-00015

11. **Whether it is impossible to find adequate sites for the proposed use in districts permitting such use?** It is not impossible but would be difficult to find an area for the proposed project in the vicinity.

CONCLUSION

Staff recommends **APPROVAL** to rezone from R-1 to B-1 to in order to construct a duplex/ office building for the following reasons:

- This 2030 Long Range Land Use Plan designates this area as Industrial and this request will allow the property to be as adaptive as possible during the transition from residential to industrial uses.
- There are commercial types uses located adjacent and near this property.
- A manufacturing zone (M-2) is located beside this property and a B-1 can be used as a buffer until more of the neighborhood transitions into industrial uses.



CITY OF KINGSPORT, TENNESSEE

November 9, 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 Anna Marie McCann, Lots 1 and 2 on Emory Church Road, surveyed by Tim Lingerfelt, RLS, of Alley & Associates, Inc. meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region and no variances have been requested. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes and placement on the Planning Commission Consent Agenda for their next regularly scheduled meeting.

Sincerely,

Lynn Tully
 Planning Director

C: Kingsport Regional Planning Commission



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

Kingsport — *The Best Place To Be*





CITY OF KINGSPORT, TENNESSEE

November 14, 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 re-subdivision of the Vaughn property, located along Fordtown Road and surveyed by Danny Carr of Carter, Carr & Associates, 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

November 15, 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 AEP-Wells Subdivision on Mill Creek Road, surveyed by Larry Culbertson, RLS, meets the Minimum Standards for Subdivision Development of Minor Subdivision Within the Kingsport Planning Region and no variances have been requested. The staff certifies the plat is acceptable to be signed by the Secretary of the Planning Commission for recording purposes and placement on the Planning Commission Consent Agenda for their next regularly scheduled meeting.

Sincerely,

Lynn Tully
 Planning Director

C: Kingsport Regional Planning Commission



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

Kingsport — *The Best Place To Be*



CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to conform to the provisions of the Public Land Survey System...

City GIS Division or Sullivan County Director of 911 Addressing or His/her Authorized Representative

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I (we) am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby dedicate the same to the public...

City GIS Division or Sullivan County Director of 911 Addressing or His/her Authorized Representative

CERTIFICATION OF THE APPROVAL OF STREETS

I hereby certify that the streets shown hereon have been found to conform to the provisions of the Public Land Survey System...

City GIS Division or Sullivan County Director of 911 Addressing or His/her Authorized Representative

CERTIFICATE OF APPROVAL OF PUBLIC WATER SYSTEM

I hereby certify that the water utility system installed or proposed for installation fully meets the requirements of the Public Water Supply Act...

City GIS Division or Sullivan County Director of 911 Addressing or His/her Authorized Representative

CERTIFICATE OF ACCURACY

I hereby certify that the plan shown and described hereon was prepared by a Registered Land Surveyor in compliance with the provisions of the Public Land Survey System...

City GIS Division or Sullivan County Director of 911 Addressing or His/her Authorized Representative

NOTES

- 1 The 0.063 acre tract shown hereon is based on a current field survey of 6-13-2012 and was performed in accordance with the minimum standards and procedures for land surveying practice as required by the State of Tennessee...

Legend

- Symbol for Subdivisions shown from recorded plat
- Symbol for State road
- Symbol for Iron pipe set or found last survey



Table with 4 columns: Description, Value, Unit, and Remarks. Includes entries for 'TOTAL ACRES', 'ACRES NEW ROAD', 'TOTAL LOTS', 'MILES NEW ROAD', and 'CLOSURE ERROR'.

AEP - WELLS SUBDIVISION REPLAT

KINGSPORT REGIONAL PLANNING COMMISSION

Sullivan Gardens* 15th DISTRICT SULLIVAN COUNTY, TENNESSEE SCALE: 1" = 80' - DATE: 6-13-2012 TITLE REF: DB 2695C PG 0636(Fortion) TAX-ID C M 104F, GSP A, Parcel 15 01 (Portion)

PLAT REF. PB P0052, PG 0756 SLIDE A-666



LARRY M. COBERTSON P.O. BOX 190 NICKELSVILLE, VA 24271 276-479-3091



CITY OF KINGSPORT, TENNESSEE

November 30, 2012

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

Dear Mr. Ward,

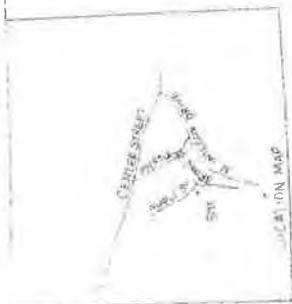
This letter is to inform you that I, as Secretary for the Kingsport Regional Planning Commission, certify that the re-subdivision of the Ebenezer Church property, located at 1026 Maple Street and surveyed by Billy J. Phillips of Billy j. Phillips Land Surveying, meets the Minimum Standards for Subdivision 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





NOTES

1. THE BUILDING SETBACKS ARE IN ZONE R-1B
FRONT YARD 50 FT
REAR YARD 30 FT
SIDE YARD 0 FT
2. EAST MAY 0516 WEST 0516 AND 2.07
3. THIS PROPERTY IS NOT LOCATED IN A HAZARDOUS WASTE ZONE
MAP 410 B.C. 00-95.0 - EFFECTIVE DATE 9-24-06
4. THIS PROPERTY HAS KINGSBURGH WATER SERVICE
- 5.

APPROVED FOR THE TOWN OF KINGSBURGH
BY THE BOARD OF ZONING OFFICIALS
ON 11/27/11

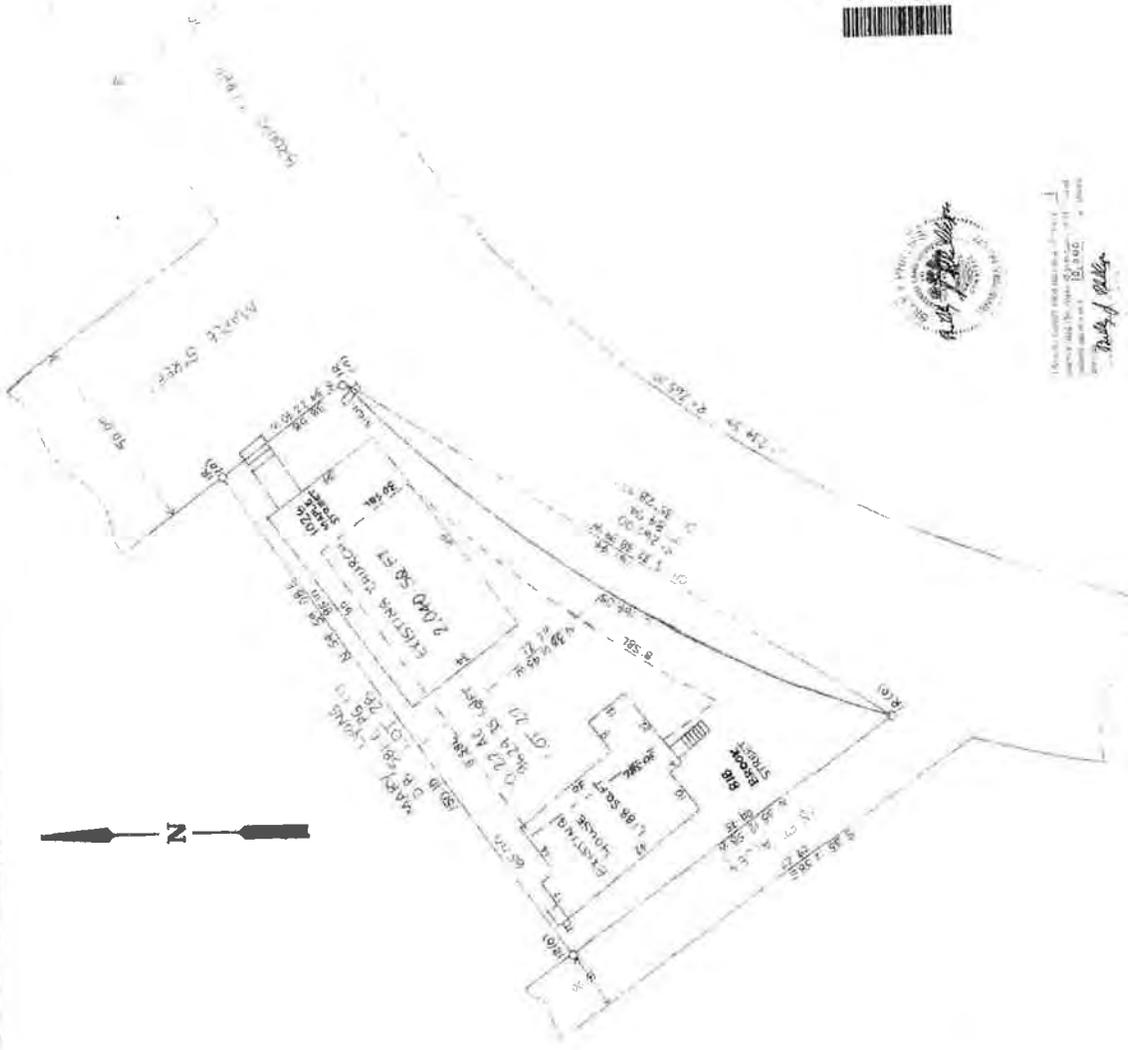
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11/27/11
James Wilk



11/26/2012 - 12:58:00 PM
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TOWN OF KINGSBURGH
PLANNING BOARD
PAGE 16-18

REG FEE	16.00
OP FEE	2.00
AC FEE	12.00
TOTAL	30.00

PAID BY: BART LONG
DATE: 11/26/2012



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12022824
TOWN OF KINGSBURGH
PLANNING BOARD
PAGE 16-18

PLAT BOOK A PAGE 20-A

KINGSBURGH REGIONAL PLANNING COMMISSION	TOTAL LOTS	1
LOT 21 BLOCK 72, KINGSBURGH TOWNSHIP PLAN KEPLA	ACRES NEW ROAD	N/A
OWNER EBERHARDT PARTNER CHURCH	CIVIL DISTRICT	11 TH
SURVEYOR BILLY J. PHILLIPS	CLOSURE ERROR	1/16 IN
SCALE: 1" = 20'		30'

Nov 14
Bobby Phillips
12

Nov 14
Bobby Phillips
17

Nov 14
James Wilk
12

Nov 14
James Wilk
12

New Businesses - City of Kingsport,

Nov-12

Business Name	Address	Owners Name	Mail Address 1	Mail Address 2	City	State	Zip	Area Code	Phone Number	Open Date
A PEACE OF HEAVEN THERAPEUTIC	1944 BROOKSIDE DR	FRAZIER, TRICIA	1944 BROOKSIDE DR		KINGSPORT	TN	37660	423	3845539	121101
BAKER & ASSOCIATES	BTA OUT OF TOWN ADDRESS	YEE, JEFFREY	DBA BASS SERVICES	PO BOX 595	KNOXVILLE	TN	37901	865	9510168	121108
BOOST PERFORMANCE	3339 E STONE DR	BENNETT, KYLE	3339 E STONE DR		KINGSPORT	TN	37660	865	5569233	121121
BUILT-RITE CONSTRUCTION	558 WEEKS AV	FLOWERS, JAMES R	558 WEEKS AV		KINGSPORT	TN	37660	423	2765969	121120
BUMBLE BRITCHES	158 BROAD ST	FORD, AMY	1005 HARWICH PL		KINGSPORT	TN	37660	912	6554551	121109
CABINS & HOMES FOR DONNIE ALLE	BTA OUT OF TOWN ADDRESS		3117 WEARS DR S		SEVIERVILLE	TN	37862	865	6544932	121108
D M ELDRIDGE PHOTOGRAPHY	1921 BOWATER DR A 3-6	ELDRIDGE, DENNIS M	1921 BOWATER DR APT A-5		KINGSPORT	TN	37660	423	5790246	121130
DENIM AND LACE PHOTOGRAPHY	4629 WOODCLIFT DR	CASE, JENNIE	4629 WOODCLIFT DR		KINGSPORT	TN	37664	423	5796116	121127
DIXIE DELIGHTS	2101 FORT HENRY DR	HARRIS, JAMES	2052 SHERWOOD ROAD		KINGSPORT	TN	37664	423	7653768	121123
DNS CO., INC.	BTA OUT OF TOWN ADDRESS		PO BOX 276		KINGSPORT	TN	37708	423	3271445	121129
EDINBURGH MANAGEMENT COMPANY L	7 SHERIDAN PVT SQ STE 107	KARST, DARIN	7 SHERIDAN PVT SQ STE 107		KINGSPORT	TN	37660	423	7652663	121127
EDWARDS RAGAN & ASSOCIATES LLC	3707 SKYLAND CIR	EDWARDS, WAYNE	PO BOX 5788		KINGSPORT	TN	37663	423	8331009	121112
KILOWATT ELECTRICAL	BTA OUT OF TOWN ADDRESS	GIBSON, JEFF	1974 S WESLEY CHAPEL ROAD		GREENEVILLE	TN	37745	423	8238693	121129
MANCO CONSTRUCTION SERVICES,	BTA OUT OF TOWN ADDRESS	MANN, DANIEL	348 PLEASANT HILL PL		BLUFF CITY	TN	37618	423	8958631	121108
NOW OR NEVER GALLERY	345 E SULLIVAN ST	MAYE, JOSEPH	345 E SULLIVAN ST		KINGSPORT	TN	37660	423	2926322	121112

Building Division Monthly Report

OCT. 2012	Count	Value
ACCESSORY BUILDINGS-CARPORT	3	\$26,363
ACCESSORY-DECK		
ACCESSORY-GARAGE		
ACCESSORY-POOL		
ACCESSORY PATIO		
ACCESSORY-PORCH	2	\$10,200
ACCESSORY UTILITY BLDG	4	\$28,500
ADDITION-RESIDENTIAL	6	\$192,969
ALTERATIONS-RESIDENTIAL	6	\$124,249
NEW CONDO		
ROOF RESIDENTIAL	12	\$45,837
NEW SINGLE-FAMILY DWELLING	7	\$1,140,000
NEW MULTI-FAMILY DWELLINGS		
ADDITION/ALTERATION CHURCH		
ADDITIONS-COMMERCIAL		
ALTERATIONS-COMMERCIAL MALLS, FOUNDATION (ONLY)	4	\$166,367
NEW HOTEL/MOTEL		
NEW SCHOOL, LIBRARY, MUSEUM		
NEW SOCIAL, RECREATIONAL, AMUS		
NEW PROFESSIONAL OFF/MED/BANK/ NEW RETAIL/RESTAURANTS/MALL/WA		
NEW NON RESIDENTIAL BARN/JAILS/POST O		
NEW OTHER NON-HOUSEKEEPING SHE	1	\$14,000
NEW HOSPITAL/INSTITUTION/NURSING HOME		
NEW INDUSTRIAL		
ROOF COMMERCIAL	4	\$69,483
UNDERGROUND TANK REMOVAL		
COMMUNICATION TOWER	2	\$24,000
NEW CHURCHES OR RELEGIOUS CTR		
GRADING	1	\$100,000
TOTAL	52	\$1,941,968
OTHER NON-STRUCTURAL PERMITS		
Signs	7	
Banners		
Tents		
Demolitions	1	
Move Structure	2	
TOTAL PERMITS ISSUED	62	
ESTIMATED CONSTRUCTION COST *		\$64,500,325
Calendar Y-T-D		

Building Division Monthly Report

November-12	Count	Value
ACCESSORY BUILDINGS-CARPORT	1	\$813
ACCESSORY-DECK	2	\$15,700
ACCESSORY-GARAGE	2	\$504,000
ACCESSORY-POOL	2	\$57,200
ACCESSORY PATIO		
ACCESSORY-PORCH	2	\$4,000
ACCESSORY UTILITY BLDG	3	\$7,699
ADDITION-RESIDENTIAL	4	\$82,950
ALTERATIONS-RESIDENTIAL	9	\$125,700
NEW CONDO		
ROOF RESIDENTIAL	13	\$82,657
NEW SINGLE-FAMILY DWELLING	5	\$1,099,438
NEW MULTI-FAMILY DWELLINGS		
ADDITION/ALTERATION SCHOOL		
ADDITION/ALTERATION CHURCH		
ADDITIONS-COMMERCIAL	2	\$170,000
ALTERATIONS-COMMERCIAL	6	\$841,593
FOUNDATION (ONLY)	1	\$231,793
NEW HOTEL/MOTEL		
NEW SCHOOL, LIBRARY, MUSEUM		
NEW SOCIAL, RECREATIONAL, AMUSE		
NEW PROFESSIONAL OFF/MED/BANK/		
NEW RETAIL/RESTAURANTS/MALL/WA		
NEW NON RESIDENTIAL BARN/JAILS/POST O		
NEW OTHER NON-HOUSEKEEPING SHE	1	\$550,000
NEW HOSPITAL/INSTITUTION/NURSING HOME		
NEW PUBLIC WORKS/UTILITY BUILDINGS		
NEW INDUSTRIAL		
NEW CHURCHES OR RELIGIOUS CTR		
NEW PARKING GARAGE		
NEW SERVICE STATION/GARAGE		
ROOF COMMERCIAL	5	\$147,051
UNDERGROUND TANK REMOVAL		
COMMUNICATION TOWER		
GRADING	1	\$37,612.00
TOTAL	59	\$3,958,206
OTHER NON-STRUCTURAL PERMITS		
Signs	2	
Banners		
Tents		
Demolitions	1	
TOTAL PERMITS ISSUED	62	
ESTIMATED CONSTRUCTION COST *		\$68,458,531
Calendar Y-T-D		