

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

City Hall Council Room
225 West Center St., Kingsport, TN 37660

May 21, 2015

7:00 p.m.

Members Present

Dennis Ward, Chairman
Sam Booher
Dr. Mike McIntire, Vice Mayor
John Moody
Beverley Perdue
Phil Rickman
Mark Selby
Dave Stauffer

Members Absent

Dr. Heather Cook

Staff Present

Lynn Tully
Corey Shepherd
Ken Weems
Justin Steinmann
Jacob Grieb

Visitor's List

Danny Carr
Dr. Patel
Jerry Petzoldt
Larry Micheals

At 7:00 p.m., Chairman Dennis Ward called the meeting to order, welcomed the audience, introduced the commissioners and staff and summarized the meeting procedures. Chairman Ward asked for approval of the agenda. A motion was made by Commissioner Dave Stauffer seconded by Commissioner Mike McIntire to approve the revised agenda as presented. The motion was approved unanimously 7-0. Chairman Ward asked for any changes to the minutes of the work session held April 13, 2015 and the regular meeting held April 16, 2015. A motion was made by Commissioner Mike McIntire seconded by Commissioner John Moody to approve the minutes as presented. The motion was approved unanimously 7-0.

CONSENT AGENDA

05-01 Autumn Woods Subdivision – Phase 3 – (15-201-00031)

The Planning Commission considered a request to consider approving the reduction of the Performance Bond for Autumn Woods Subdivision – Phase 3, located off Cooks Valley Road. The property is located inside the corporate limits of the City of Kingsport, 7th Civil District of Sullivan County. The item was presented by Corey Shepherd. There being no additional discussion a motion was made by John Moody seconded by Dave Stauffer to approve the item. The motion was approved unanimously 7-0.

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

05-02 Bob Jobe Road Rezoning – (15-101-00001)

The Kingsport Regional Planning Commission heard a request to consider rezoning from M-1R (Light Industrial Restricted) to B-3 (Highway Oriented Business) to accommodate a medical office use on the property. The property is located inside the corporate limits of the City of Kingsport, 14th Civil District of Sullivan County. Ken Weems presented the item stating the property is located at the southernmost tip of the city limits and abuts the growth boundary. History of the area includes this property within the Border Regions retail development district. This parcel was annexed as a part of the creation of the district. Some of the adjacent property is zoned M-1 and AG as well as B-3 across the street. Sullivan County has jurisdiction on some of the adjoining property with Johnson City and Washington County bordering the southernmost bounds of the property. No external changes are proposed for the existing building. The medical clinic use will be conducted in a portion of the current church building. Two adjoining property owners have contacted staff in favor of the rezoning and one called in opposition. No written communications have been received to date. Staff recommends the rezoning based on its location within the Border regions retail tax district. The public hearing was opened. Danny Carr spoke in favor of the request with Dr. Patel also available for questions. There were no other speakers. The public hearing was closed. There being no additional discussion a motion was made by Mike McIntire seconded by Beverley Perdue to approve the item. The motion was approved unanimously 7-0.

05-03 Riverbend Lot 2B – (15-201-00029)

The Planning Commission heard a request to consider granting Preliminary Subdivision Approval for Riverbend Lot 2B. The property is located inside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County. Corey Shepherd presented the item stating this lot is the Riverbend development parcel north of the previously approved Bojangles lot. The parcel is 1.55 acres with existing utilities to be extended along Riverbend Dr. This request is for preliminary approval only. It will include a cross access easement on this lot for access to lot 3. Staff recommends approval contingent on approved construction plans. Dave Stauffer asked if they considered a service road? Staff answered that it was not in recent discussions however it was represented to the developer by staff previously. The developer chose to provide only the access easement. This is an unusual access however we have approved them before in areas such as the Eastman Road and Stone Drive. Current plans for the dollar general site show a wider driveway but no alley or turn around. Phil Rickman asked if there is a light proposed? Staff replied there is a light proposed at the intersection with Ft. Henry drive to coincide with the construction and extension of Riverbend Rd. The public hearing was opened. Jerry Petzoldt spoke in favor of approval. There were no other speakers. The public hearing was closed. There being no additional questions a motion was made by Mike McIntire seconded by Dave Stauffer to approve the item. The motion was approved unanimously 7-0.

05-04 Riverbend Lot 3 – (15-201-00030)

The Planning Commission heard a request to consider granting Preliminary & Final Subdivision Approval for Riverbend Lot 3. The property is located inside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County. Corey Shepherd presented the item stating it is the Dollar Tree Lot. This lot is 2.4 acres and utilities will be extended to the lot with construction

of the new roadway. There is a cross access easement is being proposed over the lot with no variances requested. Staff recommends approval of the item. The public hearing was opened. Jerry Petzoldt spoke in favor noting construction on Bojangles should start soon with Dollar Tree to start in June. The public hearing was closed. There being no additional questions a motion was made by Mike McIntire seconded by Phil Rickman to approve the item. The motion was approved unanimously 7-0.

05-05 Rock Spring Road Vacation/Surplus Request – (15-401-00003)

The Planning Commission heard a request to recommend to the Kingsport Board of Mayor and Alderman that public right-of-way located along Rock Springs Road, at the intersection of Rock Springs Road and Moreland Drive be officially vacated and designated as surplus property. The property is located inside the corporate limits of the City of Kingsport, 13th Civil District of Sullivan County. Corey Shepherd presented the item stating the request is from Danny Carr on behalf of Larry Michaels owner of “A Place for Everything”. This item was postponed from prior meeting in March due to issues of release of the property. Those issues have been resolved with the legal department and the request is returned to the Planning Commission for approval. The roadway has been reclassified by both TDOT and locally for a lower volume roadway and therefore the ROW is unnecessary for future use. The staff has recommended approval of the surplus property. Both owners of the property adjacent will be offered the ROW adjacent to their respective parcels. PC requested a letter noting the intent to sell to adjacent property. A letter received from Michaels only as Dentons were out of town. The public hearing was opened. Danny Carr spoke for the property owner Mr. Michaels noting that they intend to expand. Larry Michaels spoke in favor indicating that they hope to build an office area and therefore need the additional property. The public hearing was closed. It was asked if we can we remove the portion from the consideration? Staff answered yes at this time and commissioners may be more comfortable with removal. Corey Shepherd noted that the determination of sale price will be from adjacent property as a portion of that value. No appraisal will be required. Can the motion be made subject to signature of the second owner on the intent to purchase letter? Yes if it is the will of the commission. Danny Carr at the last discussion indicated that he was on favor. Sam Booher stated the surplus could not landlock existing parcels legally anyway. Dave Stauffer made a motion with John Moody seconding to approve recommending vacating and surplus of property subject to receipt of intent to purchase letters from both adjoining property owners. The motion was approved unanimously 7-0.

~~05-06 Article IV. Signs of Zoning Text Amendment (15-801-00002)~~

~~The Planning Commission is requested to recommend to amend the sign portion of the City Zoning Code to prohibit bordering windows and doors in P-1, TA/C, B-1, B-2, B-3, B-4P, M-1, M-1R, M-2, M-X, BC, and PVD zones. (Shepherd) Removed from agenda~~

Mike McIntire noted that he received an email from a fellow board member regarding the border lights in Danville, VA. It was noted that they were distracting and visually unpleasant.

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

VIII. OTHER BUSINESS

05-07 Receive a letter of resubdivision of the Chase Meadows Phase 3, on Lydia Lane.

- 05-08 Receive a letter of resubdivision of the Edinburgh Lot 2b-2, on Wallace Court.
- 05-09 Receive a letter of resubdivision of the Riverbend Road (Future ROW only), on Riverbend Drive.
- 05-10 Receive a letter of resubdivision of the Kingsport Pavilion Property 7A & 7B, on E Stone Drive.
- 05-11 Receive a letter of resubdivision of the Slaughter Property, on Colonial Heights Road.
- 05-12 Receive a letter of resubdivision of the Shanks Property, on Poplar Grove Road.
- 05-13 Receive a letter of resubdivision of the First Southeast Development (Bojangles), on Riverbend Road.
- 05-14 Receive a letter of resubdivision of the Shiveley Property, on Packinghouse Road.
- 05-15 Receive a letter of resubdivision of Riverbend Tract B.
- 05-16 Receive a letter of resubdivision of the Rivermont Estates Lots 10 & 11, on Halifax Drive.
- 05-17 Receive a letter of resubdivision of the Lane Property, on Pearl Lane.
- 05-18 Receive a letter of resubdivision of the Preston Forest Lots 66 & 67, on Buckingham Court.
- 05-19 Receive a letter of resubdivision of the Sloan Ramey Property, on Montana Avenue.
- 05-20 Receive, for informational purposes only, the March 2015 report from the Building Division.
- 05-21 Receive, for informational purposes only, the March 2015 New Business report.
- 05-22 **Submitting Bylaws Change** - The change will be to Article II, Section 6. Allowing the Chair and Vice-Chair to serve for 5 years vs. the 4 consecutive one year terms currently in place. Mike McIntire stated previously the PC allowed chairs to serve for extended periods of time, during the last 12 years it was redefined with a 4 year maximum. The motion is to change the bylaws to extend the term of the chairman from 4 years to 5 years. We currently have several new members and members with little more than 1 year experience and this would allow for more experience for those members in vice-chair and participatory roles before taking chairmanship. John Moody seconded the motion. The motion passed 7-0-1, with Dennis Ward abstaining.
- 05-23 **Nominating committee** – Planning Commission is asked to convene a nominating committee to put forward officers for the coming year. Newly elected officers will take office at the July Planning Commission meeting. Dennis Ward requested Beverley Perdue, and Dave Stauffer serve, and Mike McIntire as Chair.

We also need a Sullivan County Planning Commission Representative. They meet on Tuesdays once a month. It must be a city resident commissioner.

IX ADJOURNMENT

There being no further business, a motion was made by Beverley Perdue and seconded by Mark Selby to adjourn the meeting at approximately 7:50 pm. This motion passed unanimously, 7-0.

Respectfully Submitted,



Chanya Lynn Tully, AICP, Planning Commission Secretary