

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

Improvement Building
201 W Market Street, Kingsport, TN 37660

March 19, 2015

7:00 p.m.

Members Present

Dr. Mike McIntire, Vice Mayor, Acting Chairman
Buzzy Breeding
Dr. Heather Cook
John Moody
Beverley Perdue
Mark Selby
Dave Stauffer

Staff Present

Lynn Tully
Corey Shepherd
Justin Steinmann
Jacob Grieb

Members Absent

Dennis Ward, Chairman
Hoyt Denton, Vice-Chairman

Visitor's List

Danny Carr
Dan Elcan
Jerry Petzoldt

At 7:00 p.m., Acting Chairman Dr. Mike McIntire called the meeting to order, welcomed the audience, introduced the commissioners and staff and summarized the meeting procedures. Chairman McIntire asked for approval of the revised agenda. A motion was made by Commissioner Dr. Heather Cook seconded by Commissioner Beverly Perdue to approve the revised agenda including the MX zoning text changes as presented. The motion was approved unanimously 6-0. Chairman McIntire asked for any changes to the minutes of the regular meeting held February 19, 2015. A motion was made by Commissioner John Moody seconded by Commissioner Buzzy Breeding to approve the minutes as presented. The motion was approved unanimously 6-0.

CONSENT AGENDA

None

UNFINISHED BUSINESS

None

NEW BUSINESS

03-01 Riverbend North B-4P Preliminary Zoning Development Plan – (15-102-00003)

The Planning Commission considered a request for the preliminary zoning development plan approval in a B-4P zone for a new Dollar Tree Store. The property is located inside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County. Corey Shepherd presented item noting current zoning and adjacent zoning. The applicant is asking for revised preliminary approval to include a new Dollar Tree store site. The B-4P zoning requires ZDP approval. The appropriate parking and landscaping is included in the plan. Staff stated Lot 2 has revised access to include a drive aisle with access for Lot 2. Ken Weems and the Landscape Specialist have performed an onsite inspection of the buffer for the dollar tree site. The buffer is adequate for the

site in their opinion. There will be need to supplement the buffer on the future development. Beverley Perdue asked will they be grading and removing trees? Staff stated most is currently graded however the rear buffer is existing and a small portion will be graded in development of the site. That area could be replanted. The Public Hearing was opened. Dan Elcan spoke in favor noting there is a bank at the rear that will obscure the Dollar Tree development and most trees will remain. Beverley Perdue stated she is looking for consistency of the buffer along the Cliffside neighborhood. Dan Elcan answered most trees will be left with some planting necessary for the next phase of development. They are looking for a uniform buffer. The next phase of development will also be seen by the PC prior to approval. There being no additional questions the public hearing was closed and a motion was made by Dave Stauffer seconded by John Moody to approve the item. The motion was approved unanimously 6-0.

03-02 Resubdivision of First Southeast Development- (15-201-00011)

The Planning Commission considered a request for preliminary plat approval for the resubdivision of First Southeast Development property. The property is located inside the corporate limits of the City and includes one lot of 1.4 acres. This is the preliminary subdivision request. Staff noted the Kingsport sewer does not yet serve the property so construction documents are necessary for final approval. All other items are appropriate to the regulations. The Public Hearing was opened and with no speakers it was closed. There being no additional discussion, a motion was made by Dave Stauffer seconded by Buzzy Breeding to approve the item. The motion was approved unanimously 6-0.

03-03 Cleek Road Vacation/Surplus Request – (15-401-00002)

The Planning Commission considered a request to recommend to the Kingsport Board of Mayor and Alderman that a portion of the former right-of-way for Cleek Road, located at the intersection of Cleek Road and Orebank Road, be vacated and officially designated as surplus property. The property is located inside the corporate limits of the City of Kingsport, 10th Civil District of Sullivan County. Corey Shepherd presented the item stating the property is located at the former intersection of Cleek Road and Orebank Road. Mr. Ronald Miller owns the property bounding the requested site. He has also requested purchase of the surplus site. The reroute of Cleek Rd has eliminated the need for ROW of Cleek road in this area. All city staff leadership has reviewed the property surplus request and found no public need for the property. Staff recommends the surplus. Mark Selby asked how we determine the value of the property. Staff answered there is a process for the City Recorder and City Clerk to determine and would likely be based on the purchase price for the recently acquired ROW. The public hearing was opened and there were no speakers. The public hearing was then closed. There being no additional questions, a motion was made by Buzzy Breeding seconded by Heather Cook to approve the item. The motion was approved unanimously 6-0.

03-04 Rock Springs Road Vacation/Surplus Request – (15-401-00003)

The Planning Commission considered 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 property surplus requested at Rock

Springs Rd is represented by Danny Carr for the requestor Mr. Michaels. The city traffic department has reduced the classification of this roadway and that has also been the opinion of the state. City staff has reviewed the request and find no need for future use of the property for traffic improvements. Mark Selby asked if this would create a landlocked situation if someone else were to buy the area where an access driveway exists? Staff noted the city clerk will need work out the bid situation with the city attorney. Corey Shepherd stated surplus does not actually provide subdivision which would keep someone else from creating a landlocked situation. The Public Hearing was opened. Danny Carr noted he was not in favor of bidding this property as a process for disposal. However the intent is to divide the surplus area into 2 pieces to be added to the adjoining property. Danny Carr stated both parties are in agreement regarding the surplus division. Buzzy Breeding and Heather Cook stated this may potentially create an issue. It could, however the failsafe is to not approve the subdivision plat. Mark Selby agreed that the decision to keep the ROW right at the intersection is good for a future turn lane. There were no other speakers and the Public Hearing was closed. There being no additional questions, a motion was made by Dave Stauffer seconded by John Moody to approve the item. The motion failed 3-4 with Buzzy Breeding, Beverly Perdue, Heather Cook and Mark Selby voting no. This can be brought back to the Commission if there is clarification on the bid process for surplus property.

03-05 Article IV, Zoning Text Amendment – (15-801-00002)

The Planning Commission considered a request for amending the sign portion of the City Zoning Code to prohibit lighting 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. Corey Shepherd presented the item stating it was a staff initiated Zoning Text Amendment to prohibit the bordering lights for commercial zones. There is a growing trend in use of this type lighting due to the inexpensive nature of the lights. This is to amend the sign portion of the code and does not limit seasonal displays or other neon borders for architectural accents at cornices. Staff noted this does not apply to residential zones. Dave Stauffer asked what prompted the change. Staff answered it is aesthetically displeasing and distracting and it may be one of those issues that if not gotten ahead of it could be very unattractive and distracting for traffic. Buzzy Breeding asked how much design we should regulate? Justin Steinmann stated it could be a public safety issue if they flash or animate. There have been national studies that indicate a correlation of traffic accidents to animation. The public hearing was opened with no speakers and then closed. There being no additional questions, a motion was made by Beverly Perdue seconded by Heather Cook to approve the item. The motion passed 4-3 with Buzzy Breeding, Dave Stauffer and John Moody voting no.

03-06 B-2 Zone Changes – (15-801-00003)

The Planning Commission heard a request to consider amending Chapter 114, Articles III, IV, and VI of Kingsport's Zoning Code to require that new development and redevelopment in downtown Kingsport be in harmony with the traditional character of downtown. Justin Steinmann presented the item stating this will be a series of changes for B-2 which will essentially apply to the area bounded by Sullivan, Clinchfield, and Main Streets. There is great flexibility in the existing zoning however future new development does not have the protections for character of the development. There are proposed some prohibited uses would include single-family housing, animal boarding facilities and car dealerships. There will be more closely regulated facilities with drive through's.

Staff noted uses with peak hour traffic greater than 30 trips/1000 sq. ft. per hour would be prohibited from accessing main roads and would be required to access via alleyways. Requirement of a 0' setback essentially creating a build to line for the majority of a building's frontage. Staff stated they would create a max building height of 74' based on the height of the Regions bank building. The design requirement of a minimum 30% fenestration for retail type appearance on the first floor. Staff noted metal and block buildings would be prohibited and all mechanical equipment must be screened from view. Sidewalk and streetscapes requirements would be based on approved master plans. Signage would include a freestanding monument sign for existing buildings set back from the roadway and maximum sign size would be 25 sq. ft. per side. Wall signage is to remain as current. Blade signs would be allowed as a free sign. Parking requirements for commercial sites would not be required. This allows more density in the downtown core. Any new parking provided must be at side or rear and must be screened. Staff recommends the changes. Mike McIntire questioned if long term plans are for more changes in the future to B-2. Staff answered yes the downtown will be looked at in differing character areas and each set of requirements will be matched to those areas. Buzzy Breeding expressed a need to clarify block building is not to include split-face and others. Staff noted several materials can be used as accent however may not be the primary material. Mark Selby asked about church circle applicability? Staff stated there will be more stringent requirements by the Historic District. Also questioned was the height limit on the Church steeples as well. The public hearing was opened and Sherri Mosely and Angela Vachon stated that they both feel very strongly that there is a need for design guidelines for downtown and support the effort. There was a request to clarify that vinyl siding is prohibited. Staff noted yes that is included. Dave Stauffer asked if vinyl siding could be used as an accent? Staff noted not as written because we are looking for durability in materials. Beverley Perdue asked if only visible from street ROW? Staff answered it is limited to areas visible from street only. Buzzy Breeding asked will we allow any covering of original facades? Staff noted only as accent. The public hearing was closed. There being no additional questions, a motion was made by Mark Selby seconded by Buzzy Breeding to approve the item. The motion was approved unanimously 6-0.

03-07 MX Zone Text Amendment – (15-801-00004)

The Planning Commission heard a request to consider amending Chapter 114, Article III of Kingsport's Zoning Code to permit food processing and packaging facilities by right in the MX zone, and to delete special exceptions language in the MX zone. Justin Steinmann stated this is for three locations of the City - Gateway Commerce Park, NE Business Park, and TriCities Crossing at Eastern Star Road. Current language is not only confusing but is redundant in the special exception regulations. The change will move those items to the uses allowed by right section of the district text. The public hearing was opened with no speakers present. The public hearing was then closed. There being no discussion, a motion was made by Beverley Perdue seconded by John Moody to approve the item. The motion was approved unanimously 6-0.

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

VIII. OTHER BUSINESS

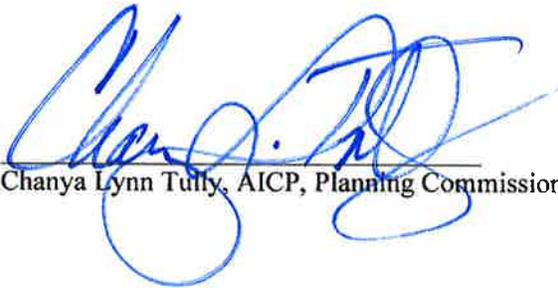
- 03-08** Receive a letter of resubdivision of the Reedy Creek Terrace, on N. Eastman Road.
- 03-09** Receive a letter of resubdivision of the Gateway Park Property, on Commerce Park Place.
- 03-10** Receive a letter of the final subdivision plat for Edinburgh Phase 5 major subdivision, on Calton Hill.
- 03-11** Receive, for informational purposes only, the February 2015 report from the Building Division.
- 03-12** Receive, for informational purposes only, the February 2015 New Business report.

IX ADJOURNMENT

Mark Selby complimented the designs of new facilities.

There being no further business, a motion was made by Buzzy Breeding and seconded by Beverley Perdue to adjourn the meeting at approximately 8:06 pm. This motion passed unanimously, 6-0.

Respectfully Submitted,



Chanya Lynn Tully, AICP, Planning Commission Secretary