**MINUTES OF THE REGULAR MEETING OF THE**

**KINGSPORT REGIONAL PLANNING COMMISSION**

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

October 20, 2016 7:00 p.m.

**Members Present** **Members Absent**

Sam Booher, Chairman Pat Breeding

Sharon Duncan Beverley Perdue

Mike McIntire

John Moody

Phil Rickman

Mark Selby

Staff Present Visitor’s

Ken Weems, AICP Sharon Glass Julia Cunningham

Jessica Harmon Ronald Kilgore Brenda Compton

Jacob Grieb David Thompson David Thompson

 Jim McGill Maria Lhonza

 Arthur Seymour Walt Hillis

 Dana Cunningham Greg Muncy

 Richard Phillips Dan Elcan

 Marissa Thompson Brenda Kilgore

 Grant Thompson John Rose

 Fred Cox Tim Lingerfelt

 Sophia Davidson Stewart Taylor

 William Roller Luther Cain

At 7:00 p.m., Chairman Sam Booher called the meeting to order, welcomed the audience, introduced the commissioners and staff, and summarized the meeting procedures. Chairman Sam Booher asked for approval of the agenda. A motion was made by Commissioner Mark Selby seconded by Commissioner Phil Rickman to approve the agenda as presented. The motion was approved unanimously, 6-0. Chairman Sam Booher asked for any changes to the minutes of the work session held on September 12, 2016 the regular meeting held on September 15, 2016 and the Special Called Meeting held on October 3, 2016. A motion was made by Commissioner John Moody, seconded by Commissioner Mark Selby to approve the minutes as presented. The motion was approved unanimously 6-0.

IV. CONSENT AGENDA

None

**V. UNFINISHED BUSINESS**

 None

**VI. NEW BUSINESS**

10-01 Aggregates USA Rezoning (Sullivan County Rezoning) – (16-101-00010)

The Kingsport Regional Planning Commission is requested to recommend a rezoning from County M-1 to County M-2 to allow expansion of the existing quarry. The property located outside the corporate limits of the City of Kingsport, 7th Civil District of Sullivan County. Staff introduced the rezoning, stating that the applicant had officially amended the rezoning request to exclude parcel 69.30 from consideration. Staff stated that the revised request is a rezoning from County M-1 to County M-2 for parcels 67 and 68 only. Staff reported that the rezoning site consists of approximately 8 acres, located north of the existing quarry site and south of Shipley Ferry Road. Staff stated that Sullivan County M-1 zoning would have allowed quarry expansion in the past, but that had changed due to a county zoning text amendment change. Staff noted that the purpose of the rezoning is to facilitate expansion of the existing quarry from the south of the rezoning site. Staff noted that the location of the two parcels being considered for rezoning do not abut any residential use parcels. Staff identified the portion of the County Land Use Plan applicable to the area. The two parcels being considered for rezoning are identified as Manufacturing-Light Industrial. Staff recommended sending a positive recommendation to the Sullivan County Commission based upon a manufacturing designation in the County Land Use plan and the fact that the rezoning would not impact residential use with an abutting quarry expansion. Finally, staff noted that the rezoning request would go to the November 14, 2016 Sullivan County Commission meeting. Chairman Booher opened up the public hearing. Ms. Sharon Glass spoke against the item. Ms. Glass cited concerns over the blasting that goes on at the quarry, stating that she feared it was damaging her home. Ms. Glass also stated that she had been concerned about the effect of the quarry on her home and property for decades. Next, Mr. Ronald Kilgore spoke against the rezoning effort, citing concerns about the effects of the quarry blasting on his home. Next, David Thompson spoke against the rezoning effort, citing similar concerns about quarry blasting. Next, Jim McGill spoke in favor of the rezoning request, acknowledging that he works for the quarry. Mr. McGill spoke to how the quarry monitors all of its blasts, ensuring that the quarry follows all applicable laws for mine safety. Next, Mr. Arthur Seymour spoke in favor of the rezoning request, stating that he works with the quarry. Next, Walt Hillis spoke in favor of the request. Mr. Hillis stated that he works for the quarry, and that he would be happy to investigate any potential quarry impact issues with area residents and property owners. Next, Dana Cunningham stated that she was against the rezoning, citing concerns similar to other residents about the effects of the quarry blasts. Next, Mr. Richard Phillips spoke against the request, stating that the effects on the wildlife around his property are evident. Finally, both Marissa and Grant Thompson spoke against the rezoning request, stating that they have been concerned about the quarry blasting effects for a long time. They stated that they did not believe they would ever stop the quarry from expanding if they are allowed to do so now. Seeing no one else wanting to speak, Chairman Booher closed the public hearing. Mark Selby asked staff about other uses that area allowed in a County M-1 zone. Staff directed the Commission to a copy of the Sullivan County Zoning Resolution, which detailed all the potential uses in the M-1 zone. Mr. Tim Lingerfelt stated that the M-1 zone allows adult entertainment. On a motion by Mike McIntire, seconded by John Moody, the Commission voted to send a positive recommendation to the Sullivan County Commission. The motion failed by a 3-2 vote. Chairman Booher announced that the Commission will send a recommendation to not rezone the property to the Sullivan County Commission.

**10-02 1331 John B Dennis Hwy, Preliminary Zoning Development Plan/B-4AP – (16-102-00004)**

The Kingsport Regional Planning Commission is requested to receive the Preliminary Zoning Development Plan approval in a B-4P zone for the addition of a second drive-thru lane, removal of 10 parking spaces, and small building addition to relocate a window to better accommodate traffic. The property is located inside the corporate limits of the City of Kingsport, 13th Civil District of Sullivan County. Staff presented the preliminary zoning development plan to the Commission, stating that the existing McDonald’s restaurant needed an additional drive thru land to serve customers more efficiently. Additionally, staff noted that although ten parking spaces would be eliminated by this plan, the use would still have adequate parking per code requirements. Staff also noted that the preliminary development plan would also require approval from the Gateway Commission. On a motion by Sharon Duncan, seconded by Phil Rickman, the Commission voted to approve the preliminary zoning development plan. The motion passed, 5-0.

**10-03 Tri Cities Crossing Auto Mall, Preliminary Zoning Development Plan – (16-102-00005)**

The Kingsport Regional Planning Commission is requested to receive the Preliminary Zoning Development Plan approval in a TA/C zone for the construction of an auto mall including 5 dealerships located on Tri Cities Crossing. The property is located inside the corporate limits of the City of Kingsport, 14th Civil District of Sullivan County. Staff presented the details of the preliminary zoning development plan to the Commission. Staff stated that the proposal is for multiple franchised auto dealerships to locate on the parcel. The project contains a total of 1,411 parking spaces, which exceeds the amount required by code. Additionally, staff drew the Commission’s attention to the two separate ingress/egress points, as well as the landscaping proposal. Staff noted that the project had already applied for and received a special exception by the Board of Zoning Appeals for a franchised auto dealership in a TA/C zone. Last, staff noted that the project will also be required to receive a Gateway District certificate of appropriateness prior to receiving final approval. On a motion by Mike McIntire, seconded by John Moody, the Commission voted to approve the preliminary zoning development plan. The motion passed 5-0.

**10-04 Riverbend South B-4P Preliminary Zoning Development Plan – (16-102-00007)**

The Kingsport Regional Planning Commission is requested to receive the Preliminary Zoning Development Plan approval in a B-4P zone for an assisted living facility with memory care unit and associated outparcels. The property is located inside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County. Staff presented the preliminary zoning development plan to the Commission. Staff noted that the only known entity at this time is an assisted living/ memory care facility on the west side of the development. Additionally, staff noted that the project had already received a special exception granted by the Board of Zoning Appeals during their October meeting for an institution for human care in a B-4P zone. Staff stated that the project will require an additional traffic light along Fort Henry Drive. Staff showed the new street network, detailing the new non-residential street that will serve the development. Staff stated that the traffic department had approved all proposed driveway access points and that the new street is proposed to be constructed to the appropriate city standard. On a motion by Mike McIntire, seconded by John Moody, the Commission voted to approve the preliminary zoning development plan. The motion passed 5-0.

**10-05 Edinburgh South Phase II – Revised – (16-201-00063)**

The Kingsport Regional Planning Commission is requested to recommend revised Preliminary Subdivision Approval contingent upon the approval of the engineering documents and minor corrections noted by staff. The property is located inside the corporate limits of the City of Kingsport, 14th Civil District of Sullivan County. Staff presented the details of the preliminary subdivision approval to the Commission. The proposal consists of the same amount of lots as the original Edinburgh South Phase II, yet with two variances to the subdivision regulations. The variances include the grass swale instead of curb and gutter as well as a mobility path to the rear of the development made of stone as opposed to asphalt. Construction documents are in review and staff recommends with variances contingent on approval from engineering. Mark Selby asked if the rationale supplied in the required variance letter was enough to justify granting a variance. Mike McIntire stated that the proposal is an appropriate way of dealing with strict stormwater regulations of the future, and that staff has been directed to amend the subdivision regulations to deal with such in the future. On a motion made by Mike McIntire, seconded by Phil Rickman, the Commission voted to approve the revised preliminary for Edinburgh South Phase II and two associated variances. The motion passed 5-0.

**10-06** **1392 Ridgecrest Avenue Annexation – (16-301-00004)**

The Kingsport Regional Planning Commission is requested to recommend to the Board of Mayor and Alderman the annexation, zoning, and Plan of Services for 1392 Ridgecrest Avenue. The property is located outside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County. Staff presented the item to the Commission, stating this is an owner initiated request for property adjacent to the City limits. The property is served by city utilities and annexation is requested for city school benefit. It is currently zoned R-3A in the county and the proposed zone is R-1B in the City. A full plan of services is recommended. The property complies with the small scale annexation policy. On a motion by Mark Selby, seconded by Sharon Duncan, the Commission voted to send a positive recommendation to the BMA in support of the annexation. The motion passed 5-0.

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

**VIII. OTHER BUSINESS**

10-07 Receive a letter of desubdivision of Lots 13-34, Block 11, located on Center Street.

**10-08** Receive a letter of resubdivision of Lot 3, Block C Midfields Addition, located on Granby Road.

**10-09** Receive a letter to certify the resubdivision of Lots 30 & 41 Polo Fields Phase III, located on Polo Fields Place.

**10-10** Receive a letter to certify the resubdivision of Lots 60 & 61 of the Kingsport Townsite Plan, located on Dale Street.

**10-11** Receive a letter to certify that the division of the Howard Property, located on New Beason Well Road.

**10-12** Receive a letter to certify that the resubdivision of lands of Deborah and Jimmie Poole, located on Highpoint Avenue.

**10-13** Receive a letter to certify that the resubdivision of Lots 15, 16, and Part 14 of Kingsport Corp. Property, located on Claremont Street.

**10-14** Receive, for informational purposes only, the September 2016 report from the Building Division.

**IX. ADJOURNMENT**

There being no further business the meeting adjourned at approximately 6:44 p.m.

Respectfully Submitted,

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Ken Weems, AICP, Planning Commission Secretary