

# KINGSPORT REGIONAL PLANNING COMMISSION

## TENTATIVE AGENDA

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.

May 17, 2018

5:30 p.m.

**I. INTRODUCTION AND RECOGNITION OF VISITORS**

**II. APPROVAL OF THE AGENDA**

**III. APPROVAL OF THE MINUTES OF THE WORK SESSION HELD ON APRIL 16, 2018 AND THE REGULAR MEETING HELD ON APRIL 19, 2018.**

**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.

**V. UNFINISHED BUSINESS**

*None*

**VI. NEW BUSINESS**

**05-01 2000 Stonebrook Place Rezoning - (18-101-00004)**

The Kingsport Regional Planning Commission is requested to provide a recommendation on the rezoning of 2000 Stonebrook Place from A-1 and P-1 to B-3 to accommodate a SCUBA store and refurbished miniature golf. The property is located inside the corporate limits of the City of Kingsport, 11<sup>th</sup> Civil District of Sullivan County. (Weems)

**05-02 North Eastman Road Rezoning – (18-101-00005)**

The Kingsport Regional Planning Commission is requested to provide a recommendation on the rezoning of property on North Eastman Road from R-1B to B-3 for future commercial use. The property is located inside the corporate limits of the City of Kingsport, 11<sup>th</sup> Civil District of Sullivan County. (Weems)

**05-03 Jefferson Gardens– (18-201-00028)**

The Kingsport Regional Planning Commission is requested to consider Preliminary Street Dedication Approval of two new streets off Memorial Boulevard. The property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. (Harmon)

**05-04 Chase Meadows PD Plan Amendment – (18-103-00003)**

The Kingsport Regional Planning Commission is requested to consider Planned Development Plan Amendment Approval for Chase Meadows. The property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. (Harmon)

**05-05 Westmoreland Avenue Surplus – (18-401-00001)**

The Kingsport Regional Planning Commission is requested to consider 3820 Memorial Boulevard be declared surplus. The property is located inside the corporate limits of the City of Kingsport, 11<sup>th</sup> Civil District of Sullivan County. (Harmon)

**05-06 2215 Cleek Road Annexation – (17-301-00003)**

The Kingsport Regional Planning Commission is requested to recommend approval of 2215 Cleek Road Annexation, Zoning, and Plan of Services to the Board of Mayor and Alderman. The property is located outside the corporate limits of the City of Kingsport, 10<sup>th</sup> Civil District of Sullivan County. (Woods)

**05-07 Zoning Administrator Duties Zoning Text Amendment – (18-801-00002)**

The Kingsport Regional Planning Commission is requested to consider amending Chapter 114 of Kingsport's Zoning Code to change certain zoning administration duties from the responsibility of the Building Official to the Zoning Administrator. (Weems)

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

**VIII. OTHER BUSINESS**

**05-08** Downtown Master Plan Presentation

**05-09** Receive, for informational purposes only, the April 2018 Building Department report.

**IX. ADJOURNMENT**

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

Jimmy Walker Conference Room – Improvement Building  
201 West Market Street, Kingsport, TN 37660

April 16, 2018

12:00 noon

**Members Present**

Sam Booher, Chairman  
Mark Selby, Vice Chairman  
Mike McIntire  
Pat Breeding  
Sharon Duncan  
Beverley Perdue  
Phil Rickman  
Paula Stauffer

**Members Absent**

John Moody

**Staff Present**

Ken Weems, AICP  
Jessica Harmon  
Nathan Woods  
David Harris

**Visitors**

none

At 12:00 p.m., Secretary Ken Weems called the meeting to order. Mr. Weems requested any needed corrections to the minutes of both the work session held on March 12, 2018 and regular meeting held on March 15, 2018. With no corrections identified, Mr. Weems stated that he minutes would be presented for approval during the April regular meeting. No official action was taken.

**IV. CONSENT AGENDA**

**V. UNFINISHED BUSINESS**

**VI. NEW BUSINESS**

**04-01 Virginia Avenue Rezoning (18-101-00002)**

The Kingsport Regional Planning Commission is requested to provide a recommendation on the rezoning of 1701 Virginia Avenue from R-1B to PD to accommodate future residential use. The property is located inside the corporate limits of the City of Kingsport, 11<sup>th</sup> Civil District of Sullivan County. Staff presented the details of the item, which is located off Virginia Avenue. Staff stated that the rezoning site is approximately 6.82 acres and that the proposed zone would accommodate future residential use of the property. Staff stated that the surrounding residential use was all zoned R-1B and the adjacent commercial zone was B-3 for the surrounding parcels that front on Memorial Boulevard. Staff noted that the future land use plan addresses the area as appropriate for multifamily use and that any future development would have to be approved by the Planning Commission as part of the proposed PD zone. Staff stated that three calls were

received from residents along Virginia Avenue. All calls were supportive of the rezoning effort. Staff recommended sending a positive recommendation to the BMA based upon conformance with the future land use plan and availability of both public water and sewer to the site. No official action was taken.

**04-02 Edinburgh Concept Plan Amendment– (18-201-00048)**

The Kingsport Regional Planning Commission is requested to consider approval of amending the previously approved concept plan of July 2016. The property is located inside the corporate limits of the City of Kingsport, 15<sup>th</sup> Civil District of Sullivan County. Staff presented the details of the item which adds Edinburgh Phase 11. Staff also noted that the amendment further designates the existing multifamily use in the development. No official action was taken.

**04-03 Edinburgh Subdivision Phase 11 – (18-201-00016)**

The Kingsport Regional Planning Commission is requested to consider Preliminary Subdivision Approval of Edinburgh Subdivision Phase 11. The property is located inside the corporate limits of the City of Kingsport, 15<sup>th</sup> Civil District of Sullivan County. Staff presented details of the item. The proposed phase 11 will consist of fourteen new lots located off two new streets in the Edinburgh Community. Staff noted that the engineering department is still reviewing the civil plans and that any approval would have to be contingent upon the approval of such plans. No official action was taken.

**04-04 Jefferson Gardens Rezoning – (18-101-00003)**

The Kingsport Regional Planning Commission is requested to provide a recommendation on the rezoning of Jefferson Gardens from B-3 and PD to PD to B-3 to better align these areas with future proposed residential construction. The property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. Staff presented details of the rezoning site which is located directly behind the existing Dollar General Market off Memorial Boulevard, adjacent to the intersection with Island Road. Staff noted that this proposal is rather minor in nature and is being performed to prevent split zoning as the developer prepares for construction of the first phase of Jefferson Gardens. The proposal is approximately .026 acres in size and consists of one portion being rezoned from B-3 to PD and another portion being zoned from PD to B-3. Staff noted that the purpose of the rezoning is to accommodate a new residential development while still preserving the rear yard as a commercial zone for the existing Dollar General Market Building. Staff stated that no calls had been received about the request. Staff recommended sending a positive recommendation to the BMA based upon conformance with the future land use plan and availability of both public water and sewer to the site. No official action was taken.

**04-05 Jefferson Gardens Preliminary PD plan – (18-103-00001)**

The Kingsport Regional Planning Commission is requested to consider Preliminary Development Plan approval for the Jefferson Gardens Development located off Memorial Boulevard near the intersection of Memorial Boulevard and Island Road. The property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. Staff presented the details of the item to the Commission. Staff drew attention to the clearly delineated open space on the plan,

which dictates density in a PD zone. Staff stated that the proposal would add seven duplexes on a new road to be constructed as part of the Jefferson Gardens development. Additionally, staff drew attention to the non-residential street standard and the lane standard for the two new streets that will serve the area. Staff further noted that the commercial parcels fronting Memorial Boulevard would have their driveway entrances located on the new non-residential street as opposed to Memorial Boulevard for safety reasons. Staff stated that the engineering department is still reviewing the civil plans and that any approval would have to be contingent upon the approval of such plans. No official action was taken.

**04-06 Kingsport Indian Springs LLC Replat – (18-201-00015)**

The Kingsport Regional Planning Commission is requested to consider Final Subdivision Approval of Kingsport Indian Springs LLC. The property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. Building on discussion from the previous two items that also impacted the site, staff described the details of the replat to the Commission. Staff noted that the four parcel subdivision would accommodate both the new streets, the Jefferson Gardens residential development, and the two lots that front Memorial Boulevard. Mark Selby asked if the new road would remove too much parking from the shopping center that contains the Dollar General Market. Staff stated that the parking configuration would be sufficient after removal of the spaces to accommodate the new non-residential street. No official action was taken.

**04-07 Thomas A & Leda V Clonce Property – (18-201-00024)**

The Kingsport Regional Planning Commission is requested to consider Final Subdivision Approval of the Thomas A & Leda V Clonce Property. The property is located inside the corporate limits of the City of Kingsport, 12<sup>th</sup> Civil District of Sullivan County. Staff described the details of the item to the Commission. Staff stated that the item required a variance due to lot frontage along Dickerson St. Staff further commented on similar variances request from the past that existed due to the area being developed prior to annexation and adoption of current day subdivision regulations. No official action was taken.

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

**VIII. OTHER BUSINESS**

- 04-08** Receive a letter to certify the Replat of Lots 25 & 26 Forrest Hills Subdivision Annex, located on Willard Drive.
- 04-09** Receive a letter to certify the Lot 1 Babb Property Plat, located on Harrison Avenue.
- 04-10** Receive a letter to certify the Lot 1 Resubdivision of the D.S. Morrison Property, located W Carters Valley Road.
- 04-11** Receive a letter to certify the C & M Cleek Family Final Plat, located on Stone Drive.
- 04-12** Receive a letter to certify the Resubdivision of lot 12 – Vavern Woods Development & .70 Acres of the Minnick Property.

- 04-13** Receive a letter to certify the Replat of The Landings & Anchor Pointe, located on Topsail Court and Sailmakers Whip Court.
- 04-14** Receive a letter to certify the Resubdivision of Lot 19 & Part of Lot 18 Block C, Easley Estates, located on Willard Drive.
- 04-15** Receive a letter to certify that the Lot 1R-A Resubdivision of Lot 1R West Stone Drive Properties, located on West Stone Drive.
- 04-16** Receive a letter to certify the Replat of lots 1, 2, 3, & 4 of Lakecrest Subdivision, located on Green Lake Drive.
- 04-17** Receive a letter to certify the Resubdivision of Lots 29 & 30 Sugarwood Section 6, located on Red Leaf Lane.
- 04-18** Receive, for informational purposes only, the First Quarter Comparison 2017-2018.
- 04-19** Receive, for informational purposes only, the March 2018 Building Department report.

**X. ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 12:28p.m.

Respectfully Submitted,

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Ken Weems, AICP, Planning Commission Secretary

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

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

April 19, 2018

5:30 p.m.

**Members Present**

Sam Booher, Chairman  
Mark Selby, Vice Chairman  
Mike McIntire  
Pat Breeding  
Sharon Duncan  
Beverley Perdue  
Phil Rickman  
Paula Stauffer  
John Moody

**Members Absent**

none

**Staff Present**

Ken Weems, AICP  
Jessica Harmon  
Nathan Woods  
Dave Harris

**Visitors**

Charles Wilson  
Janet Clonce  
Jennifer Rutledge  
Robert Rutledge  
Carol Sue Wilson  
Donald Clonce

At 5:30 p.m., Chairman Booher called the meeting to order, welcomed the audience, introduced the commissioners and staff and summarized the meeting procedures. Chairman Booher asked for approval of the agenda. A motion was made by Mike McIntire seconded by Mark Selby to approve the agenda as presented. The motion was approved unanimously, 8-0. Chairman Sam Booher asked for any changes to the minutes of the work session held on March 12, 2018 and the regular meeting held on March 15, 2018. A motion was made by Mark Selby, seconded by John Moody to approve the minutes as presented. The motion was approved unanimously 8-0.

**IV. CONSENT AGENDA**

**V. UNFINISHED BUSINESS**

**VI. NEW BUSINESS**

**04-01 Virginia Avenue Rezoning (18-101-00002)**

The Kingsport Regional Planning Commission is requested to provide a recommendation on the rezoning of 1701 Virginia Avenue from R-1B to PD to accommodate future residential use. The property is located inside the corporate limits of the City of Kingsport, 11<sup>th</sup> Civil District of Sullivan County. Staff presented the details of the item, which is located off Virginia Avenue. Staff stated that the rezoning site is approximately 6.82 acres and that the proposed zone would accommodate future residential use of the property. Staff stated that the surrounding residential use was all zoned R-1B and the adjacent commercial zone was B-3 for the surrounding parcels

that front on Memorial Boulevard. Staff noted that the future land use plan addresses the area as appropriate for multifamily use and that any future development would have to be approved by the Planning Commission as part of the proposed PD zone. Staff stated that three calls were received from residents along Virginia Avenue. All calls were supportive of the rezoning effort. Staff recommended sending a positive recommendation to the BMA based upon conformance with the future land use plan and availability of both public water and sewer to the site. A motion was made by Mike McIntire, seconded by Mark Selby to send a positive recommendation for the rezoning to the Board of Mayor and Aldermen. The motion was approved unanimously, 8-0.

**04-02 Edinburgh Concept Plan Amendment– (18-201-00048)**

The Kingsport Regional Planning Commission is requested to consider approval of amending the previously approved concept plan of July 2016. The property is located inside the corporate limits of the City of Kingsport, 15<sup>th</sup> Civil District of Sullivan County. Staff presented the details of the item which adds Edinburgh Phase 11. Staff also noted that the amendment further designates the existing multifamily use in the development. A motion was made by Phil Rickman, seconded by Beverley Perdue to approve the concept plan amendment. The motion was approved unanimously, 8-0.

**04-03 Edinburgh Subdivision Phase 11 – (18-201-00016)**

The Kingsport Regional Planning Commission is requested to consider Preliminary Subdivision Approval of Edinburgh Subdivision Phase 11. The property is located inside the corporate limits of the City of Kingsport, 15<sup>th</sup> Civil District of Sullivan County. Staff presented details of the item to the Commission. The proposed phase 11 will consist of fourteen new lots located off two new streets in the Edinburgh Community. Staff noted that the engineering department is still reviewing the civil plans and that any approval would have to be contingent upon the approval of such plans. A motion was made by Sharon Duncan, seconded by Beverley Perdue to approve the preliminary subdivision contingent upon approval of the engineering plans. The motion passed unanimously, 8-0.

**04-04 Jefferson Gardens Rezoning – (18-101-00003)**

The Kingsport Regional Planning Commission is requested to provide a recommendation on the rezoning of Jefferson Gardens from B-3 and PD to PD to B-3 to better align these areas with future proposed residential construction. The property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. Staff presented details of the rezoning site which is located directly behind the existing Dollar General Market off Memorial Boulevard, adjacent to the intersection with Island Road. Staff noted that this proposal is rather minor in nature and is being performed to prevent split zoning as the developer prepares for construction of the first phase of Jefferson Gardens. The proposal is approximately .026 acres in size and consists of one portion being rezoned from B-3 to PD and another portion being zoned from PD to B-3. Staff noted that the purpose of the rezoning is to accommodate a new residential development while still preserving the rear yard as a commercial zone for the existing Dollar General Market Building. Staff stated that no calls had been received about the request. Staff recommended sending a positive recommendation to the BMA based upon conformance with the future land use plan and availability of both public water and sewer to the site. A motion was

made by Mike McIntire, seconded by Beverley Perdue to send a positive recommendation for the rezoning to the Board of Mayor and Aldermen. The motion was approved unanimously, 8-0.

**04-05 Jefferson Gardens Preliminary PD plan – (18-103-00001)**

The Kingsport Regional Planning Commission is requested to consider Preliminary Development Plan approval for the Jefferson Gardens Development located off Memorial Boulevard near the intersection of Memorial Boulevard and Island Road. The property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. Staff presented the details of the item to the Commission. Staff drew attention to the clearly delineated open space on the plan, which dictates density in a PD zone. Staff stated that the proposal would add seven duplexes on a new road to be constructed as part of the Jefferson Gardens development. Additionally, staff drew attention to the non-residential street standard and the lane standard for the two new streets that will serve the area. Staff further noted that the commercial parcels fronting Memorial Boulevard would have their driveway entrances located on the new non-residential street as opposed to Memorial Boulevard for safety reasons. Staff stated that the engineering department is still reviewing the civil plans and that any approval would have to be contingent upon the approval of such plans. A motion was made by Mike McIntire, seconded by Beverley Perdue to approve the preliminary PD plan contingent upon approval of the engineering plans. The motion passed unanimously, 8-0.

**04-06 Kingsport Indian Springs LLC Replat – (18-201-00015)**

The Kingsport Regional Planning Commission is requested to consider Final Subdivision Approval of Kingsport Indian Springs LLC. The property is located inside the corporate limits of the City of Kingsport, 7<sup>th</sup> Civil District of Sullivan County. Staff described the details of the replat to the Commission. Staff noted that the four parcel subdivision would accommodate both the new streets, the Jefferson Gardens residential development, and the two lots that front Memorial Boulevard. A motion was made by Pat Breeding, seconded by Phil Rickman to approve the replat. The motion passed unanimously, 8-0.

**04-07 Thomas A & Leda V Clonce Property – (18-201-00024)**

The Kingsport Regional Planning Commission is requested to consider Final Subdivision Approval of the Thomas A & Leda V Clonce Property. The property is located inside the corporate limits of the City of Kingsport, 12<sup>th</sup> Civil District of Sullivan County. Staff described the details of the item to the Commission. Staff stated that the item required a variance due to lot frontage along Dickerson St. Staff further commented on similar variances request from the past that existed due to the area being developed prior to annexation and adoption of current day subdivision regulations. Staff also drew attention to the minor adjustments made to the plat and presented during the meeting. The change constituted a final plat of two lots with the variance request for Dickerson Street road frontage only. A motion was made by Mark Selby, seconded by Mike McIntire to approve the final subdivision plat with the associated variance. The motion passed unanimously, 8-0.

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

**VIII. OTHER BUSINESS**

- 04-08** Receive a letter to certify the Replat of Lots 25 & 26 Forrest Hills Subdivision Annex, located on Willard Drive.
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- 04-18** Receive, for informational purposes only, the First Quarter Comparison 2017-2018.
- 04-19** Receive, for informational purposes only, the March 2018 Building Department report.

**IX. ADJOURNMENT**

There being no further business the meeting adjourned at approximately 6:10 p.m.

Respectfully Submitted,

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Ken Weems, AICP, Planning Commission Secretary



**Kingsport Regional Planning Commission**

**Rezoning Report**

**File Number 18-101-00004**

**PROPERTY INFORMATION**

<b>ADDRESS</b>	2000 Stonebrook Pl
<b>DISTRICT</b>	11
<b>OVERLAY DISTRICT</b>	n/a
<b>EXISTING ZONING</b>	A-1 (Agricultural) and P-1 (Professional Offices)
<b>PROPOSED ZONING</b>	B-3 (Highway Oriented Business)
<b>ACRES</b>	10.123 +/-
<b>EXISTING USE</b>	Vacant use/ former miniature golf
<b>PROPOSED USE</b>	Refurbished miniature golf and SCUBA store

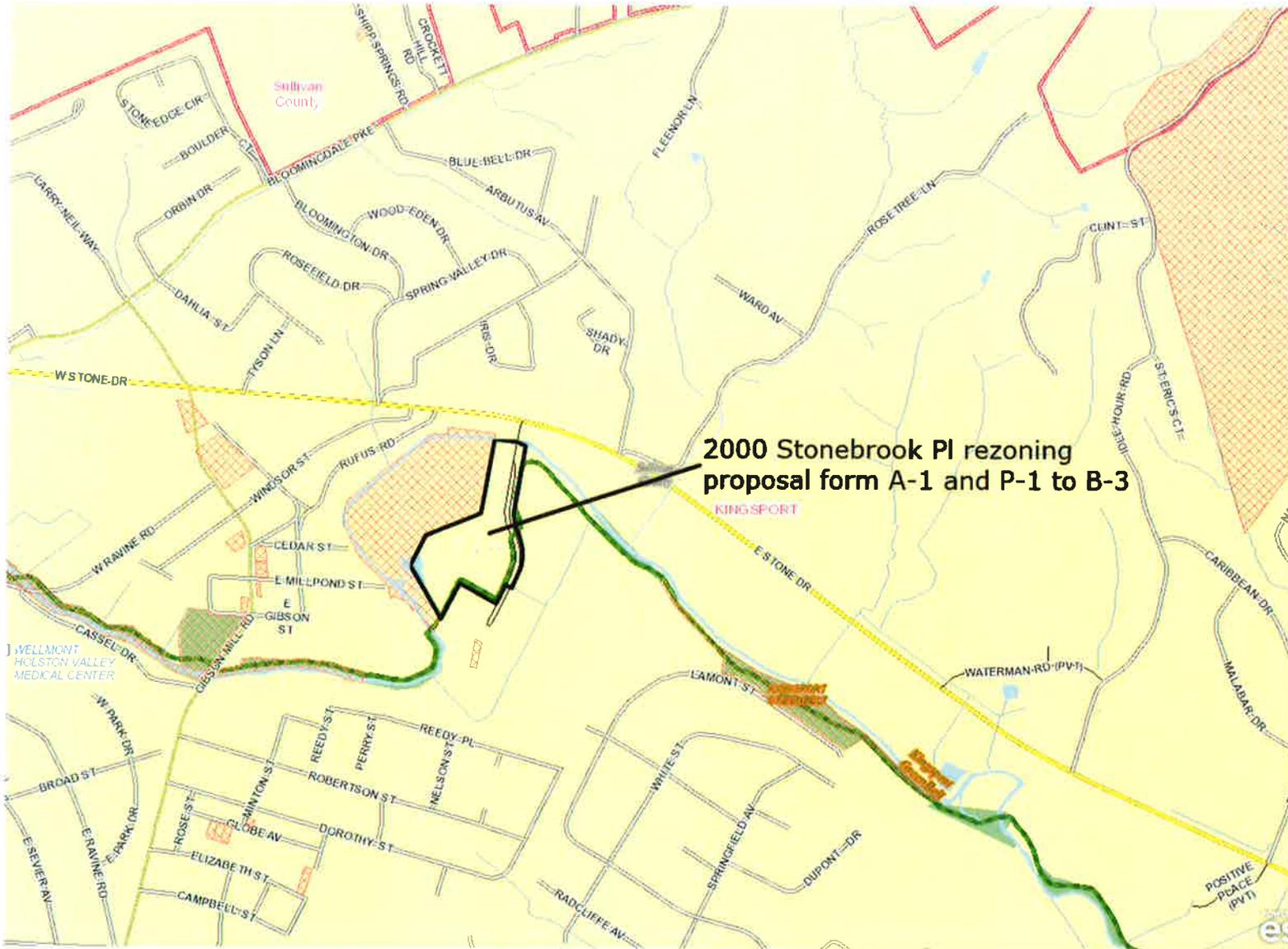
**PETITIONER**

**ADDRESS**                    **23177 Kestrel Ln, Bristol, VA 24202**

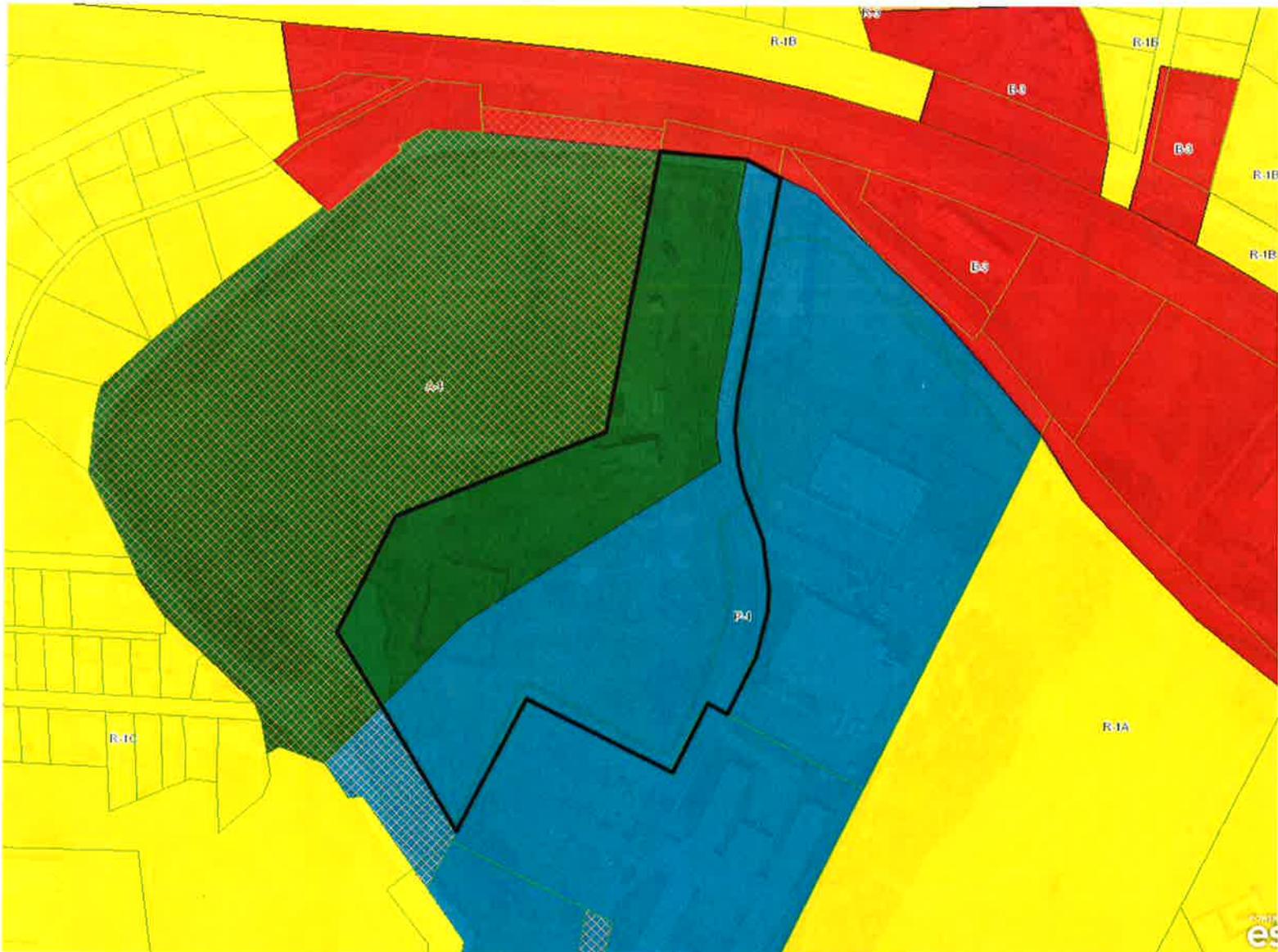
**INTENT**

*To rezone from A-1 (Agricultural District) and P-1 (Professional Offices District) to B-3 (Highway Oriented Business District) to accommodate a SCUBA store and refurbished miniature golf.*

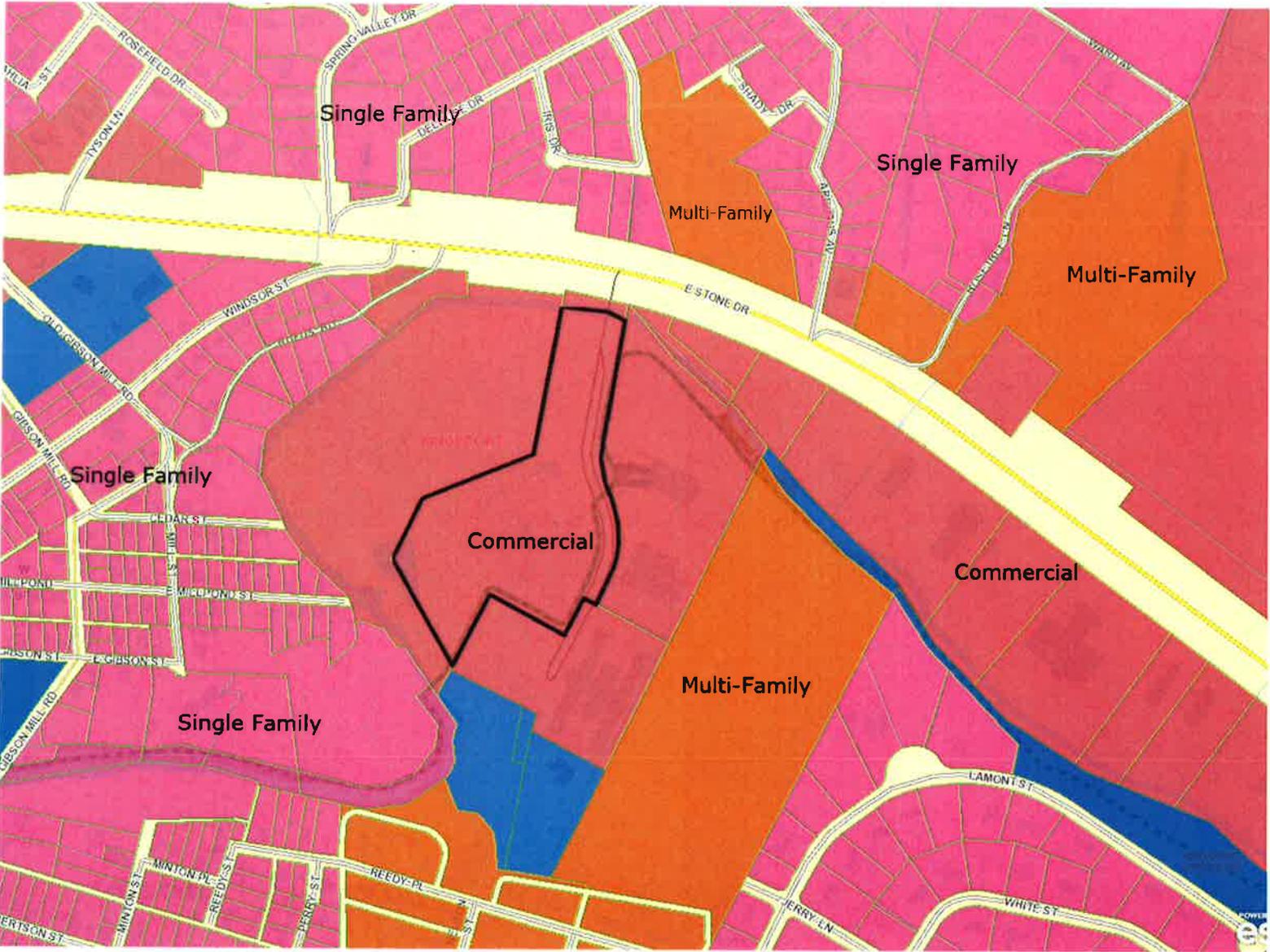
Vicinity Map



Surrounding Zoning Map



Future Land Use Plan 2030  
Designation: Commercial



Aerial



North View (Toward E Stone Dr.)



East View



**South View (Miniature Golf Course)**



**West View**



Kingsport Regional Planning Commission

Rezoning Report

File Number 18-101-00004

Existing Zoning/ Land Use Table

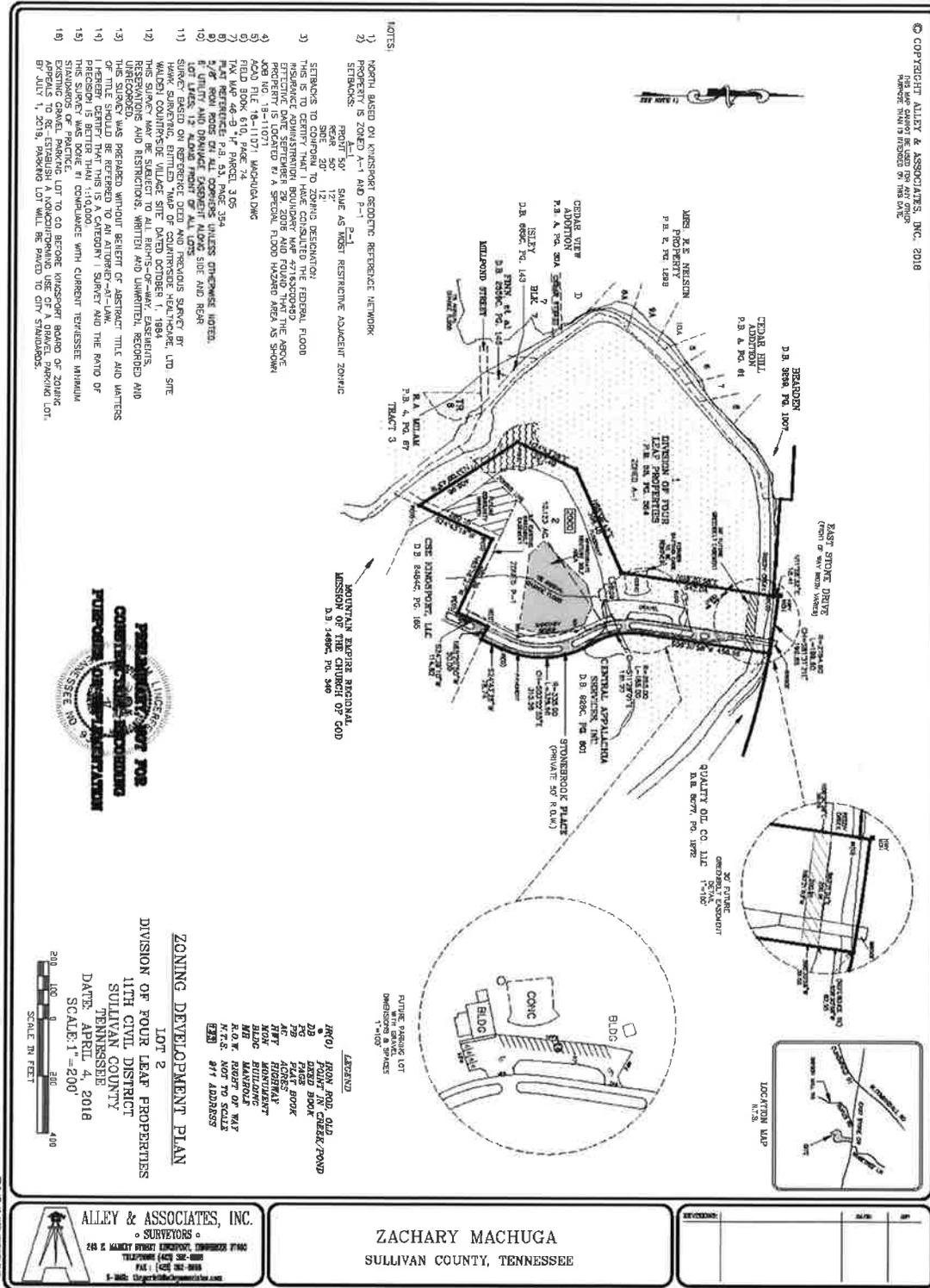
Location	Parcel / Zoning Petition	Zoning / Use	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City B-3</u> Use: parcel frontage and East Stone right -of-way	Variance for wall sign, freestanding sign height, and special exception for a golf course in a P-1 zone
Further North and Northwest	2	<u>Zone: City B-3</u> Use: commercial strip center	n/a
East	3	<u>Zone: City P-1</u> Use: Frontier Health offices	n/a
Further East	4	<u>Zone: City P-1</u> Use: Frontier Health offices	n/a
Southeast and South	5	<u>Zone: City P-1</u> Use: nursing home	n/a
Further South	6	<u>Zone: City P-1</u> Use: nursing home parking	n/a
West	7	<u>Zone: City A-1</u> Use: golf driving range	n/a

Existing Uses Location Map



Prepared by Kingsport Planning Department for the Kingsport Regional Planning Commission Meeting on May 17, 2018

Zoning Development Plan



### ZDP Analysis and Property Features

The rezoning site is in the process of being cleaned up in anticipation of reopening the miniature golf course use. Additionally, modifications are being made to a portion of the existing 2000 Stonebrook Pl. The future owner of the property, Mr. Machuga, is seeking a letter of map amendment (LOMA) from FEMA to remove all of the structure located at 2000 Stonebrook Pl from the floodway. It is important to note that the entire rezoning site is subject to either floodway or flood fringe designations (floodway, 100 year flood, and 500 year flood zones).

The property owner has applied to the Board of Zoning Appeals to reestablish the nonconforming use of a gravel parking lot for the proposed SCUBA business to be located at 2000 Stonebrook Pl. For comparison purposes, a blowup of the future paved parking lot is provided on the associated ZDP. The Board of Zoning appeals request is to reestablish the nonconforming use of the gravel parking lot for up to one year. A total of 22 parking spaces are accounted for, which is sufficient for the proposed use.

A future feature of the site plan designates an area for a community garden. Additionally, the concreted area that used to serve as a batting cage is proposed to be removed.

### Standards of Review

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 10, 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?** The proposal will permit uses that are suitable for this area given the relation to East Stone Drive and the existing uses along Stonebrook Pl.
- 2. Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The adjacent and nearby property will not be adversely affected by the proposal. The proposal is a safer and more aesthetically pleasing upgrade compared to the existing abandoned building and abandoned miniature golf course use on the property.
- 3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property to be affected by the proposal has a reasonable economic use as currently zoned. A more reasonably economic use is acknowledged for the proposed B-3 zone as well.

## Kingsport Regional Planning Commission

## Rezoning Report

File Number 18-101-00004

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?** The proposal of will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools. Stonebrook PI is proposed to remain a private street.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?** The land use plan addresses the rezoning site as appropriate for commercial use. It is staff's opinion that the property's highest and best use can also be captured by implementing the B-3 zone.

**Proposed use:** commercial (miniature golf and SCUBA store)

**The Future Land Use Plan Map recommends Commercial**

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 conditions of the property present an opportunity for use of an otherwise abandoned property.
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?** There are no adverse uses proposed.
8. **Whether the change will create an isolated district unrelated to similar districts:** The proposed rezoning is considered an extension of the existing B-3 zones to the north of the rezoning site. It is important to remember that a portion of the parcel containing the rezoning site is already zoned B-3.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** The present district boundaries are illogically drawn in relation to the existing conditions. An agricultural zone in this area is less likely to be utilized compared to a commercial zone.
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will not constitute a special privilege to an individual as contrasted to the general welfare.

## CONCLUSION

**Kingsport Regional Planning Commission**

**Rezoning Report**

**File Number 18-101-00004**

Staff recommends sending a POSITIVE recommendation to rezone from A-1 and P-1 to B-3. The rationale for this recommendation is based upon conformance with the Future Land Use Plan.

Kingsport Regional Planning Commission

Rezoning Report

File Number 18-101-00005

North Eastman Road Rezoning

<b>Property Information</b>			
Address	n/a		
Tax Map, Group, Parcel	Map 46M, Group C, Parcels 54, 55, and 56		
Civil District	11		
Overlay District	n/a		
Land Use Designation	Commercial/ Retail		
Acres	.421 +/-		
Existing Use	vacant	Existing Zoning	R-1B
Proposed Use	Future commercial	Proposed Zoning	B-3
<b>Owner /Applicant Information</b>			
Name: Jerry Crowe Address: 428 Meadow Brook Dr City: Kingsport State: TN Phone: (423) 967-8156		Zip Code: 37663  Intent: <i>To rezone from R-1B (Residential District) to B-3 (Highway Oriented Business District) for future commercial use.</i>	
<b>Planning Department Recommendation</b>			
The Kingsport Planning Division recommends sending a <b>POSITIVE</b> recommendation to the Kingsport Board of Mayor and Aldermen for the following reasons: <ul style="list-style-type: none"> <li>• <i>The proposed B-3 zone is in conformance with the Future Land Use Plan.</i></li> <li>• <i>The site is very unlikely to be developed for R-1B use (single family homes).</i></li> </ul> Staff Field Notes and General Comments: <ul style="list-style-type: none"> <li>• <i>The rezoning site presents a topographical challenge with a toe of slope that bisects the parcels.</i></li> <li>• <i>Future commercial use on the site may require Board of Zoning Appeals review due to limited developable area.</i></li> </ul>			
Planner:	Ken Weems	Date:	May 1, 2018
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>May 17, 2018</b>
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

Kingsport Regional Planning Commission

Rezoning Report

File Number 18-101-00005

**PROPERTY INFORMATION**

<b>ADDRESS</b>	n/a
<b>DISTRICT</b>	11
<b>OVERLAY DISTRICT</b>	n/a
<b>EXISTING ZONING</b>	R-1B (Residential District)
<b>PROPOSED ZONING</b>	B-3 (Highway Oriented Business)
<b>ACRES</b>	.421 +/-
<b>EXISTING USE</b>	Vacant
<b>PROPOSED USE</b>	Future Commercial

**PETITIONER**

**ADDRESS** 428 Meadow Brook Dr., Kingsport, TN 37663

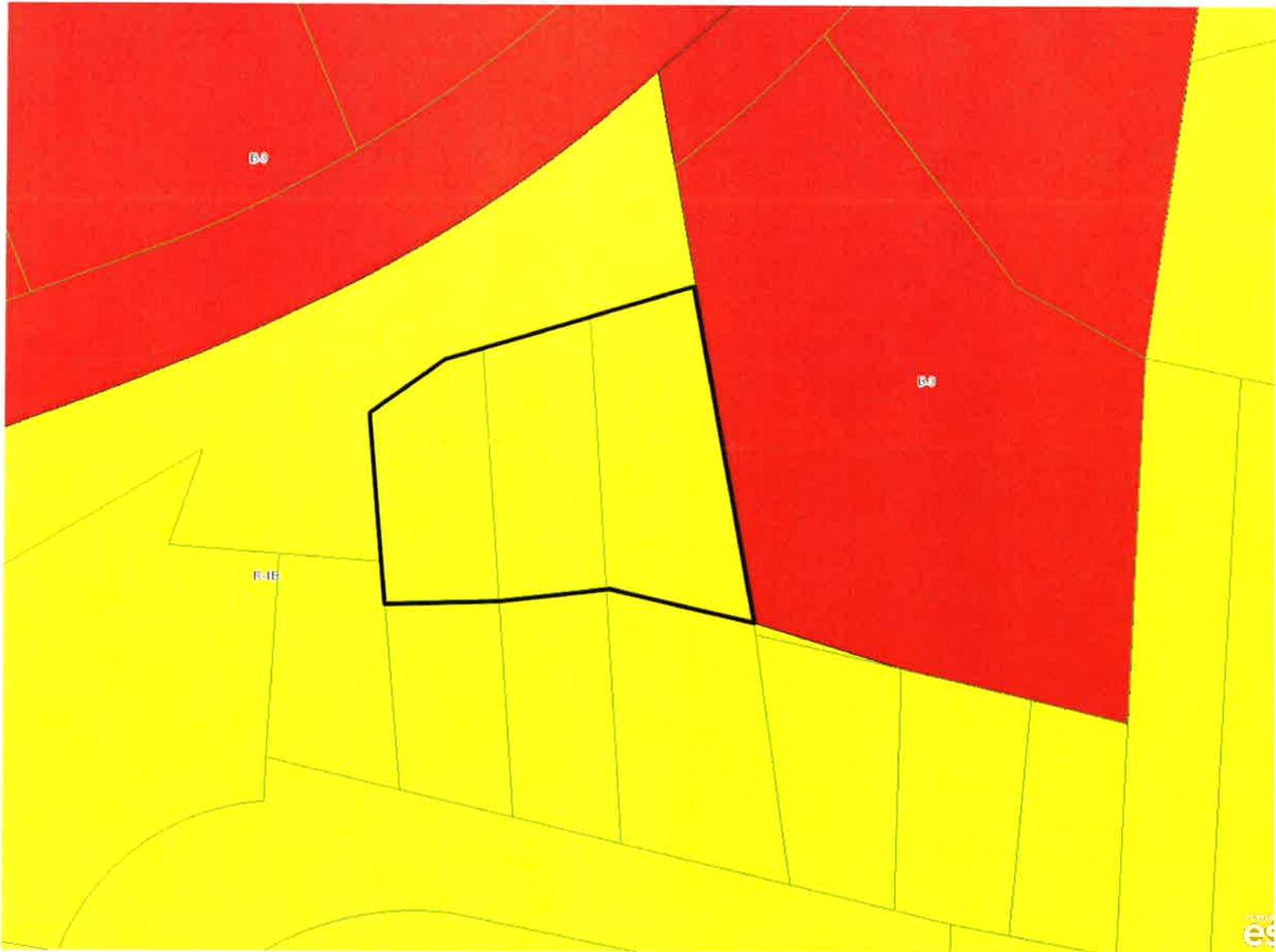
**INTENT**

*To rezone from R-1B (Residential District) to B-3 (Highway Oriented Business District) for future commercial use.*

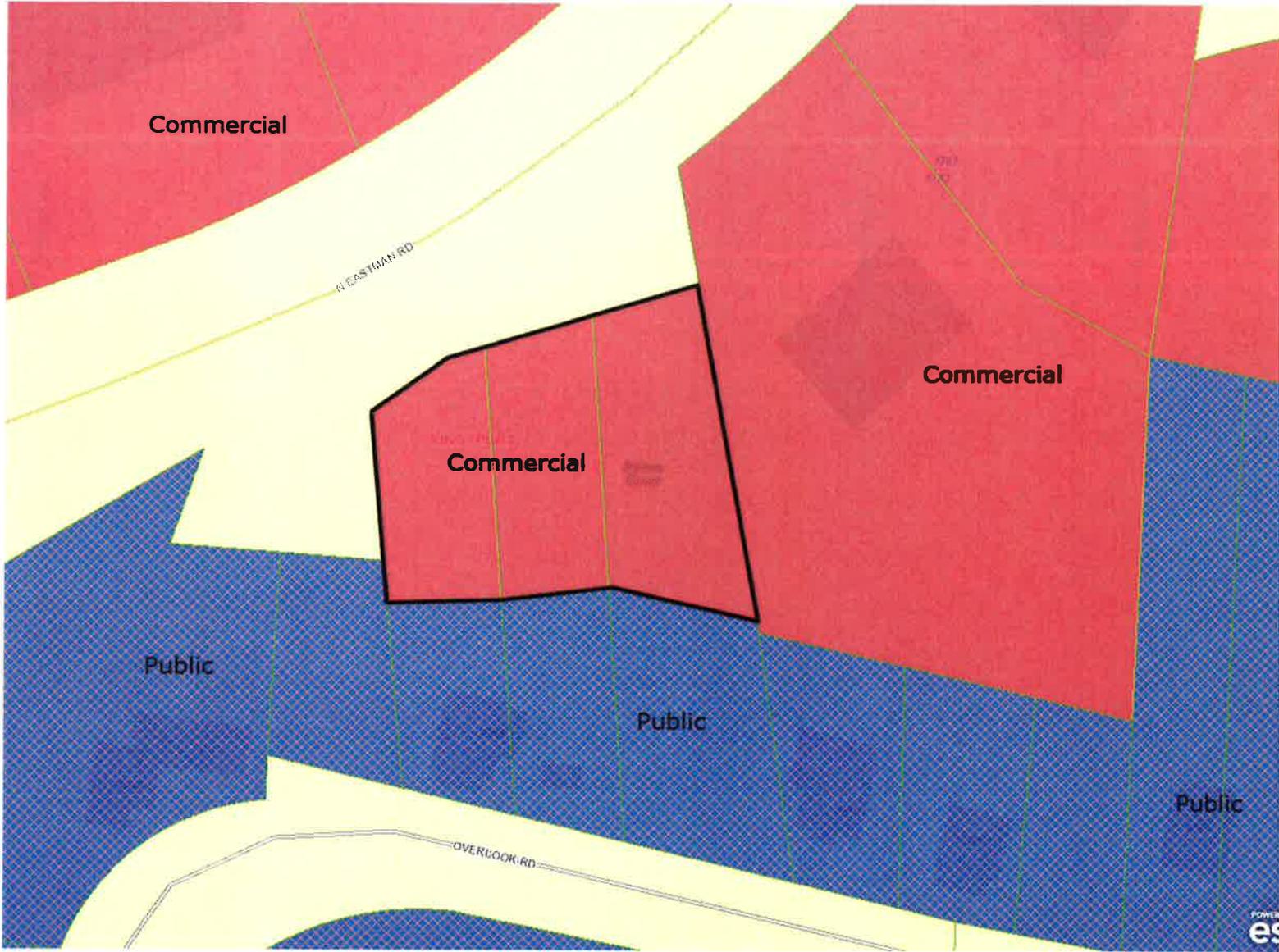
Vicinity Map



Surrounding Zoning Map



**Future Land Use Plan 2030  
Designation: Commercial**



Aerial



Kingsport Regional Planning Commission

Rezoning Report

File Number 18-101-00005

North View (Toward N. Eastman Rd)



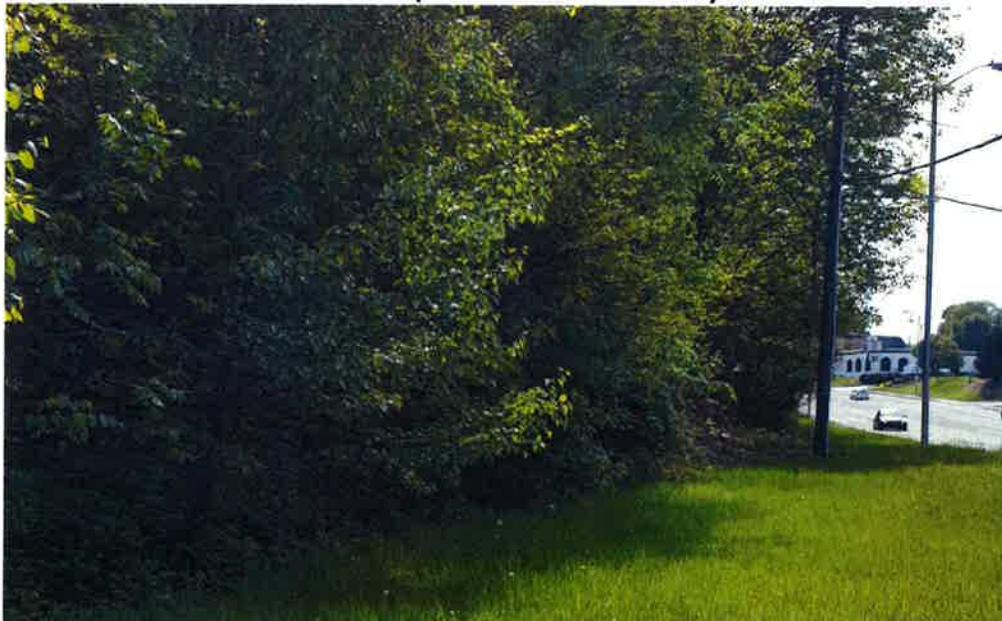
East View



**South View**



**West View (N Eastman Rd in view)**



Kingsport Regional Planning Commission

Rezoning Report

File Number 18-101-00005

Existing Zoning/ Land Use Table

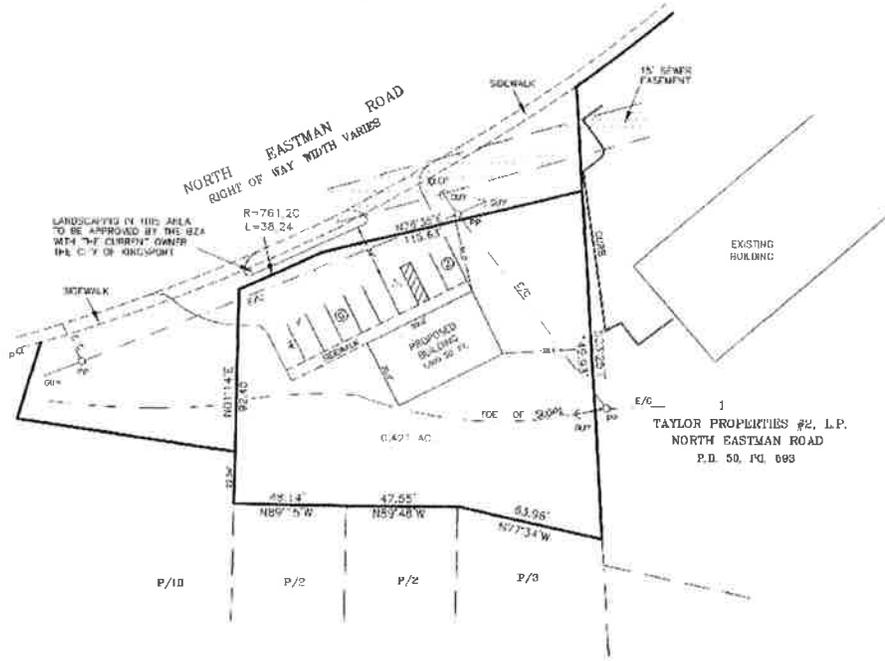
Location	Parcel / Zoning Petition	Zoning / Use	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City B-3</u> Use: N. Eastman Rd right-of-way	n/a
Further North and Northwest	2	<u>Zone: City B-3</u> Use: existing commercial	n/a
East	3	<u>Zone: City B-3</u> Use: existing commercial	n/a
Further East	4	<u>Zone: City B-3</u> Use: existing commercial	n/a
Southeast and South	5	<u>Zone: City R-1B</u> Use: vacant	City-owned
Further South	6	<u>Zone: R-1B</u> Use: elementary school	City-owned
West	7	<u>Zone: City R-1B</u> Use: vacant	City-owned

Existing Uses Location Map



**Kingsport Regional Planning Commission**  
**Rezoning Report** **File Number 18-101-00005**  
**Zoning Development Plan**

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 THIS MAP CANNOT BE USED FOR ANY OTHER  
 PURPOSE THAN IS INTENDED ON THE DATE.



**LEGEND**  
 R= RADIUS  
 L= LENGTH  
 SQ SQUARK  
 FT FEET  
 AC ACRE  
 P.D. PLAT BOOK  
 P.C. PAGE  
 P.P. POWER POLE  
 L.P. LIGHT POLE  
 N/C ELECTRIC/CABLE

**NOTES:**

- 1) NORTH BASED ON S03°25E ALONG TAYLOR PROPERTIES #2, L.P.
- 2) THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 4768C0045D EFFECTIVE DATE SEPTEMBER 29, 2006 AND FOUND THAT THE ABOVE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
- 3) REFERENCE PLAT: PLAT BOOK 2, PAGE 217
- 4) REFERENCE DEED: DEED BOOK 730C, PAGE 239
- 5) THIS DOES NOT REPRESENT A BOUNDARY SURVEY
- 6) TAX MAP 47P "C" PARCEL 54
- 7) THIS SURVEY IS SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, OR RESTRICTIONS EITHER WRITTEN OR UNWRITTEN.
- 8) JOB NO. 17 10054
- 9) ACAD FILE NO. 17-10064 CROWE.DWG
- 10) FIELD INFORMATION ELECTRONICALLY DATA COLLECTED
- 11) PROPERTY IS ZONED: R-1D

THIS SITE PLAN IS FOR REZONING PURPOSES ONLY.  
 AN ACTUAL SITE PLAN FOR NEW CONSTRUCTION AND  
 LANDSCAPING MUST BE SUBMITTED TO THE EZA  
 FOR APPROVAL

SETBACKS: FRONT: 30'  
 REAR: 30'  
 SIDE: 0'  
 SETBACKS TO CONFORM TO CURRENT ZONING.

**ZONING DEVELOPMENT PLAN**  
 PART OF LOTS 2 & 3, BLOCK 19  
 KINGSPORT HEIGHTS ADDITION  
 11TH CIVIL DISTRICT  
 SULLIVAN COUNTY  
 KINGSFORT, TENNESSEE  
 DATE: FEBRUARY 20, 2018  
 SCALE: 1"=30'



ARNOLD FLETCHER (DECEASED)  
 AND JERRY CROWE, JR.

ALLEY & ASSOCIATES, INC.  
 2018 SUPERDRAWS  
 2018 E. MARKET STREET, KINGSFORT, TENNESSEE 37603  
 TEL: 423-326-1100 FAX: 423-326-1101

**ZDP Analysis and Property Features**

The submitted zoning development plan is conceptual in nature and was created for rezoning purposes only. The plan shows the potential for Board of Zoning Appeals relief for street frontage landscaping due to the limited buildable area on-site. The plan shows a potential new commercial structure backed up to the toe of slope. The required landscaping for this site is

## Kingsport Regional Planning Commission

## Rezoning Report

File Number 18-101-00005

proposed to be located on city right-of-way. A complete landscaping plan for Board of Zoning Appeals consideration must be approved for any future landscaping requirement that is fulfilled off-site.

**Standards of Review**

Planning Staff shall, with respect to each zoning application, investigate and make a recommendation with respect to factors 1 through 10, 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?** The proposal will permit uses that are suitable for this area given that the property fronts N. Eastman Rd which is an unlikely building site for single family home construction.
2. **Whether or not the proposal will adversely affect the existing use or usability of adjacent or nearby property?** The adjacent and nearby property will not be adversely affected by the proposal. The proposal will create the same zone and uses as surrounding commercial properties.
3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property, in staff's opinion, does not have a reasonable economic use as a single family home development.
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?** The proposal of will not cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?** The land use plan addresses the rezoning site as appropriate for commercial use. It is staff's opinion that the property's highest and best use can also be captured by implementing the B-3 zone.

**Proposed use:** commercial/retail

**The Future Land Use Plan Map recommends** commercial/retail

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 conditions of the property present an opportunity for future commercial development.

## Kingsport Regional Planning Commission

## Rezoning Report

File Number 18-101-00005

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?** There are no adverse uses proposed.
8. **Whether the change will create an isolated district unrelated to similar districts:** The proposed rezoning is considered an extension of the existing B-3 zones to the north and east of the rezoning site.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** The present district boundaries are illogically drawn in relation to the existing conditions. An zone that only permits single family construction is unreasonable in this area. This is due to road frontage on this section of N. Eastman Rd and lack of any adjacent single family homes.
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will not constitute a special privilege to an individual as contrasted to the general welfare.

CONCLUSION

Staff recommends sending a POSITIVE recommendation to rezone from R-1B to B-3. The rationale for this recommendation is based upon conformance with the Future Land Use Plan and unlikely future use as single family.

<b>Property Information</b>		Jefferson Gardens	
<b>Address</b>		Memorial Boulevard/Island Road Intersection	
<b>Tax Map, Group, Parcel</b>		TM 48 Parcels 36.06, 36.10, 39.50	
<b>Civil District</b>		7th Civil District	
<b>Overlay District</b>		n/a	
<b>Land Use Designation</b>		Multi Family	
<b>Acres</b>		1.656 (0.238 miles)	
<b>Major or Minor / #lots</b>		<b>Street Dedication</b>	<b>Concept Plan</b>
<b>Two-lot sub</b>		<b>Prelim/Final</b>	<b>Preliminary</b>
<b>Owner /Applicant Information</b>		<b>Surveyor Information</b>	
<b>Name:</b> Kingsport Indian Springs LLC <b>Address:</b> 1 Potters Lane <b>City:</b> Savannah <b>State:</b> GA <b>Zip Code:</b> 31411 <b>Email:</b> N/A <b>Phone Number:</b> N/A		<b>Name:</b> Brian Hill – Barge Design Solutions <b>Address:</b> Four Sheridan Square Suite 100 <b>City:</b> Kingsport <b>State:</b> TN <b>Zip Code:</b> 37660 <b>Email:</b> <b>Phone Number:</b> (423)-247-5525	
<b>Planning Department Recommendation</b>			
<p><b>(Approve, Deny, or Defer)</b></p> <p><b>The Kingsport Planning Division recommends Preliminary Street Dedication Approval for the following reasons:</b></p> <ul style="list-style-type: none"> <li>• Meetings the minimum standards of design for street construction as set forth in the Kingsport Minimum Subdivision Regulations.</li> <li>• No variances requested.</li> </ul> <p><b>Staff Field Notes and General Comments:</b> This preliminary street dedication plat shows the construction of two new streets to be accessed off Memorial Boulevard. One 60' non-residential street is planned to connect to Memorial Boulevard at the intersection with Island Road and will be 889.8 linear feet long. A 40' residential lane is proposed to connect up to the non-residential street and be 367.4 linear feet long and end in a permanent cul-de-sac</p> <p><b>Utilities:</b> Water and Sewer are available to the site.</p>			
<b>Planner:</b>	Harmon	<b>Date:</b> 4/27/18	
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>May 17, 2018</b>
<b>Approval:</b>			
<b>Denial:</b>	<b>Reason for Denial:</b>		

<b>PROPERTY INFORMATION</b>	<b>Jefferson Gardens Preliminary Street Dedication</b>
<b>ADDRESS</b>	<b>Memorial Boulevard/Island Road Intersection</b>
<b>DISTRICT</b>	<b>7<sup>th</sup> Civil District</b>
<b>OVERLAY DISTRICT</b>	<b>n/a</b>
<b>EXISTING ZONING</b>	<b>B-3/ R-1B</b>
<b>PROPOSED ZONING</b>	<b>No Change</b>
<b>ACRES</b>	<b>1.656 acres (0.238 miles) new road</b>
<b>EXISTING USE</b>	<b>Vacant</b>
<b>PROPOSED USE</b>	<b>Residential</b>

**PETITIONER** Kingsport Indian Springs LLC  
**ADDRESS** 1 Potters Lane Savannah, GA 31411

**REPRESENTATIVE** Brian Hill – Barge Design Solutions  
**PHONE** (423) 247-5525

**INTENT**

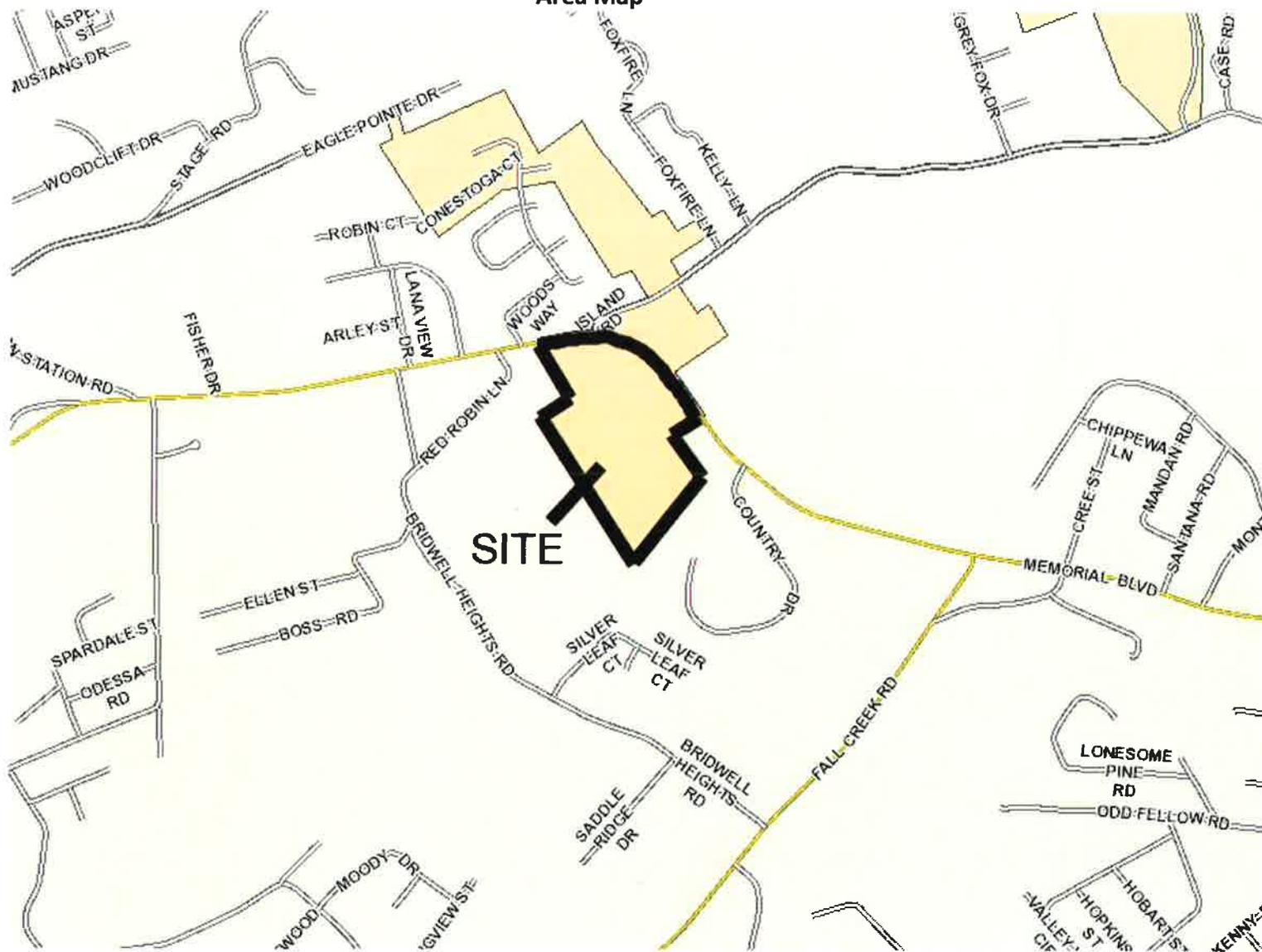
The applicant is seeking preliminary street dedication approval for the construction of two new public streets.

A new 60' non-residential street is being proposed to connect up with Memorial Boulevard at the intersection with Island Road. The new street will be named Bennett Drive and contain sidewalks on both sides of the street and be 889.8 feet in length. A temporary cul-de-sac will be constructed at the end of the street, as there are plans for the street to continue on with a future phase of development.

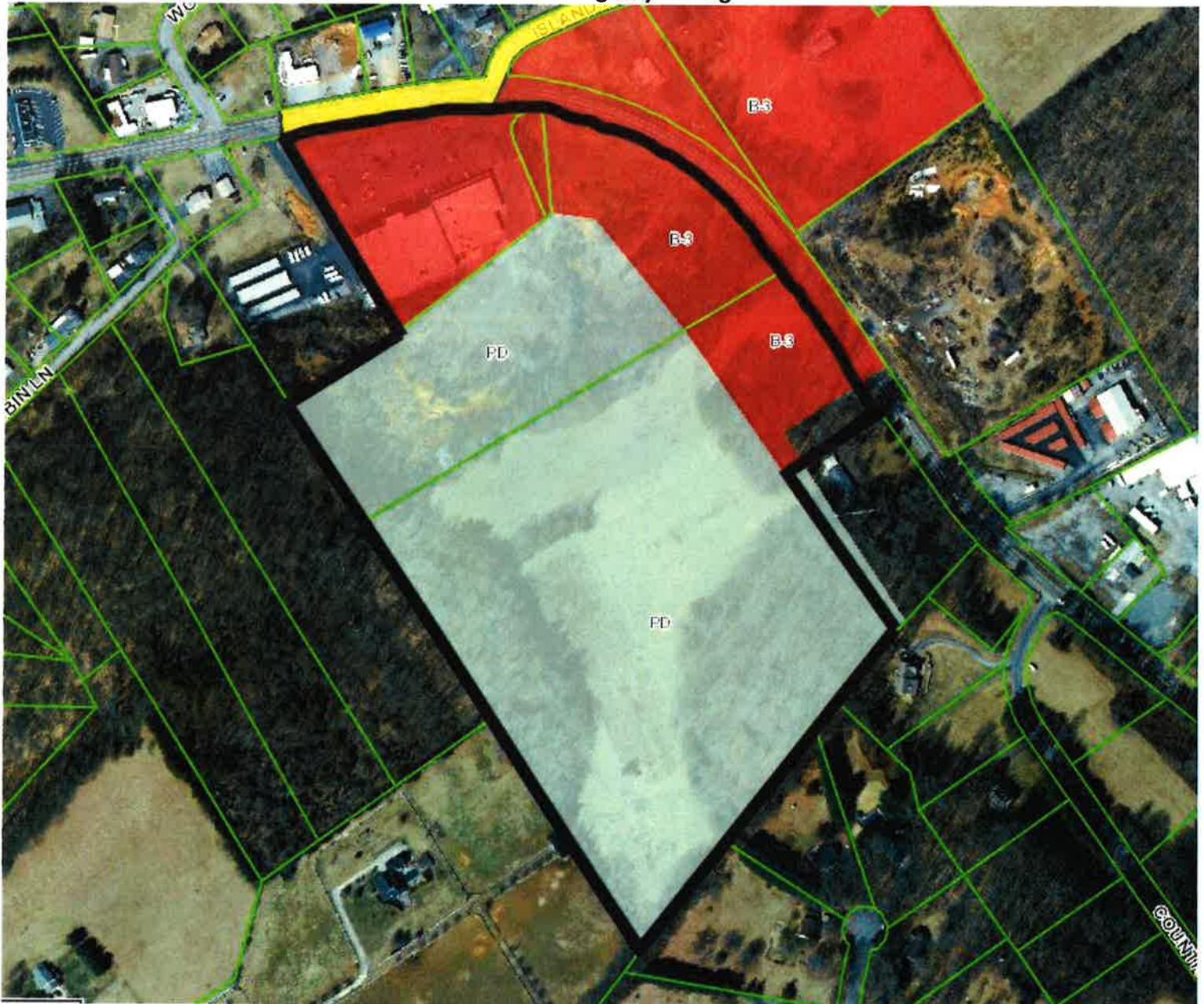
A new 40' residential lane is being proposed to connect from Bennett Drive and provide access to residential units. This residential lane will be named Longitude Lane and will have sidewalks on one side of the street and be 394.3 linear feet in length. It will end in a permanent cul-de-sac.

Engineering documents have been received and are currently in review by the Engineering Division.

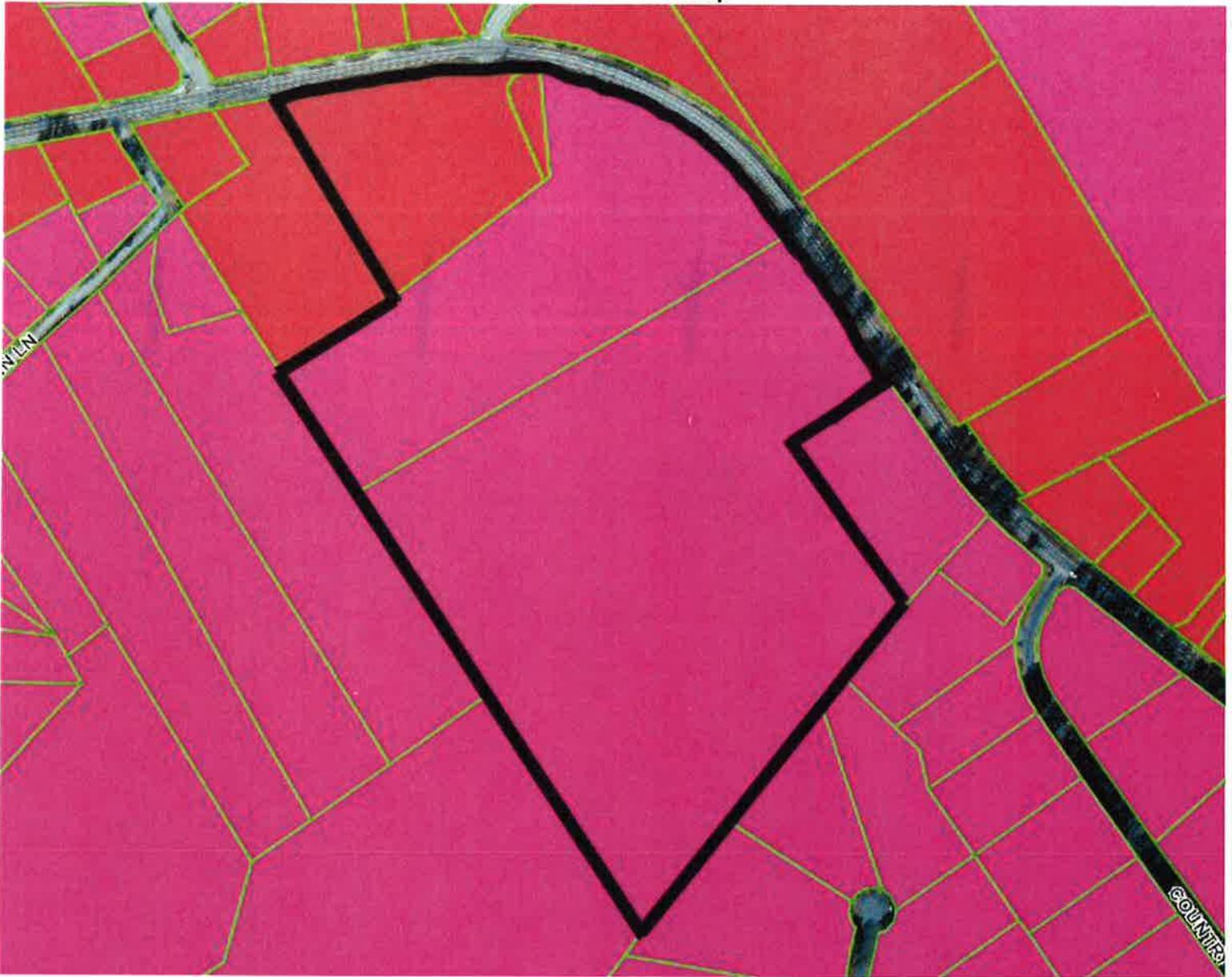
Area Map



Surrounding City Zoning



Future Land Use Map





View of new street connection from Island Road



View of Property from Parking Lot



**Conclusion**

Staff recommends preliminary street dedication plat approval of the Jefferson Gardens – Public Street Dedication based on conformance with the minimum standards of design of the Kingsport Minimum Subdivision Regulations.



<b>PROPERTY INFORMATION</b>	<b>Chase Meadows PD Plan Amendment</b>
<b>ADDRESS</b>	<b>Lydia Lane</b>
<b>DISTRICT</b>	<b>7<sup>th</sup> District</b>
<b>OVERLAY DISTRICT</b>	<b>Not Applicable</b>
<b>EXISTING ZONING</b>	<b>PD</b>
<b>PROPOSED ZONING</b>	<b>No Change</b>
<b>ACRES</b>	<b>24.85+/- – 102 units</b>
<b>EXISTING USE</b>	<b>Residential</b>
<b>PROPOSED USE</b>	<b>Residential</b>

**PETITIONER Ken Bates**  
**ADDRESS 181 Peppertree Drive**

**REPRESENTATIVE Danny Carr**  
**PHONE 423-791-3114**

**INTENT**

The intent of the proposed PD plan amendment for Chase Meadows is to relocate a portion of the open space from behind units 26 & 27 and relocate it to an area between units 59& 60. In the relocation area, there is a drainage easement that was never included in the open space calculations. All other drainage easements are included in the open space. The reason for the request to construct to dwelling units that would otherwise encroach into the open space. No reduction in the amount of open space is proposed. The current amount of open space is 21.11 percent and the new amount of open space after relocation would be 21.12 percent. The Planned Development District density is based off of open space. At a minimum, 20% of the total acreage is to be set aside as dedicated open space. This amendment conforms to the Planned Development regulations. The plan was last amended in January 2015.

Area Map



Surrounding City Zoning



Approved Chase Meadows PD Plan January 2015





**CONCLUSION**

Staff recommends approval of the Chase Meadows PD Plan Amendment based on conformance to the Planned Development District Regulations.

<b>Property Information</b>	<b>Surplus Request</b>		
Address	Westmoreland Avenue/Reedy Creek Rd.		
Tax Map, Group, Parcel	Tax Map 62A Group A Parcel 16		
Civil District	11 <sup>th</sup> Civil District		
Overlay District	N/A		
Land Use Designation	Single Family Residential		
Acres	+/- 0.16		
<b>Applicant #1 Information</b>		<b>Intent</b>	
<b>Name:</b> City of Kingsport <b>Address:</b> 225 W Center Street <b>City:</b> Kingsport <b>State:</b> TN <b>Zip Code:</b> 37660 <b>Phone Number:</b> (423) 229-9485		<b>Intent:</b> <i>To declare Tax Map 62A Group A Parcel 16 as surplus property by the City of Kingsport.</i>  Under TCA 13-4-104, the Kingsport Regional Planning Commission is required to designate City owned property as surplus before the City can dispose of the property.	
<b>Planning Department Recommendation</b>			
<b>(Approve, Deny, or Defer)</b>			
The Kingsport Planning Division recommends declaring Tax Map 62A Group A Parcel 16 located at the intersection of Westmoreland Avenue and Reedy Creek Road as surplus:			
<ul style="list-style-type: none"> <li>Request reviewed by all city departments</li> <li>No utilities located within the area of consideration</li> </ul>			
<b>Staff Field Notes and General Comments:</b>			
The City is requesting that Tax Map 62A Group A Parcel 16 be declared surplus property by the Planning Commission. The requested area is approximately 0.16 acres. No utilities are located within the area being considered for surplus. The request has been reviewed by all City Departments and it has been determined that there is no need for the City to retain this property.			
Planner:	Harmon	Date:	4/25/18
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>May 17, 2018</b>
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

**PROPERTY INFORMATION**

**Surplus Request**

<b>ADDRESS</b>	<b>3820 Memorial Boulevard</b>
<b>DISTRICT, LAND LOT</b>	<b>Sullivan County</b> <b>11<sup>th</sup> Civil District, TM 62a, Group A Parcel 16</b>
<b>OVERLAY DISTRICT</b>	<b>N/A</b>
<b>CURRENT ZONING</b>	<b>R-1B</b>
<b>PROPOSED ZONING</b>	<b>No Change</b>
<b>ACRES +/- 0.16</b>	
<b>EXISTING USE</b>	<b>Vacant</b>
<b>PROPOSED USE</b>	<b>no change</b>

**PETITIONER 1: City of Kingsport  
225 W Center Street Kingsport, TN 37660**

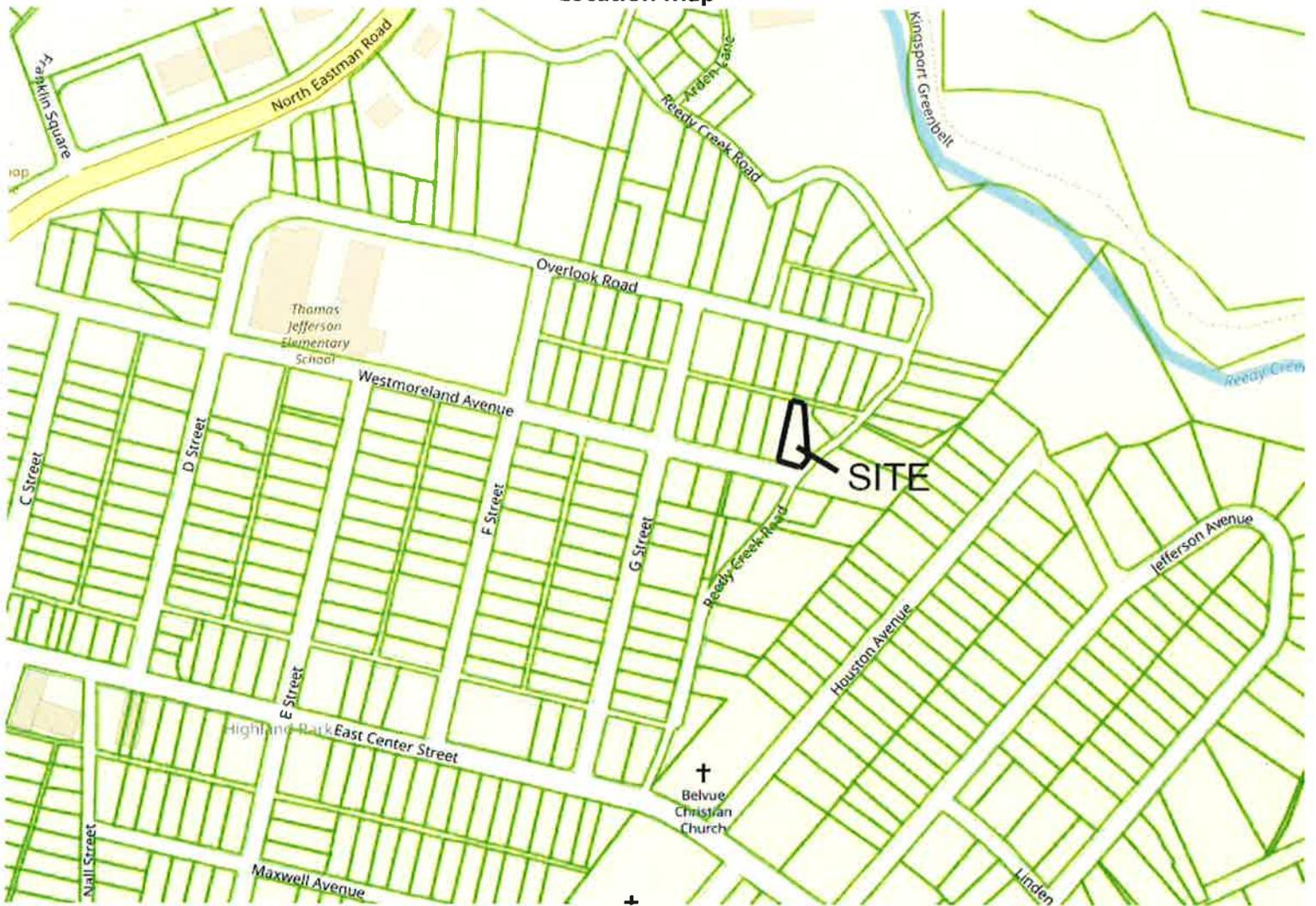
**INTENT**

The City is requesting that Tax Map 62A Group A Parcel 16 be declared surplus. The area requested to be declared surplus is approximately 0.16 acres. The property was purchased in 1990 with Community Development Block Grant money to demolish a dilapidated structure.

There are no utilities located in the area of request. This request has been reviewed by all city departments and they have responded that there is no need for the City to retain this property.

Under TCA 13-4-104, the Kingsport Regional Planning Commission is required to designate City owned property as surplus before the City can dispose of the property. This action would return the property back to private ownership.

Location Map



Surrounding Zoning



Future Land Use Map



View from Westmoreland Avenue



View from Reedy Creek Road



**RECOMMENDATION:**

Staff recommends that the Planning Commission declare all of Tax Map 62A Group A Parcel 16 surplus property as City staff sees no future use for the property.

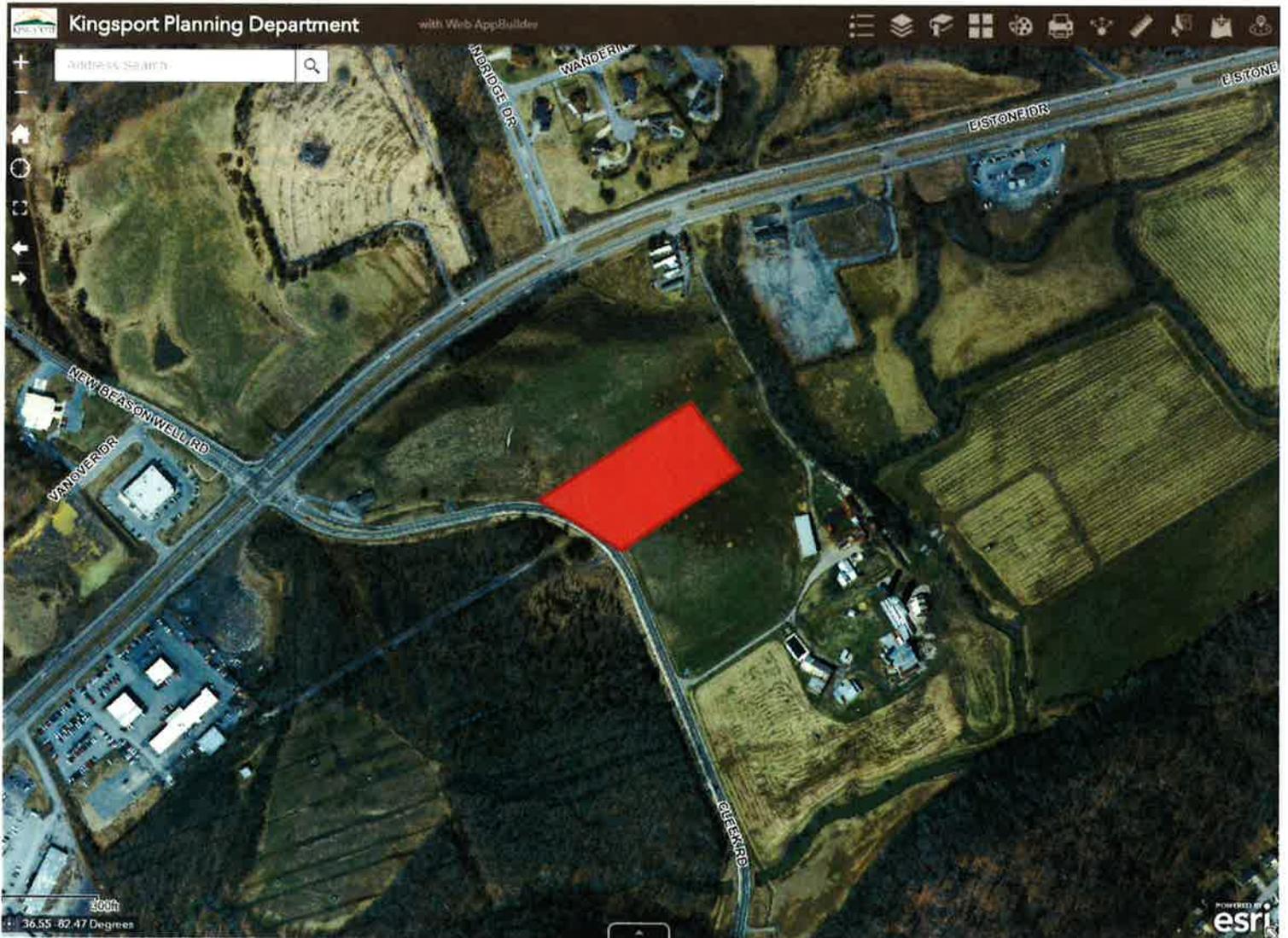
**Annexation Report**

**Kingsport Regional Planning Commission**

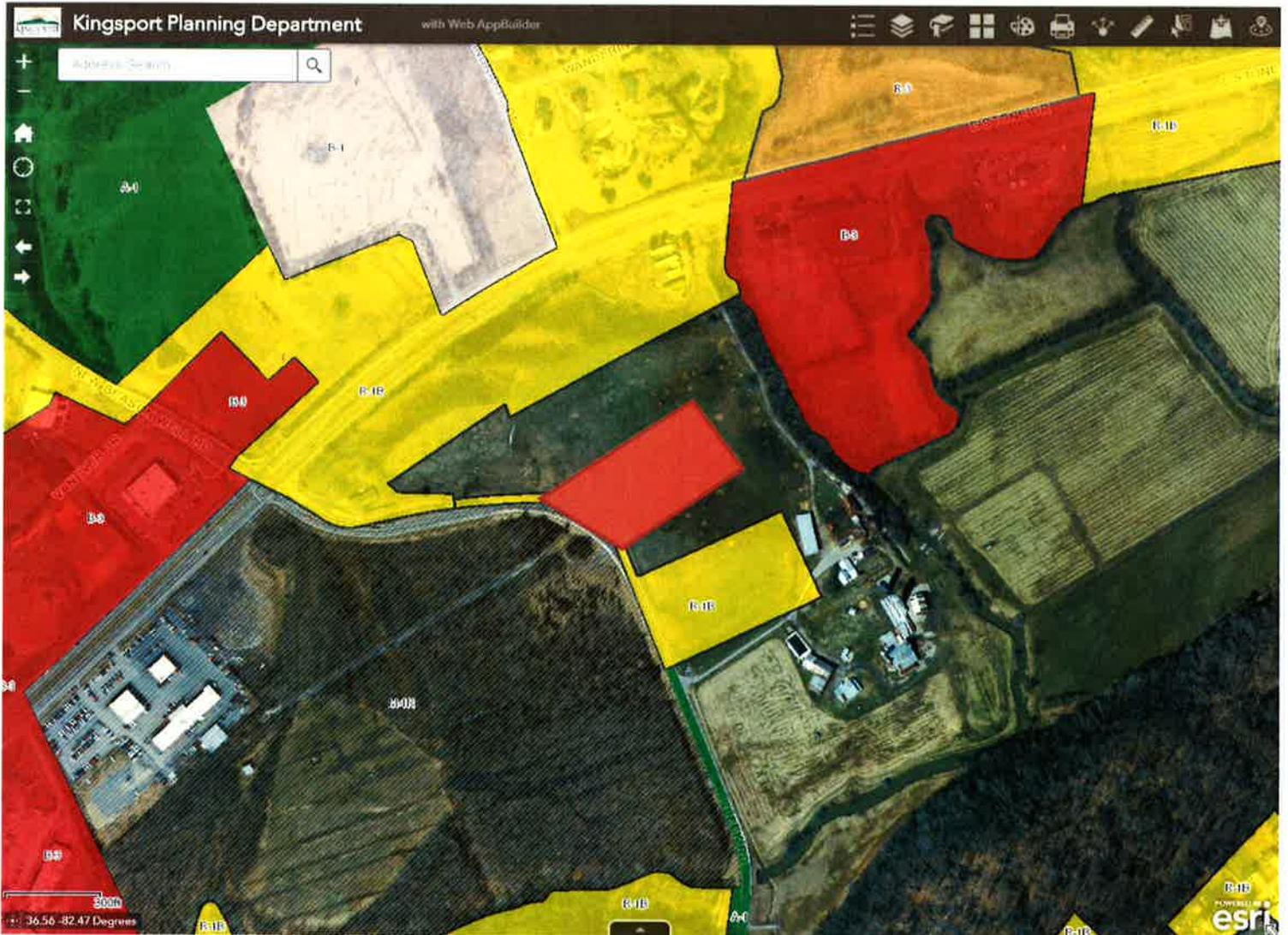
**File Number 17-301-00003**

<b>Property Information</b>	2215 Cleek Road Annexation		
<b>Address</b>	2215 Cleek Road		
<b>Tax Map, Group, Parcel</b>	Tax Map 047, Parcel 060.00		
<b>Civil District</b>	10		
<b>Overlay District</b>	NA		
<b>Land Use Plan Designation</b>	Single Family		
<b>Acres</b>	3.231 +/-		
<b>Existing Use</b>	Vacant/Agricultural	<b>Existing Zoning</b>	County A-1
<b>Proposed Use</b>	Residential	<b>Proposed Zoning</b>	City R-1B
<b>Owner Information</b>		<b>Owner Information</b>	
<b>Name:</b> Velma Vanover <b>Address:</b> 1101 New Beason Well Rd. <b>City:</b> Kingsport <b>State:</b> TN <b>Zip Code:</b> 37660 <b>Email:</b> rzvanover@charter.net <b>Phone Number:</b> 423-817-0589		<b>Name:</b> <b>Address:</b> <b>City:</b> <b>State:</b> <b>Zip Code:</b> <b>Email:</b> <b>Phone Number:</b>	
<b>Planning Department Recommendation</b>			
<p><b>RECOMMENDATION: APPROVAL to recommend the Annexation, Zoning, and Plan of Services to the BMA</b></p> <p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> <li><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></li> <li><i>It is reasonably necessary for the welfare of the residents and property owners of the affected territory.</i></li> <li><i>The City of Kingsport will be required to provide a limited plan of services as past annexations have extended the bulk of the infrastructure needed to reach the property.</i></li> <li><i>Annexation of this property will allow the resident to take full advantage of city services.</i></li> </ul> <p><b>Staff Field Notes and General Comments:</b> This is a property owner-requested annexation submitted by the property owner. Some time ago the city annexed a portion of the property for a future home site, and the owner desires that the home site now be shifted to the detailed location. The property owner is aware that any sewer costs above the normal tap fee will be their responsibility, per conversations on site with our Water/Sewer Department. Water service will be extended as part of the water tap fee. Street lights and roadway improvements were already provided to this area as part of past annexations. Currently, the property is zoned County A-1 and staff is proposing City R-1B. This annexation meets the criteria set forth by the City Annexation Policy.</p>			
<b>Planner:</b>	Nathan Woods	<b>Date:</b>	May 1, 2018
<b>Planning Commission Action</b>		<b>Meeting Date:</b>	<b>May 17, 2018</b>
<b>Approval:</b>			
<b>Denial:</b>		<b>Reason for Denial:</b>	
<b>Deferred:</b>		<b>Reason for Deferral:</b>	

Location Map



Current City Zoning Map





Kingsport Regional Planning Commission

Annexation Report

File Number 17-301-00003

Cost

**Cleek Property**

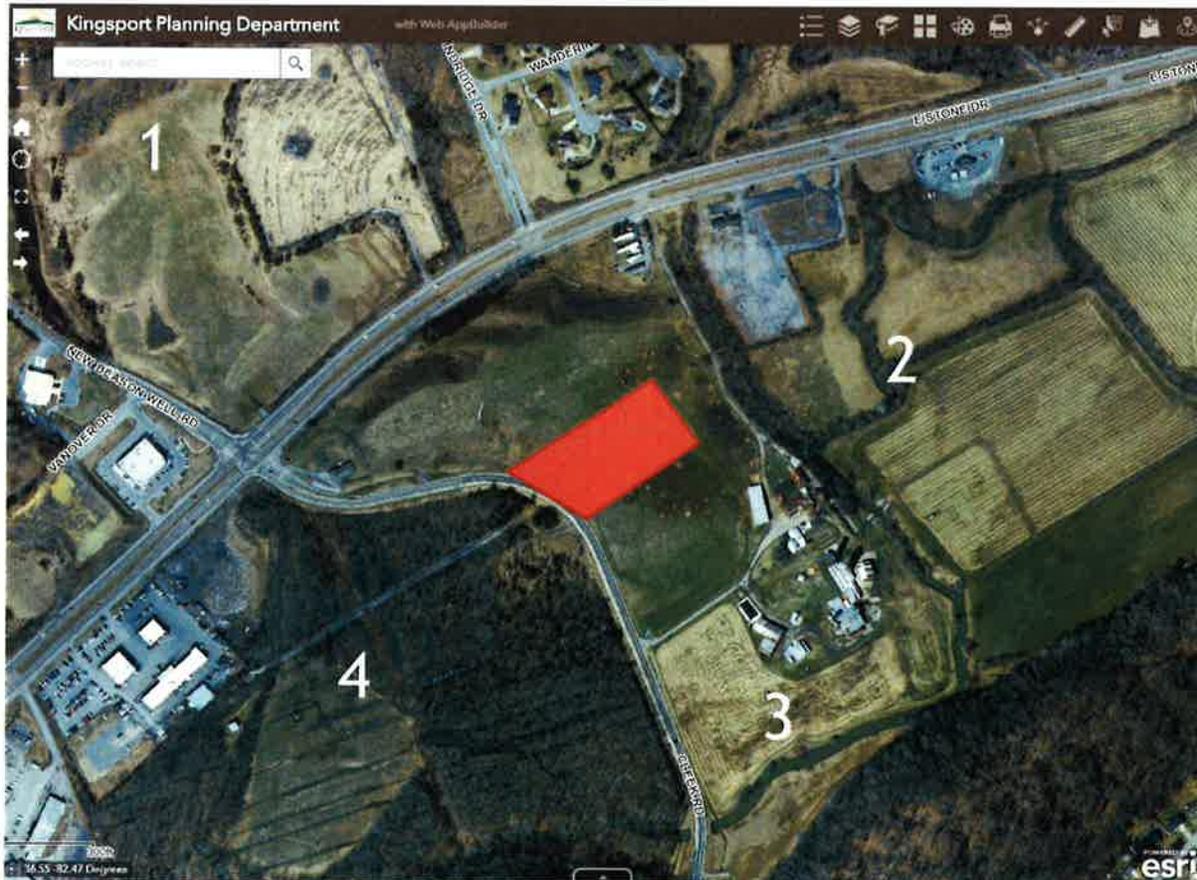
**Cost Estimate/ tax records as of December 2017**

Revenues	One Time	Reoccurring (annual)
Property Taxes	X	TBD
State Shared	X	336.00
Sewer Tap/Water Meter	8265.00	X
Water & Sewer Rev (loss) *	X	40.70
<b>Total</b>	<b>8265.00</b>	<b>X</b>

\$1.97 City Property Taxes  
 \$112.00 x 3 residents  
 \$5,800 Residential Lift station tap fee + \$1,800 Extra Work Costs + 665 Water

Expenses	One Time	Reoccurring (annual)
<b>Operating Budget</b>		
Police & Fire Service	0.00	0.00
Transit 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
<b>Capital Budget</b>		
Water	0.00	0.00
Sewer	0.00	0.00
Streets	0.00	0.00
Subtotal	0.00	0.00
<b>Grand Total</b>	<b>8265.00</b>	<b>376.70</b>

Proximity Map



Existing Surrounding Land Uses

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action
NorthEast	1	<u>Zones: B-3, A-1, R-1B &amp; B-1</u> Use: TBD	Slowly subdividing and developing parcels
East	2	<u>Zone: County A-1</u> Use: Agricultural	Part of Cleek Family Farm
South	3	<u>Zone: County A-1</u> Use: Agricultural	Part of Cleek Family Farm
West	4	<u>Zone: City M1-R</u> Use: Single Family residential	Former Drag Strip

CONCLUSION

The Kingsport Planning Division recommends sending a favorable recommendation to the Board of Mayor and Alderman for the annexation, zoning, and Plan of Services for the Cleek Road Annexation based on 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 will be required to provide a limited plan of services as the property owner has spoken with City staff and is aware that connecting to the existing available sewer will be the responsibility of the property owner.*
- *Annexation of this property will allow the owner to take full advantage of other city services such as schools, police, and fire.*
- *It is reasonably necessary for the welfare of the residents and property owners of the municipality as a whole.*



**2215 Cleek Road 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

## Kingsport Regional Planning Commission

## Annexation Report

File Number 17-301-00003

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 four 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 2 insurance rating saving its residents the most possible on their insurance rates. Our response time average is approximately 4 minutes, 53 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 property owner has been advised that water service will be extended as part of their water tap fee.
- C. 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.
- D. 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

## Kingsport Regional Planning Commission

## Annexation Report

File Number 17-301-00003

Agency. The plant was the recipient of the 2005 Julian Fleming Award for Outstanding Water Treatment Plants.

- E. 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.
- F. 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 American Electric Power and is currently available.

#### 5. Sanitary Sewer

- A. Citizens in the annexed territory will be responsible and required to obtain a sewer-tap from the City of Kingsport before connection to the sanitary sewer system. The property owner has been advised that any sewer connection costs above the normal tap fee will be the owner's responsibility as they are subdividing property that already has sewer service.
- 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 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.
- G.

## Kingsport Regional Planning Commission

## Annexation Report

File Number 17-301-00003

**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.

## Kingsport Regional Planning Commission

## Annexation Report

File Number 17-301-00003

**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**

- A. Sufficient street lighting exists at the time of annexation. Therefore, street lighting will not be a part of this annexation plan of services

**10. Zoning Services**

- A. The area will be zoned R1-B 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**

## Kingsport Regional Planning Commission

## Annexation Report

File Number 17-301-00003

- 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.

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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.

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**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**

## Kingsport Regional Planning Commission

## Annexation Report

File Number 17-301-00003

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.



**Introduction:**

The creation of the City's Zoning Administrator position has prompted a necessary change to the City's zoning code. A total of 24 different sections of the City's zoning code are proposed to be amended in this text amendment. All changes are simple substitutions of the Building Official title for the Zoning Administrator title. The proposed changes are consistent with how the zoning code has been administered in practice for the last 3 years.

**Presentation:**

The proposed ordinance changes officially change duty responsibility from the Building Official to the Zoning Administrator for items such as responsibility for administering the zoning code, determining zoning yard requirements, settling conflict with other ordinances, accessory structure approval, certain site plan approvals, cooperative parking agreements for commercial use, determining uncertainty with zoning code interpretations, and certain landscape requirements.

All proposed changes are highlighted in bold print for the attached proposed ordinance for ease of identification during review.

**Recommendation:**

Staff recommends sending a positive recommendation to the BMA in support of approving the item.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING VARIOUS SECTION OF CHAPTER 114 OF THE CODE OF ORDINANCES, CITY OF KINGSPORT, TENNESSEE, PERTAINING TO ZONING SECTION 114 BY TRANSFERRING CERTAIN ZONING CODE OFFICIAL DUTIES FROM THE BUILDING OFFICIAL TO THE ZONING ADMINISTRATOR; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY OF KINGSPORT, AS FOLLOWS:

SECTION I. That Sec 114-1. ~~Definitions~~, Code of Ordinances, City of Kingsport, Tennessee is amended by deleting the definition of Lot line, front and substituting in its place the following:

*Lot line, front*, means, for a lot line abutting upon only one street, the line separating such lot from such street. For any other lot, the owner shall, for the purpose of this chapter, have the privilege of electing any street lot line as the front lot line, provided that such choice, in the opinion of the **zoning administrator**, will not be injurious to the existing or to the desirable future development of adjacent properties.

SECTION II. That Sec 114-1. ~~Definitions~~Code of Ordinances, City of Kingsport, Tennessee is amended by deleting the definition of Lot line, rear and substituting in its place the following:

*Lot line, rear*, means ordinarily, that lot line which is opposite and most distant from the front lot line. For an irregular, triangular or gore-shaped lot, a line ten feet in length entirely within the lot, parallel to and most distant from the front lot line, shall, for the purpose of this chapter, be considered the rear lot line. In other cases not covered in this definition, the **zoning administrator** shall designate the rear lot line.

SECTION III. That Sec 114-5. ~~Conflict with other ordinances~~. Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

Sec. 114-5. – Conflict with other ordinances

Whenever this chapter or the development plans or subdivision plats approved in conformance within this chapter are in conflict with other local ordinances, regulations or laws, the more restrictive ordinance, regulations or law shall govern and shall be enforced by appropriate local agencies. When subdivision and development plans, approved by the planning commission, contain setback or other features in excess of the minimum requirements of this chapter, such features as shown on the approved plan shall govern and shall be enforced by the **zoning administrator**. Private covenants do not fall within the jurisdiction of enforcement by any local agency and cannot be enforced by the **zoning administrator**.

SECTION IV. That Sec 114-35., ~~Authority and duties of the building official. Code of Ordinances.~~ City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

Sec. 114-35. – Authority and duties of the **zoning administrator**.

(a) The **zoning administrator** shall administer and enforce this chapter, except as otherwise provided in this chapter.

(b) The **zoning administrator** shall promptly investigate complaints of violations and shall report his findings and actions to complainants. He shall use his best efforts to prevent violations and to detect and secure the correction of violations. If he shall find any section of this chapter is being violated, he shall in writing notify the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall:

(1) Order discontinuance of the illegal use of land, buildings or structures;

(2) Order removal of illegal buildings or structures or of illegal additions, alterations or structural changes;

(3) Order discontinuance of any illegal work being done; and

(4) Take or cause to be taken any other action authorized by this chapter to ensure compliance with and the prevention of violations of this chapter.

(c) The **zoning administrator** shall make a record of all official actions of his office relating to the administration and enforcement of this chapter, including but not limited to written records of all complaints and actions taken with regard thereto, all violations discovered with actions taken thereto and the final disposition of all such matters.

SECTION V. That Sec 114-38., ~~Remedies. Code of Ordinances.~~ City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

Sec. 114-38. – Remedies.

If any building or structure is erected, constructed, reconstructed, repaired, converted or maintained or if any building, structure or land is used in violation of this chapter, the **zoning administrator**, building official or any other appropriate authority or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus or other appropriate action or proceeding to prevent the occupancy of such building, structure or land.

SECTION VI. That Sec 114-67., ~~Powers. Code of Ordinances.~~ City of Kingsport, Tennessee is amended by deleting and substituting in its place the following:

(a) *Generally.* The board of zoning appeals shall have the following powers:

(1) *Administrative review.* To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision or refusal made by the **zoning administrator**, building official or other administrative official in carrying out or enforcing any section of this chapter and for interpretation of the zoning map and text.

SECTION VII. That Sec 114-133., ~~Accessory building location and height (2).~~ Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(2) *Location*. Except as provided in subsection (3) of this section, no accessory building shall be erected in any required front or side yard. Accessory residential structures shall be on the same lot as the principal residential structure. The floor area of accessory structures located upon any property zoned for residential use shall not exceed 30 percent of the floor area of the principal structure, or 1,100 square feet, whichever is greater. Lots that are two acres in size or larger may use the following calculation to determine accessory structure size: maximum of two percent of total parcel area but never more than 5,000 square feet. Accessory structures shall not exceed the height of the principal structure or 35 feet, whichever is less. Accessory structures shall be at least three feet from all lot lines and five feet from any other building on the same lot; provided, however, that where two adjoining property owners desire to build a double garage on the property line, one-half of which would be located on each property, they may secure a building permit to construct such garage by submitting written agreements signed by both parties concerned to the **zoning administrator**. The height of both the accessory structure and the principal structure shall be measured according to the provisions outlined in the current building code, as set forth in article III of chapter 22. Swimming pools not covered by a permanent roof, tennis courts, pet enclosures not exceeding 100 square feet floor area, and satellite dish antennas shall not be subject to size or height restrictions in this section or included in calculating floor area.

SECTION VIII. That Sec 114-144., ~~Communication facilities (c)(1) and (c)(2).~~ Code of Ordinances, City of Kingsport, Tennessee ~~isare~~ amended by deleting it and substituting in its place the following:

(c) *Site plan*. A site plan shall be approved by the **zoning administrator** prior to issuing a permit. The following standards shall be used in the design of the facilities:

(1) *Setback*. The minimum setback shall be 20 percent of tower height or equal to the existing zoning district, whichever is greater. Where appropriate, the requirements of the flood district, Historic District Overlay and Gateway District Overlay also apply. Setback shall be measured from the base of the tower, or guy-wire supports for lattice towers, to the property line. Ground structures shall not be located within required setbacks.

(2) *Landscaping and screening*. The visual impacts of a communication facility shall be mitigated from nearby viewers by an evergreen screen located outside the fence. This screen may consist of evergreen trees, having a minimum height of six feet at planting and a minimum height of 15 feet at maturity, or a continuous hedge with a three-foot height at planting and a six-foot height at maturity. Sites may be exempted from the landscaped area requirement, provided that the **zoning administrator** finds the vegetation or the topography of the site provides a natural buffer.

SECTION IX. That Sec 114-195., ~~B-3, Highway Oriented Business District (a)(6).~~ Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(6)

Adult oriented establishments: adult bookstores, cabaret, motion picture theater, sexual encounter establishments, provided however, that the property line of such businesses shall not be closer than 1,500 feet from any residential district or residential use; and public amusement or entertainment activity, public gathering place, including but not limited to: arcades, motion picture theaters, bowling alleys, marinas, golf courses, playgrounds, ice-skating or roller skating rinks or arenas, zoos, community centers, and similar amusements offered to the general public; any public recreation, school, library, day care center, park, church, mortuary, hospital or cemetery; or closer than one-half mile from any other adult oriented establishment property line. Measurement for the purpose of this regulation shall be made in a straight line without regard to intervening structures or objects, from the nearest portion of the structure used as part of the adult oriented establishment to the nearest property line or boundary of any restricted area set out herein. Documentation illustrating existing land uses, zoning, and other pertinent features located within one-half mile of the property proposed for use by an adult oriented establishment shall be submitted in conjunction with an application for approval for such use, along with site plans, surveys, and other pertinent site information as may reasonably be required by the **zoning administrator** to make a thorough evaluation of such proposal.

SECTION X. That Sec 114-242., ~~Building Permits.~~ Code of Ordinances. City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

Sec. 114-242. - Building permits.

In an historic district, any building permit issued shall be in conformance with the following:

(1) *Permit required.* No alteration, moving, demolition, addition or new construction shall take place in an historic district until an application for a certificate of appropriateness has been filed with the **zoning administrator** and an approved permit obtained for the proposed work. In addition, an application shall be made in the same manner for any work, including but not limited to alterations, additions, demolition, removal or new construction which alters or contributes to the exterior appearance of existing structures, including but not limited to exterior painting or finishing of structures and their roofs, guttering, siding, trim and foundations, or their environment, including but not limited to isolated features such as chimneys, walls, trees, streams, foundations, roadbeds and general grading, and an approved building permit shall be obtained before work can begin.

(2) *Application for certificate of appropriateness.* An application for a certificate of appropriateness shall be referred directly by the **zoning administrator** to the historic zoning commission. In applying to the **zoning administrator** for a certificate of appropriateness, the applicant shall submit a dimensional scale plan indicating the shape, size and location of the lot to be built upon and the shape, size, height and location of all buildings to be erected, altered or moved and of any building already on the lot. The applicant shall also state the existing and intended use of all such buildings and shall provide preliminary exterior elevations indicating material, color, architectural features, signs and such other information as may be required by the **zoning administrator** or the historic zoning commission for determining whether this chapter is being observed.

(3) *Historic zoning commission action.* Upon receiving the application, the historic commission shall, within 30 days following the availability of sufficient data, issue to the office of the **zoning administrator** a letter stating its approval, with or without attached conditions, or disapproval with the grounds for disapproval stated in writing.

a. *Commission review.* In its review of material submitted, the historic zoning commission shall give consideration to:

1. The historic and architectural value of the present structure;
2. The relationship of exterior architectural features of such structure to the rest of the structures of the surrounding area;
3. The general compatibility of exterior design, arrangement, texture and materials proposed to be used; and
4. Any other factor, including aesthetics, which is deemed pertinent.

b. *Disapproval.* If disapproval is being considered, the historic zoning commission shall describe to the applicant, if possible, the types of changes in the application that would be necessary for the historic zoning commission to consider approval.

c. *Limitations on historic zoning commission.* The historic zoning commission shall not consider or make any requirements pertaining exclusively to the interior of a structure, shall not grant variances from the terms of this chapter and shall not make any requirement except for the purpose of preventing developments obviously incongruous to the historic aspects of the district.

d. *Minor improvements.* The historic zoning commission chairman in conjunction with the **zoning administrator**, or designee, shall be responsible for reviewing an application that substantially conforms to the district guidelines and is minor. Minor improvements will not alter the appearance or integrity of the structure, (for example, minor improvements include things such as roof shingles, paint color, or any cosmetic repairs) provided chairman and **zoning administrator**, or designee, agree the minor improvement substantially conforms to the guidelines for that historic district, the chairman is authorized to approve the minor improvement. Upon such approval a copy will be included as an item on the agenda of the next available historic zoning commission meeting to serve as additional notice of the action taken.

SECTION XI. That Sec 114-360, ~~Final development plan and building permit. Code of Ordinances~~, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

Sec. 114-360. - Final development plan and building permit.

For the MX district, a final zoning development plan shall be submitted which conforms substantially to the master plan. No building permit for a development in a mixed-use district shall be issued by the building official until such a plan is submitted and approved by the **zoning administrator** and determined to be in conformance with this chapter.

SECTION XII. That Sec 114-546, ~~Property dedicated to city program. Code of Ordinances~~, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

Sec. 114-546. - Property dedicated to city program.

Property, part of which is dedicated to the city's watershed protection program, may have a reduction in the zoning setback adjacent to the property line created by such dedication. The purpose is to allow structures to be constructed on the property in the same location after property is dedicated to the city as would be permitted prior to dedication. The **zoning administrator** shall make this determination based on an assessment of any negative impacts to adjacent property, or to the health, safety, and welfare to the city as a whole.

SECTION XIII. That Sec 114-563., ~~General standards for parking (1).~~ Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(1) *Location of spaces on same lot.* All required off-street parking spaces shall be located on the same lot as the structure or use to which they are accessory or on a lot contiguous thereto which has the same zoning classification and is under the same ownership. However, where there are practical difficulties or if the public safety and public convenience would be better served by the location other than on the same lot or on a contiguous lot with the use to which it is accessory, the **zoning administrator**, acting upon a specific application, may authorize such alternative location subject to the conditions that the required space shall be located:

SECTION XIV. That Sec 114-563., ~~General standards for parking (2).~~ Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(2) *Cooperative parking.* Required off-street parking facilities may be provided cooperatively for two or more uses, subject to arrangements that will ensure the permanent availability of such spaces to the satisfaction of the **zoning administrator**.

SECTION XV. That Sec 114-563., ~~General standards for parking (11).~~ Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(11) *Uncertainty.* If there is uncertainty with respect to the amount of parking space required by this chapter as a result of an indefiniteness as to the proposed use of a building or of land, the maximum requirement for the general type or use that is involved shall govern. Where the required number of parking spaces is not set forth for a particular use in section 114-564 and where there is no similar general type of use listed, the **zoning administrator** shall determine the basis of the number of spaces to be provided.

SECTION XVI. That Sec 114-564., ~~Minimum required parking spaces (2)c.~~ Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

c. Hotel, motel: one space per rental unit plus four spaces per 50 rental units, plus spaces for any restaurant, assembly room or other facility as determined by the **zoning administrator**.

SECTION XVII. That Sec 114-564., ~~Minimum required parking spaces~~ (3)a. Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

a. Airport, airpark: one space per employee plus one space per establishment vehicle plus sufficient space for other users as determined by the **zoning administrator**.

SECTION XVIII. That Sec 114-564., ~~Minimum required parking spaces~~ (3)d. Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

d. College or university: one space per employee plus a sufficient number of spaces to accommodate students and visitors as determined by **zoning administrator**.

SECTION XIX. That Sec 114-564., ~~Minimum required parking spaces~~ (3)n. Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

n. School, elementary or intermediate: one space per employee plus four visitor spaces, plus any other space as determined by **zoning administrator** after reviewing total facility.

SECTION XX. That Sec 114-565., ~~General standards for off-street loading~~ (1). Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(1) *Location of spaces on same lot.* All required off-street loading spaces shall be located on the same lot as the use served, except that required off-street loading spaces may be provided cooperatively for two or more uses, subject to arrangements that will ensure the permanent availability of such spaces to the satisfaction of the **zoning administrator**.

SECTION XXI. That Sec 114-565., ~~General standards for off-street loading~~ (5). Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(5) Street access. All off-street loading space shall be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb at such dimension, location and construction as may be approved by the **zoning administrator**.

SECTION XXII. That Sec 114-565., ~~General standards for off-street loading~~ (8). Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(8) Combination of uses or uncertainty. Loading facilities shall be provided on the basis of the sum of spaces required for each use where a given use contains a combination of uses as set forth in section 114-566. Where uncertainty exists,

the **zoning administrator** shall impose the maximum requirement for the general type of use involved.

SECTION XXIII. That Sec 114-565., ~~General standards for off-street loading~~ (9): Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(9) Maximum spaces. Notwithstanding the standards set forth in this section, in no instance shall more than five off-street loading spaces be required for a given use or building except as may be determined by the **zoning administrator**.

SECTION XXIV. That Sec 114-600., ~~Landscape requirements~~ (a): Code of Ordinances, City of Kingsport, Tennessee is amended by deleting it and substituting in its place the following:

(a) Lists of acceptable materials. The city landscape specialist will prepare and maintain lists of landscape materials which are acceptable for planting on public and private properties, including rights-of-way and parking areas. The lists will be specific for this geographic area and will detail growth patterns, maturity height, rate of growth, disease resistance, site planting requirements and maintenance requirements. No landscape material shall be planted on public or private property as set forth in this section unless it appears on this list or is approved by the landscape specialist. The lists will be available from the **zoning administrator**, planning director and the landscape specialist.

SECTION XXV. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Kingsport, Tennessee requiring it.

\_\_\_\_\_  
JOHN CLARK  
Mayor

ATTEST:

\_\_\_\_\_  
JAMES H. DEMMING  
City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
J. MICHAEL BILLINGSLEY  
City Attorney

PASSED ON 1ST READING \_\_\_\_\_  
PASSED ON 2ND READING \_\_\_\_\_

## Building Division Monthly Report

April 2018

<b>RESIDENTIAL PERMITS</b>	<b>COUNT</b>	<b>CONSTRUCTION COST</b>
ACCESSORY STRUCTURES	15	\$95,715
ADDITIONS	1	\$2,500
ALTERATIONS	12	\$209,560
NEW CONDO		
NEW DUPLEX		
NEW GROUP HOME		
NEW MULTI-FAMILY		
NEW SINGLE-FAMILY	5	\$1,563,848
RESIDENTIAL ROOF		
<b>COMMERCIAL PERMITS</b>		
ADDITIONS	1	\$24,000
ALTERATIONS	6	\$1,762,027
CHURCH RENOVATIONS	1	\$23,000
SCHOOL RENOVATIONS		
NEW CHURCH/RELIGIOUS BUILDINGS		
NEW HOSPITAL/INSTITUTION/NURSING HOME		
NEW HOTEL/MOTEL		
NEW INDUSTRIAL		
NEW JAILS/POST OFFICE/BARNS		
NEW PARKING GARAGE		
NEW PARKS/POOLS/DOCKS		
NEW PROFESSIONAL/MEDICAL/BANK	1	\$11,029,928
NEW PUBLIC WORKS/UTILITY		
NEW RETAIL/RESTAURANT/MALL		
NEW SERVICE STATION		
NEW SOCIAL/RECREATIONAL		
NEW SCHOOL/LIBRARY/MUSEUM		
NEW OTHER NON-HOUSEKEEPING SHELTERS	1	\$24,000
GRADING	1	\$260,000
FOUNDATION ONLY		
COMMUNICATION TOWER	2	\$74,500
COMMERCIAL ROOF	1	\$58,620
<b>TOTAL</b>	<b>47</b>	<b>\$15,127,698</b>
<b>OTHER MISC PERMITS</b>		
BANNERS	1	
DEMOLITIONS	1	
MOVE STRUCTURE		
SIGNS	5	
TENTS	2	
<b>TOTAL PERMITS ISSUED</b>	<b>56</b>	
<b>ESTIMATED CONSTRUCTION COST YEAR-TO-DATE</b>		<b>\$24,466,697</b>