



AGENDA

BOARD OF MAYOR AND ALDERMEN WORK SESSION

Monday, February 15, 2016
Council Room, 2nd Floor, City Hall, 4:30 p.m.

Board of Mayor and Aldermen

Mayor John Clark, Presiding
Vice Mayor Mike McIntire
Alderman Darrell Duncan
Alderman Colette George

Alderman Michele Mitchell
Alderman Tommy Olterman
Alderman Tom C. Parham

Leadership Team

Jeff Fleming, City Manager
Chris McCartt, Assistant City Manager for Administration
Ryan McReynolds, Assistant City Manager for Operations
J. Michael Billingsley, City Attorney
Jim Demming, City Recorder/Chief Financial Officer
David Quillin, Police Chief

Craig Dye, Fire Chief
Morris Baker, Community Services Director
Lynn Tully, Development Services Director
George DeCroes, Human Resources Director
Heather Cook, Marketing and Public Relations Director

1. Call to Order
2. Roll Call
3. Project Status – Jeff Fleming
4. Review of Items on February 16, 2016 Business Meeting Agenda
5. ONEKingsport Summit Focus Groups
 - Arts & Entertainment
BMA – Alderman George
Steward – Lafe Cook
Staff – Bonnie Macdonald
 - Destination City Investments
BMA – Mayor Clark
Stewards – Frank Lett & Jud Teague
Staff – Ryan McReynolds & Chris McCartt
 - Downtown Revitalization
BMA – Alderman Mitchell
Stewards – John & Beverley Perdue
Staff – Justin Steinmann

Correction →

6. Transportation Project Priorities – Michael Thompson
7. School Facilities – Dr. Lyle Ailshie
8. Adjourn

Next Work Session, February 29, 2016: Centennial; ONEKingsport Summit Groups – 2nd Update; Sales Tax, Wellness Clinic, Safety, Project Status.

Citizens wishing to comment on agenda items please come to the podium and state your name and address. Please limit your comments to five minutes. Thank you.

Status Updates on Active Projects sorted by Cost

Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$13,537,873.00	Niki Ensor	Niki Ensor	Raw Water Intake Replacement (1.5 M EDA Grant)	WA1504	5/7/2017	Two of the four vertical shafts are complete at the WTP. The vertical shaft and stub tunnel at the RWI are complete. Drillers will blast another 35' to finish the connector tunnel and 270' in the main tunnel before they start using the road header.
\$7,500,000.00	Michael Thompson	Thompson, Michael	SR 347 (Rock Springs Road) [State & MTPO funded]	No City Funds	12/31/2020	Conference call held with TDOT Region One staff (Danny Oliver, John Barrett, Eric Wilson) and TDOT Local Programs in Nashville (Whitney Sullivan). Whitney Sullivan will prepare the contract.
\$5,600,000.00	Chad Austin	Norman Eichmann	Reedy Creek Sewer Trunk Line	SW1400	6/30/2017	TDOT & TDEC and CSX approvals have been received. Still working with one property owner for easement.
\$3,250,000.00	Chad Austin	Mike Hickman	Colonial Heights Ph II Sewer & Water	SW1501	3/7/2017	Contract signed. Scheduling preconstruction meeting.
\$2,609,000.00	Chad Austin	Pamela Gilmer	System Wide Water Upgrades FY15 Phase 1	WA1601	5/15/2016	Made bore under Afton St. from Woodbine to make tie-in. Working on Alamo and chlorine testing Cindy Place.
\$2,500,000.00	Chad Austin	Mike Hickman	Colonial Heights Ph IV Sewer & Water	SW1511	3/3/2017	Project is in design phase.
\$2,500,000.00	Chad Austin	Mike Hickman	Colonial Heights Ph V Sewer & Water	SW1512/ WA1404	12/29/2017	Project is in design phase.
\$2,400,000.00	Kitty Frazier	Mason, David	Centennial Park	GP1533	6/15/2017	60% Design Documents received 2/3/16. Under review.
\$1,886,220.00	Chad Austin	Pamela Gilmer	System Wide Water Upgrades FY15 Phase 2	TBD	12/31/2016	Determining date to advertise project for bid. Awaiting check to send CSX agreements back for execution.
\$1,700,000.00	Michael Thompson	Thompson, Michael	Main Street Rebuild [City & MTPO Funded]	GP1516	12/31/2018	Awaiting contract from TDOT.
\$1,600,000.00	Chad Austin	Mike Hickman	Colonial Heights Ph III Sewer & Water	SW1502/ WA1502	4/28/2017	Aquiring easements.
\$1,539,990.00	Hank Clabaugh	Mike Hickman	Colonial Heights Ph I Sewer & Water	WA1402 SW1307	2/26/2016	Brackets being fabricated for final waterline @ bridge. Slight delay.
\$1,076,018.00	Ronnie Hammonds	Stephen Robbins	Demolition Landfill Clay Liner	DL 1500	5/1/2016	The contract was put on hold as of January 7, 2016 due to weather conditions. The project was 70% complete as of that date.
\$1,002,226.46	Michael Thompson	Clabaugh, Hank	Riverbend Drive - Road Improvements and Construction	GP1512	2/29/2016	TDOT is reviewing the possibility of open cutting the conduit crossing across Ft Henry Drive.

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\$950,000.00	Chad Austin	Pamela Gilmer	Ft. Henry and Moreland Dr. Sewer Rehabilitation	SW1401	9/30/2016	Submitted CIPP thickness design for CSX approval with maintenance agreements.
\$940,000.00	Kitty Frazier	Clabaugh, Hank	Kingsport Greenbelt - Eastern Extension - Phase 1 [Fed. Grant & City funded]	GP1529	11/1/2017	The professional design services contract with Spoden Wilson is going to the BMA for approval on February 16.
\$900,000.00	Chad Austin	Sam Chase	ARC Kingsport Sewer System Upgrade	SW1504	12/31/2016	Littlejohn addressing comments from Nov. meeting.
\$750,000.00	Hank Clabaugh	Mason, David	130 Shelby St. - Engineering Bldg. Renovation	GP1514	12/31/2016	Scheduled to advertise 1/17/16 and open bids 2/11/16
\$697,475.00	Michael Thompson	Thompson, Michael	Stone Drive (SR 1, US 11W) Sidewalk Improvements from Stonebrook Place Pvt. Dr. to American Way [95% State Funded 5% City]	TBD	12/8/2018	TDOT has given the notice to proceed with Environmental Phase. TDOT Nashville to do Categorical Exclusion document.
\$671,382.14	Kitty Frazier	Clabaugh, Hank	Greenbelt (Rotherwood/Pedestrian Bridge) [Fed. Grant and City Funded]	GP1013	4/30/2016	TDOT Nashville staff have approved redesign for Thibault property and we are now moving forward with ROW acquisition process.
\$631,700.00	Chris McCartt	Elsa, Tim	Wilcox Sidewalk Phase 5 [State & MTPO funded]	MPO15D	6/30/2016	Legislation proposed this session in Nashville to remedy conflicting licensing requirement/information.
\$550,000.00	Michael Thompson	Grieb, Jacob	Enterprise Place roadway Improvements	GP1611	12/31/2016	Design Phase/ creating construction documents for review and submittal to state agencies and bidding for the City
\$500,000.00	Michael Thompson	Clabaugh, Hank	2016 Citywide Sidewalk Extension	GP1403	12/31/2016	Survey of the project is currently ongoing. Project is expected to be advertised for bids Spring 2016.
\$500,000.00	Niki Ensor	Niki Ensor	WWTP Blower (175,000 CTEG Grant)	SW1507	5/1/2016	Blower expected to be delivered to WWTP at the end of February.
\$487,800.00	Chad Austin	Hank Clabaugh	Citywide Sewer Replacements & Extensions	SW1600/WA1404	2/28/2016	The sanitary sewer portion of the project is complete. TDEC has approved the FH installation - expected to be completed by Feb. 26..
\$450,000.00	Chad Austin	Chad Austin	Border Regions Areas 1, 2 & 3 - Water	TBD	2/17/2017	Currently in FY18 CIP.
\$400,000.00	Chad Austin	Pamela Gilmer	W. Center St. Sewer Rehabilitation	SW1401	9/30/2016	Combining with Fort Henry Drive/Moreland Drive Sanitary Sewer Rehab Project to advertise for bid.
\$400,000.00	Michael Thompson	Thompson, Michael	Signalization of the SR 126 (Memorial Blvd. at Island Road Intersection [State & MTPO Funded])	MPO15A	12/31/2016	In ROW phase. Currently obtaining appraisal consultants.

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Estimated Cost	Project Owner	Project Manager	Project Name	Project #	Completion Date	CurrentStatus
\$265,100.00	Helen Whittaker	Mason, David	Library Window Replacement	GP1400	2/19/2016	The 4 improperly sized windows have been installed and punch list completed. Awaiting custom repair of leaded glass transom window to close out project.
\$221,800.00	Tim Elsea	Elsea, Tim	Lynn Garden Signal System [MTPO & City funded]	MPO15C	1/31/2018	RFQ advertised 1/31/16. Expressions of interest due 2/24/16.
\$131,000.00	Chad Austin	Chad Austin	JB Dennis Annexation - Water	GP1405	7/1/2017	Bloomington has received pricing for the construction. An agreement for the City to fund the upgrades will be prepared for BMA approval.
\$90,000.00	Chad Austin	Hank Clabaugh	Kingsport South Annexation - Water	TBD	4/3/2017	Lebanon Road hydrant will be installed with CH I I Sewer Project.
\$90,000.00	Kitty Frazier	Clabaugh, Hank	Reedy Creek Terrace Bridge	ST1503	12/31/2016	Revised environmental review comments were received on 1/13/16. Spoden Wilson is currently addressing these comments.
\$75,000.00	Chad Austin	Hank Clabaugh	Cliffside Dr Force Main Replacement	TBD	5/30/2016	The design plans are complete. The project will be advertised for bids once the Riverbend Road "B" project is closed and reallocated.
\$50,000.00	David Quillen	Pamela Gilmer	Police Seize Car Lot - Landfill	GP1609	4/1/2016	Obtaining bids for project.
\$50,000.00	Tim Elsea	Elsea, Tim	Portable Camera Equipment Purchase [MTPO & City funded]	MPO15B	6/30/2016	No RFQs were submitted for this project. Staff reviewing specifications and having discussions with vendors.
\$40,000.00	Chad Austin	Jim Gilreath	Clinchfield Street Waterline Replacement	Operating	4/30/2016	New waterline to be installed on west side of Clinchfield this spring.
\$20,000.00	Chad Austin	Chris Alley	Robindale Subdivison Water Service	Operating	6/30/2016	Working on details of acquiring 21 new customers of private system.
\$18,000.00	Chad Austin	Chris Alley	Sullivan County Agriculture Center Waterline Extension	Operating	6/15/2016	JC has sent plans to TDEC for approval.
\$15,000.00	Chad Austin	Harvey Page	Centennial Park sewer line replacement - Main St.	Operations	12/31/2016	Pre-design meeting with Engineering scheduled for 2/1/2016.

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AGENDA

BOARD OF MAYOR AND ALDERMEN

BUSINESS MEETING

**Tuesday, February 16, 2016
Large Courtroom – 2nd Floor, City Hall
7:00 p.m.**

Board of Mayor and Aldermen

Mayor John Clark, Presiding
Vice Mayor Mike McIntire
Alderman Darrell Duncan
Alderman Colette George

Alderman Michele Mitchell
Alderman Tommy Olterman
Alderman Tom C. Parham

City Administration

Jeff Fleming, City Manager
Chris McCartt, Assistant City Manager for Administration
Ryan McReynolds, Assistant City Manager for Operations
J. Michael Billingsley, City Attorney
James Demming, City Recorder/Chief Financial Officer
David Quillin, Police Chief
Craig Dye, Fire Chief
Morris Baker, Community Services Director
Lynn Tully, Development Services Director
George DeCroes, Human Resources Director
Heather Cook, Marketing and Public Relations Director

I. CALL TO ORDER

Addition →

II.A. PLEDGE OF ALLEGIANCE TO THE FLAG – Led by New Vision Youth

II.B. INVOCATION – Pastor Ed Clevinger, Grace Covenant Church

III. ROLL CALL

IV. RECOGNITIONS & PRESENTATIONS

1. Kingsport Convention & Visitors Bureau – New Tournament – Chris McCartt, Alderman Duncan
2. Jamey Gillenwater – Graphic Winner for Safety Logo – Vice Mayor McIntire

V. APPROVAL OF MINUTES

1. Work Session – February 1, 2016
2. Business Meeting – February 2, 2016

VI. COMMUNITY INTEREST ITEMS

A. PUBLIC HEARINGS

1. Amend Zoning of the Arch Street Property, Located at the Intersection of Arch Street and Roller Street (AF: 32-2016) (Ken Weems)
 - Public Hearing
 - Ordinance – First Reading

COMMENT

Citizens may speak on agenda items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non-personal in nature, and they should be limited to five minutes. A total of thirty minutes is allocated for public comment during this part of the agenda.

B. BUSINESS MATTERS REQUIRING FIRST READING

1. Accept Donation from the Friends of the Kingsport Public Library for Transformer and Lighting for Outside Kingsport Public Library Sign and Appropriate Funds (AF: 38-2016) (Morris Baker)
 - Correction → • Resolution
 - Ordinance – First Reading
2. Agreement with Kingsport Economic Development Board for Economic Development in the Downtown Redevelopment District and Appropriation of Funds (AF: 36-2016) (Lynn Tully)
 - Resolution
 - Ordinance – First Reading
3. Budget Cleanup Ordinance for FY16 (AF: 37-2016) (Jeff Fleming)
 - Ordinance – First Reading

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION

1. Ordinance to Amend the Code of Ordinances, Chapter 114-242(3) Building Permits (AF: 28-2016) (Corey Shepherd)
 - Ordinance – Second Reading & Final Adoption
2. Amend the Zoning Ordinance to Create the B-2E Central Business Edge District, to Better Accommodate Existing and Proposed Uses Downtown (AF: 12-2016) (Justin Steinmann)
 - Ordinance – Second Reading & Final Adoption
3. Rezone Portions of Downtown from B-2, Central Business District to B-2E, Central Business Edge District to Better Accommodate Existing and Proposed Uses in Downtown (AF: 13-2016) (Justin Steinmann)
 - Ordinance – Second Reading & Final Adoption

4. Amend Ordinance 6475, the B-2 Central Business District, to Better Accommodate Existing and Proposed Uses Downtown (AF: 25-2016) (Justin Steinmann)
 - Ordinance – **Second Reading & Final Adoption**
5. Ordinance to Condemn (AF: 21-2016) (Mike Billingsley)
 - Ordinance – **Second Reading & Final Adoption**
6. Condemn Property for the Indian Highland Park Parking Lot Project (AF: 27-2016) (Mike Billingsley)
 - Ordinance – **Second Reading & Final Adoption**

D. OTHER BUSINESS

1. Agreement with Spoden and Wilson Consulting Engineers for the Continuation of the Greenbelt Eastern Extension Phase 1 Project (AF: 35-2016) (Ryan McReynolds)
 - Resolution

E. APPOINTMENTS

1. Appointment to the Gateway Review Commission (AF: 29-2016) (Mayor Clark)
 - Appointment
2. Appointment to the Planning Commission (AF: 30-2016) (Mayor Clark)
 - Appointment
3. Reappointment and Appointment to the Kingsport Board of Zoning Appeals (AF: 31-2016) (Mayor Clark)
 - Appointment

VII. CONSENT AGENDA

1. Approval of Easement and Right-of-Way for Cooks Terrace Sewer Extension Project (AF: 33-2016) (Ryan McReynolds)
 - Accept Offer
2. Awarding the Bid for the Purchase of Various Water and Sewer Maintenance Items (AF: 39-2015) (Chris McCartt, Ryan McReynolds)
 - Resolution

Correction →

VIII. COMMUNICATIONS

- A. City Manager
- B. Mayor and Board Members
- C. Visitors

Citizens may speak on issue-oriented items. When you come to the podium, please state your name and address and sign the register that is provided. You are encouraged to keep your comments non-personal in nature, and they should be limited to five minutes.

IX. ADJOURN

Minutes of the Regular Work Session of the
Board of Mayor and Aldermen, City of Kingsport, Tennessee
Monday, February 1, 2016, 4:30 PM
Council Room – City Hall

PRESENT: Board of Mayor and Aldermen

Mayor John Clark

Vice-Mayor Mike McIntire

Alderman Darrell Duncan

Alderman Michele Mitchell

Alderman Colette George

Alderman Tommy Olterman

Alderman Tom C. Parham

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

James H. Demming, City Recorder

1. **CALL TO ORDER:** 4:30 p.m. by Mayor Clark.
2. **ROLL CALL:** By Deputy City Recorder Marshall.
3. **KEY BUDGET MESSAGES.** City Manager Fleming gave a power point presentation on this item which generated considerable discussion.
4. **REVIEW OF CURRENT 5-YEAR CIP.** City Manager Fleming presented this item and discussion followed.
5. **PROJECT STATUS.** City Manager Fleming provided details on this item. Mayor Clark noted there were lots of projects and the focus is completing them on time.
6. **QUARTERLY FINANCIALS.** City Manager Fleming gave information on this item and answered questions from the board.
7. **REVIEW OF AGENDA ITEMS ON THE FEBRUARY 2, 2016 REGULAR BUSINESS MEETING AGENDA.** City Manager Fleming and members of staff gave a summary or presentation for each item on the proposed agenda. The following are items the Board discussed at greater length or which received specific questions or concerns.

VI.A.1 Public Hearing and Consideration of Ordinance to Amend the Code of Ordinances, Chapter 114-242(3) Building Permits (AF: 28-2016). City Planner Corey Shepherd provided details on this item, pointing out this in-house approval process is already followed, however, this will put a formal ordinance into place.

VI.A.2 Amend the Zoning Ordinance to Create the B-2E Central Business Edge District to Better Accommodate Existing and Proposed Uses Downtown (AF: 12-2016). City Planner Justin Steinmann gave a presentation on this item in conjunction with the following two items. There was considerable discussion.

**Minutes of the Regular Work Session of the Board of Mayor and Aldermen of
Kingsport, Tennessee, Tuesday, February 1, 2016**

VI.A.3 Rezone Portions of Downtown from B-2, Central Business District to B-2E, Central Business Edge District to Better Accommodate Existing and Proposed Uses in Downtown (AF: 13-2016). See Item VI.A.2.

VI.A.4 Amend Ordinance 6475, the B-2 Central Business District, to Better Accommodate Existing and Proposed Uses Downtown (AF: 25-2016). See Item VI.A.2.

VII.2 Adoption of the Sullivan County Basic Emergency Operations Plan (AF: 26-2016). Assistant Fire Chief Scott Boyd gave details on this item, noting that it provides a road map and that after it is adopted it will be sent to the state.

BOARD COMMENT. None.

PUBLIC COMMENT. Ms. Barbara Brown made favorable comments to the board.

7. ADJOURN. Seeing no other matters presented for discussion at this work session, Mayor Clark adjourned the meeting at 6:25 p.m.

ANGELA MARSHALL
Deputy City Recorder

JOHN CLARK
Mayor

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, February 2, 2016, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor John Clark, Presiding

Vice Mayor Mike McIntire

Alderman Darrell Duncan

Alderman Colette George

Alderman Michele Mitchell

Alderman Tommy Olterman

Alderman Tom C. Parham

City Administration

Jeff Fleming, City Manager

J. Michael Billingsley, City Attorney

James Demming, City Recorder/Chief Financial Officer

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor John Clark.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Ron George.
- II.B. **INVOCATION:** Minister Penny Hagy, Evangel Family Worship Center.
- III. **ROLL CALL:** By City Recorder Demming. All Present.
- IV. **RECOGNITIONS AND PRESENTATIONS.**
 1. Budget Award – Judy Smith & John Morris – Jeff Fleming.
 2. Excellence in Snow Operations – Ronnie Hammonds, Rodney Deal, Greg Willis, Lewis Bausell, Jason Neely, Dana Bernard and Steve Hightower Accepting on Behalf of the Entire Public Works Department – Ryan McReynolds.

V. APPROVAL OF MINUTES.

Motion/Second: Parham/McIntire, to approve minutes for the following meetings:

- A. January 14, 2016 Called Work Session
- B. January 19, 2016 Work Session
- C. January 19, 2016 Business Meeting

Approved: All present voting “aye.”

VI. COMMUNITY INTEREST ITEMS.

A. PUBLIC HEARINGS.

1. **Public Hearing and Consideration of Ordinance to Amend the Code of Ordinances, Chapter 114-242(3) Building Permits (AF: 28-2016) (Corey Shepherd).**

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 2, 2016**

PUBLIC COMMENT ON ITEM VI.A.1. None.

Motion/Second: McIntire/Mitchell, to pass:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, SECTION 114-242(3) BY ADDING A PARAGRAPH PERTAINING TO MINOR IMPROVEMENTS; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Amend the Zoning Ordinance to Create the B-2E Central Business Edge District to Better Accommodate Existing and Proposed Uses Downtown (AF: 12-2016) (Justin Steinmann).

PUBLIC COMMENT ON ITEM VI.A.2. None.

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

3. Rezone Portions of Downtown from B-2, Central Business District to B-2E, Central Business Edge District to Better Accommodate Existing and Proposed Uses in Downtown (AF: 13-2016) (Justin Steinmann).

PUBLIC COMMENT ON ITEM VI.A.3. None.

Motion/Second: McIntire/Duncan, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PORTIONS OF DOWNTOWN FROM B-2, CENTRAL BUSINESS DISTRICT TO B-2E, CENTRAL BUSINESS EDGE DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

4. Amend Ordinance 6475, the B-2 Central Business District, to Better Accommodate Existing and Proposed Uses Downtown (AF: 25-2016) (Justin Steinmann).

PUBLIC COMMENT ON ITEM VI.A.4. None.

Motion/Second: McIntire/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE CODE OF ORDINANCES, CITY OF KINGSFORT, TENNESSEE, ORDINANCE 6475; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 2, 2016**

PUBLIC COMMENT. Mayor Clark invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Ordinance to Condemn (AF: 21-2016) (Mike Billingsley).

Motion/Second: Duncan/Mitchell, to pass:

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF CERTAIN PUBLIC WORKS PROJECTS; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Condemn Property for the Indian Highland Park Parking Lot Project (AF: 27-2016) (Mike Billingsley).

Motion/Second: McIntire/Mitchell, to pass:

AN ORDINANCE TO AUTHORIZE AND TO DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF A CERTAIN PUBLIC WORKS PROJECT, TO WIT, INDIAN HIGHLAND PARK PARKING LOT PROJECT; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Public Hearing and Consideration of an Ordinance to Annex/Amend Zoning of the Childress Ferry Road 2015 Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 05-2016) (Curtis Montgomery).

Motion/Second: McIntire/George, to pass:

ORDINANCE NO. 6537, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO CHILDRESS FERRY ROAD FROM A-1, AGRICULTURE DISTRICT TO R-1B, RESIDENTIAL DISTRICT IN THE 7TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 2, 2016**

**2. Award Contract and Transfer Funds for Sanitary Sewer
Facilities and Waterline Upgrades – Colonial Heights Phase 2 Project
(AF: 07-2016) (Ryan McReynolds).**

Motion/Second: Parham/Duncan, to pass:

ORDINANCE NO. 6538, AN ORDINANCE TO AMEND THE WATER PROJECT AND SEWER PROJECT FUND BUDGETS BY TRANSFERRING FUNDS TO THE COLONIAL HEIGHTS PHASE 2 PROJECT FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting “aye.”

3. Amend the FY16 CDBG Budget (AF: 16-2016) (Lynn Tully).

Motion/Second: McIntire/Mitchell, to pass:

ORDINANCE NO. 6539, AN ORDINANCE TO AMEND VARIOUS COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting “aye.”

**4. Amend the FY16 General Project Fund Budget (AF: 14-2016)
(David Frye).**

Motion/Second: George/Duncan, to pass:

ORDINANCE NO. 6540, AN ORDINANCE TO AMEND THE GENERAL PROJECTS FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting “aye.”

**5. Franchise Agreement with Kingsport Power Company (dba
American Electric Power) and an Ordinance Establishing the Franchise Fee
(AF: 20-2016) (Ryan McReynolds).**

Motion/Second: Duncan/Olterman, to pass:

ORDINANCE NO. 6541, AN ORDINANCE GRANTING KINGSFORT POWER COMPANY D/B/A AEP APPALACHIAN POWER AN ELECTRIC UTILITY FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A SYSTEM OF ELECTRICITY DISTRIBUTION AND TRANSMISSION LINES AND OTHER NECESSARY EQUIPMENT AND FACILITIES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, COURTS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND PUBLIC GROUNDS OF THE CITY OF

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 2, 2016**

KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

Motion/Second: Olterman/McIntire, to pass:

ORDINANCE NO. 6542, AN ORDINANCE ENACTING A FRANCHISE FEE FOR THE USE BY KINGSPORT POWER COMPANY D/B/A AEP APPALACHIAN POWER OF THE PUBLIC STREETS, ALLEYS, OTHER PUBLIC PLACES FOR ITS FRANCHISE FOR A SYSTEM OF ELECTRICITY DISTRIBUTION AND TRANSMISSION LINES AND OTHER NECESSARY EQUIPMENT AND FACILITIES FOR THE PURPOSE OF TRANSMITTING AND DISTRIBUTING ELECTRICITY IN, UPON, ACROSS, ALONG AND UNDER THE HIGHWAYS, STREETS, AVENUES, ROADS, COURTS, ALLEYS, LANES, WAYS, UTILITY EASEMENTS, PARKWAYS AND PUBLIC GROUNDS OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

6. Budget Cleanup Ordinance for FY16 (AF: 18-2016)
(Jeff Fleming).

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6543, AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Clark, Duncan, George, McIntire, Mitchell, Olterman and Parham voting "aye."

D. OTHER BUSINESS.

1. Purchase of Heart Monitors from Physio Controls, Inc.
(AF: 23-2016) (Scott Boyd).

Motion/Second: Duncan/Mitchell, to pass:

Resolution No. 2016-111, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR FOUR LIFEPAK 15 HEART MONITORS FROM PHYSIO CONTROL, INC.

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS. None.

VII. CONSENT AGENDA. (These items are considered under one motion.)

Motion/Second: Parham/Mitchell, to adopt:

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 2, 2016**

1. Right-of-Way Easement with Kingsport Power Company
(AF: 19-2016) (Ryan McReynolds).

Pass:

Resolution No. 2016-112, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSFORT POWER COMPANY

Passed: All present voting "aye."

2. Adoption of the Sullivan County Basic Emergency Operations Plan (AF: 26-2016) (Scott Boyd).

Pass:

Resolution No. 2016-113, A RESOLUTION APPROVING THE SULLIVAN COUNTY BASIC EMERGENCY OPERATIONS PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THE LETTER OF AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE PLAN AND THE LETTER OF AGREEMENT

Passed: All present voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Fleming talked about the management of projects in the city, as well as the quality of water in Kingsport, highlighting several employees.

B. MAYOR AND BOARD MEMBERS. Alderman Duncan stated his tie was signed by Ms. Pruitt's class at St. Dominic School. He also encouraged everyone to buy local and support small business owners. Alderman Mitchell made comments regarding the United Way and their services. Alderman Parham stated Meadowview was recognized as the #1 guest satisfaction in a chain. He pointed out home sales were the best since 2008. Mr. Parham also mentioned an upcoming fundraiser dinner for the SBK Animal Shelter. Alderman Olterman commended staff for their hard work and long hours during the recent snow. He also wished his wife a happy anniversary. Alderman George commented on the recent grand opening of Pur Foods, noting it was a wonderful facility and went hand in hand with Healthy Kingsport. She also commented on the library and its patronage. Vice-Mayor McIntire stated the agreement with Kingsport Power has been in place for 99 years, noting the new agreement was a major event and thanked all the staff involved to allow it to move forward. Mayor Clark commented on the meetings of the post summit groups. He also thanked the students from Mr. Good's class for being present.

C. VISITORS. None.

**Minutes of the Regular Business Meeting of the Board of Mayor and Aldermen
of the City of Kingsport, Tennessee, Tuesday, February 2, 2016**

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Clark adjourned the meeting at 8:07 p.m.

ANGELA MARSHALL
Deputy City Recorder

JOHN CLARK
Mayor



AGENDA ACTION FORM

Amend Zoning of the Arch Street Property, Located at the Intersection of Arch Street and Roller Street

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-32-2016
 Work Session: February 15, 2016
 First Reading: February 16, 2016

Final Adoption: March 1, 2016
 Staff Work By: Ken Weems
 Presentation By: Ken Weems

Recommendation:

- Hold public hearing.
- Approve ordinance amending the zoning ordinance to rezone parcels 6, 17, 18, 19, and 20 from R-4, Medium Density Apartment District to R-5, High Density Apartment District.

Executive Summary:

This is an owner-requested rezoning of approximately 1.7 acres located at the intersection of Arch Street and Roller Street from R-4 to R-5. The purpose of the rezoning request is to permit development of an 18-unit apartment building. As of February 1, 2016, the Planning Department has not received any public comment on the rezoning proposal. During their January 2016 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a favorable recommendation for the rezoning to the Board of Mayor and Aldermen. The Notice of Public Hearing was published on February 1, 2016.

Attachments:

1. Notice of Public Hearing
2. Zoning Ordinance
3. Staff Report

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on February 16, 2016 to consider the rezoning for parcels 6, 17, 18, 19, and 20 of tax map 46H located off Arch Street from R-4 District to R-5 District. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

BEGINNING at a point, said point being the northern corner of parcel 20, Tax Map 46H; thence in a southeasterly direction, crossing into the centerline of Roller Street, approximately 355 feet to a point, said point lying on the centerline of Roller Street; thence in a southwesterly direction, following the centerline of Roller Street, approximately 140 feet to a point, said point lying at the intersection of the centerline of Roller Street and the centerline of Arch Street; thence in a northwesterly direction, following the centerline of Arch Street, approximately 130 feet to a point, said point lying on the centerline of Arch Street; thence in a southwesterly direction, crossing over Arch Street, approximately 170 feet to a point, said point being the southern corner of parcel 6; thence in a northwesterly direction, approximately 48 feet to a point, said point being a western corner of parcel 6 in common with the southeastern boundary of parcel 10; thence in a northeasterly direction, approximately 50 feet to a point, said point being the eastern corner of parcel 10; thence in a northwesterly direction, approximately 120 feet to a point, said point being the eastern corner of parcel 11.10; thence in a northeasterly direction, crossing onto the centerline of Arch Street, approximately 120 feet to a point, said point lying on the centerline of Arch Street; thence in a northwestern direction, following the centerline of Arch Street, approximately 60 feet to a point, said point lying on the centerline of Arch Street; thence in a northeasterly direction, crossing over Arch Street, approximately 140 feet to the point of BEGINNING, and being all of parcels 6, 17, 18, 19, and 20, as well as a portion of Arch Street, approximately 330 feet in length and a portion of Roller Street, approximately 140 feet in length, Tax Map 46H, as shown on the August 2015 Sullivan County Tax Maps.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the City Manager, Kingsport Library, and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Angie Marshall, Deputy City Clerk
PIT: 2/1/16

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO ARCH STREET FROM R-4, MEDIUM DENSITY APARTMENT DISTRICT TO R-5, HIGH DENSITY APARTMENT DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezone property adjacent to Arch Street from R-4, Medium Density Apartment District to R-5, High Density Apartment District in the 11th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

BEGINNING at a point, said point being the northern corner of parcel 20, Tax Map 46H; thence in a southeasterly direction, crossing into the centerline of Roller Street, approximately 355 feet to a point, said point lying on the centerline of Roller Street; thence in a southwesterly direction, following the centerline of Roller Street, approximately 140 feet to a point, said point lying at the intersection of the centerline of Roller Street and the centerline of Arch Street; thence in a northwesterly direction, following the centerline of Arch Street, approximately 130 feet to a point, said point lying on the centerline of Arch Street; thence in a southwesterly direction, crossing over Arch Street, approximately 170 feet to a point, said point being the southern corner of parcel 6; thence in a northwesterly direction, approximately 48 feet to a point, said point being a western corner of parcel 6 in common with the southeastern boundary of parcel 10; thence in a northeasterly direction, approximately 50 feet to a point, said point being the eastern corner of parcel 10; thence in a northwesterly direction, approximately 120 feet to a point, said point being the eastern corner of parcel 11.10; thence in a northeasterly direction, crossing onto the centerline of Arch Street, approximately 120 feet to a point, said point lying on the centerline of Arch Street; thence in a northwestern direction, following the centerline of Arch Street, approximately 60 feet to a point, said point lying on the centerline of Arch Street; thence in a northeasterly direction, crossing over Arch Street, approximately 140 feet to the point of BEGINNING, and being all of parcels 6, 17, 18, 19, and 20, as well as a portion of Arch Street, approximately 330 feet in length and a portion of Roller Street, approximately 140 feet in length, Tax Map 46H, as shown on the August 2015 Sullivan County Tax Maps.

SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION III. 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 _____

Arch Street Rezoning

Property Information			
Address 406 Roller St., 646 Arch St., 657 Arch St., Kingsport, TN 37660			
Tax Map, Group, Parcel Map 46H, Parcels 6, 17, 18, 19, & 20			
Civil District 11			
Overlay District n/a			
Land Use Designation Industrial and Single Family			
Acres 1.7 acres +/-			
Existing Use Multi-family and vacant		Existing Zoning	R-4
Proposed Use 18 unit apartment bldg		Proposed Zoning	R-5
Owner /Applicant Information			
Name: James Phillips Address: 832 Ridgefields Rd City: Kingsport State: TN Zip Code: 37660 Phone: (423) 863-3998		Intent: <i>To rezone from R-4 (Medium Density Apartment District) to R-5 (High Density Apartment District) to accommodate an 18 dwelling unit apartment building.</i>	
Planning Department Recommendation			
<p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> The R-5 zone proposal is appropriate for the area in that the end result will be an apartment building that contains the same density as the existing R-4 designation would have provided prior to the density calculation switch from Floor Area Ratio (FAR) to units per acre. The Arch Street area is transitioning from a single-family land use area to a multi-family land use area. <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> In March of 2014, a zoning text amendment was passed by the Planning Commission and Board of Mayor and Alderman that switched density calculations in multi-family zoning districts from FAR to units per acre. An unintended consequence of this action is that developers desiring to build smaller apartment units were penalized due to a higher amount of units per acre compared to multi-family developments with larger apartments. The density proposal for 657 Arch Street would have been accommodated under the old R-4 density requirements, but must now require a successful rezoning to R-5 to achieve a density of 18 units on an approximate .53 acre site. The current units per acre allotment for an R-4 district is 20 units per acre. The current units per acre allotment for an R-5 district is 40 units per acre. The previous guideline that used FAR to calculate density is as follows: R-4 permitted a FAR of .7, or approximately 16,160 square feet of floor area for this rezoning site size (approximately .53 acres). The developer is proposing approximately 12,960 square feet of floor area. In addition to 657 Arch Street, both 646 Arch Street and 406 Roller Street are included in the rezoning area. Both 646 Arch St and 406 Roller St. are owned by the rezoning applicant and both contain existing apartment buildings that are similar in size and scope to the proposal. Upon successful rezoning, both existing apartment building will be in compliance with the recent units per acre density calculation for R-5 districts. As of January 15, 2016, the planning department has not received any public comment about the rezoning. 			

Kingsport Regional Planning Commission

Rezoning Report

File Number 16-101-00001

Planner:	Ken Weems	Date:	January 15, 2016
Planning Commission Action		Meeting Date:	January 28, 2016
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS	657 Arch St., 646 Arch St., and 406 Roller St.
DISTRICT	11
OVERLAY DISTRICT	n/a
EXISTING ZONING	R-4 (Medium Density Apartment District)
PROPOSED ZONING	R-5 (High Density Apartment District)
ACRES	1.7 +/-
EXISTING USE	Vacant land for 657 Arch St./ existing multi-family dwellings for both 646 Arch St. and 406 Roller St.
PROPOSED USE	An 18 unit apartment building for 657 Arch St.

PETITIONER

ADDRESS 832 Ridgefields Rd, Kingsport, TN 37660

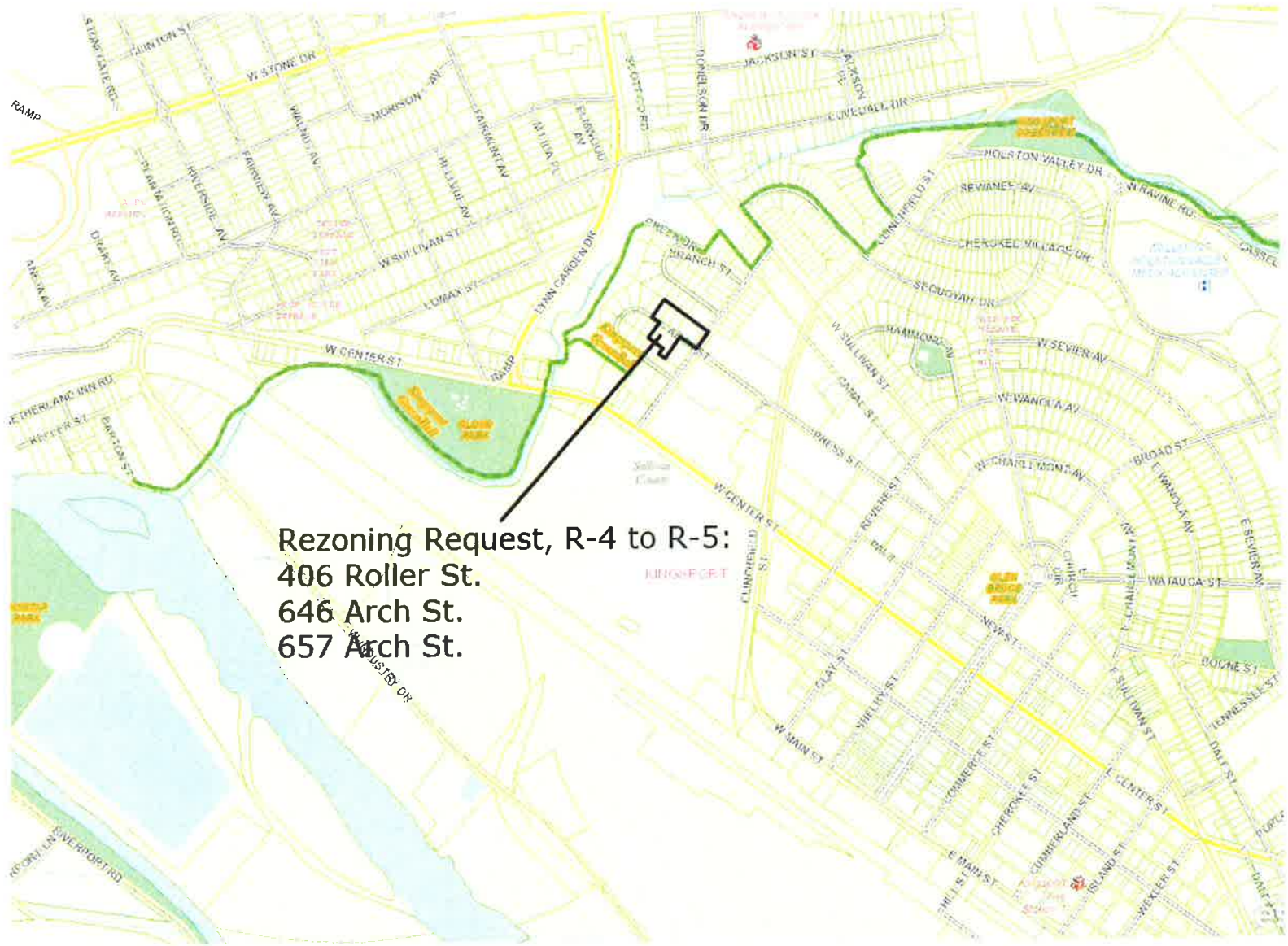
REPRESENTATIVE

PHONE (423) 863-3998

INTENT

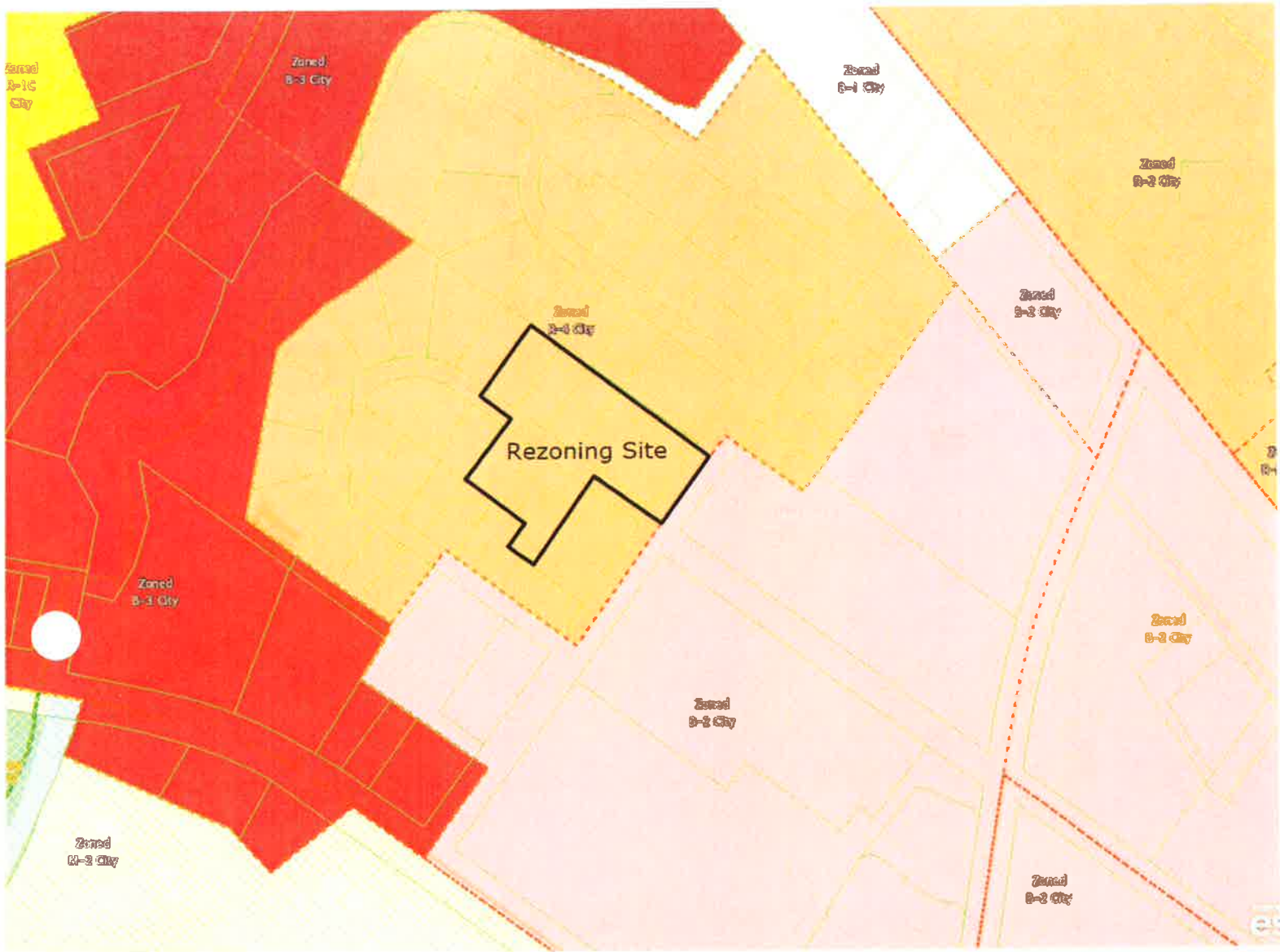
To rezone from R-4 (Medium Density Apartment District) to R-5 (High Density Apartment District) to accommodate an 18 dwelling unit apartment building.

Vicinity Map

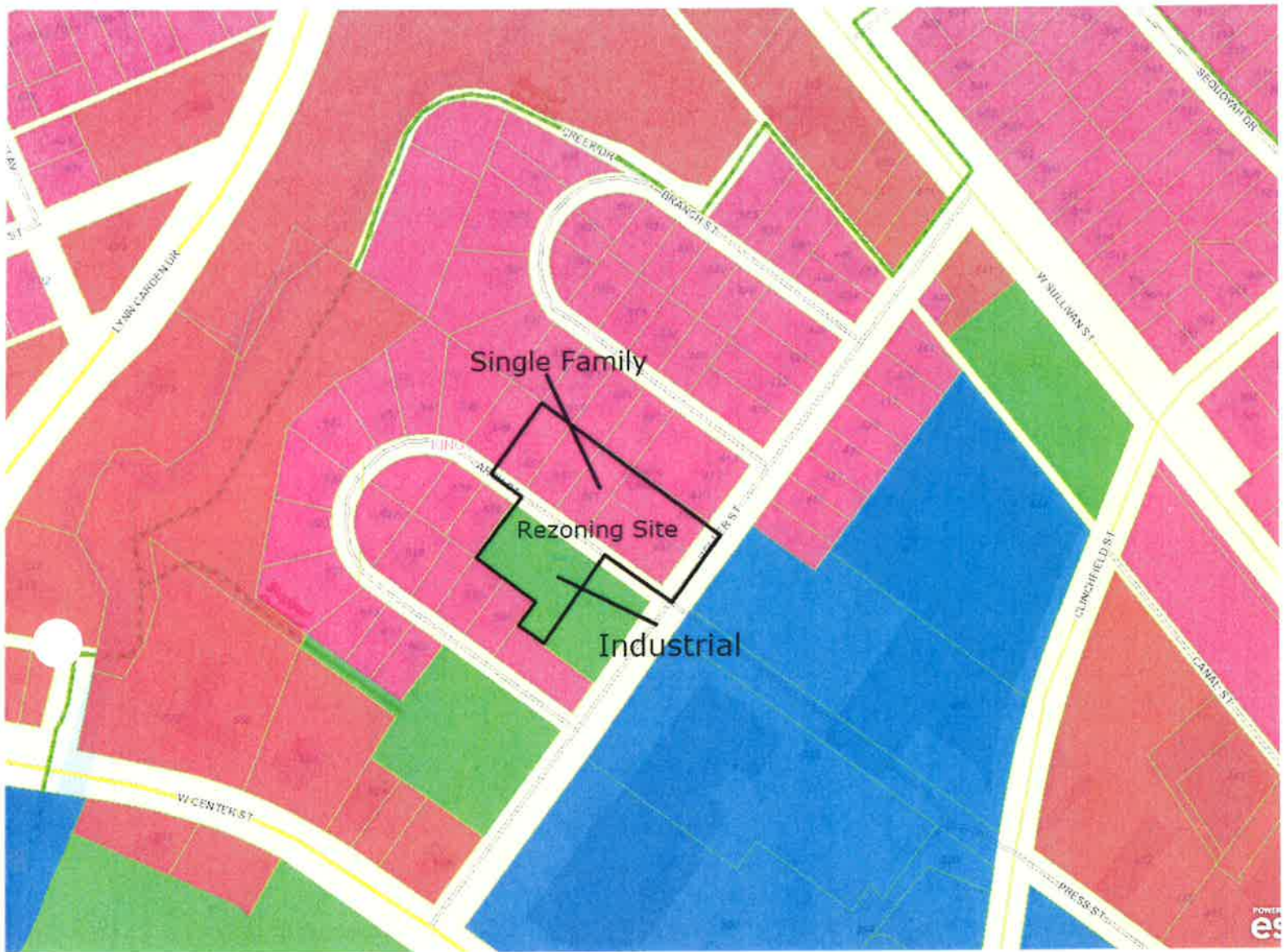


Rezoning Request, R-4 to R-5:
406 Roller St.
646 Arch St.
657 Arch St.

Surrounding Zoning Map



Future Land Use Plan 2030



Aerial



North View (Site of Proposed Apartment Building)



West View



South East View (Toward rear of Food City commercial complex)



North View (Existing apartments similar to the proposed apartments/ 406 Roller St.)



Southwest View (Existing apartments similar to the proposed apartments/ 646 Arch St.)

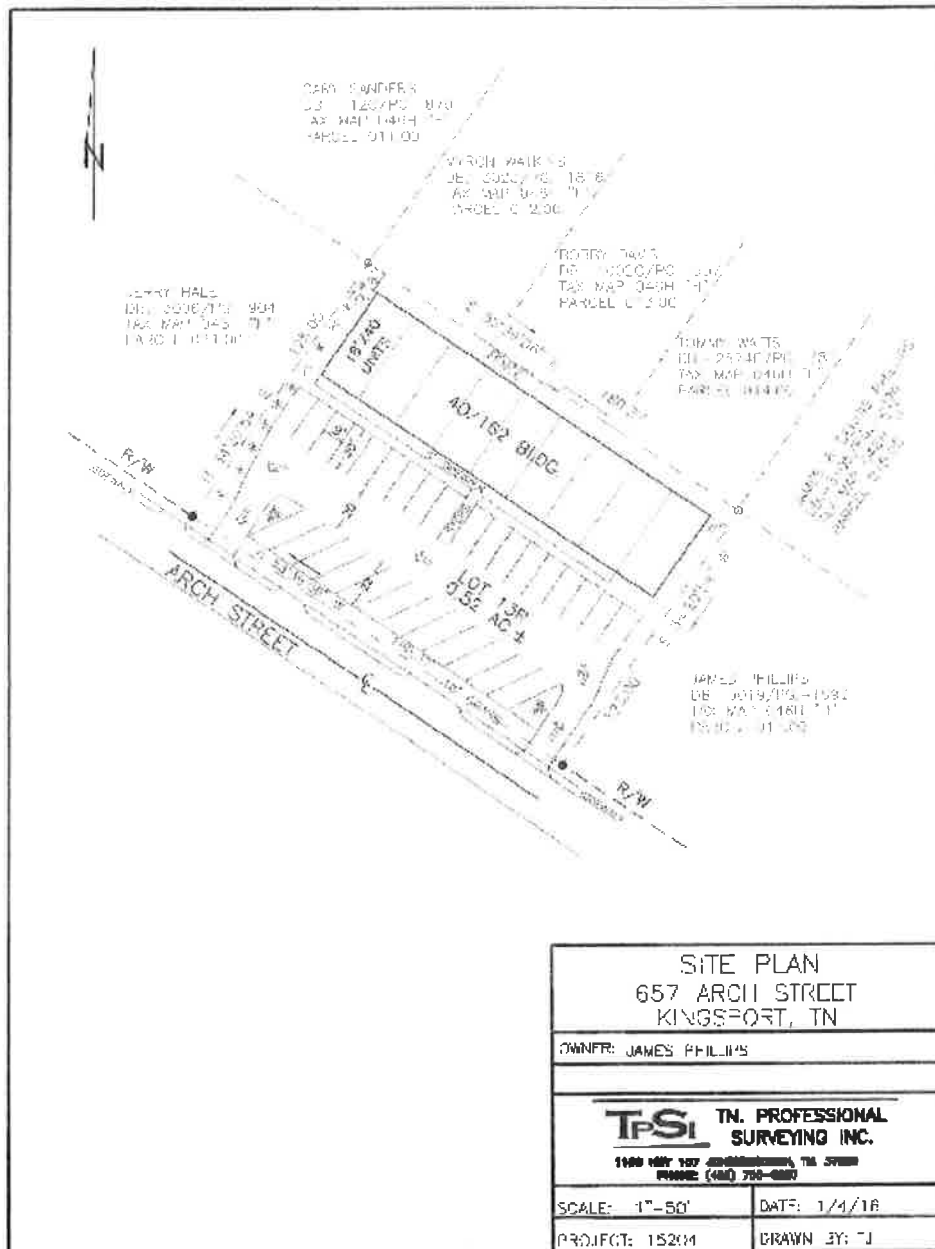


Existing Zoning/ Land Use Table

Location	Parcel / Zoning Petition	Zoning / Name	History Zoning Action Variance Action
North, East, Northwest	1	<u>Zone: City R-4</u> Use: single family	n/a
Further North and Northwest	2	<u>Zone: City B-3</u> Use: Greenbelt	637 Arch St was granted a Special Exception to operate a daycare in 1998
East	3	<u>Zone: City B-2</u> Use: parking for KCS Central Office	n/a
Further East	4	<u>Zone: City B-2</u> Use: Food City Shopping Center Complex	n/a
Southeast and South	5	<u>Zone: City B-2</u> Use: parking lot	n/a
Further South	6	<u>Zone: City B-3</u> Use: Kingsport Press CU parking lot	n/a
West	7	<u>Zone: City R-4</u> Use: single family	n/a

An aerial photograph of a residential neighborhood. A large, irregularly shaped lot in the center is outlined in orange and labeled 'KINGSLEY' in pink text. This lot is surrounded by several other residential lots, some of which are also outlined in green. Seven red numbers (1 through 7) are placed on the map to indicate specific areas of interest: 1 is in the upper central part, 2 is in the upper left, 3 is in the lower right, 4 is in the bottom right corner, 5 is in the bottom center, 6 is in the bottom left, and 7 is in the middle left. The map shows various houses, streets, and green spaces. Some street names like 'KINGSLEY' and 'SUNSHINE' are visible. There are also some numerical labels like '03D224', '03D225', '03D228', '03D236', '03D237', '03D238', '03D417', and '05199' scattered across the map.

Site Plan



Based on the applicant's site plan submitted to the Planning Department on January 5, 2016, Staff offers the following considerations:

DEVELOPMENT STANDARDS : R-5

District minimum requirements:

- Maximum density is 40 dwelling units per acre/ proposed density= 33.9 du/acre
- Parking required: 1.5 spaces per unit/ site plan identified parking: 1.66 spaces per unit

The ZDP indicates compliance with the development standards in an R-5 District.

Property Features

The rezoning site lies on both sides of Arch Street, located behind the Downtown Food City Shopping Center. The portion of the rezoning site that is proposed for development is currently a vacant lot pending rezoning consideration. Also included in the rezoning site is two additional parcels that both contain an existing apartment building that will be similar in style to the proposed apartment building.

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 a use that is suitable with adjacent property as multi-family use and zone.
- 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 proposed apartment units will be in keeping with the existing (recently constructed) apartments.
- 3. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property has a reasonable economic use as currently zoned. There is also a reasonable economic use for the proposed zone with similar density calculations to the adjacent apartments.
- 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 will not cause a burdensome use of existing streets, transportation facilities, or schools.

5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

Proposed use: 18 unit apartment building

The Future Land Use Plan Map recommends Single Family use and Industrial use.

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 support approval of the proposed rezoning.
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 related to the similar and surrounding R-4 District.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** The present district boundaries are logically drawn as is in comparison to the existing conditions.
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will not allow a special privilege to an individual as contrasted to the general welfare.

CONCLUSION

Staff recommends APPROVAL to rezone from R-4 to R-5. The proposal is in keeping with current and trending land use and density in the vicinity.



AGENDA ACTION FORM

Accept Donation from the Friends of the Kingsport Public Library for Transformer and Lighting for Outside Kingsport Public Library Sign and Appropriate Funds

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-38-2016
 Work Session: February 15 2016
 First Reading: February 16, 2016

Final Adoption: March 1, 2016
 Staff Work By: Helen Whittaker
 Presentation By: Morris Baker

Recommendation:

Approve the Resolution and Ordinance to accept the donation.

Executive Summary:

The *Friends of the Kingsport Public Library* is donating to the City \$1,087.00 to pay for 100 percent of the labor, equipment and materials (transformer, light fixtures, wiring, etc.) to provide lighting on both sides of the new outside Kingsport Public Library sign on the corner of New Street and Broad Street.

Attachments:

1. Resolution
2. Ordinance

Funding source appropriate and funds are available: 

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

RESOLUTION NO. _____

A RESOLUTION ACCEPTING A DONATION OF \$1,087.00 FROM
THE FRIENDS OF THE KINGSPORT PUBLIC LIBRARY FOR
LIGHTING FOR THE KINGSPORT PUBLIC LIBRARY SIGN

WHEREAS, the Friends of the Kingsport Public Library would like to donate \$1,087.00 for lighting for the new sign located outside at the Kingsport Public Library; and;

WHEREAS, the funds will help pay for the labor, equipment and materials, including the transformers, wiring, and light fixtures, to provide lighting on both sides of the new Kingsport Public Library sign.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the donation to the city from the Friends of the Library in the amount \$1,087.00 for lighting for the new Kingsport Public Library sign located outside, is accepted.

SECTION II. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 16th day of February, 2016.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL FUND
BUDGET BY APPROPRIATING DONATIONS
RECEIVED FOR THE YEAR ENDING JUNE 30,
2016; AND TO FIX THE EFFECTIVE DATE OF THIS
ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Fund budget be amended by appropriating donations received from the Friends of the Library in the amount of \$1,087 to the Public Library operating budget to purchase equipment and materials to provide lighting on both sides of the new Kingsport Public Library sign.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 110: General Fund			
<u>Revenues:</u>	\$	\$	\$
110-0000-364-3000 From Non-Profit Groups	125,575	1,087	126,662
Totals:	125,575	1,087	126,662
<u>Expenditures:</u>	\$	\$	\$
110-4540-474-9004 Equipment	4,800	1,087	5,887
Totals:	4,800	1,087	5,887

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

JOHN CLARK, Mayor

ATTEST:

APPROVED AS TO FORM:

ANGIE MARSHALL
Deputy City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____



AGENDA ACTION FORM

Agreement with Kingsport Economic Development Board for Economic Development in the Downtown Redevelopment District and Appropriation of Funds

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-36-2016
 Work Session: February 15, 2016
 First Reading: February 16, 2016

Final Adoption: March 1, 2016
 Staff Work By: Lynn Tully & Mike Billingsley
 Presentation By: Lynn Tully

Recommendation:

Approve the Resolution and Ordinance authorizing administration of the Façade & Redevelopment Grant Program by the KEDB and approve the budget Ordinance to provide funding in the amount of \$60,000.

Executive Summary:

We have for several years authorized the KEDB to administer the Downtown Façade & Redevelopment grant program. As the funds have dwindled over time, this resolution provides for additional funds for the program in the amount of \$60,000. The program has become increasingly successful, providing over \$586,000 in grant funds since 2007 in 57 different projects. The typical project receives an average of \$10,282 each at a 50% match.

Attachments:

1. Resolution for KEDB Funds
2. Ordinance to Transfer Budget Monies
3. KEDB Agreement
4. Revised Kingsport Downtown Façade Grant Program Application
5. Revised Kingsport Redevelopment Grant Program Application

Funding source appropriate and funds are available: Ja

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT WITH KINGSFORT ECONOMIC DEVELOPMENT BOARD FOR THE ECONOMIC DEVELOPMENT IN THE DOWNTOWN REDEVELOPMENT DISTRICT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, the Kingsport Economic Development Board (KEDB) has a Downtown Facade Grant program; and

WHEREAS, the city would like to make a contribution to KEDB for economic development, pursuant to T.C.A. § 6-54-118; and

WHEREAS, the city would like to enter into an agreement with KEDB for the contribution of the funds setting out certain terms for the contribution; and

WHEREAS, the agreement include the contribution of \$60,000.00 to KEDB for the administration of the Downtown Façade Grant Program;

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the board finds that slum and blight in the Downtown Redevelopment District inhibits economic development in the district.

SECTION II. That the funds contributed hereto to Kingsport Economic Development Board (KEDB) will assist in the economic development for the Downtown Redevelopment District.

SECTION III. That an agreement with Kingsport Economic Development Board (KEDB) for the Downtown Facade Grant program, is approved.

SECTION IV. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, a contribution agreement with Kingsport Economic Development Board (KEDB) for Economic Development in the Downtown Redevelopment District including for the Downtown Facade Grant program and all other documents necessary and proper, and to take such acts as necessary, to effectuate the purpose of the agreement or this resolution.

SECTION V. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION V. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION VI. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 16th day of February, 2016.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

ORDINANCE NO. _____

PRE-FILED
CITY RECORDER

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY TRANSFERRING FUNDS TO THE KINGSPORT ECONOMIC DEVELOPMENT BOARD FAÇADE PROGRAM FOR THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Fund budget be amended by transferring funds in the amount of \$60,000 from the Downtown project (NC1510) to fund the KEDB Façade program.

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
<u>Fund 110: General Fund</u>			
<u>Expenditures:</u>			
110-1005-405-8078 KEDB Façade Program	0	60,000	60,000
110-4804-481-7035 General Projec-Special Revenue Fund	681,989	(60,000)	621,989
<i>Totals:</i>	681,989	0	681,989

Fund 111: General Project-Spec. Rev. Fund
Downtown Project (NC1510)

<u>Revenues:</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>
111-0000-391-0100 From General Fund	119,045	(60,000)	59,045
<i>Totals:</i>	119,045	(60,000)	59,045

<u>Expenditures:</u>	<u>\$</u>	<u>\$</u>	<u>\$</u>
111-0000-601-2022 Construction Contracts	119,045	(60,000)	59,045
<i>Totals:</i>	119,045	(60,000)	59,045

SECTION II. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

JOHN CLARK, Mayor

ATTEST:

APPROVED AS TO FORM:

ANGELA L. MARSHALL
Deputy City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING: _____

PASSED ON 2ND READING: _____

AGREEMENT

This Agreement, made and entered into this ____ day of _____, 2016, by and between the City of Kingsport, Tennessee, with principal offices at 225 West Center Street, Kingsport, Tennessee, hereinafter called "**CITY**", and the Industrial Development Board of the City of Kingsport, Tennessee, having its principal at 151 East Main Street, Kingsport, Tennessee, hereinafter called "**KEDB**".

WITNESSETH:

WHEREAS, **KEDB** has a Downtown Façade and Redevelopment Program; and

WHEREAS, **CITY**, pursuant to T.C.A. § 6-54-118, is authorized to make a contribution to **KEDB** for economic development; and

WHEREAS, **KEDB** will report all activities for the program to **CITY**;

NOW, THEREFORE, the parties of this Agreement, for the considerations set forth below, do here and now agree and bind themselves to the following terms and conditions:

SECTION I PROJECT DESCRIPTION/STATEMENT OF WORK

A. Purpose of Program

The Downtown Façade and Redevelopment Program is an effort to prevent and/or eliminate blighting effects in the downtown area of **CITY** by providing façade improvement grants to properties in the Downtown Redevelopment District, thereby enhancing economic development in the Downtown Redevelopment District.

B. Method of Operation

CITY will provide a contribution to **KEDB** in the amount of \$60,000, which may be used for the program, as set out in the Downtown Facade Grant program guidelines, a copy of which attached as Exhibit A.

SECTION II RECORDS AND REPORTS

A. With guidance from **CITY**, and in order to document the slum and blight benefit, **KEDB** will maintain records that document that the program prevents slum and blighting effects and provides for economic development to the Downtown Redevelopment District.

B. While **KEDB** has funds contributed herein, it will prepare and submit to **CITY** an annual report describing its progress in the program.

C. **KEDB** will maintain books, records and documents in accordance with accounting procedures and practices which sufficiently and properly reflect all expenditures of funds provided by **CITY** under this Agreement.

D. **KEDB** will make all records/reports readily available for inspection by **CITY**, or any of its duly

authorized representatives for the purpose of making audit, examination, excerpts and transcriptions.

SECTION III OTHER REQUIREMENTS

A. **KEDB**, in compliance with Title VI of the Civil Rights Act of 1964 and of the Housing and Community Development Act of 1974, agrees that no person shall on the grounds of race, color, national origin, sex, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any activity funded in whole or in part these funds.

B. To the extent allowed by state law **KEDB** agrees that it will indemnify and hold **CITY** harmless from and against any and all claims, damages, liabilities and expenses, including attorney fees and court costs arising out of or in connection with this Agreement or due to the failure of **KEDB** to comply with any and all statutes and regulations applicable under this Agreement.

IN WITNESS WHEREOF, the parties have by their duly authorized representatives set out their signatures.

CITY OF KINGSPORT

JOHN CLARK, Mayor

Date

ATTEST:

APPROVED TO AS TO FORM:

JAMES H. DEMMING, City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE

BILL DUDNEY, Chair

Date

Kingsport Downtown Façade Grant Program

APPLICATION

Contact: Vanessa Bennett
Kingsport Economic Development Board
Kingsport, TN 37660
423-392-8813

APPLICANT INFORMATION

Name:
Phone:
Referred by:

FOR OFFICE USE ONLY

Application Date:	
Approval Date:	Amount:
Tax ID number:	

PROPERTY OWNER INFORMATION

Name:	Years Owned:	
Address:	Phone:	
City:	State:	Zip:
Type of Ownership:	Owner's Signature-Improvements Approved:	

BUSINESS AND / OR PROJECT INFORMATION

Name of Business:	Business / Project Owner's Name:	
Address:	Phone:	
City:	State:	Zip:
Type of Business:	Upper floor use (if applicable):	

PROPOSED IMPROVEMENTS

Storefront Improvements:	
Upper Façade Improvements:	
Other Improvements:	
Estimated Cost of Eligible Improvements:	Grant Amount Requested:

Check appropriately:

☐ I own the property in consideration ☐ I lease the property in consideration

I have read the Downtown Façade Grant Program and Design Guidelines. I understand that if the proposal is approved, I will make the above improvements to the property within the specified time allowed.

APPLICANT'S SIGNATURE:

DATE:



Kingsport Downtown Façade Grant Program

INTAKE SHEET

Applicant Information

Company Name _____

Name of Individual: First _____ Middle Initial _____ Last _____

Contact Address _____ City _____ State _____ Zip Code _____

Telephone _____

Estimated Date of Completion: _____

Additional Description of Work (*attach design plans if applicable*):

This Section for Office Use Only:

Submittals:

- | | | |
|---|------------------------------|--------------------------|
| <input type="checkbox"/> Photos (<i>Before and After improvement if applicable</i>) | Color samples | <input type="checkbox"/> |
| <input type="checkbox"/> Cost Estimates | Material samples | <input type="checkbox"/> |
| <input type="checkbox"/> Design Plans (<i>if applicable</i>) | Façade Maintenance Agreement | <input type="checkbox"/> |
| <input type="checkbox"/> Quotes for completion | Additional Information | <input type="checkbox"/> |

APPLICANT'S SIGNATURE:



DATE:

Program Guidelines

The **PURPOSE** of the Facade Grant Program is to encourage the revitalization of building facades and to improve the aesthetics of the City's Central Business District with grant assistance through the Kingsport Economic Development Board (KEDB), for the City of Kingsport, Tennessee.

Eligibility Requirements

Please check each box to indicate acceptance of the eligibility requirement. Work that does not comply with the eligibility requirements is subject to reduction or retraction of award.

- ☐ All projects must be located within the established Central Business District
- ☐ All work must be done on a street facing side of an existing building
- ☐ All work must be done on the exterior of the building and result in a publicly visible improvement.
- ☐ The Building may be Existing or New Construction ("New" is a completely new structure on a clear site completed within the grant period)
- ☐ All work must be in compliance with approved Building and Fire Codes
- ☐ All work must be appropriate according to the Downtown Façade Grant Program's design guidelines.
- ☐ Project Cost must exceed \$1,000 to be considered for a façade grant.
- ☐ Live and work studios should be classified as a commercial or mixed use building. Staff will conduct a site visit.
- ☐ Routine maintenance such as painting, masonry, and lighting must be part of a larger renovation project.
- ☐ New construction projects are eligible to apply for enhancements to the original design including upgraded materials, etc.
- ☐ Property owner must agree to maintain the property upon completion of the work.

Projects that are not Eligible

The following types of Projects or Properties are not eligible for the Downtown Façade Grant Program:

Projects/work completed prior to the last funding year (generally before April of the prior year)

Tax delinquent property

Property whose owner has any other tax delinquent property

Tax Exempt Property

Property in litigation

Property in condemnation or receivership

Properties purchased from the city may be considered on a case by case basis

National Franchises or Retail Chain Stores

Work on the rear or unseen roof of the building is not eligible for a façade grant.

Downtown Façade Grant funds cannot be used to correct outstanding code violations, for property damaged by collision, acts of nature or occurrences covered by insurance.

Landscaping, Fences & Gates not integral to the façade of the building

Security systems

Air Conditioning and Heating Upgrades

Vinyl Awnings

Program Guidelines

General Criteria

For a period of one year after the establishment of the program by the Board of Mayor and Alderman, façade improvement grants will be available for properties located within the established Central Business District. After the first year, the program will be evaluated for potential continued funding and expansion to other areas within the City.

Only one award will be allowed per property per year. Properties which are awarded multiple awards over several years may receive a reduced award based on amount of previous awards, completion and quality of work performed on previous awards.

Plans for rehabilitation of structures should respect the architectural integrity of the entire building and the neighboring streetscape.

Materials that are compatible in quality, texture, finish and dimension to those previously approved projects in the district are encouraged.

Façade grants are not intended to be a partial solution to building in obvious disrepair and neglect. For these properties, the applicant must show a comprehensive proposal for the entire building's rehabilitation that would meet the current building and zoning codes in order to bring the property into occupiable condition.

Tenants may qualify for grant funding with the written consent of the owner of the building.

The City of Kingsport/KEDB/Façade Grant Review Committee will not be a party in negotiations between the applicant and contractors employed by the applicant. The applicant agrees to hold the aforementioned harmless of an defects in workmanship, liability, damages, or other costs relative to the project.

Goals of the Program

It is hoped that in addition to preserving the building facades, the program will:

- ❖ Provide an incentive for complete rehabilitation of the structures and construction of new structures in harmony with the character of the district.

Rehabilitation means the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient, contemporary use while preserving those portions which are significant to its historic, architectural and cultural values.

- ❖ Maintain a quality image consistent with the character of the surrounding area and the Downtown Design Guidelines for any New construction.
- ❖ Encourage the use of historic and architecturally significant commercial buildings in a manner that would continue to draw the public to the downtown.
- ❖ Increase the investment in downtown and raise property values for tenants and owners.
- ❖ Eliminate blighting influences and prevent deterioration of commercial properties in the Downtown Business District
- ❖ Conserve important existing building stock.

Program Guidelines

Application Review

Staff will determine if the application package that is submitted is sufficiently complete to review, and will forward the application to the Façade Grant Committee.

The Façade Grant Committee meets quarterly to review and score the applications. All applications are reviewed on a competitive basis. Eligible application packages are due 30 days prior to their meeting date.

The application package will be reviewed by the Façade Grant Committee to determine whether the project should receive a grant and determine the amount of the award. In making the determination, the committee will consider the following factors and will score higher those projects that are in a priority area or show additional efforts to meet the following criteria:

Will the project foster the use of the ground-floor storefront space as retail-dining-service-entertainment space which encourages pedestrians to look inside through windows?

Will the project preserve any original architectural features which remain?

Will the project eliminate/correct previous remodeling which has covered up original architectural features?

Will the improvements employ new materials in ways which don't obscure the building's original character (i.e. vinyl, aluminum or stucco or other treatment over unpainted brick.)?

Will the project improve the entire building frontage on the street (particularly the front façade)?

Will the materials used in the improvement have lasting durability?

Will the project substantially leverage more property investments than the required matching amount of the grant?

Will the grant result in an improvement that would not be made otherwise?

Does the project comply with the Downtown Façade Grant Program's Design Guidelines?

Required Materials for Application

*Application packages must include enough documentation to illustrate the visual impact of the project and its costs. **Failure to provide required information will delay the review process.** The items submitted should include:*

- ☐ **A completed application form**
- ☐ **Written consent from property owner giving permission to conduct façade improvements.**
- ☐ **Color photographs of existing conditions (*before and after if applicable*)**
- ☐ **Samples of materials and colors to be used**
- ☐ **Any other documentation necessary to illustrate the visual impact of the proposed project completion schedule.**
- ☐ **Submit quotes from licensed contractors for the proposed work.** In lieu of quotes receipts for work completed from same will be accepted. These proposals should give detailed information about the work to be done, the costs, and the project completion schedule
- ☐ **Owners or merchants who are in contracting business and intend to perform work on their own properties or businesses, must furnish at least one quote other than their own to be done.**
- ☐ **Owners and merchants may also perform work on their own buildings; however, they will not be reimbursed for their time while acting as contractor and/or installing material. **Material costs are reimbursable; however, documentation must be produced for the expense.****
- ☐ **Completed Façade Maintenance Agreement**
- ☐ **HZC Certificate of Appropriateness (*as applicable*)**

Program Guidelines

Award Reimbursement

Reimbursement shall be limited to no more than 50% of the total cost of eligible improvements, not to exceed \$15,000 per building. All necessary government approvals, building permits, and taxes are not eligible items for reimbursement.

Projects involving minor improvements to a single 25' wide storefront are typically awarded a maximum of \$5,000.

Applications Timeline:

- ❖ **March 1** - Applications Due for **April Review**
- ❖ **June 1** - Applications Due for **July Review**
- ❖ **September 1** - Applications Due for **October Review**
- ❖ **December 1** - Applications Due for **January Review**
- ❖ **Quarterly Review Meetings** - Scores and deliberations considered by Façade Grant Review Committee
- ❖ **Approx. 1 Week following Review** - Awards announced and monies begin eligibility for disbursement

The Façade Grant Committee reserves the right to refuse reimbursements in whole or in part for work that:

- Does not conform to the program design guidelines.
- ***Do not conform to the proposals submitted with your application and approved by the Façade Grant Committee.***
- Are not commensurate with the workmanship and cost customary to the industry
- Are not completed within 180 days. Since the Façade Grant Committee cannot reserve funds indefinitely, your grant may be subject to cancellation if not completed or significant progress hasn't been made by the completion date. ***Request for extensions will be considered only if made in writing and progress towards completion has been demonstrated.***

Required Materials for Reimbursement

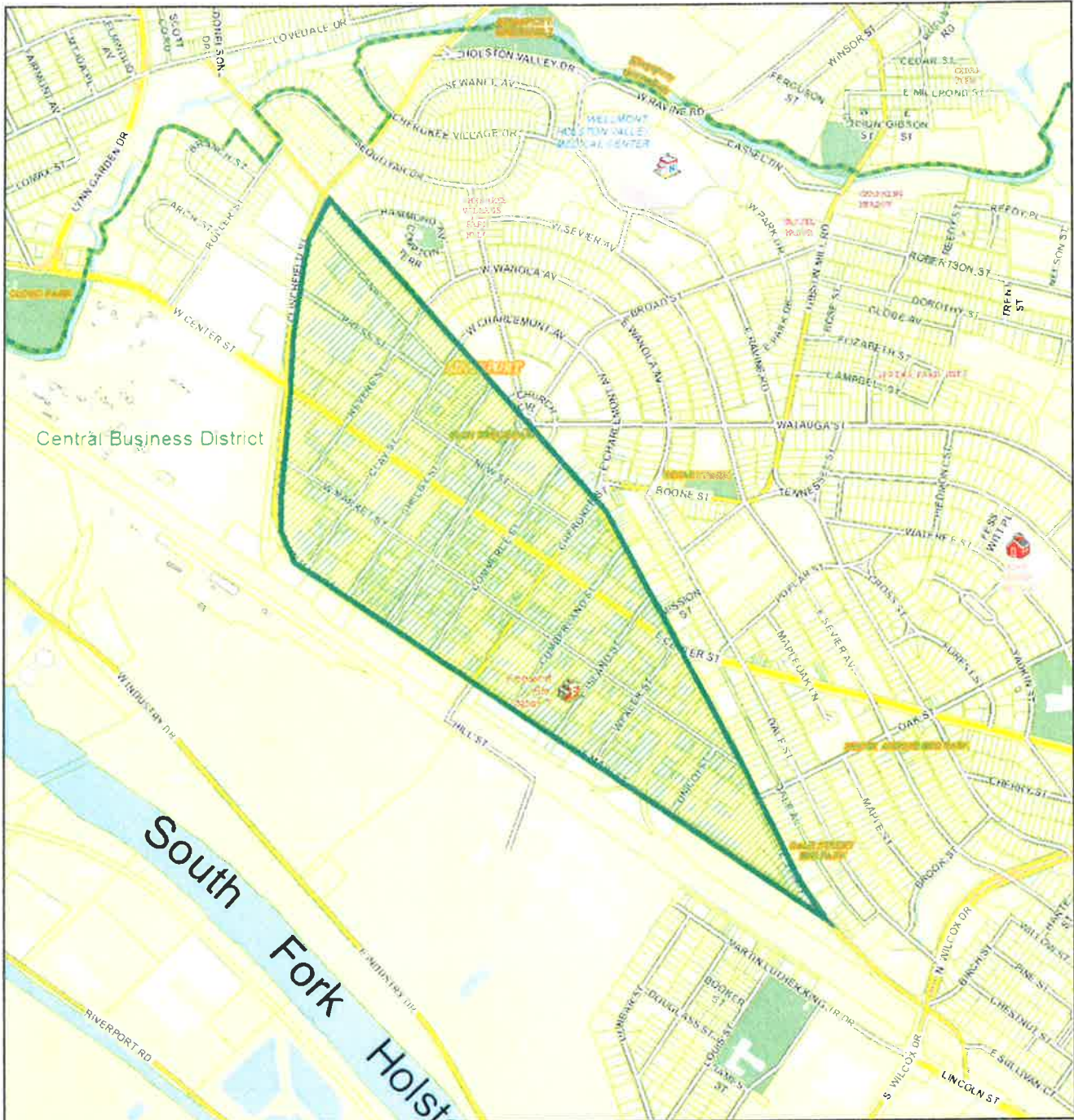
City Development Staff will inspect work to ensure that it complies with the approved plans. Upon completion please contact the Planning and Community Development Director at 423-229-9485 for an inspection. ***Any changes to the approved plan will require a written request from the applicant and approval by the Façade Grant Committee in order to retain the façade grant.***

Reimbursement can be expected in approximately **three (3) to six (6) weeks** after all of the following documentation has been submitted

- Copies of all paid invoices, canceled checks, and or bank statements for all of the façade work covered by grant. These must equal at least the required matching amount plus the amount of the owner investment. The invoices must be marked paid, signed, and dated by the contractors. ***Cash payments are not accepted.***
- Lien waivers cannot be substituted for canceled checks or bank statements.
- **Color photographs of completed project.**
- **Grantee is responsible for obtaining any permits required to complete the project. Cost of permitting cannot be part of the grant funding. Copies of the approved permits must be submitted prior to reimbursement.**
- **Certificate of Occupancy or Completion from the office of the Building Official**
- **Certificate of Appropriateness from Historic Zoning Commission (if applicable)**

Records of all plans, and fund disbursements will be kept by KEDB.

Central Business District Map



1,029 ft

Central Business District Applicability Map

Internal Use Only

Scoring and Eligibility Worksheet

Grant Amount Requested: _____

- A. Completed Application:
- B. Will the project foster the use of the ground-floor storefront space as retail-dining-service-entertainment space which encourages pedestrians to look inside through windows?
- C. Will the project preserve any original architectural features which remain?
- D. Will the project eliminate/correct previous remodeling which has covered up original architectural features?
- E. Will the improvements employ new materials in ways which don't obscure the building's original character (i.e. paint, vinyl, aluminum or stucco over unpainted brick.)?
- F. Will the project improve the entire building frontage on the street (particularly the front façade)?
- G. Will the materials used in the improvement have lasting durability?
- H. Will the project substantially leverage more property investments than the required matching amount of the grant?
- I. Will the grant result in an improvement that would not be made otherwise?
- J. Does the project comply with the Downtown Façade Grant Program's Design Guidelines?
- K. Is the project located on Broad Street as a significant downtown destination area?

Projects receiving less than 5 points shall not be eligible for funding.

Tally

Circle one:

- | | |
|---|--------|
| A. Yes - 1 | No - 0 |
| B. Yes - 2 | No - 1 |
| C. Yes - 2 or 3 | No - 1 |
| <i>Optional 3 pts. for significant arch. features</i> | |
| D. Yes - 3 | No - 0 |
| E. Yes - 1 | No - 0 |
| F. Yes - 3 | No - 1 |
| G. Yes - 2 | No - 1 |
| H. Yes - 3 or 4 | No - 1 |
| <i>Optional 4 pts. for full remodel of building</i> | |
| I. Yes - 1 | No - 0 |
| J. Yes - 2 | No - 0 |
| K. Yes - 2 | No - 1 |

Total Score: _____

Rank: _____

Approved funding: _____

Downtown Façade Design Guidelines

The Downtown Façade Design Guidelines outline the standards, which should be followed when renovating buildings using a façade grant. These design guidelines take into consideration a building's historic significance in determining what would be an appropriate treatment. Projects that affect city-designated historic buildings also require a separate review by the City of Kingsport Historic Zoning Commission.

These guidelines will also assist property owners in understanding the context of the built environment in Kingsport's Downtown, and to help owners when they are faced with decisions about alterations and new construction. Also, for property owners faced with decisions about the repair, maintenance, rehabilitation and demolition of a building. These guidelines are not a rigid set of rules, rather, their purpose is to provide information to property owners and tenants about buildings, their distinct characteristics and suggest various appropriate ways to address design, repair, and rehabilitation issues.

The Design Guidelines are further explained through the use of photographs and illustrations. Examples given should not be considered the only appropriate options. In most cases, there are numerous possible solutions that meet the intention of the design guidelines, as well as the needs of the property owner. Simply because a design approach is not listed or illustrated does not mean that it is not acceptable.

How are the Design Guidelines Used?

Property owners, agents, developers, tenants and architects should use these guidelines when considering applying for a Façade Grant. This will help establish an appropriate direction for design. The applicant should refer to the guidelines at the outset to avoid efforts that later may be inappropriate.

The guidelines are employed in two ways during the grant review process:

- The Façade Grant Review Committee will use the guidelines when considering the appropriateness of grant monies to be expended for the application
- The Façade Grant Review Committee will also use the guidelines when considering level of grant funding awarded.

While it guides an approach to certain design problems by offering alternative solutions, it does not dictate a specific outcome and it does not require a property owner to instigate improvements that are not contemplated. The committee will consider the proposed projects on a case-by-case basis to determine if an adequate number of the relevant guidelines have been met. However, there is no set number of guidelines that must be met to gain approval. In making its determination, the committee's overall goals are to ensure that the proposed work complies with the goals of the program and that the overall character of the Downtown is enhanced. The design guidelines provide an objective basis for determining that these goals will be achieved.

I. Façade

The façade is the entire exposed exterior surface of a building that fronts a public street and contains the building's principal entrance. Any elevation not containing the main entrance but fronting on a public street exposed to public view will be considered a secondary elevation. Secondary Elevations may also be eligible for façade grants.

Downtown Façade Design Guidelines

II. Storefronts

It is the intent of these guidelines that most buildings should have storefront-type glazing facing the street. When alterations are made to the first floor levels of buildings that presently have more opaque wall treatments, the façade grant program will usually require that storefront type glazing be installed that could accommodate retail uses in the future.

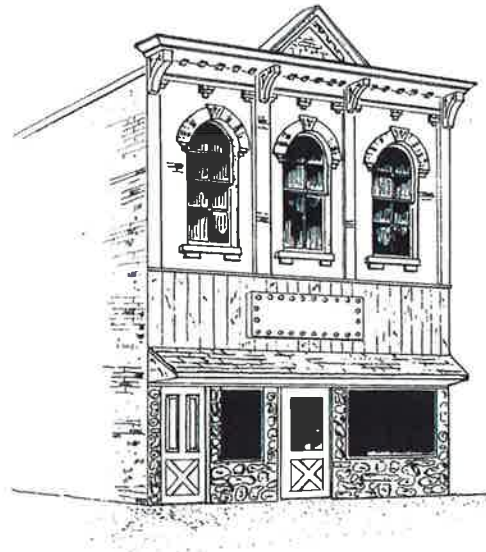
If an existing storefront is to be replaced, the new storefront should be traditional in character and include an appropriately designed bulkhead panel; large, undivided areas of clear glass display windows; a glazed transom surmounted by a storefront cornice; and a traditional, fully glazed storefront floor. The new storefront should fill the full height of the original masonry opening. Display windows should be of clear glass in pieces as large as is practical. ***Tinted or reflective glazing is not recommended.***

For historic buildings, all structural and decorative elements should be repaired or replaced to match or be compatible with the original materials and design of the building to the greatest extent possible. Buildings, that are an integral element of a historic streetscape, should reflect and complement the character of the surrounding area to the greatest extent possible.

See the following for Pictorial example:



Storefront Before and After



BEFORE

1. UPPER CORNICE
2. BRACKET
3. CORBELLED BRICK DECORATION
4. WINDOW HOOD MOLDING
5. DOUBLE HUNG WINDOW UNIT
6. STOREFRONT CORNICE
7. SIGN ZONE
8. TRANSOM WINDOW
9. DISPLAY WINDOW
10. MASONRY PIER
11. DOUBLE LEAF ENTRY DOOR
12. DOOR TO UPPER FLOOR
13. BULKHEAD
14. ENTRY RECESS

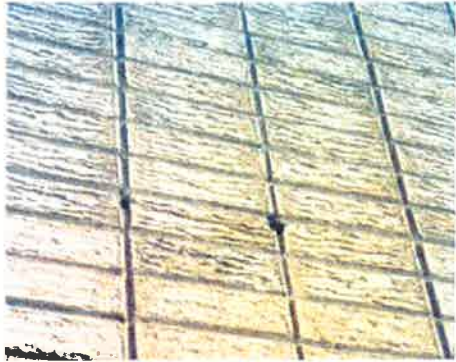


AFTER

Downtown Façade Design Guidelines

II. Masonry

Unpainted brick, stone or terra cotta should not be painted or covered. Previously painted masonry may be painted. If it is necessary to remove paint or clean unpainted masonry, use the gentlest methods possible. Sandblasting and other abrasive cleaning methods are not recommended. Repaint defective mortar by matching the original in color, style, texture and strength. Repair or replace deteriorated masonry with new masonry that duplicates the original material as closely as possible.



Textured Masonry Surface or Brick in a Vertical Bond



Brick or Terra Cotta



Stone Patterns

Downtown Façade Design Guidelines

III. Upper Story Windows

Retain original upper story window openings that are visible from the public right-of-way. Retain the present configuration of window panes and sashes except when historic photographs indicate a more original condition. Avoid making additional openings or changes in the principal elevations by enlarging or reducing window-opening sizes. The intent is to restore the original window configuration not to create new designs. If the replacement of a window sash is necessary, the replacement should duplicate the appearance and design of the original window sash to the extent possible.

Avoid the filling-in or covering of openings with materials like glass-block. Avoid using modern style window units such as horizontal sliding sash, or fixed sash in place of double hung sash. Do not replace round head windows with square top windows.



Note the use of rounded top windows in the second story although they are painted



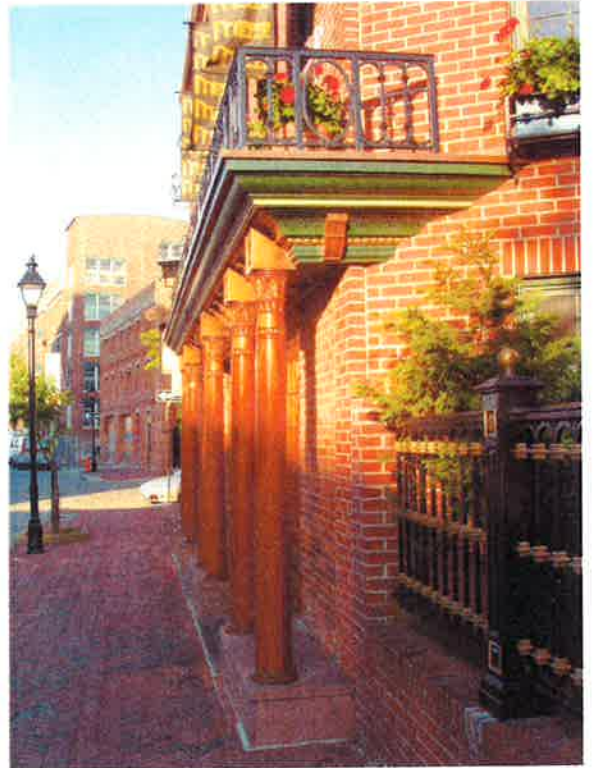
Note the difference in the second story windows – Use of fixed glass versus the sashed windows in the adjoining building

XII. Trim and Ornamentation

Retain and repair or replace character giving trim ornamentation including, but not limited to, window caps, carved stone work, ornamental plaques, storefront cornices and eaves cornices. Replacement should attempt to match the design, dimensions and material of the original trim and ornamentation.



Note the Detailed cornices at the Entrances



**Additional
Option for
New
Construction
Projects**

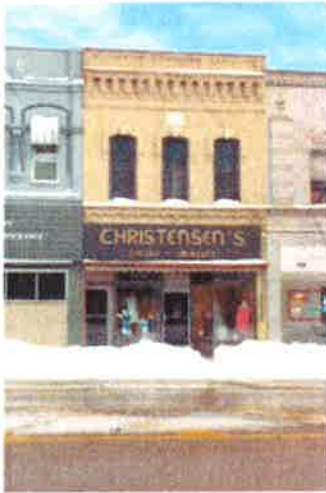


XIII. Awnings

Awnings should be crafted to complement the age, style and scale of the building. Generally, traditional shed awnings are appropriate for most historic window, door, and storefront installations. It is preferable that these awnings should be made of canvas or neoprene impregnated fabric instead of shiny vinyl with free-hanging valances, the flapping bottom pieces are characteristic of historic awnings. Fabric or fixed metal awning materials may be acceptable. Quarter-round awnings, modern mansard awnings, and other contemporary commercial designs with distended, fixed valances have no precedent in traditional awning design and are usually inappropriate for historic buildings. Backlit awnings and dome awnings are usually inappropriate.



XIV. Signage

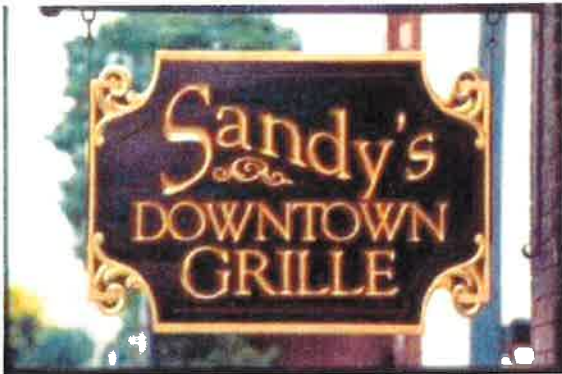


Fascia signs, placed on the fascia or horizontal band between the storefront and the second floor, were common nineteenth century signage. The fascia is often called the "signboard," and as the word implies, provided a perfect place for a sign—then as now and such signs usually gave little more than the name of the business and perhaps a street number. Modern internally lit box signs are not recommended.

Neon signage is generally discouraged.



Signs in the form of **plaques, shields, and ovals** were used on many nineteenth-century buildings. Such signs had the advantage of being easily replaced as tenants came and went. They also easily incorporated images as well as lettering.



Hanging Signs are signs that project from a buildings wall and are supported by metal brackets. These signs can come in all shapes and sizes and are sometimes made in the likeness of objects and symbols associated with an actual type of business. These signs should project no more than four feet from the face of the building and should not obscure the signage of other nearby businesses. The signs and brackets should be designed to complement the architecture of the building and mounted in the mortar joints of masonry buildings. All projecting signs should be hung within the base zone of the building or parallel to the second story window. Internally lit and moving projecting signs are not recommended.

Display Window Lettering, is another common type of storefront signage that is painted on or etched into the interior side of display windows and glazed entry doorways. These signs should consist of lettering and/or a logo, and should not cover more than 1/5 of the area of the glass panel, and should not obscure the display area.

Transom Signs, are typically made of leaded glass letters that are built into the transom above the storefront display window or door. This can be illuminated at night with backlighting or illuminated from the lower interior part of the store lights. These signs can be made today by leaded glass craft workers and can be made as easily to remove panels.

Awning Signs, allow the fringe or skirt of the awning, as well as the panel at the side as typical placement for a name or street number. Lettering on the main part of the awning is generally not permitted.



XV. Security Gates and Bars

The installation of exterior, permanent or retractable security gates or bars is highly discouraged. They are out of character with the architecture; create an impression that the area is unsafe, and ultimately hurt business. Less obstructive retractable interior security gates, security devices, alarm systems or unbreakable glazing material are preferred alternative security measures. Please note, the listed items are not considered as an eligible façade cost.

At right is an unusually sensitive security treatment



XVI. Exterior Lighting

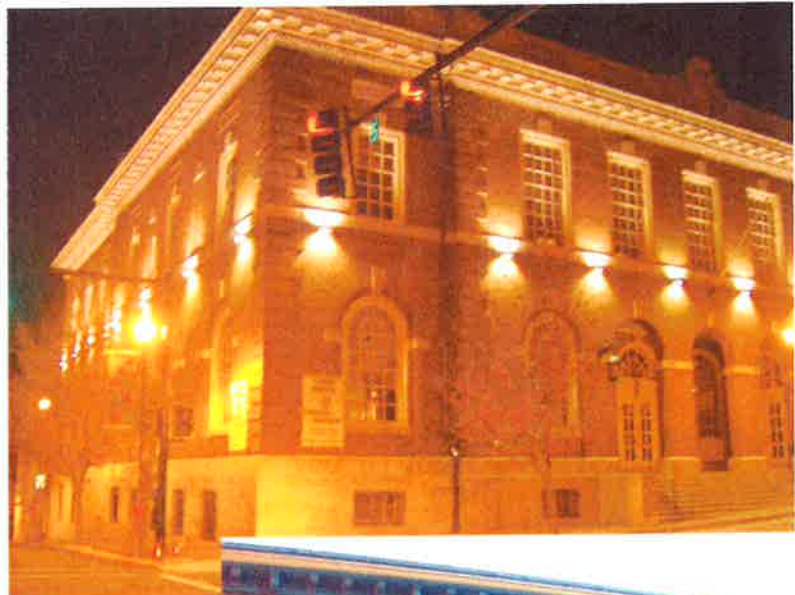
Spot or flood lighting to highlight the architectural detailing of a building should be inconspicuous and blend with the wall on which it is mounted. No lights should move, flash or make noise.

XVII. Other Exterior Elements

Existing exterior fire escapes, ladders, standpipes, vents, etc. should either be painted to blend with the wall on which it is mounted.

XVIII. Landscaping & Fencing

In some projects landscaping and fencing will be considered. Simply installing fencing around a parking lot or a portion of the parking lot will generally not qualify for a façade grant. If fencing is part of a larger renovation project, it will be considered only if the fence has extraordinary architectural character such as a wrought iron fence with masonry piers. Common fences such as stockade, bound-on board, picket and chain link would not be eligible for a façade grant. Planter or retaining walls should be built of materials of the adjacent buildings. Generally, brick or other suitable masonry units would be considered while certain types of interlocking concrete block, landscaping timers, sidewalks, and curbs would not be eligible.



Kingsport Redevelopment Grant Program

APPLICATION

Contact: Vanessa Bennett
Kingsport Economic Development Board
Kingsport, TN 37660
423-392-8813

APPLICANT INFORMATION

Name:
Phone:
Referred by:

FOR OFFICE USE ONLY

Application Date:	
Approval Date:	Amount:
Tax ID number:	

PROPERTY OWNER INFORMATION

Name:	Years Owned:	
Address:	Phone:	
City:	State:	Zip:
Type of Ownership:	Owner's Signature-Demolition Approved:	

BUSINESS AND / OR PROJECT INFORMATION

Name of Business:	Business / Project Owner's Name:	
Address:	Phone:	
City:	State:	Zip:
Type of Business:	Upper floor use (if applicable):	

PROPOSED DEMOLITION and IMPROVEMENTS

Describe extent of Demolition:	
Describe planned Improvements:	
Other Improvements:	
Estimated Cost of Demolition:	Grant Amount Requested:

Check appropriately:

☐ I own the property in consideration ☐ I lease the property in consideration

I have read the Downtown Redevelopment Grant Program Guidelines. I understand that if the proposal is approved, I will make the above improvements to the property within the specified time allowed.

APPLICANT'S SIGNATURE:

DATE:



.....

Kingsport Demolition Grant Program

INTAKE SHEET

Applicant Information

Company Name _____

Name of Individual: First _____ Middle Initial _____ Last _____

Contact Address _____ City _____ State _____ Zip Code _____

Telephone _____

Estimated Date of Completion: _____

Additional Description of Work (*attach plans if applicable*):

This Section for Office Use Only:

Submittals:

- ☐ Photos (*Before and After improvement if applicable*)
- ☐ Cost Estimates
- ☐ Demolition Plans (*if applicable*)
- ☐ Quotes for completion
- ☐ Additional Information

APPLICANT'S SIGNATURE:



DATE:

Program Guidelines

The **PURPOSE** of the Redevelopment Grant Program is to encourage the revitalization of building sites with special emphasis on improvement of the aesthetics in the City's Central Business District with grant assistance through the Kingsport Economic Development Board (KEDB), for the City of Kingsport, Tennessee.

Eligibility Requirements

Please check each box applicable to indicate acceptance of the eligibility requirement. Work that does not comply with the eligibility requirements is subject to reduction or retraction of award.

- ☐ All projects must be located within the City Limits of the City of Kingsport
- ☐ Please also check if project is within the Central Business District (*if not leave blank*)
- ☐ All work must result in a publicly visible improvement.
- ☐ Demolition is all of an existing structure
OR
- ☐ Demolition is a portion of an existing structure
- ☐ Project includes preparation of a building for Interior tenant finish work (*if not leave blank*)
- ☐ All work must be in compliance with approved Building and Fire Codes
- ☐ All work must be appropriate according to the Downtown Redevelopment Grant Program's guidelines.
- ☐ Project Cost must exceed \$1,000 to be considered for a demolition grant.
- ☐ Property owner must agree to maintain the property upon completion of the work.

Projects that are not Eligible

The following types of Projects or Properties are not eligible for the Downtown Façade Grant Program:

Projects/work completed prior to the last funding year (generally before April of the prior year)

Tax delinquent property

Property whose owner has any other tax delinquent property

Tax Exempt Property

Property in litigation

Property in condemnation or receivership

Properties purchased from the city may be considered on a case by case basis

National Franchises or Retail Chain Stores

Work on the rear or unseen roof of the building is not eligible for a façade grant.

Redevelopment Grant funds cannot be used to correct outstanding code violations, for property damaged by collision, acts of nature or occurrences covered by insurance.

Program Guidelines

General Criteria

For a period of one year after the establishment of the program by the Board of Mayor and Alderman redevelopment grants will be available for properties located within the City of Kingsport. After the first year, the program will be evaluated for potential continued funding and expansion to other areas within the City.

Only one award will be allowed per property per year. Properties which are awarded multiple awards over several years may receive a reduced award based on amount of previous awards, completion and quality of work performed on previous awards.

Plans for rehabilitation of structures should respect the architectural integrity of the entire building and the neighboring streetscape.

Redevelopment grants are not intended to be a partial solution to a building in obvious disrepair and neglect. For these properties, the applicant must show a comprehensive proposal for the entire site's redevelopment that would meet the current building and zoning codes in order to bring the property into occupiable condition.

Tenants may qualify for grant funding with the written consent of the owner of the building.

The City of Kingsport/KEDB/Redevelopment Grant Review Committee will not be a party in negotiations between the applicant and contractors employed by the applicant. The applicant agrees to hold the aforementioned harmless of any defects in workmanship, liability, damages, or other costs relative to the project.

Goals of the Program

It is hoped that in addition to providing an incentive to redevelop dilapidated sites, the program will:

- ❖ Provide an incentive for rehabilitation of structures and construction of new structures in harmony with the character of the district.

Rehabilitation means the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient, contemporary use while preserving those portions which are significant to its historic, architectural and cultural values.

- ❖ Maintain a quality image consistent with the character of the surrounding area and the City of Kingsport for any New construction.
- ❖ Encourage the use of historic and architecturally significant commercial buildings in a manner that would continue to draw the public to the downtown.
- ❖ Increase the investment in downtown and raise property values for tenants and owners.
- ❖ Eliminate blighting influences and prevent deterioration of commercial properties in the Downtown Business District
- ❖ Conserve important existing building stock.

Program Guidelines

Application Review

Staff will determine if the application package that is submitted is sufficiently complete to review, and will forward the application to the Façade Grant Committee.

The Redevelopment Grant Committee meets quarterly to review and score the applications. All applications are reviewed on a competitive basis. Eligible application packages are due 30 days prior to their meeting date.

The application package will be reviewed by the Redevelopment Grant Committee to determine whether the project should receive a grant and determine the amount of the award. In making the determination, the committee will consider the following factors and will score higher those projects that are in a priority area or show additional efforts to meet the following criteria:

Will the project preserve any original architectural features which remain?

Will the project improve the entire building frontage on the street?

Will the project substantially leverage more property investments than the required matching amount of the grant?

Will the grant result in an improvement that would not be made otherwise?

How long has the property remained vacant/unused?

Is the project located within the Downtown Business District?

Required Materials for Application

*Application packages must include enough documentation to illustrate the visual impact of the project and its costs. **Failure to provide required information will delay the review process.** The items submitted should include:*

- ☐ **A completed application form**
- ☐ **Written consent from property owner giving permission to conduct demolition**
- ☐ **Color photographs of existing conditions (*before and after if applicable*)**
- ☐ **Any other documentation necessary to illustrate the visual impact of the proposed project completion schedule.**
- ☐ **Owners or merchants who are in contracting business may also perform work on their own buildings.**
- ☐ **Expected value of the improvement upon completion – include the basis for the estimate.**
- ☐ **HZC Certificate of Appropriateness (*as applicable*)**

Program Guidelines

Award Reimbursement

Reimbursement shall be limited to no more than 10% of the total value of the improvements, not to exceed \$20,000 per site. All necessary government approvals, building permits, and taxes are not eligible items for reimbursement.

Applications Timeline:

- ❖ **March 1** - Applications Due for **April Review**
- ❖ **June 1** - Applications Due for **July Review**
- ❖ **September 1** - Applications Due for **October Review**
- ❖ **December 1** - Applications Due for **January Review**

- ❖ **Quarterly Review Meetings** - Scores and deliberations considered by Façade Grant Review Committee

- ❖ **Approx. 1 Week following Review** - Awards announced and monies begin eligibility for disbursement

The Redevelopment Grant Committee reserves the right to refuse reimbursements in whole or in part for work that:

- ***Do not conform to the proposals submitted with your application and approved by the Redevelopment Grant Committee.***
- Are not commensurate with the workmanship and cost customary to the industry
- Are not completed within 180 days. Since the Redevelopment Grant Committee cannot reserve funds indefinitely, your grant may be subject to cancellation if not completed or significant progress hasn't been made by the completion date. ***Request for extensions will be considered only if made in writing and progress towards completion has been demonstrated.***

Required Materials for Reimbursement

City Development Staff will inspect work to ensure that it complies with the approved plans. Upon completion please contact the Planning and Community Development Director at 423-229-9485 for an inspection. ***Any changes to the approved project will require a written request from the applicant and approval by the Redevelopment Grant Committee in order to retain the grant.***

Receipt of funds can be expected in approximately **three (3) to six (6) weeks** after all of the following documentation has been submitted

- **Color photographs of completed project.**
- **Grantee is responsible for obtaining any permits required to complete the project. Cost of permitting cannot be part of the grant funding. Copies of the approved permits must be submitted prior to reimbursement.**
- **Certificate of Occupancy or Completion from the office of the Building Official**
- **Certificate of Appropriateness from Historic Zoning Commission *(if applicable)***

Records of all plans, and fund disbursements will be kept by KEDB.

Scoring and Eligibility Worksheet

Tally

Grant Amount Requested: _____

Circle one:

- A. Completed Application:**

- B. Will the project preserve any original architectural features which remain?**

- C. Will the project improve the entire building frontage on the street?**

- D. Will the project substantially leverage more property investments than the required matching amount of the grant?**

- E. Will the grant result in an improvement that would not be made otherwise?**

- F. Has the property remained vacant/unused for more than two years?**

- G. Is the project located within the Downtown Business District?**

- A. Yes - 1 No - 0**

- B. Yes - 2 or 3 No - 1**
Optional 3 pts. for significant arch. Features

- C. Yes - 2 No - 1**

- D. Yes - 3 No - 0**

- E. Yes - 1 No - 0**

- F. Yes - 3 No - 1**

- G. Yes - 2 No - 1**

Projects receiving less than 7 points shall not be eligible for funding.

Total Score: _____

Rank: _____

Approved funding: Yes or No

Funding Amount: _____



AGENDA ACTION FORM

Budget Cleanup Ordinance for FY16

To: Board of Mayor and Aldermen
From: Jeff Fleming, City Manager

Action Form No.: AF-37-2016
Work Session: February 15, 2016
First Reading: February 16, 2016

Final Adoption: March 1, 2016
Staff Work By: Judy Smith
Presentation By: Jeff Fleming

Recommendation: Approve the Ordinance.

Executive Summary:

The ordinance will transfer \$200,000 from the Visitors Enhancement Fund to the Bays Mountain Improvement project for the Bays Mountain Park Wedding Venue. Funds will be transferred from the Street Resurfacing project in the amount of \$100,000 to purchase salt for snow removal. \$129,279 will be transferred from the Radio Towers project and from the East Stone Commons TIF to General Projects and \$5,595 will be transferred to the Litigation Contingency project for future road litigations. A total of \$232,202 will be transferred into the 2016 Road Design project from the Tranbarger Chadwick improvement project, Wilcox Court Intersection Improvement project and from the 2011 GO Road Design project. Funds in the amount of \$17,024 will be transferred from the Greenbelt Park System project (GP8805) to the Greenbelt Park System project (GP1616) in the amount of \$16,775 and the remaining \$249 will be transferred to the Greenbelt Development project. The old projects will be closed. Donations were made to the Veterans Memorial in the amount of \$9,811 from individuals, non-profits and corporations. This ordinance will appropriate those funds.

The ordinance will transfer \$2,118 from the Fordtown Road Water Line Relocation project to the Facilities Improvements project in the amount of \$50, to the Welcome Center/Waterline project in the amount of \$367 and \$1,701 to the Water Line Improvement project. The Fordtown Road Water Line Relocation project, Facilities Improvement project and the Welcome Center/Waterline project will be closed. Sewer funds will be moved from the Sewer Litigation Contingency project (SW0309) to a new Sewer Litigation project (SW1608) in the amount of \$13,666 and close SW0309.

The ordinance will transfer \$88,767 from the Storm Water Infrastructure project to the Reedy Creek Land/Improvement project to the Byerly purchase property in five annual installments.

Attachments:

1. Ordinance

Funding source appropriate and funds are available: 

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AMEND VARIOUS PROJECTS FOR
THE YEAR ENDING JUNE 30, 2016; AND TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. That the General Project Fund and General Project Special Revenue Fund budgets be amended by transferring \$200,000 from the Visitors Enhancement Fund to the Bays Mountain Improvements project (GP1509), by transferring \$100,000 from the Street Resurfacing project to the State Street Aid operating budget for salt, by transferring \$84,279 from the Radio Towers project (GP1504) to General Projects (NC1605), by transferring \$50,000 from the East Stone Common TIF to General projects (NC1605) in the amount of \$45,000 and \$5,000 to the Litigation Contingency project (GP1614), by transferring \$595 from the Litigation Contingency project (GP0305) to the Litigation Contingency project (GP1614) by transferring \$6,645 from the Tranbarger Chadwick Improvement project (GP1519), by transferring \$21,615 from the Wilcox Court Intersection Improvements project (GP1530), by transferring \$232,020 from the 2011 GO Road Design (GP1208) to the 2016 Road Design project (GP1615) in the amount of \$260,280, by transferring \$6,231 from the Downtown project (NC1510) to the Downtown project (NC1606) and close the project, by transferring \$17,024 from the Greenbelt Park System project (GP8805) to the Greenbelt Park System project (GP1616) in the amount of \$16,775 and by transferring \$249 to the Greenbelt Development project (GP1617); and by amending the General project fund budget by appropriating \$9,811 in donations to the Veterans Memorial project (GP1540).

SECTION II. That the Water Project Fund budgets be amended by transferring \$417 from the Fordtown Rd WL Relocation project (WA0701) to the Facilities Improvements project (WA1001) in the amount of \$50 and by transferring \$367 to the Welcome Center/Waterline project (WA1301) and close projects WA0701, WA1001 and WA1301

SECTION III. That the Sewer Project Fund budget be amended by transferring \$13,666 from the Litigation Contingency project (GP0309) to the Litigation Contingency project (GP1608)..

SECTION IV. That the Storm Water Project Fund budgets be amended by transferring \$88,767 from the Storm Water Infrastructure project (ST1401) to the Reedy Creek Land/Imp project (ST1300).

<u>Account Number/Description:</u>	<u>Budget</u>	<u>Incr/<Decr></u>	<u>New Budget</u>
Fund 311: General Project Fund			
<u>Bays Mountain Improvements (GP1509)</u>			
<u>Revenues:</u>	\$	\$	\$
311-0000-368-1047 Series 2014A GO Bonds	274,951	0	274,951
311-0000-368-2101 Bond Sale Premium	28,791	0	28,791

311-0000-391-6900 From Visitors Enhancement	0	200,000	200,000
Totals:	303,742	200,000	503,742

Expenditures:	\$	\$	\$
311-0000-601-4041 Bond Sale Expense	3,742	0	3,742
311-0000-601-9003 Improvements	300,000	200,000	500,000
Totals:	303,742	200,000	503,742

Fund 135: Visitors Enhancement Fund

Revenues:	\$	\$	\$
135-0000-392-0100 Fund Balance Appropriation	164,000	77,200	241,200
Totals:	164,000	77,200	241,200

Expenditures:	\$	\$	\$
135-1015-405-9003 Improvements	122,832	(122,800)	32
135-4804-481-7036 To General Proj. Fund	0	200,000	200,000
Totals:	122,832	77,200	200,032

Fund 111: General Project-Special Rev. Fund
Street Resurfacing (NC1600)

Revenues:	\$	\$	\$
111-0000-391-0100 From General Fund	666,920	(100,000)	566,920
Totals:	666,920	(100,000)	566,920

Expenditures:	\$	\$	\$
111-0000-601-2022 Construction Contracts	599,493	(100,000)	499,493
111-0000-601-2023 Arch/Eng/Landscaping	67,427	0	67,427
Totals:	666,920	(100,000)	566,920

Fund 110: General Fund

Revenues:	\$	\$	\$
110-4804-481-7035 General Proj-Special Rev	731,989	(50,000)	681,989
110-4804-481-7023 To State Street Aid Fund	1,175,900	100,000	1,275,900
110-4874-481-7424 East Stone Commons TIF	52,990	(50,000)	2,990
Totals:	1,907,889	0	1,960,879

Fund 121: State Street Aid Fund

Revenues:	\$	\$	\$
121-0000-391-0100 From General Fund	1,175,900	100,000	1,275,900
Totals:	1,175,900	100,000	1,275,900

Expenditures:	\$	\$	\$
121-4024-461-3038 Snow Removal Supplies	200,000	100,000	300,000
Totals:	200,000	100,000	300,000

Fund 311: General Project Fund
Radio Towers (GP1504)

Revenues:

311-0000-391-0100 From General Fund

Totals:

\$	\$	\$
225,000	(84,279)	140,721
225,000	(84,279)	140,721

Expenditures:

311-0000-601-2023 Arch/Eng/Landscaping

311-0000-601-9003 Improvements

Totals:

\$	\$	\$
0	7,793	7,793
225,000	(92,072)	132,928
225,000	(84,279)	140,721

Fund 111: General Project-Special Rev. Fund
General Projects (NC1605)

Revenues:

111-0000-391-0100 From General Fund

Totals:

\$	\$	\$
0	129,279	129,279
0	129,279	129,279

Expenditures:

111-0000-601-2020 Professional Consultant

111-0000-601-2022 Construction Contracts

111-0000-601-2023 Arch/Eng/Landscaping

111-0000-601-9004 Equipment

Totals:

\$	\$	\$
0	80,000	80,000
0	20,000	20,000
0	15,000	15,000
0	14,279	14,279
0	129,279	129,279

Fund 111: General Project-Special Rev. Fund
Downtown Project (NC1510)

Revenues:

111-0000-391-0100 From General Fund

Totals:

\$	\$	\$
59,045	(6,231)	52,814
59,045	(6,231)	52,814

Expenditures:

111-0000-601-2022 Construction Contracts

Totals:

\$	\$	\$
59,045	(6,231)	52,814
59,045	(6,231)	52,814

Fund 111: General Project-Special Rev. Fund
Downtown Project (NC1606)

Revenues:

111-0000-391-0100 From General Fund

Totals:

\$	\$	\$
0	6,231	6,231
0	6,231	6,231

<u>Expenditures:</u>	\$	\$	\$
111-0000-601-2022 Construction Contracts	0	6,231	6,231
<i>Totals:</i>	0	6,231	6,231

Fund 311: General Project Fund
Litigation Contingency (GP0305)

<u>Revenues:</u>	\$	\$	\$
311-0000-391-0100 From General Fund	27,000	(595)	26,405
<i>Totals:</i>	27,000	(595)	26,405

<u>Expenditures:</u>	\$	\$	\$
311-0000-601-2024 Legal Services	300	0	300
311-0000-601-9001 Land	26,700	(595)	26,105
<i>Totals:</i>	27,000	(595)	26,405

Fund 311: General Project Fund
Litigation Contingency (GP1614)

<u>Revenues:</u>	\$	\$	\$
311-0000-391-0100 From General Fund	0	5,595	5,595
<i>Totals:</i>	0	5,595	5,595

<u>Expenditures:</u>			
311-0000-601-9003 Improvements	0	5,595	5,595
<i>Totals:</i>	0	5,595	5,595

Fund 311: General Project Fund
Tranbarger Chadwick Imp (GP1519)

<u>Revenues:</u>	\$	\$	\$
311-0000-368-1047 Series 2014A GO Bonds	51,650	(6,645)	45,005
311-0000-368-2101 Bond Premium	9,597	0	9,597
<i>Totals:</i>	61,247	(6,645)	54,602

<u>Expenditures:</u>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	6,631	(375)	6,256
311-0000-601-4041 Bond Sale Exp.	1,247	0	1,247
311-0000-601-9001 Land	3,000	(761)	2,239
311-0000-601-9003 Improvements	50,369	(5,509)	44,860
<i>Totals:</i>	61,247	(6,645)	54,602

Fund 311: General Project Fund
Wilcox Ct. Intersect Impr. (GP1530)

<u>Revenues:</u>	\$	\$	\$
311-0000-368-1040 Series 2011GO Pub Imp	55,000	(21,615)	33,385
<i>Totals:</i>	55,000	(21,615)	33,385

Expenditures:

311-0000-601-2023 Arch/Eng/Landscaping
 311-0000-601-9003 Improvements

Totals:

\$	\$	\$
10,000	(5,103)	4,897
45,000	(16,512)	28,488
55,000	(21,615)	33,385

Fund 311: General Project Fund**Veterans Memorial (GP1540)****Revenues:**

311-0000-364-1000 Contributions/Individual
 311-0000-364-1020 From Corporations
 311-0000-364-3000 From Non-Profits
 311-0000-368-1047 2014 A GO Bonds
 311-0000-391-0100 From General Fund
 311-0000-391-6900 Visitor's Enhancement Fund

Totals:

\$	\$	\$
34,859	3,810	38,669
10,000	3,000	13,000
183,315	3,001	186,316
75,000	0	75,000
60,800	0	60,800
3,510	0	3,510
367,484	9,811	377,295

Expenditures:

311-0000-601-2022 Construction Contracts
 311-0000-601-2023 Arch/Eng/Landscaping
 311-0000-601-2075 Temporary Employees
 311-0000-601-3010 Office Supplies
 311-0000-601-3022 Maintenance Supplies

Totals:

\$	\$	\$
335,609	0	335,609
27,112	9,811	36,923
4,263	0	4,263
26	0	26
474	0	474
367,484	9,811	377,295

Fund 311: General Project Fund**Greenbelt Park System (GP8805)****Revenues:**

311-0000-332-7200 Dept. of Conservation
 311-0000-364-1000 Contributions/Individuals
 311-0000-368-1001 Bond Funds 1988
 311-0000-368-1002 Bond Funds 1989
 311-0000-368-1003 Bond Funds 1990
 311-0000-368-1005 Bond Funds 1992
 311-0000-368-1006 Bond Funds 1993
 311-0000-368-1007 Bond Funds 1994
 311-0000-391-0100 From General Fund

Totals:

\$	\$	\$
148,978	0	148,978
210	0	210
204,692	0	204,692
443,120	0	443,120
69,000	0	69,000
250,000	0	250,000
272,000	0	272,000
31,091	0	31,091
38,999	(17,024)	21,975
1,458,090	(17,024)	1,441,066

Expenditures:

311-0000-601-2010 Advertising & Publications
 311-0000-601-2022 Construction Contracts
 311-0000-601-2023 Arch/Eng/Landscaping
 311-0000-601-2080 Court Costs & Fees
 311-0000-601-2099 Miscellaneous

\$	\$	\$
193	0	193
730,455	0	730,455
333,412	(17,024)	316,388
16	0	16
6,440	0	6,440

311-0000-601-3020 Operating Supplies & Tools	2,300	0	2,300
311-0000-601-3022 Maintenance Supplies	1,929	0	1,929
311-0000-601-9001 Land	383,345	0	383,345
Totals:	1,458,090	(17,024)	1,441,066

Fund 311: General Project Fund

Greenbelt Park System (GP1616)

<u>Revenues:</u>	\$	\$	\$
311-0000-391-0100 From General Fund	0	16,775	16,775
Totals:	0	16,775	16,775

<u>Expenditures:</u>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	0	16,775	16,775
Totals:	0	16,775	16,775

Fund 311: General Project Fund

Greenbelt Park Development (GP1617)

<u>Revenues:</u>	\$	\$	\$
311-0000-391-0100 From General Fund	0	249	249
Totals:	0	249	249

<u>Expenditures:</u>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	0	249	249
Totals:	0	249	249

Fund 311: General Project Fund

2011 GO Road Design (GP1208)

<u>Revenues:</u>	\$	\$	\$
311-0000-368-1040 Series 2011GO Pub Imp	553,799	(232,020)	321,779
311-0000-368-2101 Bond Premium	12,238	0	12,238
Totals:	566,037	(232,020)	334,017

<u>Expenditures:</u>	\$	\$	\$
311-0000-601-2023 Arch/Eng/Landscaping	545,089	(232,020)	313,069
311-0000-601-4041 Bond Sale Exp	20,948	0	20,948
Totals:	566,037	(232,020)	334,017

Fund 311: General Project Fund

2016 Road Design (GP1615)

<u>Revenues:</u>	\$	\$	\$
311-0000-368-1040 Series 2011 GO Pub Imp	0	253,635	253,635
311-0000-368-1047 Series 2014A GO Bonds	0	6,645	6,645
Totals:	0	260,280	260,280

Expenditures:

311-0000-601-2023 Arch/Eng/Landscaping

Totals:

\$	\$	\$
0	260,280	260,280
0	260,280	260,280

Fund 451: Water Project Fund**Fordtown Rd W/L Reloc (WA0701)****Revenues:**

451-0000-361-2200 Int. LGIP

451-0000-391-4500 From Water Fund

Totals:

\$	\$	\$
0	2,138	2,138
468,701	(2,118)	466,583
468,701	20	468,721

Expenditures:

451-0000-605-2022 Construction Contracts

451-0000-605-2023 Arch/Eng/Landscaping

451-0000-605-9001 Land

Totals:

\$	\$	\$
439,798	20	439,818
21,486	0	21,486
7,417	0	7,417
468,701	20	468,721

Fund 451: Water Project Fund**Facilities Improvements (WA1001)****Revenues:**

451-0000-391-4500 From Water Fund

Totals:

\$	\$	\$
342,378	50	342,428
342,378	50	342,428

Expenditures:

451-0000-605-2022 Construction Contracts

451-0000-605-2023 Arch/Eng/Landscaping

Totals:

\$	\$	\$
306,280	(491)	305,789
36,098	541	36,639
342,378	50	342,428

Fund 451: Water Project Fund**Welcome Center/Waterline (WA1301)****Revenues:**

451-0000-337-9210 Appalachian Development

451-0000-391-4500 From Water Fund

Totals:

\$	\$	\$
200,000	0	200,000
0	367	367
200,000	367	200,367

Expenditures:

451-0000-606-2023 Arch/Eng/Landscaping

451-0000-605-9003 Improvements

Totals:

25,000	367	25,367
175,000	0	175,000
200,000	367	200,367

Fund 451: Water Project Fund
Water Line Improvements (WA1507)

<u>Revenues:</u>	\$	\$	\$
451-0000-391-4500 From Water Fund	1,181,056	1,701	1,182,757
<i>Totals:</i>	1,181,056	1,701	1,182,757
<u>ncExpenditures:</u>			
451-0000-605-9021 Capital Outlay /New Dist Lines	30,000	0	30,000
451-0000-605-9022 Capital Outlay/.Hydrants	80,000	0	80,000
451-0000-605-9023 Capital Outlay/New Meters	250,488	39,663	290,151
451-0000-605-9024 Replacement lines	100,000	0	100,000
451-0000-605-9025 Replacement Dist. Lines	720,568	(37,962)	682,606
<i>Totals:</i>	1,181,056	1,701	1,182,757

Fund 457: Storm Water Project Fund
Storm Water Infrastructure (ST1401)

<u>Revenues:</u>	\$	\$	\$
457-0000-391-9500 From Storm Water Fund	366,463	(88,767)	277,696
<i>Totals:</i>	366,463	(88,767)	277,696

<u>Expenditures:</u>	\$	\$	\$
457-0000-622-2022 Construction Contracts	211,663	(88,767)	122,896
457-0000-622-2023 Arch/Eng/Landscaping	38,800	0	38,800
457-0000-622-9001 Land	1,000	0	1,000
457-0000-622-9004 Equipment	115,000	0	115,000
<i>Totals:</i>	366,463	(88,767)	277,696

Fund 457: Storm Water Project Fund
Reedy Creek Land/lmp (ST1300)

<u>Revenues:</u>	\$	\$	\$
457-0000-391-9500 From Storm Water Fund	325,000	88,767	413,767
<i>Totals:</i>	325,000	88,767	413,767

<u>Expenditures:</u>	\$	\$	\$
457-0000-622-2022 Construction Contracts	160,000	(10,000)	150,000
457-0000-622-2023 Arch/Eng/Landscaping	10,000	(10,000)	0
457-0000-622-9001 Land	155,000	108,767	263,767
<i>Totals:</i>	325,000	88,767	413,767

Fund 452: Sewer Fund
Litigation Contingency (SW0309)

<u>Revenues:</u>	\$	\$	\$
452-0000-391-0912 2004 Wat. & Sew. Refunding	25,370	0	25,370
452-0000-391-4200 From Sewer Fund	25,000	(13,666)	11,334
<i>Totals:</i>	50,370	(13,666)	36,704

Expenditures:

452-0000-606-9001 Land

Totals:

\$	\$	\$	
50,370	(13,666)		36,704
50,370	(13,666)		36,704

Fund 452: Sewer Fund**Litigation Contingency (SW1608)****Revenues:**

452-0000-391-4200 From Sewer Fund

Totals:

\$	\$	\$	
0	13,666		13,666
0	13,666		13,666

Expenditures:

452-0000-606-9001 Land

Totals:

\$	\$	\$	
0	13,666		13,666
0	13,666		13,666

SECTION V. That this Ordinance shall take effect from and after its date of passage, as the law direct, the welfare of the City of Kingsport, Tennessee requiring it.

JOHN CLARK, Mayor

ATTEST:

APPROVED AS TO FORM:

JAMES H. DEMMING, City Recorder

J. MICHAEL BILLINGSLEY, City Attorney

PASSED ON 1ST READING:

PASSED ON 2ND READING:



AGENDA ACTION FORM

Ordinance to Amend the Code of Ordinances, Chapter 114-242(3) Building Permits

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-28-2016
 Work Session: February 1, 2016
 First Reading: February 2, 2016

Final Adoption: February 16, 2016
 Staff Work By: C. Shepherd
 Presentation By: C. Shepherd

Recommendation:

- Hold public hearing
- Approve ordinance amending the zoning ordinance to formalize the Historic Zoning Commission's Chairman expedited approval (in-house) approval

Executive Summary:

At the request of several historic district residents, staff has formally identified the procedure for the chairman expedited approval (in-house). When residents within historic zoning districts wish to make external improvements to their properties they must submit an application that includes specifics about the work to be done. If these projects are to be quite significant, the resident is required to come before the Kingsport Historic Zoning Commission to present the project. However, if the project is to be minor in nature (replacement of shingles, painting approved paint colors, or other minor cosmetic repairs, etc.), the Historic Zoning Commission Chairman in conjunction with staff, will approve the project without requiring the applicant's presence at an HZC meeting.

This informal process has been followed for at least a decade in an effort to make the HZC process as citizen-friendly as possible while honoring the intent of historic zoning. This ordinance change simply formalizes the process. The Notice of Public Hearing was published January 18, 2016.

Attachments:

1. Notice of Public Hearing
2. Ordinance
3. Staff Report - Zoning Text Amendment

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

Public Hearing and Consideration of Ordinance to Amend the Code of Ordinances, Chapter 114-242(3) Building Permits

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-28-2016

Work Session: February 1, 2016

First Reading: February 2, 2016

Final Adoption: February 16, 2016

Staff Work By: C. Shepherd

Presentation By: C. Shepherd

Recommendation:

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2. Ordinance
3. Staff Report - Zoning Text Amendment

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday February 2, 2016 to consider amending the Code of Ordinances to establish in-house approval procedures for the Kingsport Historic Zoning Commission. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

All interested persons are invited to attend this meeting and public hearing. A detailed description of the zoning text amendment is on file in the offices of the City Manager, City Library, and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Angie Marshall, Deputy City Clerk
P1T: 1/18/16

PRE-FILED CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES,
CITY OF KINGSPORT, TENNESSEE, SECTION 114-242(3) BY
ADDING A PARAGRAPH PERTAINING TO MINOR
IMPROVEMENTS; AND TO FIX THE EFFECTIVE DATE OF
THIS ORDINANCE

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

SECTION I. That Section 114-242(3), of the Code of Ordinances, City of Kingsport, Tennessee is hereby amended by adding the following:

(d) *Minor Improvements.* The historic zoning commission chairman in conjunction with the building official, 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 building official, or designee, agree the minor improvement substantially conforms to the guidelines for that historic district, the chairman is authorized to approve the minor improvement.

SECTION II. 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 _____

City Zoning Text Amendment: Historic Zoning Commission Chairman Expedited Approvals (In-House)

Property Information	City-wide		
Address			
Tax Map, Group, Parcel			
Civil District			
Overlay District			
Land Use Designation			
Acres			
Existing Use		Existing Zoning	
Proposed Use		Proposed Zoning	
Owner /Applicant Information			
Name: Kingsport Planning Department Address: 201 West Market St City: Kingsport State: TN Zip Code: 37660 Phone Number: (423)229-9485		Intent: To amend Sections 114-242 to establish in-house approval procedures for the Kingsport Historic Zoning Commission.	
Planning Department Recommendation			
The Kingsport Planning Division recommends APPROVAL for the following reasons: <ul style="list-style-type: none"> • This process has been in use for some time in order to expedite the historic zoning approval process for minor projects. • At the request of residents of the historic districts, staff has formally identified the procedure for the in-house approval process. • The Tennessee Historical Commission, a state agency whose goal is to protect and preserve historic properties throughout the state, has commended the Kingsport Historic Zoning Commission's use of the in-house approval process as a model of how the procedure should be conducted. 			
Planner:	Corey Shepherd	Date:	January 19, 2016
Planning Commission Action		Meeting Date:	January 28, 2016
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION**City-wide****INTENT**

At the request of several historic district residents, staff has formally identified the procedure for the chairman expedited approval (in-house). When residents within historic zoning districts wish to make external improvements to their properties they must submit an application that includes specifics about the work to be done. If these projects are to be quite significant, the resident is required to come before the Kingsport Historic Zoning Commission to present the project. However, if the project is to be minor in nature (replacement of shingles, painting approved paint colors, or other minor cosmetic repairs, etc.), the Historic Zoning Commission Chairman in conjunction with staff, will approve the project without requiring the applicant's presence at an HZC meeting.

This informal process has been followed for at least a decade in an effort to make the HZC process as citizen-friendly as possible while honoring the intent of historic zoning. This ordinance change simply formalizes the process.

Changes to the Current Zoning Code:**Sec. 114-242. – Building permits.****Add the following:**

- (3) (d) *Minor Improvements.* The historic zoning commission chairman in conjunction with the building official, 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 building official, or designee, agree the minor improvement substantially conforms to the guidelines for that historic district, the chairman is authorized to approve the minor improvement.

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 building official 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 building official to the historic zoning commission. In applying to the building official 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 building official 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 building official 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 building official, 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

building official, or designee, agree the minor improvement substantially conforms to the guidelines for that historic district, the chairman is authorized to approve the minor improvement.

(Code 1981, app. A, art. VI, § 5; Code 1998, § 114-285)

CONCLUSION

Staff recommends **APPROVAL** to amend Kingsport's zoning code pertaining to the Historic Zoning Commission Chairman's expedited approval process (in-house) as presented.



AGENDA ACTION FORM

Amend the Zoning Ordinance to Create the B-2E Central Business Edge District, to Better Accommodate Existing and Proposed Uses Downtown

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-12-2016
 Work Session: February 1, 2016
 First Reading: February 2, 2016

Final Adoption: February 16, 2016
 Staff Work By: Justin Steinmann
 Presentation By: Justin Steinmann

Recommendation:

- ~~Hold public hearing~~
- Approve ordinance amending the Zoning Ordinance to create the B-2E Central Business Edge District, to better accommodate existing and proposed uses downtown.

Executive Summary:

This zoning text amendment (ZTA) creates a new B-2E Central Business Edge District, including changes to permitted and prohibited uses; allowance for a greater setback for certain uses, changes to fenestration requirements; changes to cladding requirements, clarifications to concealment requirements and blade sign requirements, greater allowance for signage, allowance for reductions in landscape and screening requirements if public enhancements are proposed, and a reduction in the number of dwelling units that trigger residential parking requirements. During their January 2016 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a positive recommendation to approve this zoning text amendment to the Board of Mayor and Aldermen. The Notice of Public Hearing was published on January 18, 2016.

Please note that approval of AF 13-2016 is contingent upon approval of this item.

Attachments:

1. Notice of Public Hearing
2. Zoning Text Amendment in Ordinance Format
3. Staff Report

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

Amend the Zoning Ordinance to Create the B-2E Central Business Edge District, to Better Accommodate Existing and Proposed Uses Downtown

To: Board of Mayor and Aldermen
From: Jeff Fleming, City Manager

Action Form No.: AF-12-2016
Work Session: February 1, 2016
First Reading: February 2, 2016

Final Adoption: February 16, 2016
Staff Work By: Justin Steinmann
Presentation By: Justin Steinmann

Recommendation:

- Hold public hearing
- Approve ordinance amending the Zoning Ordinance to create the B-2E Central Business Edge District, to better accommodate existing and proposed uses downtown.

Executive Summary:

This zoning text amendment (ZTA) creates a new B-2E Central Business Edge District, including changes to permitted and prohibited uses; allowance for a greater setback for certain uses, changes to fenestration requirements; changes to cladding requirements, clarifications to concealment requirements and blade sign requirements, greater allowance for signage, allowance for reductions in landscape and screening requirements if public enhancements are proposed, and a reduction in the number of dwelling units that trigger residential parking requirements. During their January 2016 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a positive recommendation to approve this zoning text amendment to the Board of Mayor and Aldermen. The Notice of Public Hearing was published on January 18, 2016.

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3. Staff Report

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday, February 2, 2016 to consider amending the Code of Ordinances to create the B-2 Edge zone to better accommodate existing and proposed uses on the periphery of downtown. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

All interested persons are invited to attend this meeting and public hearing. A detailed description of the zoning text amendment is on file in the offices of the City Manager, City Library, and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Angie Marshall, Deputy City Clerk
P1T: 1/18/16

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES,
CITY OF KINGSPORT, TENNESSEE, AND TO FIX THE
EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the Code of Ordinances, City of Kingsport, TN is hereby amended by adding a section numbered 114-202, B-2E (Central Business Edge District), which section reads:

(a) *Principal uses.* Principal uses permitted in the B-2E, Central Business Edge District are as follows:

- (1) Establishments retailing goods and merchandise such as food, groceries, clothing, hardware, toiletries, furniture and furnishings, gasoline, meals, vehicles, boats, trailers, jewelry, appliances and similar items.
- (2) Financial offices.
- (3) Residential, except single-family detached dwellings.
- (4) Establishments for the sale or provision of personal appearance or care, finance, clothing and goods repair, offices (including legal, insurance, and real estate offices), printing, parking, entertainment, recreation, hotels, motels, educational institutions, food and drink, brewpubs, craft breweries, distilleries, wineries, museums.
- (5) On-premises and off-premises alcoholic beverage sales.
- (6) Climate-controlled indoor storage, provided that said facilities are only permitted to occupy existing buildings.
- (7) Municipal and other government uses.

(b) *Accessory uses.* Uses that are accessory, incidental and subordinate to principal uses are permitted in the B-2E district as follows: wholesaling, warehousing and light industry when accessory and incidental to a retailing or service activity. Storage other than climate-controlled indoor storage as described in (a)(6) is permitted when accessory and incidental to a residential use.

Special exceptions. Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2E district as follows: communication facilities and facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site.

Prohibited uses. Uses prohibited in the B-2E district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
 - (2) Truck terminals and freight yards.
 - (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills.
 - (4) Single-family detached dwellings.
- (e) *Dimensional requirements.* The minimum and maximum dimensional requirements for the B-2E district are as follows:

- (1) *Minimum requirements.* No requirements are applicable to this district.
 - (2) *Maximum permitted.*
 - (a) *Setbacks.* Structures housing principal uses shall have a maximum setback from the front property line of 20 feet, excepting uses as described in (a)(7). Structures housing uses as described in (a)(1) and (a)(3) through (a)(6) as a principal use at ground level shall be built to the property line for at least 75% of the building frontage.
 - (b) *Building Height.* Building height shall not exceed 74 feet as measured from grade to the top of the roof structure, excluding parapet walls or cornices.
- (f) *Design Requirements.*
- (1) *Fenestration.* The percentage of openings for glass fenestration on the first floor facing public streets, excluding alleys, for retail and office uses is required to be a minimum of 15% of the total façade area from finish floor line to finish floor line. Institutional uses, theatres and performance venues may reduce this requirement upon demonstrating that a hardship exists due to programming or structural uses that would preclude meeting the requirement.
 - (2) *Cladding.* Building materials for areas visible from streets, excluding alleys, shall consist of one or more of the following: brick, architectural block, architectural metal, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, and wood. Pre-engineered metal, painted or natural concrete block, composite building materials, and vinyl siding are prohibited.
 - (3) *Concealed Equipment.* The following shall be located or screened so as not to be visible from any street, excluding alleys: air conditioning compressors, window and wall air conditioners, cooling towers, dumpsters, electrical and utility meters, irrigation and pool pumps, permanent barbecues, satellite antennae, utility appurtenances, mechanical rooftop equipment or ventilation apparatus.
 - (4) *Drive-throughs.* Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, are permitted only as special exceptions by the board of zoning appeals. Drive-throughs shall not be accessed from the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, should not take their access via Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street if possible.
 - (5) *Sidewalks and Streetscapes.* If a master plan containing sidewalk and/or streetscape recommendations has been adopted by the board of mayor and aldermen for an area, sidewalk or streetscape improvements proposed as part of new development or redevelopment shall comply with the recommendations.
- (f) *Signs.*
- (1) *Freestanding Signs.* Freestanding signs are permitted only for existing buildings or new construction with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.
 - (2) *Wall Signs.* Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to 150

square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.

- (3) Murals and banners shall not be permitted in the B-2E district, except as approved by the board of mayor and aldermen.
- (4) Electronic message boards are prohibited in the B-2E district.
- (5) *Blade Signs.* Blade signs are encouraged and a blade sign not exceed six (6) square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six (6) linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine (9) feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six (6) square feet may be provided in lieu of a blade sign.

(g) *Parking.*

(1) *Non-residential uses.* No parking is required for non-residential uses. Any parking lot with ten (10) or more spaces must meet the landscape requirements of Section 114-600(d). Parking lot landscaping requirements may be reduced if enhancements to public space, sidewalks, streetscapes, or parking lot screening are proposed by the property owner.

(2) *Residential uses.* Residential uses in the B-2E zone of 12 units or less are not required to provide parking. New construction or renovation of an existing building that results in the construction of 13 or more residential units shall provide 1.5 spaces per unit, either:

(a) Onsite.

(b) Within 1250 feet of the development site through a written arrangement with the external site's property owner or lessee, a copy of which must be filed with the Planning Division and verified annually; this may include shared parking arrangements;

(3) *Screening.* Surface parking adjacent to any street, excluding alleys, must be screened with a wrought iron style fence with a minimum height of four feet or a planted buffer at least five feet wide. Support piers for the fence must be constructed of brick or other masonry materials; painted or natural concrete block is prohibited. The planted buffer shall be planted with a minimum of one canopy tree and six shrubs per 25 feet of street frontage. Reductions in screening requirements and buffer width may be requested due to site conditions, including limited space on site or screening being available through other means, or if enhancements to public space, sidewalks, or streetscapes are proposed by the property owners. Alleys are not required to be screened.

SECTION II. That, Section 114-533 of the Code of Ordinances, City of Kingsport, Tennessee is amended by adding a new subsection, which subsection reads as follows:

(15) *B-2E (Central Business Edge District)*

See B-2E (Central Business Edge District).

SECTION III. 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 _____

B-2E Central Business Edge District Zoning Text Amendment

Property Information	City-wide		
Address			
Tax Map, Group, Parcel			
Civil District			
Overlay District			
Land Use Designation			
Acres			
Existing Use		Existing Zoning	
Proposed Use		Proposed Zoning	
Owner /Applicant Information			
Name: Kingsport Regional Planning Commission Address: City: State: Zip Code: Email: Phone Number:		Intent: To amend Chapter 114, Article III and IV of Kingsport's Zoning Code to create the B-2E Central Business District Edge District to better accommodate existing and proposed uses on the periphery of downtown.	
Planning Department Recommendation			
(Approve, Deny, or Defer) The Kingsport Planning Division recommends APPROVAL			
Planner:	Justin Steinmann	Date:	1/19/16
Planning Commission Action		Meeting Date:	1/28/16
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

INTENT

To amend Chapter 114, Article III and IV of Kingsport's Zoning Code to create the B-2E Central Business District Edge District to better accommodate existing and proposed uses on the periphery of downtown.

Introduction:

In April 2015, in an effort to adapt the city zoning code to better serve the evolving needs of downtown, the B-2 Central Business District was modified to help protect the traditional character of downtown. Key points from the zoning text amendment included:

Key points from the April 2015 B-2 amendment:

1. Single-family detached dwellings, animal boarding facilities and car dealerships will be prohibited.
2. Facilities with drive-throughs will be more closely regulated.
3. Maximum setbacks and building heights will be established.
4. Design requirements for windows, cladding, equipment concealment and sidewalks will be added.
5. Signage requirements will be changed to encourage building signage over freestanding signage.
6. Residential parking requirements will become more flexible.
7. Commercial parking requirements will be eliminated.
8. Requirements for location of parking lots on individual sites and screening of parking lots will be established

At the time the changes were adopted, it was noted that staff recognized that portions of downtown further from the core do have a different character than the heart of downtown. Staff planned to return at a subsequent Planning Commission meeting with a stepped-down version of the B-2 changes that would apply to some of the outlying areas of downtown. This proposed zoning text amendment represents that stepped-down version of B-2.

In an effort to better accommodate existing and proposed uses on the periphery of downtown, a new B-2E Central Business Edge District is proposed, as provided below.

Key points for the proposed January 2016 B-2E amendment:

1. Allow climate-controlled indoor storage in existing buildings only.
2. Clarify that single-family detached dwellings are a prohibited use.
3. Allow a setback of up to 20 feet for selected uses; allow greater setbacks for government uses.
4. Establish a 15% fenestration requirement for retail and office uses
5. Clarify that fenestration requirements apply only to building walls facing public streets.
6. Allow architectural metal as a primary cladding material.
7. Allow freestanding signs for new construction with a setback of ten feet or greater.

8. Allow additional wall signage for larger uses.
9. Require that cooling towers are concealed.
10. Specify maximum distance a blade sign can extend from a building.
11. Eliminate specific requirement that parking at grade be located behind a building; in practice this will be enforced by other provisions of the code.
12. Allow reductions in parking lot planting and screening requirements if enhancements to public space, sidewalks, streetscapes, *et cetera* are proposed as part of a project.
13. Change the threshold for the required number of dwelling units in a single project that trigger parking requirements from 25 to 12.

Presentation:

The wording proposed for the B-2E Central Business Edge District is below.

Creation of Article III, Section 114-202 – B-2E, Central Business Edge District:

- (a) *Principal uses.* Principal uses permitted in the B-2E, Central Business Edge District are as follows:
- (1) Establishments retailing goods and merchandise such as food, groceries, clothing, hardware, toiletries, furniture and furnishings, gasoline, meals, vehicles, boats, trailers, jewelry, appliances and similar items.
 - (2) Financial offices.
 - (3) Residential, except single-family detached dwellings.
 - (4) Establishments for the sale or provision of personal appearance or care, finance, ~~insurance, real estate,~~ clothing and goods repair, offices (including legal, insurance, and real estate offices), printing, parking, entertainment, recreation, hotels, motels, educational institutions, food and drink, brewpubs, craft breweries, distilleries, wineries, museums.
 - (5) On-premises and off-premises alcoholic beverage sales.
 - (6) Climate-controlled indoor storage, provided that said facilities are only permitted to occupy existing buildings.
 - (7) Municipal and other government uses.
- (b) *Accessory uses.* ~~Accessory uses which~~ Uses that are accessory, incidental and subordinate to principal uses are permitted in the B-2E district as follows: wholesaling, warehousing and light industry when accessory and incidental to a retailing or service activity. Storage ~~besides other than~~ climate-controlled indoor storage as described in ~~Section 114-202(a)(6)~~ is permitted when accessory and incidental to a residential use.

Special exceptions. Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2E district as follows: communication facilities and facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site.

Prohibited uses. Uses prohibited in the B-2E district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
- (2) Truck terminals and freight yards.
- (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills.

(4) Single-family detached dwellings.

(e) *Dimensional requirements.* The minimum and maximum dimensional requirements for the B-2E district are as follows:

- (1) *Minimum requirements.* No requirements are applicable to this district.
- (2) *Maximum permitted.*

(a) *Setbacks.* Structures housing principal uses shall have a maximum setback from the front property line of 20 feet, excepting uses as described in ~~Section 114-202(a)(7)~~. Structures housing uses as described in ~~Section 114-202(a)(1)~~ and ~~Section 114-202(a)(3)~~ through ~~(a)(6)~~ as a principal use at ground level shall be built to the property line for at least 75% of the building frontage.

(b) *Building Height.* Building height shall not exceed 74 feet as measured from grade to the top of the roof structure, excluding parapet walls or cornices.

(f) *Design Requirements.*

- (1) *Fenestration.* The percentage of openings for glass fenestration on the first floor facing public streets, excluding alleys, for retail and office uses is required to be a minimum of 15% of the total façade area from finish floor line to finish floor line. Institutional uses, theatres and performance venues may reduce this requirement upon demonstrating that a hardship exists due to programming or ~~structural~~structural uses that would preclude meeting the requirement.
- (2) *Cladding.* Building materials for areas visible from ~~street right-of-way~~streets, excluding alleys, shall consist of one or more of the following: brick, architectural block, architectural metal, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, and wood. Pre-engineered metal, painted or natural concrete block, composite building materials, and vinyl siding are prohibited.
- (3) *Concealed Equipment.* The following shall be located or screened so as not to be visible from any ~~street right-of-way~~, excluding alleys: air conditioning compressors, window and wall air conditioners, cooling towers, dumpsters, electrical and utility meters, irrigation and pool pumps, permanent barbecues, satellite antennae, utility appurtenances, mechanical rooftop equipment or ventilation apparatus.

- (4) *Drive-throughs.* Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, are permitted only as special exceptions by the board of zoning appeals. Drive-throughs ~~must~~shall not be accessed via ~~alleys or side streets. For purposes of this section side streets include all downtown streets except from~~ the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, should not take their access via ~~an alley or side street~~Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street if possible.
- (5) *Sidewalks and Streetscapes.* If a master plan containing sidewalk and/or streetscape recommendations has been adopted by the ~~Board~~board of ~~Mayor~~mayor and ~~Aldermen~~aldermen for an area, sidewalk or streetscape improvements proposed as part of new development or redevelopment shall ~~be required to~~ comply with ~~said~~the recommendations.
- (gf) *Signs.*
- (1) *Freestanding Signs.* Freestanding signs are permitted only for existing buildings or new construction with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.
- (2) *Wall Signs.* Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to ~~400~~150 square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.
- (3) Murals and banners shall not be permitted in the B-2E district, except as approved by the board of mayor and aldermen.
- (4) Electronic message boards are prohibited in the B-2E district.
- (5) *Blade Signs.* Blade signs are encouraged and a blade sign not exceed six (6) square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six (6) linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine (9) feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six (6) square feet may be provided in lieu of a blade sign.
- (hg) *Parking.*
- (1) *Non-residential uses.* No parking is required for non-residential uses. Any parking lot with ten (10) or more spaces must meet the landscape requirements of Section 114-600(~~Dd~~). Parking lot landscaping requirements may be reduced if enhancements to public space, sidewalks, streetscapes, or parking lot screening are proposed by the property ~~owners~~owner.

(2) *Residential uses.* Residential uses in the B-2E ~~zone of less than 12 units or less~~ are not required to provide parking. New construction or renovation of an existing building that results in the construction of ~~12~~¹³ or more residential units shall provide 1.5 spaces per unit, either:

(a) Onsite.

(b) Within 1250 feet of the development site through a written arrangement with the external site's property owner or lessee, a copy of which must be filed with the Planning Division and verified annually; this may include shared parking arrangements;

(3) *Screening.* Surface parking adjacent to any street ~~right-of-way, excluding alleys,~~ must be screened with a wrought iron style fence with a minimum height of four feet or a planted buffer at least five feet wide. Support piers for the fence must be constructed of brick or other masonry materials; painted or natural concrete block is prohibited. The planted buffer shall be planted with a minimum of one canopy tree and six shrubs per 25 feet of street ~~right-of-way~~ frontage. Reductions in ~~plantings~~^{screening} requirements and buffer width may be requested due to site conditions, including limited space on site or screening being available through other means, or if enhancements to public space, sidewalks, or streetscapes are proposed by the property owners. -Alleys are not required to be screened.

Changes to Article IV, Section 114-533. - On-Premises Signs [adding paragraph 15]:

(15) B-2E (Central Business Edge District)

See B-2E (Central Business Edge District).



AGENDA ACTION FORM

Rezone Portions of Downtown from B-2, Central Business District to B-2E, Central Business Edge District to Better Accommodate Existing and Proposed Uses in Downtown

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-13-2016
 Work Session: February 1, 2016
 First Reading: February 2, 2016

Final Adoption: February 16, 2016
 Staff Work By: Justin Steinmann
 Presentation By: Justin Steinmann

Recommendation:

- Hold public hearing
- Approve ordinance amending the zoning ordinance to rezone multiple parcels from B-2, Central Business District to B-2E, Central Business Edge District.

Executive Summary:

This is a City-initiated rezoning of approximately 86.68 acres located in three areas downtown from B-2 to B-2E. The purpose of the rezoning is to better accommodate existing and proposed uses downtown. As of January 26, 2016, the Planning Department has received several inquiries regarding the rezoning proposal but no opposition. During their January 2016 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a positive recommendation for the rezoning to the Board of Mayor and Aldermen. The Notice of Public Hearing was published on January 18, 2016.

Approval of this rezoning is contingent upon approval of AF 12-2016, the B-2E, Central Business Edge District Zoning Text Amendment.

Attachments:

1. Notice of Public Hearing
2. Zoning Ordinance
3. Staff Report
4. Letter

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

Rezone Portions of Downtown from B-2, Central Business District to B-2E, Central Business Edge District to Better Accommodate Existing and Proposed Uses in Downtown

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

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George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on February 2, 2016 to consider the rezoning for portions of downtown from B-2 District to B-2 Edge District. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

The property proposed for rezoning is generally described as follows:

Area 1:

BEGINNING at a point, said point lying at the intersection of the centerline of West Main Street and Clay Street, Tax Map 46P; thence in a northwesterly direction, approximately 364 feet to a point, said point lying at the southeastern corner of parcel 23; thence in a northeasterly direction, approximately 894 feet to a point, said point lying on the centerline of Clinchfield Street; thence in a southeasterly direction, crossing through parcel 11, approximately 423 feet to a point, said point being the centerline of Revere Street; thence in a northeasterly direction, following the centerline of Revere Street, approximately 38 feet to a point, said point lying on the centerline of Revere Street; thence in a southeasterly direction, following the centerline of an unnamed alley, approximately 383 feet to a point, said point lying on the centerline of Clay Street; thence in a southwesterly direction, approximately 879 feet to the point of BEGINNING, and being all of parcels 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 11.01, 11.02, 12.00, 13.00, 15.00, 16.00, 17.00, 18.00, 19.00, 19.10, 20.00, 21.00, 22.00 and a portion of parcel 11.00, Tax Maps 46I and 46P, as well as a portion of Clinchfield Street, approximately 267 feet in length, Clay Street, approximately 879 in length, an unnamed alley, approximately 383 feet in length, West Main Street, approximately 627 feet in length, and Revere Street, approximately 38 feet in length as shown on the August 2015 Sullivan County Tax Maps.

Area 2:

BEGINNING at a point, said point being the intersection of the centerline of Clinchfield Street and West Center Street, Tax Map 46I; thence in a northwesterly direction, following the centerline of West Center Street, approximately 1,026 feet to a point, said point being the intersection of the centerline of West Center Street and Roller Street; thence in a northeasterly direction, following the centerline of Roller Street, approximately 162 feet to a point, said point lying on the centerline of Roller Street; thence in a northwesterly direction, following the southwestern property line of parcel 22.50, approximately 258 feet to a point, said point being the western corner of parcel 22.50; thence in a northeasterly direction, crossing the right-of-way of Arch Street, approximately 239 feet to a point, said point being the western corner of parcel 10; thence in a southeasterly direction, following the northeastern right-of-way of Arch Street, approximately 250 feet to a point, said point being the centerline of Roller Street; thence in a northeasterly direction, following the centerline of Roller Street, approximately 415 feet to a point, said point lying on the centerline of Roller Street; thence in a southeasterly direction, following the southwest boundary of

parcel 3, approximately 158 feet to a point, said point being the southern corner of parcel 3; thence in a northeasterly direction, crossing the right-of-way of an unnamed alley, approximately 402 feet to a point, said point lying on the boundary of parcel 2.10; thence in a northwesterly direction, following the southwestern boundary of parcel 2.10, approximately 58 feet to a point, said point being the western corner of parcel 2.10; thence in a northeasterly direction, approximately 177 feet to a point, said point lying on the centerline of West Sullivan Street; thence in a southeasterly direction, following the centerline of West Sullivan Street, approximately 312 feet to a point, said point being the intersection of the centerline of West Sullivan Street and Clinchfield Street; thence in a southwesterly direction, following the centerline of Clinchfield Street, approximately 1,484 feet to the point of BEGINNING, and being all of parcels 22.00 and 22.50 of Tax Map 46H, Group J and parcels 2.00, 2.02, 2.03 2.04, 2.05, 2.10 of Tax Map 46H, Group K, as well as a portion of Clinchfield street, approximately 1,484 feet in length, a portion of West Center Street, approximately 1,026 feet in length, a portion of Arch Street, approximately 225 feet in length, a portion of Roller Street, approximately 577 feet in length, a portion of an unnamed alley, approximately 58 feet in length, and a portion of West Sullivan Street, approximately 312 feet in length, as shown on the August 2015 Sullivan County Tax Maps.

Area 3:

BEGINNING at a point, said point lying at the intersection of the centerline of Cherokee Street and East Center Street, Tax Map 46P; thence in a southeasterly direction, following the centerline of East Center Street, approximately 1,452 feet to a point, said point lying on the centerline of East Center Street; thence in a southeasterly direction, following the centerline of Dale Alley, approximately 2,246 feet to a point, said point lying on the centerline of Dale Alley; thence in a southwesterly direction, crossing into the right-of-way of East Sullivan Street, approximately 183 feet to a point, said point lying on the centerline of East Sullivan Street; thence in a northwesterly direction, following the centerline of East Sullivan Street, approximately 296 feet to a point, said point lying at the intersection of the centerline of East Sullivan Street and East Main Street; thence in a northwesterly direction, following the centerline of East Main Street, approximately 2,018 feet to a point, said point lying at the intersection of the centerline of East Main Street and Wexler Street; thence in a northeasterly direction, following the centerline of Wexler Street, approximately 168 feet to a point, said point lying on the centerline of Wexler Street; thence in a northwesterly direction, following the centerline of an unnamed alley and crossing into the right-of-way of Cumberland Street, approximately 717 feet to a point, said point lying on the centerline of Cumberland Street; thence in a northeasterly direction, following the centerline of Cumberland Street, approximately 424 feet to a point, said point lying at the intersection of the the centerline of Cumberland Street and East Market Street; thence in a northwesterly direction, crossing into the right-of-way of Cherokee Street, approximately 375 feet to a point, said point lying at the intersection of the centerline of Cherokee Street and East Market Street; thence in a northeasterly direction, following the centerline of Cherokee Street, approximately 456 feet to the point of BEGINNING, and being all of parcels 25.02, 26.00, 27.00, 28.00 of Tax Map 46O, Group A; parcel 23.00 of Tax Map 46O, Group E; parcels 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 11.00, 12.00, 13.00, 14.00, 15.00, 18.00, 19.00, 20.00 of Tax Map 46O, Group F; parcels 1.00, 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 10.00, 11.00, 15.00, 15.20, 19.00,

20.00, 21.00, 22.00, 23.00, 24.00, 24.01, 25.00, 26.00, 27.02, 27.04, 27.05 of Tax Map 46O, Group G; parcels 46.00, 47.00, 48.00, 49.00, 51.00, 52.00, 53.00, 54.00, 55.00, 56.00, 57.00, 58.00, 58.10, 59.00 of Tax map 46O, Group H; parcels 4.00, 4.10, 5.00, 5.10, 6.00, 7.00, 8.00, 9.00, 10.00, 10.50, 11.00, 29.00, 30.00, 31.00, 32.00, 33.00, 34.00, 34.10 of Tax Map 46P, Group D; parcels 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 9.05, 9.10, 10.00, 11.00, 14.00, 15.00, 16.00, 17.00, 18.00, 19.00, 20.00, 21.00, 21.01, 21.02, 21.03, 22.00, 24.00, 29.00, 30.00 of Tax Map 46P, Group E; parcels 16.00, 17.00 of Tax Map 46P, Group F; parcels 26.01, 27.00, 27.01 of Tax Map 46P, Group G; parcels 4.00, 5.00, 6.00, 6.01, 7.00, 8.00, 9.00, 10.00, 11.00, 17.00, 18.00, 19.00, 20.00, 21.00, 22.00, 23.00, 242.00, 25.00, 25.01, 52.00, 53.00, 54.00, 55.00, 56.00 of Tax Map 61B, Group A; and parcels 12.00, 14.00 of Tax Map 61B, Group G, as well as the streets of Dale Alley, approximately 2,246 feet in length, East Sullivan Street, approximately 2,538 feet in length, Oak Street, approximately 184 feet in length, Unicoi Street, approximately 562 feet in length, East Market Street, approximately 1962 feet in length, Wexler Street, approximately 1,018 feet in length, Island Street, approximately 877 feet in length, Cumberland Street, approximately 877 feet in length, and Cherokee Street, approximately 456 feet in length, as shown on the August 2015 Sullivan County Tax Maps.

All interested persons are invited to attend this meeting and public hearing. A detailed map and description is on file in the offices of the City Manager, Kingsport Library, and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Angie Marshall, Deputy City Clerk
PIT: 1/18/16

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PORTIONS OF DOWNTOWN FROM B-2, CENTRAL BUSINESS DISTRICT TO B-2E, CENTRAL BUSINESS EDGE DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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

SECTION I. That the zoning code, text and map, be and the same is hereby amended to rezone portions of downtown from B-2, Central Business District to B-2E, Central Business Edge District in the 11th Civil District of Sullivan County; said area to be rezoned being further and more particularly described as follows:

Area 1:

BEGINNING at a point, said point lying at the intersection of the centerline of West Main Street and Clay Street, Tax Map 46P; thence in a northwesterly direction, approximately 364 feet to a point, said point lying at the southeastern corner of parcel 23; thence in a northeasterly direction, approximately 894 feet to a point, said point lying on the centerline of Clinchfield Street; thence in a southeasterly direction, crossing through parcel 11, approximately 423 feet to a point, said point being the centerline of Revere Street; thence in a northeasterly direction, following the centerline of Revere Street, approximately 38 feet to a point, said point lying on the centerline of Revere Street; thence in a southeasterly direction, following the centerline of an unnamed alley, approximately 383 feet to a point, said point lying on the centerline of Clay Street; thence in a southwesterly direction, approximately 879 feet to the point of BEGINNING, and being all of parcels 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 11.01, 11.02, 12.00, 13.00, 15.00, 16.00, 17.00, 18.00, 19.00, 19.10, 20.00, 21.00, 22.00 and a portion of parcel 11.00, Tax Maps 46I and 46P, as well as a portion of Clinchfield Street, approximately 267 feet in length, Clay Street, approximately 879 in length, an unnamed alley, approximately 383 feet in length, West Main Street, approximately 627 feet in length, and Revere Street, approximately 38 feet in length as shown on the August 2015 Sullivan County Tax Maps.

Area 2:

BEGINNING at a point, said point being the intersection of the centerline of Clinchfield Street and West Center Street, Tax Map 46I; thence in a northwesterly direction, following the centerline of West Center Street, approximately 1,026 feet to a point, said point being the intersection of the centerline of West Center Street and Roller Street; thence in a northeasterly direction, following the centerline of Roller Street, approximately 162 feet to a point, said point lying on the centerline of Roller Street; thence in a northwesterly direction, following the southwestern property line of parcel 22.50, approximately 258 feet to a point, said point being the western corner of parcel 22.50; thence in a northeasterly direction, crossing the right-of-way of Arch Street, approximately 239 feet to a point, said point being the western corner of parcel 10; thence in a southeasterly direction, following the northeastern right-of-way of Arch Street, approximately 250 feet to a point, said point being the centerline of Roller Street; thence in a northeasterly direction, following the centerline of Roller Street, approximately 415 feet to a point, said point lying on the centerline of Roller Street; thence in a southeasterly direction, following the southwest boundary of parcel 3, approximately 158 feet to a point, said point being the southern corner of parcel 3; thence in

a northeasterly direction, crossing the right-of-way of an unnamed alley, approximately 402 feet to a point, said point lying on the boundary of parcel 2.10; thence in a northwesterly direction, following the southwestern boundary of parcel 2.10, approximately 58 feet to a point, said point being the western corner of parcel 2.10; thence in a northeasterly direction, approximately 177 feet to a point, said point lying on the centerline of West Sullivan Street; thence in a southeasterly direction, following the centerline of West Sullivan Street, approximately 312 feet to a point, said point being the intersection of the centerline of West Sullivan Street and Clinchfield Street; thence in a southwesterly direction, following the centerline of Clinchfield Street, approximately 1,484 feet to the point of BEGINNING, and being all of parcels 22.00 and 22.50 of Tax Map 46H, Group J and parcels 2.00, 2.02, 2.03 2.04, 2.05, 2.10 of Tax Map 46H, Group K, as well as a portion of Clinchfield street, approximately 1,484 feet in length, a portion of West Center Street, approximately 1,026 feet in length, a portion of Arch Street, approximately 225 feet in length, a portion of Roller Street, approximately 577 feet in length, a portion of an unnamed alley, approximately 58 feet in length, and a portion of West Sullivan Street, approximately 312 feet in length, as shown on the August 2015 Sullivan County Tax Maps.

Area 3:

BEGINNING at a point, said point lying at the intersection of the centerline of Cherokee Street and East Center Street, Tax Map 46P; thence in a southeasterly direction, following the centerline of East Center Street, approximately 1,452 feet to a point, said point lying on the centerline of East Center Street; thence in a southeasterly direction, following the centerline of Dale Alley, approximately 2,246 feet to a point, said point lying on the centerline of Dale Alley; thence in a southwesterly direction, crossing into the right-of-way of East Sullivan Street, approximately 183 feet to a point, said point lying on the centerline of East Sullivan Street; thence in a northwesterly direction, following the centerline of East Sullivan Street, approximately 296 feet to a point, said point lying at the intersection of the centerline of East Sullivan Street and East Main Street; thence in a northwesterly direction, following the centerline of East Main Street, approximately 2,018 feet to a point, said point lying at the intersection of the centerline of East Main Street and Wexler Street; thence in a northeasterly direction, following the centerline of Wexler Street, approximately 168 feet to a point, said point lying on the centerline of Wexler Street; thence in a northwesterly direction, following the centerline of an unnamed alley and crossing into the right-of-way of Cumberland Street, approximately 717 feet to a point, said point lying on the centerline of Cumberland Street; thence in a northeasterly direction, following the centerline of Cumberland Street, approximately 424 feet to a point, said point lying at the intersection of the the centerline of Cumberland Street and East Market Street; thence in a northwesterly direction, crossing into the right-of-way of Cherokee Street, approximately 375 feet to a point, said point lying at the intersection of the centerline of Cherokee Street and East Market Street; thence in a northeasterly direction, following the centerline of Cherokee Street, approximately 456 feet to the point of BEGINNING, and being all of parcels 25.02, 26.00, 27.00, 28.00 of Tax Map 46O, Group A; parcel 23.00 of Tax Map 46O, Group E; parcels 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 11.00, 12.00, 13.00, 14.00, 15.00, 18.00, 19.00, 20.00 of Tax Map 46O, Group F; parcels 1.00, 2.00, 3.00, 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 10.00, 11.00, 15.00, 15.20, 19.00, 20.00, 21.00, 22.00, 23.00, 24.00, 24.01, 25.00, 26.00, 27.02, 27.04, 27.05 of Tax Map 46O, Group G; parcels 46.00, 47.00, 48.00, 49.00, 51.00, 52.00, 53.00, 54.00, 55.00, 56.00, 57.00, 58.00, 58.10, 59.00 of Tax map 46O, Group H; parcels 4.00, 4.10, 5.00, 5.10, 6.00, 7.00, 8.00, 9.00, 10.00, 10.50, 11.00, 29.00, 30.00, 31.00, 32.00, 33.00, 34.00, 34.10 of Tax Map 46P, Group D; parcels 4.00, 5.00, 6.00, 7.00, 8.00, 9.00, 9.05, 9.10, 10.00, 11.00, 14.00, 15.00, 16.00, 17.00, 18.00, 19.00, 20.00, 21.00, 21.01, 21.02, 21.03, 22.00, 24.00, 29.00, 30.00 of Tax Map 46P, Group E; parcels 16.00, 17.00 of Tax Map 46P, Group F; parcels 26.01, 27.00, 27.01 of Tax Map 46P, Group G; parcels 4.00, 5.00, 6.00, 6.01, 7.00, 8.00, 9.00, 10.00, 11.00, 17.00, 18.00, 19.00, 20.00, 21.00, 22.00, 23.00, 242.00, 25.00, 25.01, 52.00, 53.00, 54.00, 55.00, 56.00 of Tax Map 61B, Group A; and parcels 12.00, 14.00 of Tax Map 61B, Group G, as well as the streets of Dale Alley, approximately 2,246 feet in

length, East Sullivan Street, approximately 2,538 feet in length, Oak Street, approximately 184 feet in length, Unicoi Street, approximately 562 feet in length, East Market Street, approximately 1962 feet in length, Wexler Street, approximately 1,018 feet in length, Island Street, approximately 877 feet in length, Cumberland Street, approximately 877 feet in length, and Cherokee Street, approximately 456 feet in length, as shown on the August 2015 Sullivan County Tax Maps.

SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION III. 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 _____

Kingsport Regional Planning Commission
Rezoning Report

File Number 16-101-00002

B-2E Central Business Edge District Rezoning

Property Information			
Address		Multiple	
Tax Map, Group, Parcel		Multiple	
Civil District		11	
Overlay District		n/a	
Land Use Designation		Multiple	
Acres		86.68 acres +/-	
Existing Uses	Mixed-use	Existing Zoning	B-2
Proposed Uses	n/a	Proposed Zoning	B-2E
Owner /Applicant Information			
Name: City of Kingsport Address: 225 West Center Street City: Kingsport State: TN Zip Code: 37664 Email: steinmannj@kingsporttn.gov Phone Number: (423) 229-9485		Intent: <i>To rezone from B-2, Central Business District to B-2E, Central Business Edge District to better accommodate existing and proposed uses in downtown.</i>	
Planning Department Recommendation			
<p>The Kingsport Planning Division recommends approval for the following reasons:</p> <ul style="list-style-type: none"> • <i>The Future Land Use Plan recommends commercial and public uses for the property proposed for rezoning.</i> • <i>At the time the text changes to the B-2 zone were adopted in April 2015, it was noted that staff recognized that portions of downtown further from the core have a different character than the heart of downtown. Staff planned to return at a subsequent Planning Commission meeting with a stepped-down version of the B-2 changes that would apply to some of the outlying areas of downtown. This proposed rezoning, in conjunction with the creation of the proposed B-2E zone represents that stepped-down version of B-2.</i> • <i>The character of the areas proposed for rezoning differs from the character of the downtown core, being less urban, and thus rezoning to B-2E is appropriate.</i> <p>Staff Field Notes and General Comments:</p> <ul style="list-style-type: none"> • <i>This rezoning request is contingent upon the approval of the B-2E Central Business Edge District zoning text Amendment.</i> • <i>All areas being requested for rezoning are currently zoned B-2.</i> 			
Planner:	Justin Steinmann	Date:	January 19, 2016
Planning Commission Action		Meeting Date:	January 28, 2016
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

PROPERTY INFORMATION

ADDRESS	Multiple
DISTRICT	11
OVERLAY DISTRICT	Gateway
EXISTING ZONING	B-2 (Central Business District)
PROPOSED ZONING	B-2E (Central Business Edge District)
ACRES	86.68 +/-
EXISTING USE	Mixed-Use
PROPOSED USE	n/a

PETITIONER

ADDRESS **225 West Center Street**

REPRESENTATIVE

PHONE **(423) 229-9485**

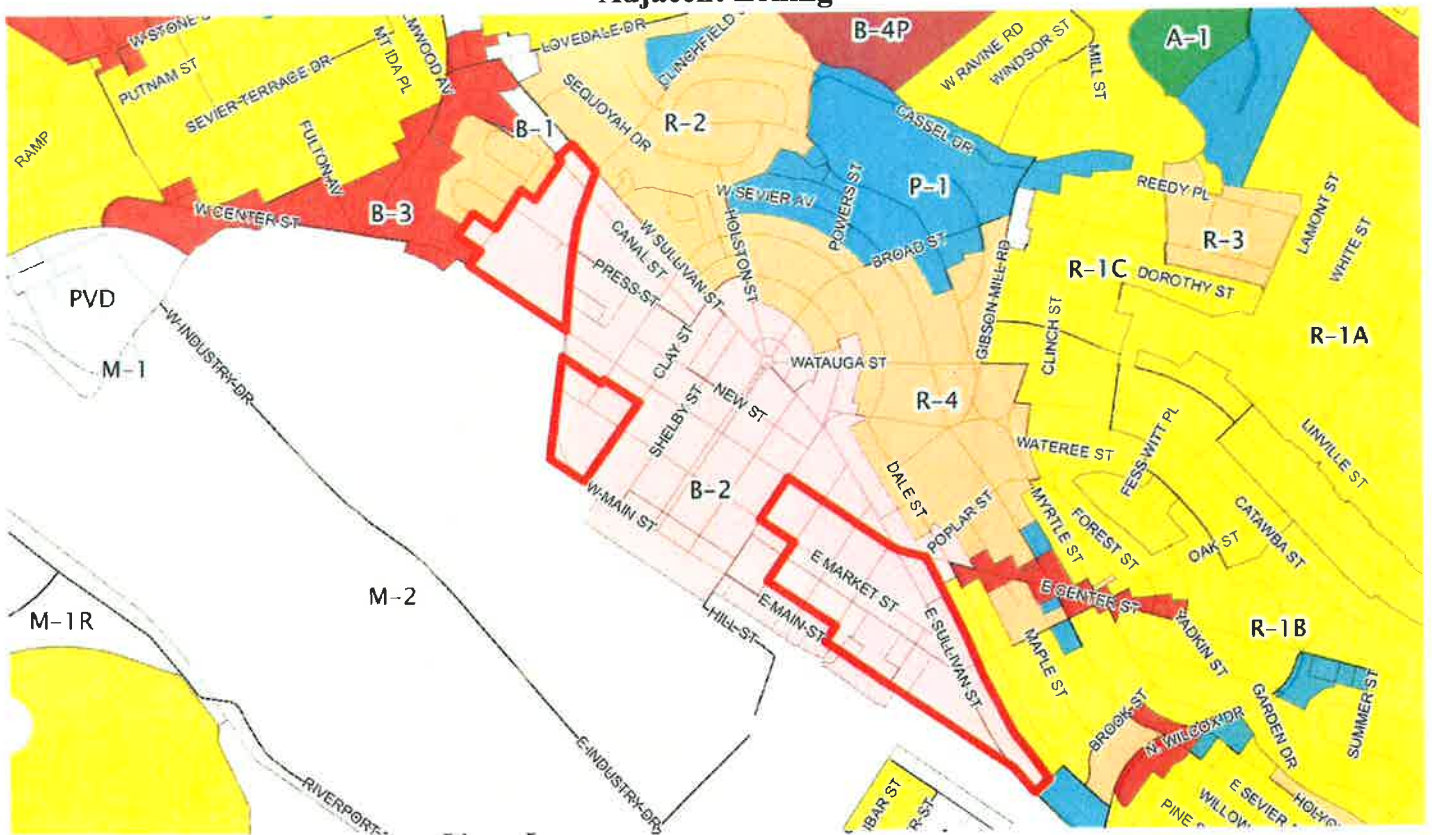
INTENT

To rezone from B-2, Central Business District to B-2E, Central Business Edge District to better accommodate existing and proposed uses in downtown.

Vicinity Map



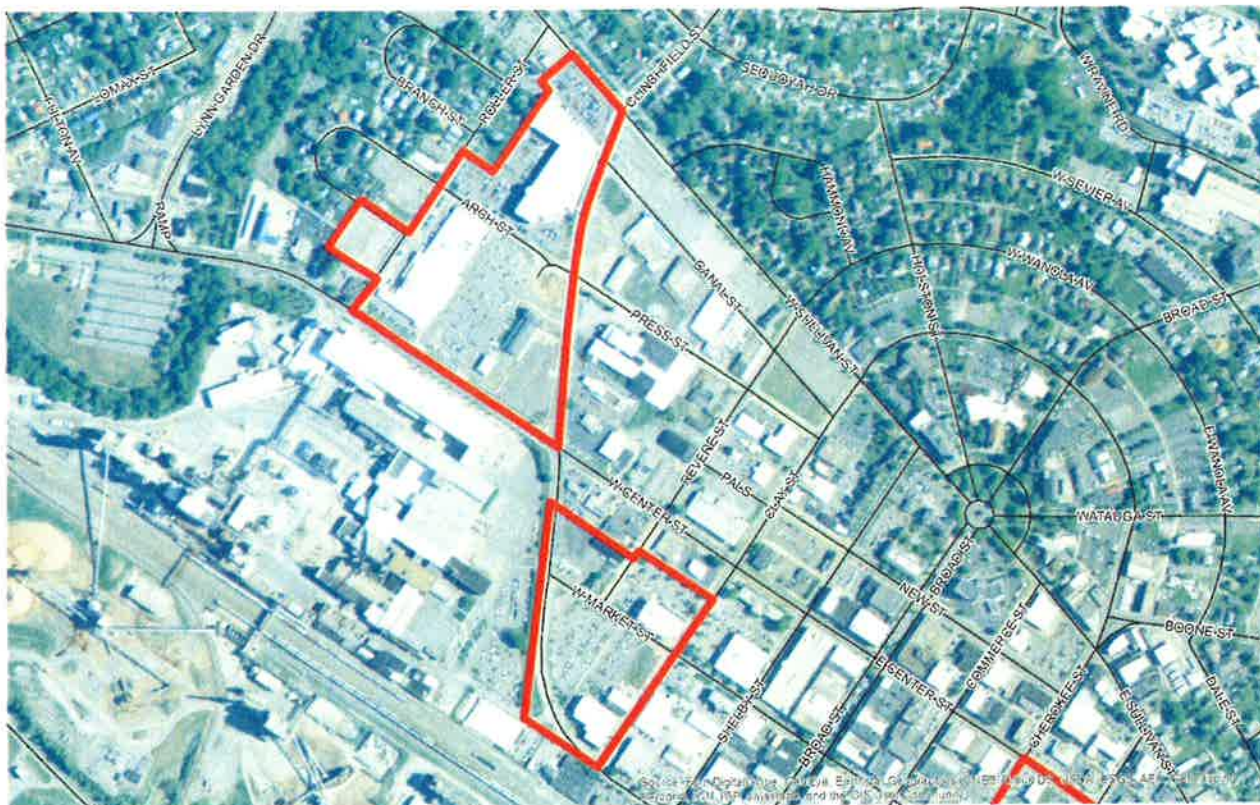
Adjacent Zoning



Future Land Use Map



File Number 16-101-00002



Page 5 of 10

View From East Sullivan/Main Street Intersection Looking West



From Center St/Sullivan St Intersection Looking South



From Cherokee St/Center St Intersection Looking Southwest



Farmer's Market and Carousel



Chamber of Commerce



Food City



Adjacent Zoning and Land Use

The proposed district adjoins a variety of zoning districts and land uses, including industrial, commercial, multifamily, and single-family districts and uses. The only single-family area that the proposed B-2E district adjoins is north of Sullivan Street along Dale Alley.

Property Features

The west rezoning areas contain the Food City shopping center, the Farmer's Market and Carousel, and the Press Building, including the Chamber of Commerce and Kingsport City Schools office building. A mostly undeveloped portion of the Academic Village campus also lies within the rezoning boundary. To the east, a mix of office and warehouse uses predominate; some warehouses have been repurposed into uses such as youth basketball courts. Topography is mostly flat with the exception of properties along the east side of Sullivan Street which are built into or on the significant slope.

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 mixed-use development and other uses that will be suitable in regard to abutting zones.
- 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.

3. **Whether the property to be affected by the proposal has a reasonable economic use as currently zoned?** The property has a reasonable economic use as currently zoned. The proposed zone, however, better accommodates existing and proposed uses within the proposed rezoning area.
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 will not cause a burdensome use of existing streets, transportation facilities, or schools.
5. **Whether the proposal is in conformity with the policies and intent of the land use plan?**

Proposed use: The uses permitted in the proposed B-2E zone are substantially similar to those permitted in the B-2 zone. The future land use plan predominantly recommends commercial and public uses in this area; the plan does not contain a category for mixed-uses. The permitted zone will allow commercial and public uses.

The Future Land Use Plan Map recommends predominantly recommends commercial and public uses for the property proposed for rezoning.

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?** Existing and proposed uses within the area proposed for rezoning will be better accommodated by the B-2E zone than the current B-2 zone.
7. **Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of the City of Kingsport?** No adverse uses are permitted within the zone.
8. **Whether the change will create an isolated district unrelated to similar districts:** The proposal will be substantially similar to the existing B-2 zone, and is being rezoned entirely from areas that are currently zoned B-2.
9. **Whether the present district boundaries are illogically drawn in relation to existing conditions?** This is a new zoning district, so the question does not apply.
10. **Whether the change will constitute a grant of special privilege to an individual as contrasted to the general welfare?** The change will not allow a special privilege to an individual as contrasted to the general welfare.

CONCLUSION

Staff recommends APPROVAL to rezone from B-2 to B-2E. This rezoning will better accommodate existing and proposed uses in downtown.

Note:

The following communication was received by staff in regard to the B-2E zoning text amendment and rezoning cases. Staff plan to further examine the issues raised by Mr. King as part of the downtown master plan study effort to follow the Summit.

Steinmann, Justin

From: Jack King <jackking@oechosting.com>
Sent: Wednesday, January 27, 2016 12:24 PM
To: Steinmann, Justin
Subject: Revere Street Zoning

Dear Mr. Steinmann,

As a property owner in downtown Kingsport, I wanted to bring a certain parcel of property to the committee's attention as it relates to the ongoing discussion regarding the B-2 and B-2 Edge zoning considerations. I was not made aware of the B-2 zoning enhancements and restrictions that apparently took place in early 2015 and while it is possible that communication from the City was publicized during that restriction enhancement period, I do not recall being made aware of such developments. Regardless, under the relaxed zoning of the B-2 Edge, I am requesting that my property located at 320 Revere Street be included. I have never publicly sought to sell this piece of real estate, however, over the last few years there have been certain interests for the development of new businesses. I believe that if the restrictive covenants now existing in the B-2 zone, which this property is currently part of, that most of the prospective real estate transactions could not have taken place and potential for this property to be developed and to bring additional tax revenue to Kingsport would be lost.

Several of the types of businesses which expressed an interest in this piece of real estate could not operate if the structure were required to be built at the curb. A carve out of this piece of real estate into the B-2 edge with permission for this property to have additional uses is in the best interest of the property owner and, for that matter, the City of Kingsport. To allow these restrictions to continue would amount to stifling the possible future development of this property going forward.

I appreciate your consideration regarding this request.

If you have any questions, please do not hesitate to contact me by calling 423-341-0420.

Sincerely,
John R. "Jack" King



AGENDA ACTION FORM

Amend Ordinance 6475, the B-2 Central Business District, to Better Accommodate Existing and Proposed Uses Downtown

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager *af*

Action Form No.: AF-25-2016
 Work Session: February 1, 2016
 First Reading: February 2, 2016

Final Adoption: February 16, 2016
Staff Work By: Justin Steinmann
Presentation By: Justin Steinmann

Recommendation:

- ~~Hold public hearing~~
- Approve ordinance amending Ordinance 6475, the B-2 Central Business District, to better accommodate existing and proposed uses downtown.

Executive Summary:

This zoning text amendment (ZTA) proposes amendments to the B-2 zone, including changes to permitted and prohibited uses; changes to fenestration requirements; clarifications to concealment requirements and blade sign requirements, and a reduction in the number of dwelling units that trigger residential parking requirements. During their January 2016 regular meeting, the Kingsport Regional Planning Commission voted unanimously to send a positive recommendation to approve this zoning text amendment to the Board of Mayor and Aldermen. The Notice of Public Hearing was published on January 18, 2016.

Attachments:

1. Notice of Public Hearing
2. Zoning Text Amendment in Ordinance Format
3. Staff Report

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

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To: Board of Mayor and Aldermen
From: Jeff Fleming, City Manager

Action Form No.: AF-25-2016
Work Session: February 1, 2016
First Reading: February 2, 2016

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Staff Work By: Justin Steinmann
Presentation By: Justin Steinmann

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George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that the City of Kingsport Board of Mayor and Aldermen will conduct a Public Hearing during its regular business meeting on Tuesday, February 2, 2016 to consider amending the Code of Ordinances to amend the B-2 zone to better accommodate existing and proposed uses downtown. The regular business meeting will begin at 7:00 p.m. in the large courtroom located on the second floor of City Hall, at 225 W. Center Street, Kingsport, Tennessee.

All interested persons are invited to attend this meeting and public hearing. A detailed description of the zoning text amendment is on file in the offices of the City Manager, City Library, and Planning Manager for inspection. Additional information concerning this proposal may be obtained by contacting the Kingsport Planning Division of the Development Services Department, telephone 423-229-9485.

CITY OF KINGSPORT
Angie Marshall, Deputy City Clerk
P1T: 1/18/16

PRE-FILED
CITY RECORDER

ORDINANCE NO. _____

AN ORDINANCE TO FURTHER AMEND THE CODE OF
ORDINANCES, CITY OF KINGSPORT, TENNESSEE,
ORDINANCE 6475; AND TO FIX THE EFFECTIVE DATE OF THIS
ORDINANCE

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

SECTION I. That Article III, Section 114-194. - B-2 Central Business District, City of Kingsport, Tennessee is amended by deleting the entire section and substituting in its place the following:

(a) *Principal uses.* Principal uses permitted in the B-2, Central Business District are as follows:

- (1) Establishments retailing goods and merchandise such as food, groceries, clothing, hardware, toiletries, furniture and furnishings, gasoline, meals, vehicles, boats, trailers, jewelry, appliances and similar items.
- (2) Financial offices.
- (3) Residential, except single-family detached dwellings.
- (4) Establishments for the sale or provision of personal appearance or care, finance, clothing and goods repair, offices (including legal, insurance, and real estate offices), printing, parking, entertainment, recreation, hotels, motels, educational institutions, food and drink, brewpubs, craft breweries, distilleries, wineries, museums.
- (5) On-premises and off-premises alcoholic beverage sales.
- (6) Municipal and other government uses.

(b) *Accessory uses.* Uses that are accessory, incidental and subordinate to principal uses are permitted in the B-2E district as follows: wholesaling, warehousing and light industry when accessory and incidental to a retailing or service activity. Storage is permitted when accessory and incidental to a residential use.

Special exceptions. Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2 district as follows: communication facilities and facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site.

Prohibited uses. Uses prohibited in the B-2 district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
 - (2) Truck terminals and freight yards.
 - (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills, and ministorage facilities.
 - (4) Single-family detached dwellings
- (e) *Dimensional requirements.* The minimum and maximum dimensional requirements for the B-2 district are as follows:
- (1) *Minimum requirements.* No requirements are applicable to this district.

(2) *Maximum permitted.*

(a) *Setbacks.* Structures housing principal uses shall be built to the front property line for at least 75% of the building frontage. For structures on corner lots, both street frontages shall be considered front property lines for purposes of these requirements. Buildings must provide a primary building entry at the front property line.

(b) *Building Height.* Building height shall not exceed 74 feet as measured from grade to the top of the roof structure, excluding parapet walls or cornices.

(f) *Design Requirements.*

(1) *Fenestration.* The percentage of openings for glass fenestration on the first floor facing streets, excluding alleys, for office uses is required to be a minimum of 15% of the total façade area from finish floor line to finish floor line, and 30% for all other uses. Institutional uses, theatres and performance venues may reduce this requirement upon demonstrating that a hardship exists due to programming or structural uses that would preclude meeting the requirement.

(2) *Cladding.* Building materials for areas visible from streets, excluding alleys, shall consist of one or more of the following: brick, architectural block, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, wood, and architectural metal. Pre-engineered metal, painted or natural concrete block, composite building materials, and vinyl siding are prohibited.

(3) *Concealed Equipment.* The following shall be located or screened so as not to be visible from any street, excluding alleys: air conditioning compressors, window and wall air conditioners, cooling towers, dumpsters, electrical and utility meters, irrigation and pool pumps, permanent barbecues, satellite antennae, utility appurtenances, mechanical rooftop equipment or ventilation apparatus.

(4) *Drive-throughs.* Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, are permitted only as special exceptions by the board of zoning appeals. Drive-throughs shall not be accessed from the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, should not take their access via Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street if possible.

(5) *Sidewalks and Streetscapes.* If a master plan containing sidewalk and/or streetscape recommendations has been adopted by the board of mayor and aldermen for an area, sidewalk or streetscape improvements proposed as part of new development or redevelopment shall comply with the recommendations.

(g) *Signs.*

(1) *Freestanding Signs.* Freestanding signs are permitted only for existing buildings with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.

(2) *Wall Signs.* Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to 100 square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.

- (3) Murals and banners shall not be permitted in the B-2 district, except as approved by the board of mayor and aldermen.
- (4) Electronic message boards are prohibited in the B-2 district.
- (5) *Blade Signs.* Blade signs are encouraged and a blade sign not exceed six (6) square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six (6) linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine (9) feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six (6) square feet may be provided in lieu of a blade sign.

(h) *Parking.*

(1) *Non-residential uses.* No parking is required for non-residential uses. Any parking lot with ten (10) or more spaces must meet the landscape requirements of Section 114-600(d). Parking lot landscaping requirements may be reduced if enhancements to sidewalks, streetscapes, or parking lot screening are proposed by the property owner.

(2) *Residential uses.* Residential uses in the B-2 zone of 12 units or less are not required to provide parking. New construction or renovation of an existing building that results in the construction of 13 or more residential units shall provide 1.5 spaces per unit, either:

(a) Onsite.

(b) Within 1250 feet of the development site through a written arrangement with the external site's property owner or lessee, a copy of which must be filed with the Planning Division and verified annually; this may include shared parking arrangements;

(3) *Screening.* Parking at grade must be located behind a building and screened from view by the building. If is determined by the Planning Division that this requirement cannot be met, parking may be located to the side of the building. In no case excepting existing surface parking for existing buildings shall surface parking be located between the front of the building and the street. Surface parking adjacent to any street, excluding alleys, must be screened with a wrought iron style fence with a minimum height of four feet or a planted buffer at least five feet wide. Support piers for the fence must be constructed of brick or other masonry materials; painted or natural concrete block is prohibited. The planted buffer shall be planted with a minimum of one canopy tree and six shrubs per 25 feet of street frontage. Reductions in screening requirements and buffer width may be requested due to site conditions, including limited space on site or screening being available through other means. Alleys are not required to be screened.

SECTION II. 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 _____

Property Information	City-wide		
Address			
Tax Map, Group, Parcel			
Civil District			
Overlay District			
Land Use Designation			
Acres			
Existing Use		Existing Zoning	
Proposed Use		Proposed Zoning	
Owner /Applicant Information			
Name: Kingsport Regional Planning Commission Address: City: State: Zip Code: Email: Phone Number:		Intent: To approve ordinance amending Ordinance 6475, the B-2 Central Business District, to better accommodate existing and proposed uses downtown.	
Planning Department Recommendation			
(Approve, Deny, or Defer) The Kingsport Planning Division recommends APPROVAL			
Planner:	Justin Steinmann	Date:	1/19/16
Planning Commission Action		Meeting Date:	1/28/16
Approval:			
Denial:		Reason for Denial:	
Deferred:		Reason for Deferral:	

To approve ordinance amending Ordinance 6475, the B-2 Central Business District, to better accommodate existing and proposed uses downtown.

Introduction:

In April 2015, in an effort to adapt the city zoning code to better serve the evolving needs of downtown, the B-2 Central Business District was modified to help protect the traditional character of downtown. Key points from the zoning text amendment include:

Key points from the April 2015 B-2 amendment:

1. Single-family detached dwellings, animal boarding facilities and car dealerships will be prohibited.
2. Facilities with drive-throughs will be more closely regulated.
3. Maximum setbacks and building heights will be established.
4. Design requirements for windows, cladding, equipment concealment and sidewalks will be added.
5. Signage requirements will be changed to encourage building signage over freestanding signage.
6. Residential parking requirements will become more flexible.
7. Commercial parking requirements will be eliminated.
8. Requirements for location of parking lots on individual sites and screening of parking lots will be established

In an effort to better accommodate existing and proposed uses downtown, modifications are proposed to the B-2 zone as enumerated below.

Key points for the proposed January 2016 B-2 amendment:

1. Provide clarifications to the list of permitted and prohibited uses.
2. Reduce the fenestration requirement for office uses from 30% to 15%.
3. Clarify that fenestration requirements apply only to building walls facing public streets.
4. Clarify that equipment concealment requirements apply to cooling towers.
5. Specify maximum distance a blade sign can extend from a building.
6. Correct a paragraph numbering error.
7. Change the threshold for the required number of dwelling units in a single project that trigger parking requirements from 25 to 12.
8. Various other clarifications/corrections.

Presentation:

The wording proposed for modifications to the B-2 zone is below in a strike-through/underline format.

Changes to Ordinance 6475:

(a) *Principal uses.* Principal uses permitted in the B-2, Central Business District are as follows:

- (1) Establishments retailing goods and merchandise such as food, groceries, clothing, hardware, toiletries, furniture and furnishings, gasoline, meals, vehicles, boats, trailers, jewelry, appliances and similar items.
- (2) Financial offices.
- (3) Residential, except single-family detached dwellings.
- (4) Establishments for the sale or provision of personal appearance or care, finance, ~~insurance, real estate,~~ clothing and goods repair, offices (including legal, insurance, and real estate offices), printing, parking, entertainment, recreation, hotels, motels, educational institutions, food and drink, brewpubs, craft breweries, distilleries, wineries, museums.
- (5) On-premises and off-premises alcoholic beverage sales.

(6) Municipal and other government uses.

(b) *Accessory uses.* ~~Accessory uses which~~ Uses that are accessory, incidental and subordinate to principal uses are permitted in the B-2 district as follows: wholesaling, warehousing and light industry when accessory and incidental to a retailing or service activity. Storage is permitted when accessory and incidental to a residential use.

Special exceptions. Special exceptions are permitted only with the approval of the board of zoning appeals and are allowed in the B-2 district as follows: communication facilities and facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site.

Prohibited uses. Uses prohibited in the B-2 district are as follows:

- (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing.
- (2) Truck terminals and freight yards.
- (3) Outdoor and land intensive recreation such as drive-in theaters, car dealerships, racetracks, scrap yards or junkyards, lumberyards, animal hospitals and boarding facilities, stockyards and flour mills, and ministorage facilities.
- (4) Single-family detached dwellings.

(e) *Dimensional requirements.* The minimum and maximum dimensional requirements for the B-2 district are as follows:

- (1) *Minimum requirements.* No requirements are applicable to this district.

(2) *Maximum permitted.*

(a) *Setbacks.* Structures housing principal uses shall be built to the front property line for at least 75% of the building frontage. For structures on corner lots, both street frontages shall be considered front property lines for purposes of these requirements. Buildings must provide a primary building entry at the front property line.

(b) *Building Height.* Building height shall not exceed 74 feet as measured from grade to the top of the roof structure, excluding parapet walls or cornices.

(f) *Design Requirements.*

(1) *Fenestration.* The percentage of openings for glass fenestration on the first floor facing streets, excluding alleys, for office uses is required to be a minimum of 15%~~30%~~ of the total façade area from finish floor line to finish floor line, and 30% for all other uses. Institutional uses, theatres and performance venues may reduce this requirement upon demonstrating that a hardship exists due to programming or structural uses that would preclude meeting the requirement.

(2) *Cladding.* Building materials for areas visible from streets ~~street right-of-way~~, excluding alleys, shall consist of one or more of the following: brick, architectural block, plate glass, and precast concrete panels. Accent materials may include stucco or EIFS, stone, wood, and architectural metal. Pre-engineered metal, painted or natural concrete block, composite building materials, and vinyl siding are prohibited.

(3) *Concealed Equipment.* The following shall be located or screened so as not to be visible from any street, excluding alleys: air conditioning compressors, window and wall air conditioners, cooling towers, dumpsters, electrical and utility meters, irrigation and pool pumps, permanent barbecues, satellite antennae, utility appurtenances, mechanical rooftop equipment or ventilation apparatus.

(4) *Drive-throughs.* Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or greater per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, are permitted only as special exceptions by the board of zoning appeals. ~~Drive-throughs must be accessed via alleys or side streets. For purposes of this section side streets include all downtown streets except the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, should take their access via an alley or side street if possible.~~ Drive-throughs shall not be accessed from the following streets: Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street. Facilities with drive-throughs with a weekday peak hour volume of 30 vehicles or less per 1000 square feet (per the 8th edition ITE Traffic Generation Manual), as measured for the entire site, should not take their access via Center Street, Main Street, Market Street, Broad Street, Sullivan Street, and Clinchfield Street if possible.

(5) *Sidewalks and Streetscapes.* If a master plan containing sidewalk and/or streetscape recommendations has been adopted by the board of mayor and aldermen for an area, sidewalk or streetscape improvements proposed as part of new development or redevelopment ~~shall be required to comply with said recommendations~~ shall comply with the recommendations.

(g) *Signs.*

- (1) *Freestanding Signs.* Freestanding signs are permitted only for existing buildings with a setback from the front property line of ten feet or greater. Freestanding signs must be monument signs, not to exceed eight feet in height, including the sign base. Maximum sign square footage shall not exceed 50 square feet, with no more than 25 square feet per side. Sign bases should be constructed of brick, stone, or other durable materials.
 - (2) *Wall Signs.* Single-tenant businesses and multitenant centers are permitted wall signs equivalent to one percent of the business's building ground coverage area up to 100 square feet total signage. Businesses having less than 5,000 square feet area may utilize up to 50 square feet of signage.
 - (3) Murals and banners shall not be permitted in the B-2 district, except as approved by the board of mayor and aldermen.
 - (5) Electronic message boards are prohibited in the B-2 district.
 - (6) *Blade Signs.* Blade signs are encouraged and a blade sign not exceed six (6) square feet can be provided in addition to wall signage on any façade that has a sidewalk or entrance. One blade sign per exterior wall is permitted. A blade sign is an ornamental rod extending perpendicular from the building no more than six (6) linear feet with a hanging sign suspended from it at a 90 degree angle from building face and street right-of-way. Blade signs shall be placed a minimum of nine (9) feet above sidewalk level to the bottom of the blade sign. Text and graphics on either or both ends of an awning that are oriented perpendicular to the building face for pedestrian view and are no more than six (6) square feet may be provided in lieu of a blade sign.
- (h) *Parking.*
- (1) *Non-residential uses.* No parking is required for non-residential uses. Any parking lot with ten (10) or more spaces must meet the landscape requirements of Section 114-600(d). Parking lot landscaping requirements may be reduced if enhancements to sidewalks, streetscapes, or parking lot screening are proposed by the property owner.
 - (2) *Residential uses.* Residential uses in the B-2 zone of ~~less than 25~~ 12 units or less are not required to provide parking. New construction or renovation of an existing building that results in the construction of ~~25~~ 13 or more residential units shall provide 1.5 spaces per unit, either:
 - (a) Onsite.
 - (b) Within 1250 feet of the development site through a written arrangement with the external site's property owner or lessee, a copy of which must be filed with the Planning Division and verified annually; this may include shared parking arrangements;
 - (3) *Screening.* Parking at grade must be located behind a building and screened from view by the building. If is determined by the Planning Division that this requirement cannot be met, parking may be located to the side of the building. In no case excepting existing surface parking for existing buildings shall surface parking be located between the front of the building and the street. Surface parking adjacent to any street ~~right-of-way~~, excluding alleys, must be screened with a wrought iron style fence with a minimum height of four feet or a planted buffer at least five feet wide. Support piers for the fence must be constructed of brick or other masonry materials; painted or natural concrete block is prohibited. The planted buffer shall be planted with a minimum of one canopy tree and six shrubs per 25 feet of street ~~street right-of-way~~ frontage. Reductions in screening requirements and buffer width may be requested

due to site conditions, including limited space on site or screening being available through other means. Alleys are not required to be screened.



AGENDA ACTION FORM

Ordinance to Condemn

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-21-2016
 Work Session: February 1, 2016
 First Reading: February 2, 2016

Final Adoption: February 16, 2016
 Staff Work By: R. Trent, H. Clabaugh
 Presentation By: M. Billingsley

Recommendation:

Approve the Ordinance.

Executive Summary:

The Public Works Department has requested easements and right-of-ways for Phase 3 of the Colonial Heights Sanitary Sewer Extension Project. The attached ordinance authorizes and directs the City Attorney to initiate condemnation proceedings to acquire easements and rights-of-way that cannot be voluntarily acquired on Phase 3 of the Colonial Heights Sanitary Sewer Extension Project.

Attachments:

1. Ordinance
2. Project Location Map

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

Ordinance to Condemn

To: Board of Mayor and Aldermen
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Action Form No.: AF-21-2016
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 Staff Work By: R. Trent, H. Clabaugh
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Recommendation:

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McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF CERTAIN PUBLIC WORKS PROJECTS; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the construction of the Public Works Projects are deemed a matter of highest priority for the public health, welfare, safety and convenience of the citizens and the public at large; and

WHEREAS, pursuant to the provisions of Tenn. Code Ann. Section 7-35-101 et seq., the City has embarked upon the accomplishment of the herein named Public Works Project in accordance with the terms and provisions of said Act; and

WHEREAS, the City is empowered by ordinance, in accordance with the provisions of Article I, Section 2, Subsection 9 of the Charter, to condemn property, real or personal, or any easement, interest, estate or use therein, either within or without the City, for present or future public use, and in accordance with the terms and provisions of the general law of the State regarding eminent domain; and

WHEREAS, it may become necessary in the accomplishment of the herein named Public Works Projects to initiate litigation to acquire property, real or personal, or any easement, interest, estate or use therein, in connection with the herein named Public Works Project; and

WHEREAS, time is of the essence in the accomplishment of the herein named Public Works Project,

Now therefore,

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. In accordance with the provision of Article I, Section 2, Subsection 9 of the Charter, the City Attorney is hereby authorized and directed to initiate eminent domain proceedings to condemn property, real or personal, or any easement, interest, estate or use therein, for the accomplishment of the following Public Works Project:

Colonial Heights Sanitary Sewer Extension Project– Phase 3

SECTION II. That since time is of the essence in the expeditious acquisition of property, real or personal, or any easement, interest, estate or use therein, to accomplish the foregoing stated purposes, the City Attorney is further directed to proceed forthwith to institute eminent domain proceedings as authorized by Resolution.

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 _____



AGENDA ACTION FORM

Condemn Property for the Indian Highland Park Parking Lot Project

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager *JF*

Action Form No.: AF-27-2016
 Work Session: February 1, 2016
 First Reading: February 2, 2016

Final Adoption: February 16, 2016
 Staff Work By: R. Trent, D. Frye
 Presentation By: M. Billingsley

Recommendation:

Approve the Ordinance.

Executive Summary:

The board of education has requested acquisition of the property located at 1810 East Center Street for the school department to complete the Indian Highland Park Parking Lot Project. The property is located between Indian Highland Park and the remaining property on the north side of Center Street, which is used for parking. The property is needed to complete the parking lot. The parking will be used for school purposes. It appears there are some issues with the title to the property, and condemnation should clear the title for the governmental use of the property. The attached ordinance authorizes and directs the city attorney to initiate condemnation proceedings to acquire the property for the completion of the Indian Highland Park Parking Lot Project.

A map showing the location of the property is attached.

Attachments:

1. Ordinance
2. Tax Map Location

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

Condemn Property for the Indian Highland Park Parking Lot Project

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-27-2016
 Work Session: February 1, 2016
 First Reading: February 2, 2016

Final Adoption: February 16, 2016
 Staff Work By: R. Trent, D. Frye
 Presentation By: M. Billingsley

Recommendation:

Approve the Ordinance.

Executive Summary:

The board of education has requested acquisition of the property located at 1810 East Center Street for the school department to complete the Indian Highland Park Parking Lot Project. The property is located between Indian Highland Park and the remaining property on the north side of Center Street, which is used for parking. The property is needed to complete the parking lot. The parking will be used for school purposes. It appears there are some issues with the title to the property, and condemnation should clear the title for the governmental use of the property. The attached ordinance authorizes and directs the city attorney to initiate condemnation proceedings to acquire the property for the completion of the Indian Highland Park Parking Lot Project.

A map showing the location of the property is attached.

Attachments:

1. Ordinance
2. Tax Map Location

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Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

ORDINANCE NO. _____

AN ORDINANCE TO AUTHORIZE AND TO DIRECT THE CITY ATTORNEY TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY, REAL OR PERSONAL, OR ANY EASEMENT, INTEREST, ESTATE OR USE THEREIN, FROM AFFECTED PROPERTY OWNERS ALONG THE ROUTE OF A CERTAIN PUBLIC WORKS PROJECT, TO WIT, INDIAN HIGHLAND PARK PARKING LOT PROJECT; TO FIX THE PROCEDURE FOR DIRECTING THE INITIATION OF SUCH LITIGATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, the construction of the public works projects are deemed a matter of highest priority for the public health, welfare, safety and convenience of the citizens and the public at large; and

WHEREAS, pursuant to the provisions of *Tenn. Code Ann.* section 7-35-101 et seq., the city has embarked upon the accomplishment of the herein named public works project in accordance with the terms and provisions of said Act; and

WHEREAS, the city is empowered by ordinance, in accordance with the provisions of Article I, Section 2, Subsection 9 of the Charter, to condemn property, real or personal, or any easement, interest, estate or use therein, either within or without the city, for present or future public use, and in accordance with the terms and provisions of the general law of the State regarding eminent domain; and

WHEREAS, it may become necessary in the accomplishment of the herein named public works project to initiate litigation to acquire property, real or personal, or any easement, interest, estate or use therein, in connection with the herein named public works project; and

WHEREAS, time is of the essence in the accomplishment of the herein named public works project,

Now therefore,

BE IT ORDAINED BY THE CITY OF KINGSPORT, as follows:

SECTION I. In accordance with the provision of Article I, Section 2, Subsection 9 of the Charter, the city attorney is hereby authorized and directed to initiate eminent domain proceedings to condemn property, real or personal, or any easement, interest, estate or use therein, including the property described in deed book 227A, page 327, recorded in the office of the Sullivan County Register of Deeds, at Blountville, for the accomplishment of the following public works project:

Indian Highland Park Parking Lot Project

SECTION II. That since time is of the essence in the expeditious acquisition of property, real or personal, or any easement, interest, estate or use therein, to accomplish the foregoing stated purposes, the city attorney is further directed to proceed forthwith to institute eminent domain proceedings as authorized by resolution.

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 _____



RON HILLMAN
PROPERTY ASSESSOR
SULLIVAN COUNTY
3411 HIGHWAY 126, SUITE 103
BLOUNTVILLE, TN 37617

Parcel: 061D D 02200 00011061D
Owner Name: SHIPLEY MABLE B

Tax Year: 2015
Mailing:

Location: CENTER ST E 1810

1102 OAK ST KINGSPORT TN 37660



Field	Value
ASSMT CLASS	08
FINAL VALUE	16500
MUN CODE	380
NEIGHBORHOOD	A60



AGENDA ACTION FORM

Agreement with Spoden and Wilson Consulting Engineers for the Continuation of the Greenbelt Eastern Extension Phase 1 Project

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-35-2016
 Work Session: February 15, 2016
 First Reading: N/A

Final Adoption: February 16, 2016
 Staff Work By: H. Clabaugh, M. Thompson
 Presentation By: R. McReynolds

Recommendation:

Approve the Resolution.

Executive Summary:

In 2013, the City of Kingsport received a Transportation Alternatives Grant from the Tennessee Department of Transportation to build a new section of the Greenbelt, extending the current paved section from its ending point near Exchange Place to Cleek Road. We request approval to enter into this Agreement for Services for the eastern end extension phase 1 section. The project work includes professional engineering services; survey, design, inspection and project management. The amount for the services is \$135,800.00, and funding is available in GP1529.

Attachments:

1. Resolution
2. Proposal
3. Location Map

Funding source appropriate and funds are available: js

	<u>Y</u>	<u>N</u>	<u>O</u>
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SPODEN & WILSON CONSULTING ENGINEERS FOR THE GREENBELT PROJECT AND TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, in 2013 the city received a Transportation Alternatives Grant from the Tennessee Department of Transportation to build a new section of the Greenbelt to Cleek Road from its ending point near Exchange Place; and

WHEREAS, the city would like to enter into a professional design services agreement with Spoden & Wilson for the new section of the Greenbelt of approximately 6,000 feet linear to Cleek Road from its ending point near Exchange Place; and

WHEREAS, the cost of this agreement is not to exceed \$135,800.00; and

WHEREAS, funding is provided in Project Number GP1529.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the mayor, or in his absence, incapacity, or failure to act, the vice mayor, is authorized to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, a professional services agreement with Spoden & Wilson Consulting Engineers, to construct the new section to Cleek Road from its ending point near Exchange Place in an amount not to exceed \$135,800.00 and to execute any and all documents necessary and proper to effectuate the purpose of the agreement.

SECTION II. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 16th day of February, 2016.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

**SPODEN & WILSON
CONSULTING ENGINEERS**

PHONE (423) 245-1181
FAX (423) 245-0852
338 E. CENTER STREET
SUITE #2
KINGSPORT, TENNESSEE
37660

STEVE D. WILSON, P.E.

REGISTRATIONS:
NORTH CAROLINA
TENNESSEE
TEXAS
VIRGINIA

December 30, 2015

Hank Clabaugh, City Engineer
City of Kingsport, Tennessee
225 West Center Street
Kingsport, Tennessee 37660

Re: Consultant Engineering Services Proposal
City of Kingsport Greenbelt -East End
Greenbelt Extension from
Ravine at Exchange Place to Cleek Road
File No. 15033

Dear Mr. Clabaugh:

Based on our continued understanding of the scope of the approximate 6,000 LFT (1.1+/- Miles) Greenbelt Extension from the ravine below Exchange Place north toward Stone Drive crossing Reedy twice and then up the south side of Reedy Creek to Cleek Road, and based on additional scope of work / project conversations and expectations, including those in our teleconference with TDOT representatives, and based on our acknowledgement of continuing additional surveying needs related to potential interferences and obstacles related to the path, we revise our initial March 27, 2015 proposal to provide consultant engineering services for the referenced project as follows:

Estimated Construction Cost Target:	\$940,000
Design Engineering Fee (Constr. Drawings and Bid Doc.; 9.5%):	\$89,300.00
Surveying costs for Topo, R. O. W. and/or Property Acquisition:	\$23,000.00
<u>Engineering Contract Administration (2.5%):</u>	<u>\$23,500.00</u>
Total proposed Lump Sum Fee:	\$135,800.00

Please note, in light of the more recent surveying criteria and surveying expectations being discussed and firmly committed to and now being collectively established by the City of Kingsport and Spoden & Wilson, the \$23,000 surveying fee (Alley & Associates, Surveyors) includes the following: an approximate 50' wide strip of existing field confirmed topography along the 6000'+/- route, a onetime staking of the proposed center line and all property acquisition plats (including setting permanent corners) and additional information including

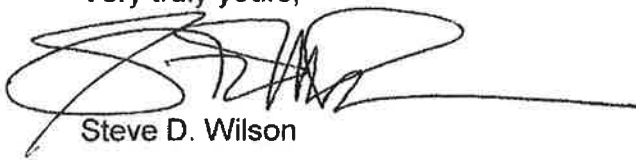
Hank Clabaugh, City Engineer
Consultant Engineering Services Proposal
City of Kingsport Greenbelt - East End
File No. 15033
December 30, 2015
Page 2

identified "bat habitat" trees, etc., utilities information and other potential interferences information.

We appreciate the City of Kingsport as one of our primary, long-term clients and greatly value our past involvement in design and development of the Greenbelt and we are truly grateful for the opportunity to continue to propose design engineering services on this Greenbelt project.

If you should need additional information, please feel free to call.

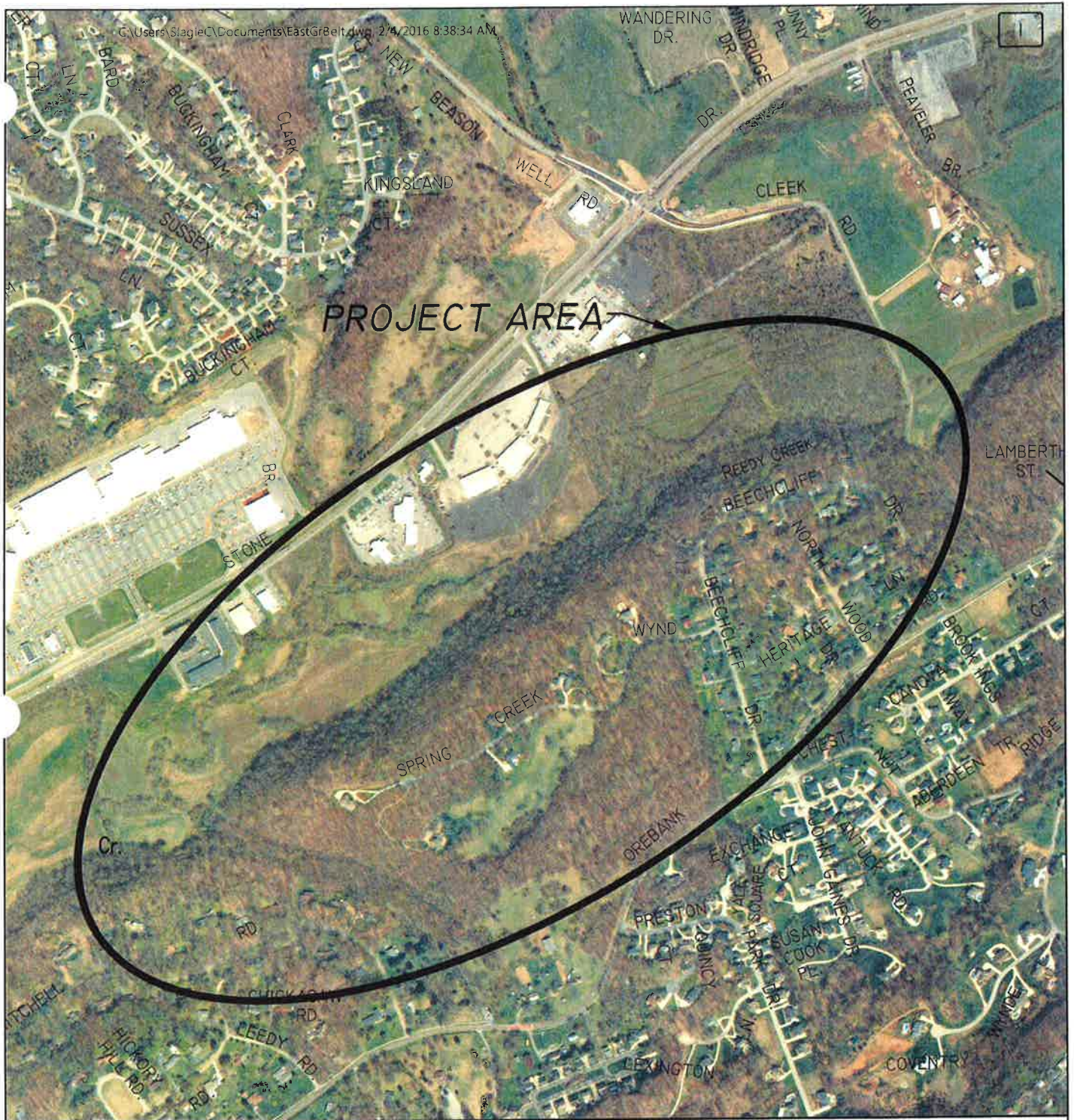
Very truly yours,

A handwritten signature in black ink, appearing to read "SDW", with a long horizontal line extending to the right.

Steve D. Wilson

SDW/mah

cc: Ryan McReynolds, Public Works Director
Michael Thompson, Assistant Public Works Director
Sandy Crawford, Procurement Manager



EASTERN END GREENBELT EXTENSION
EXCHANGE PLACE TO CLEECK ROAD

FIGURE 1 - PROJECT AREA



AGENDA ACTION FORM

Appointment to the Gateway Review Commission

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-29-2016
 Work Session: February 15, 2016
 First Reading: N/A

Final Adoption: February 16, 2016
 Staff Work By: Lynn Tully, AICP
 Presentation By: Mayor John Clark

Recommendation:

Approve appointment to the Gateway Review Commission.

Executive Summary:

Mr. John Perdue has agreed to be appointed to a three-year term to the Gateway Review Commission of the city of Kingsport if approved by the Board of Mayor and Aldermen. His term is effective immediately and will expire February 28, 2019. He will be replacing the expired term of Mr. George Coleman.

John Perdue recently retired from Eastman Chemical Company. At Eastman, John worked in a variety of assignments, but spent the great majority of his career working in Engineering and Construction, Utilities production, and Maintenance and Services.

John is active in his profession, having served in a variety of positions in both the National Society of Professional Engineers and the Tennessee Society of Professional Engineers, serving as President of the Tennessee Society, and was named as a Fellow by both the National and Tennessee Societies. John also received a gubernatorial appointment to serve on the Architects and Engineers Board for Tennessee.

In the community, John is active in the United Way of Greater Kingsport, having served as both Campaign Chair and President of this organization. He and his wife Beverley are currently chairing the Downtown Revitalization post-Summit Work Group.

He is married to Beverley, has one adult son and three grandchildren.

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

Appointment to the Regional Planning Commission

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-30-2016
 Work Session: February 15, 2016
 First Reading: N/A

Final Adoption: February 16, 2016
 Staff Work By: Lynn Tully, AICP
 Presentation By: Mayor John Clark

Recommendation:

Approve appointment to the Regional Planning Commission.

Executive Summary:

Mrs. Sharon Duncan has agreed to be appointed to the Kingsport Regional Planning Commission if approved by the Board of Mayor and Aldermen to complete the unexpired term of Ms. Heather Cook who is now employed with the City of Kingsport. Ms. Duncan's term will expire June 30, 2017.

Sharon Duncan is a Kingsport City resident and is a full time Realtor with Town and Country Realty. She is married to Darrell Duncan and has been a Realtor for 10 years and credits experience and education to the success of her profession. Sharon previously worked at Quebecor World in Benefits Administration.

Sharon has served on many nonprofit boards, and organizations and volunteers countless hours to our community. Some of her recent appointments have been as 2015 President of Northeast Tennessee Association of Realtors, where she has been a director from 2009 - present. She has been the recipient of many awards including the Mark Keesecker Humanitarian Award, Realtor of The Year, and Netar Leadership. She also is involved at the State level with the Tennessee Association of Realtors, where she served as Division Vice President 2014-15, TAR Leadership, Chaired Convention Committee and is currently Vice Chair of Strategic Planning.

Sharon served on various civic committees and learned true volunteerism with Junior League of Kingsport where she was President in 2012. She has also served a three year appointment as a board member for Kingsport Chamber of Commerce. She is currently on the Kingsport Board of Zoning and Appeals, is involved with the OneKingsport Summit Downtown Revitalization group, and is on Eastman's Community Advisory Panel.

Kingsport is a great place to live, work and raise a family. I look forward to serving our community for many years.

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

Reappointment and Appointment to the Kingsport Board of Zoning Appeals

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-31-2016
 Work Session: February 15, 2016
 First Reading: N/A

Final Adoption: February 16, 2016
 Staff Work By: Lynn Tully, AICP
 Presentation By: Mayor John Clark

Recommendation:

Approve reappointment/appointment to Kingsport Board of Zoning Appeals.

Executive Summary:

Mr. William Sumner has served one term on the Kingsport Board of Zoning Appeals and has agreed to be reappointed to a three-year term if approved by the Board of Mayor and Aldermen. Second term to expire December 31, 2018.

Mr. Ashok Gala has agreed to be appointed to the Kingsport Board of Zoning Appeals to replace Ms. Sharon Duncan who is recommended for appointment to the Regional Planning Commission. If approved by the Board of Mayor and Aldermen Mr. Gala's term will expire April 30, 2017 completing Ms. Duncan's unexpired term.

Ashok Gala is a Kingsport resident and works at Eastman Chemical Company. He has lived in Kingsport for 35+ years and considers Kingsport his home away from home (originally from India). He is married to Brinda and has two boys (Anish and Samir). He has been very active in community service and has served on many non-profit organizations including United Way of Greater Kingsport, Girls Inc., KOSBE, Boys and Girls Club and Regional Indian American Community Center and many more. Currently he is serving on the Holston Habitat for Humanity board of directors and on the Health and Wellness Kingsport Summit group.

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



AGENDA ACTION FORM

Approval of Easement and Right-of-Way for Cooks Terrace Sewer Extension Project

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-33-2016
 Work Session: February 15, 2016
 First Reading: N/A

Final Adoption: February 16, 2016
 Staff Work By: R. Trent; H. Page
 Presentation By: R. McReynolds

Recommendation:

Approve the offer.

Executive Summary:

In order to extend sanitary sewer services to an adjacent property, the Public Works Department has requested easement and right-of-way across affected property. An appraisal has been prepared in accordance with the City of Kingsport's Real Property Acquisition Policies & Procedures and indicates the fair market values as per the below property owner.

Tax Map & Parcel	Property Owner/s	Easement Area	Appraised Value
#62K; A-001.00	Cooks Point Owners Association, Inc. c/o Edgar Gamble 1121 Cooks Terrace Kingsport, TN 37664	Perm. 1,141 sq. ft.	\$942.00

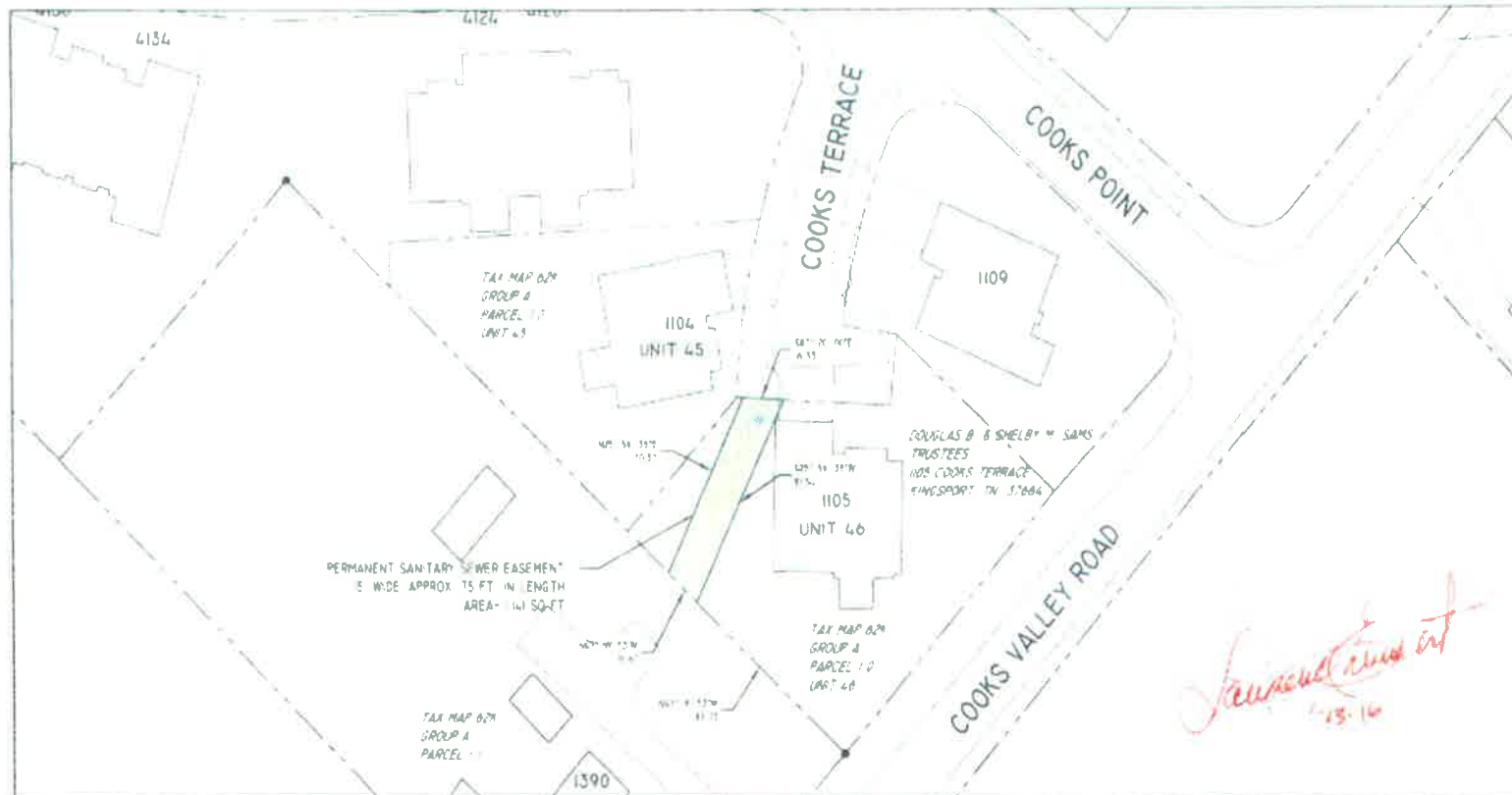
This project will be funded under #412-5004-501-9001.

Attachment:

1. Easement Location Map

Funding source appropriate and funds are available: 

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Olterman	—	—	—
Parham	—	—	—
Clark	—	—	—



Lawrence H. Ewert
1-13-16

ALL BEARINGS XGRN
(KINGSPORT GEODETIC
REFERENCE NETWORK)



SANITARY SEWER EASEMENT
ACROSS

UNIT 46 COOKS POINT SECTION 2:
TAX MAP 62K, GROUP A, PARCEL 10

LOCATED IN THE 4TH CIVIL DISTRICT OF SULLY CO. TN
LAWRENCE H. EWERT REGISTERED LAND SURVEYOR TENNESSEE NO. 475

OFFICE OF THE CITY ENGINEER
DATE 01-13-2016

N-2548

KINGSPORT, TN
SCALE 1"=50'



AGENDA ACTION FORM

Awarding the Bid for the Purchase of Various Water and Sewer Maintenance Items

To: Board of Mayor and Aldermen
 From: Jeff Fleming, City Manager

Action Form No.: AF-39-2016
 Work Session: February 15, 2016
 First Reading: N/A

Final Adoption: February 16, 2016
 Staff Work By: Committee
 Presentation By: C. McCartt, R. McReynolds

Recommendation:

Approve the resolution.

Executive Summary:

Bids were opened on January 27, 2016 for the purchase of various water & sewer maintenance inventory items stocked at the Water & Sewer Department warehouse located @ 1213 Konnarock Road. The bid was issued to secure pricing for a twelve month time frame and included a total of 756 items to be purchased on an as needed basis.

The bid invitation was publicly advertised on December 27, 2015 in the Kingsport Times News and downloadable bid documents were posted on the Purchasing Department's website for a time period of 32 calendar days. Bids were received from 15 vendors and low bids from five of those vendors were in excess of \$50,000.00 for various items. As a result of those five bidders offering pricing on various items in excess of \$50,000.00 BMA approval is required for those bids only. Fifteen bidders are to be awarded purchase orders as a result of their replies to this bid.

The bid from Consolidated Pipe & Supply, Inc. offered low pricing for various items totaling \$145,912.30. The bid from Southern Pipe & Supply, Inc. offered low pricing for various items totaling \$201,655.70. The bid from HD Supply Waterworks, Inc. offered low pricing for various items totaling \$210,436.67. The bid from Hayes Pipe Supply, Inc. offered low pricing for various items totaling \$62,957.67. The bid from CMC Supply, Inc. offered low pricing for various items totaling \$87,622.57.

The City is not required to purchase any of the items from this bid unless and until those items are needed as defined by the requirements of the bid. The City reserves the right to determine the low bidder either on the basis of the individual items or on the basis of all items included in its Invitation to Bid.

Funding is identified in account number 41100001410000.

Attachments:

1. Resolution
2. Bid Opening Minutes available for review @ <http://purchasing.kingsporttn.gov/list2>
3. Bid Award Summary

Funding source appropriate and funds are available: 

	Y	N	O
Duncan	—	—	—
George	—	—	—
McIntire	—	—	—
Mitchell	—	—	—
Parham	—	—	—
Olterman	—	—	—
Clark	—	—	—

RESOLUTION NO. _____

A RESOLUTION AWARDING THE BID FOR PURCHASE OF VARIOUS WATER AND SEWER MAINTENANCE ITEMS TO SOUTHERN PIPE & SUPPLY, HD SUPPLY WATERWORKS, HAYES SUPPLY WATERWORKS, INC, CMC SUPPLY, INC, AND CONSOLIDATED PIPE & SUPPLY, INC AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

WHEREAS, bids were opened January 27, 2016 for the purchase of various water and sewer maintenance inventory items stocked at the water and sewer departments located at 1213 Konnarock Road; and

WHEREAS, upon review of the bids, the board finds that Southern Pipe & Supply, HD Supply Waterworks, Hayes Supply Waterworks, Inc., CMC Supply, Inc. and Consolidated Pipe & Supply, Inc. are the lowest responsible compliant bidders meeting specifications for the particular grade or class of material, work or services desired and is in the best interest and advantage to the city, and the City of Kingsport desires to purchase various water and sewer maintenance inventory items as set out in the Water/Sewer Maintenance bid opening minutes, available for review at <http://purchasing.kingsporttn.gov/list2>, from Southern Pipe & Supply at an amount up to \$201,655.70, HD Supply Waterworks at an amount up to \$210,436.67, Hayes Supply Waterworks, Inc. at an amount up to \$62,957.67, CMC Supply, Inc. at an amount up to \$87,622.57, and Consolidated Pipe & Supply, Inc. at an amount up to \$145,912.30; and

WHEREAS, funding is identified in account number 41100001410000;

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the bid for purchase of water and sewer maintenance inventory items as set out in the "Water Sewer Maintenance Items Award Summary Bid Opening Date January 27, 2016" attached hereto as Exhibit A, and further detailed in the "Various Water/Sewer Items-Bid Opening date January 27, 2016", available for review at <http://purchasing.kingsporttn.gov/list2>, for use by the water and sewer department is awarded to Southern Pipe & Supply, at an amount up to \$201,655.70, and the city manager is authorized and directed to execute a purchase order for same.

SECTION II. That the bid for purchase of water and sewer maintenance inventory items as set out in the "Water Sewer Maintenance Items Award Summary Bid Opening Date January 27, 2016" attached hereto as Exhibit A and further detailed in the "Various Water/Sewer Items-Bid Opening date January 27, 2016", available for review at <http://purchasing.kingsporttn.gov/list2>, for use by the water and sewer department is awarded to HD Supply Waterworks at an amount up to \$210,436.67, and the city manager is authorized and directed to execute a purchase order for same.

SECTION III. That the bid for purchase of water and sewer maintenance inventory items as set out in the "Water Sewer Maintenance Items Award Summary Bid Opening Date January 27, 2016" attached hereto as Exhibit A and further detailed in the "Various Water/Sewer Items-

Bid Opening date January 27, 2016", available for review at <http://purchasing.kingsporttn.gov/list2>, for use by the water and sewer department is awarded to Hayes Pipe Supply, Inc., at an amount up to \$62,957.67, and the city manager is authorized and directed to execute a purchase order for same.

SECTION IV. That the bid for purchase of water and sewer maintenance inventory items as set out in the "Water Sewer Maintenance Items Award Summary Bid Opening Date January 27, 2016" attached hereto as Exhibit A and further detailed in the "Various Water/Sewer Items-Bid Opening date January 27, 2016", available for review at <http://purchasing.kingsporttn.gov/list2>, for use by the water and sewer department is awarded to CMC Supply, Inc., at an amount up to \$87,622.57, and the city manager is authorized and directed to execute a purchase order for same.

SECTION V. That the bid for purchase of water and sewer maintenance inventory items as set out in the "Water Sewer Maintenance Items Award Summary Bid Opening Date January 27, 2016" attached hereto as Exhibit A and further detailed in the "Various Water/Sewer Items-Bid Opening date January 27, 2016, available for review at <http://purchasing.kingsporttn.gov/list2>, for use by the water and sewer department is awarded to Consolidated Pipe & Supply, Inc. at an amount up to \$145,912.30 and the city manager is authorized and directed to execute a purchase order for same.

SECTION VI. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION VII. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 16th day of February, 2016.

JOHN CLARK, MAYOR

ATTEST:

JAMES H. DEMMING, CITY RECORDER

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY, CITY ATTORNEY

Water Sewer Maintenance Items Award Summary
Bid Opening Date January 27, 2016

Vendor Name	Purchase Order Number	Amount
Consolidated Pipe & Supply	S02208	\$145,912.30
HD Supply	S02209	\$210,436.67
Southern Pipe	S02210	\$201,655.70
Ferguson Enterprises	S02211	\$13,052.65
Hayes Pipe Supply	S02212	\$62,957.67
G & C Supply	S02213	\$21,518.51
CMC Supply	S02214	\$87,622.57
Permatile Concrete Products	S02215	\$9,606.20
Little Acorn Oil	S02216	\$345.00
Ford System	S02217	\$2,430.64
General Rubber	S02218	\$1,389.90
Advanced Safety	S02219	\$10,333.95
Hagemeyer	S02220	\$2,248.02
Northern Safety	S02221	\$5,232.20
G & F Products	S02222	\$4,380.00