

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

City Hall
225 W Center Street, Kingsport, TN 37660

June 19, 2014

7:00 p.m.

Members Present

Buzzy Breeding
Hoyt Denton, Vice Chairman
Dr. Mike McIntire, Vice Mayor
John Moody
Beverly Perdue
Mark Selby
Dave Stauffer

Staff Present

Lynn Tully
Ken Weems
Corey Shepherd
Justin Steinmann
Jacob Grieb

Members Absent

Dr. Heather Cook
Dennis Ward, Chairman

Visitor's List

Rodney Hurd
Linda Hackler
Robin Burke
Stacie Lane
Sam Booher

At 7:00 p.m., Dr. Mike McIntire called the meeting to order in Chairman Dennis Ward's absence, welcomed the audience, introduced the commissioners and staff and summarized the meeting procedures. Dr. McIntire asked for approval of the agenda. A motion was made by Mark Selby seconded by Buzzy Breeding to approve the agenda as presented. The motion was approved unanimously 6-0. Dr. McIntire asked for any changes for the revised minutes of the work session held May 12, 2014 and the regular meeting held May 15, 2014. There being no changes, a motion was made by John Moody seconded by Beverly Perdue to approve the minutes as presented. The motion was approved unanimously 6-0.

CONSENT AGENDA

None

UNFINISHED BUSINESS

None

NEW BUSINESS

06-01 Coley Street Rezoning - (14-101-00007)

The Planning Commission considered a request for approval to rezone from County R-2A to County B-3 to allow for future commercial use at 100 Coley Street. The property is located outside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County. Corey Shepherd presented the item. The request is from the property owner Rodney Hurd. Staff stated the request is for rezoning a parcel on Coley Street which is the site of the former Cedar Grove Elementary School. Mr. Shepherd stated the City and County future land use plans indicate the area as appropriate for residential development. Staff stated some calls were received in response to rezoning notification letters although all the responses were left on voicemail due to unavailability of callers.

Separate County Commission review is required for this rezoning. Staff recommended a denial of the B-3 zoning requested. Hoyt Denton asked what was along the southern boundary of the request? Staff replied that it appears to be accessory structures for the school and two mobile homes. There is a vacant structure and a non-conforming manufacturing building at the southern bounds as well which was offered by Rodney Hurd from the audience. Hoyt Denton asked why recommend denial? Staff recommended denial based on the request as a spot zoning, the road being somewhat inappropriate for commercial traffic and the future land use plan for the area being residential. Mark Selby asked if B-3 was more liberal in allowing uses or more restrictive. Corey Shepherd stated B-3 is pretty wide open for commercial uses. At this time the item was opened for public hearing. Linda Hackler spoke asking what was being considered for development in the area. Staff stated they had no knowledge of any future plans at this time. Rodney Hurd stated he had some offers pending with a pharmaceutical company for processing and manufacturing of medications. Dr. Mike McIntire asked is the B-3 appropriate zoning for manufacturing. Staff stated it would have to defer to the county zoning administrator for that interpretation. Linda Hackler then asked if this would allow for hotels and public housing. Staff stated hotels could be built but public housing would potentially need different zoning. Robyn Byrd asked if the change to a commercial zoning and use allow for increased crime. Staff stated that is a possibility. The public hearing was closed. Staff noted that the request will be heard at the County Commission meeting on July 21st and anyone interested should attend and speak about the item at that time. The question was posed regarding future potential annexation of the area. Staff stated at this time annexation is limited and there is a very slim chance of annexation taking place. Another question raised was whether taxes would go up if rezoned. Hoyt Denton stated there would be little impact if at all. Hoyt Denton stated that most of the area is isolated from the rest of the community and all permitting will be required. There being no further questions, a motion was made by Hoyt Denton to recommend approval and Dave Stauffer seconded it. Mike McIntire stated B-3 is very open to much less desirable uses and it is also a concern for spot zoning. The motion failed, 2-5 with Buzzy Breeding, Mike McIntire, John Moody, Beverly Perdue and Mark Selby disapproving.

06-02 Lynn Garden Drive Rezoning – (14-101-00008)

The Planning Commission considered a request for approval to rezone from B-1 to B-3 to allow for highway oriented business uses at 425 Lynn Garden Drive. The property is located inside the corporate limits of the City of Kingsport, 11th Civil District of Sullivan County. Ken Weems presented the item stating the property is 9.9 acres with surrounding zoning of B-1 and B-3 as well as R-1C and R-4 across Lynn Garden Drive and the entire parcel is in the flood fringe with floodway of Reedy Creek bisecting. Staff stated the old Fairway Ford building and other adjoining buildings are included in the request. The ZDP for the request does not include any new buildings and a church is interested in the

Fairway Ford building. Staff recommended approval to the Planning Commission for this request. There have been 2 calls from nearby property owners. One call was for information and the other was in support for the purpose of getting a user in the building. Mark Selby asked if churches could go in any zone. Staff answered that most can but some may be allowed by a special exception hearing. The item was opened for public hearing. Sam Booher who is representing the property owner spoke in favor of the item. There were no speakers in opposition. The public hearing was then closed. There being no further comments a motion was made by Hoyt Denton and seconded by Dave Stauffer to approve the request. The motion was approved unanimously 6-0.

06-03 Gibson Mill Road Surplus Request – (14-401-00001)

The Planning Commission considered a request to recommend to the Kingsport Board of Mayor and Alderman that property located at 1333 Gibson Mill Road and identified as Tax map 46G, Group A, Parcel 21 be officially designated as surplus property. The property is located inside the corporate limits of the City of Kingsport, in the 11th Civil District of Sullivan County. Corey Shepherd presented the item stating the property request is from Tommy Stapleton. Mr. Stapleton is adjacent to the requested property. The property was acquired as part of the Gibson Mill Road realignment. A portion was being removed for right-of-way and the parcel was then replatted. Staff stated that the Planning Commission must recommend all surplus requests. No further uses were identified by staff. There being no speakers, a motion was made by Beverly Perdue and seconded by Mark Selby to approve the request. The motion was approved unanimously 6-0.

06-04 Nomination Committee

The Planning Commission Chair was asked to appoint a nominating committee for election of Officers in July. According to the current by-laws the nominating committee must include three Planning Commission members. Mike McIntire, Hoyt Denton and Mark Selby were appointed to the committee.

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

Stacie Lane spoke under Public Comment. She stated on April 24th she put in a request for annexation into the City. She stated she had toured the Innovation academy for middle school but that option is no longer available due to its new location and other changes. They did submit an application for attendance at Kingsport City Schools by tuition but do not like the idea having to submit this application every year. She understands that there is a current annexation policy under review but their application was submitted prior to the hold for the review. She is asking that their request be heard prior to the August school opening. She stated they will be staying in their current home for some time and are approximately 3/10 mile from the City limits and are waiving any requests for sewer. This is the first time they have requested City Schools and she had

spoken to Elaine Minton who stated there will be a few tuition spots available for middle school. Mike McIntire stated there are changes in legislation on annexation and there was a request to review the policies for annexations in the future. The policy will be heard by the Planning Commission next month, but there will be changes. Historically we have attempted to accommodate all requests but there are other issues that must be considered more heavily than previously. Dave Stauffer asked where they were located from Bailey Ranch Subdivision. Mrs. Lane stated she is just a bit further then Bailey Ranch. Mark Selby asked if this was a self-imposed moratorium. Mike McIntire noted that the last few were put on hold based on bringing forward a policy under the new annexation laws. Corey Shepherd stated the request just missed the submittal deadline for the May Planning Commission meeting. Staff stated that this may result in some requests being held for full neighborhoods to be annexed via referendum or for future development.

VIII. OTHER BUSINESS

- 06-04 Receive a letter of resubdivision of the Hobart Bowery Property, on Rocky Branch Road.
- 06-05** Receive a letter of resubdivision of the Cecil Bishop Property, on John B. Dennis Highway.
- 06-06** Receive a letter of resubdivision of Bailey Ranch, Lots 23 and 24, on Rick Slaughter Court.
- 06-07** Receive a letter of resubdivision of Warrior Falls lots, on Warrior Falls Drive.
- 06-08** Receive a letter of resubdivision of the Anderson, Gatton and King Subdivision, on Lynn Garden Drive.
- 06-09** Receive a letter of resubdivision of the Anderson, Gatton, and King Subdivision, on Lynn Garden Drive.
- 06-10** Receive a letter of resubdivision of the Sunrise Valley Subdivision, on Wine Circle.
- 06-11** Receive a letter of resubdivision of Gravely Baptist Church, on Gravely Road and Dinsmore Street.
- 06-12** Receive, for informational purposes only, the May 2014 report from the Building Division.

ADJOURNMENT

Staff let the Planning Commission know of a training opportunity that will be Friday, July 25th from 3:00 to 4:30 on Private Property Rights by Josh Jones, MTAS. Contact Alison Harrison to sign up.

Hoyt Denton stated his position on individual houses to be annexed. He is not supportive of that format based on costs of single family residential services, particularly for schools. He is supportive of home builders in the city and would encourage that we drive citizens to new housing in the City limits. There are hidden costs in education that are not accommodated by new taxes from a single annexation.

Buzzy Breeding stated that we should look harder at the costs for annexation. He was not necessarily more concerned with a whole neighborhood being annexed as much as a single family home being annexed.

Mike McIntire stated that each student brings \$8000 of state money into the classroom where they attend. The reality is that the City supplements the \$8K. Tuition helps cover the gaps but it is not entirely covering.

Dave Stauffer stated allowing a single property to come into the City may lead to more extensive annexation in an area. Warrior Falls is a good example.

Mike McIntire stated that generally residential annexation is break even at best.

Dave Stauffer commented that new home building is a generator of taxes.

John Moody stated that there is a chance that the kids in an annexation area may be required to attend City Schools. Mike McIntire replied that they still have the option for County schools. However this may have additional bearing from the city/county facilities study. Many variables are in play that could require an additional teacher.

Buzzy Breeding commented that we have to look at the whole community vs. single cost.

Mike McIntire stated that we are still waiting on the TACIR report from state that may change the law again.

There being no further business, a motion was made by Beverly Perdue and seconded by John Moody to adjourn the meeting at approximately 8:01 pm. This motion passed unanimously, 6-0.

Respectfully Submitted,



Chanya Lynn Tully, AICP, Planning Commission Secretary