

**BRISTOL TENNESSEE MUNICIPAL REGIONAL
PLANNING COMMISSION
MINUTES**

July 18, 2022

Members Present:

Mark Webb, Vice-Chairman
Joes Staton, Secretary
Kelly Graham, Chairman
Tekai Shu
Jason Booher
Margaret Feierabend
Mahlon Luttrell
David Akard

Staff Present:

Cherith Young, Director of Community
Development and Planning
Heather Moore
Ross Peters
Steve Blankenship
Danielle Smith, Attorney
Micah Bray
Carty Leonard

Absent:

Andrew Snyder

Chairman Kelly Graham called the Bristol Tennessee Municipal Regional Planning Commission meeting to order at 6:08 p.m. on Monday, July 18, 2022. A roll call was performed, and a quorum was declared present. David Akard introduced himself as the new Planning Commission member and described his background.

ELECTION OF OFFICERS:

Joel Staton made a motion to keep the current officers in chair. The motion was seconded by Mahlon Luttrell. Jason Booher nominated David Akard as Assistant Secretary, as required by the Planning Commission's Bylaws. Mr. Staton that nomination to his motion. Mahlon Luttrell seconded the motion. The vote in favor was unanimous.

APPROVAL OF MINUTES:

Jason Booher made a motion to approve the minutes for the June 20, 2022 meeting. After the motion was seconded by Mark Webb, the minutes were approved unanimously.

NEW BUSINESS:

A. Rezoning – 400 Martin Luther King Jr. Blvd.

Cherith Young presented the request to rezone the YMCA property located at 400 Martin Luther King Blvd. from R-3 (Multi-Family Residential District) to B-3 (General Business District). If the rezoning is approved, the applicant intends to apply for electronic signage that is allowable in B-3 District, not in the current district. The B-3 District provides more flexibility regarding permitted uses and development standards which will allow the YMCA to add future buildings and services to serve the community.

Ms. Young presented the Planning Commission with a location map with existing zoning and land use, a contour map of the area, along with additional aerial pictures of the property requested to be rezoned.

The approximately 2.35-acre parcel fronts on the arterial roadway of Martin Luther King Jr. Blvd. for approximately 605 feet. It also has frontage on Locust Street which forms the property's northern boundary. The property's western boundary is along Liberty Alley. The site has a fairly flat topographic character and does not lie in a Special Flood Hazard Area.

Ms. Young discussed the Future Land Use Map, which indicates that the site will be developed according to a commercial land use classification.

Ms. Young summarized the staff recommendation for the Planning Commission to send a favorable recommendation to Bristol Tennessee Municipal Regional Planning Commission send a favorable recommendation to Bristol City Council for this request, for the following reasons:

- The subject property's location on a commercial corridor in an urban area
- Frontage on an arterial roadway
- The adjacent commercial B-3 zoning, and
- Agreement with the Future Land Use Map.

Mahlon Luttrell inquired if concerns of spot zoning were present. Ms. Young replied that because adjacent properties to the north and east are zoned B-3, and the Future Land Use Map indicates a commercial land use, so the staff does not view the application as a spot zoning action.

Jason Booher made a motion to approve the staff's recommendation. Joel Staton seconded the motion. The motion passed unanimously.

Motion: Approve with staff recommendation			
	YES	NO	NOT PARTICIPATING
Kelly Graham	X		
Mahlon Luttrell	X		
Joel Staton	X		
Jason Booher	X		
David Akard	X		
Andrew Snyder			Absent
Tekai Shu	X		
Mark Webb	X		
Margaret Feierabend	X		

B. Special Use Permit – Daycare in R-1A (Low-Density Single Family) District & B-3 (General Business) District – 2222 Volunteer Parkway

Cherith Young described the property and the staff recommendation to the Planning Commission, for Special Use Permit application, submitted by the owner, Sacred Cross Assembly of God for a daycare center located at 2222 Volunteer Parkway (Sullivan County Tax Map 52L, Group B, Parcel 02.00).

The daycare center will be located on the lower level of Cross Park Church. The daycare facility will operate less than 20 hours a week. The daily hours of operation will be 9 a.m. to 12 p.m.,

four days a week. The daycare portion of the church will be closed on Wednesday. The age range of children varies from 15 months to 4 years old.

Ms. Young explained that the Special Use Permit requirements in the *Bristol Tennessee Zoning Ordinance*, allow the Planning Commission to consider the specific rules governing individual special uses and determine that satisfactory provision and arrangement has been made concerning the criteria included in Section 217. After explaining these items, Ms. Young shared the staff recommendation that the Planning Commission approve the Special Use Permit for a child care center on the property at 2222 Volunteer Parkway with the following conditions:

The property owner shall consult with the State Fire Marshalls office and City Codes Enforcement Division to ensure the daycare facility is code compliant and the Certificate of Occupancy is obtained before opening.

Kelly Graham requested clarification on why this use requires a Special Use Permit. Ms. Young responded that daycare use requires a Special Use Permit in R-1A. Mahlon Luttrell asked if the daycare will be a commercial business, or used by church attendees. As Ms. Young understands, it will be an extension of the church’s mothers-day-out program. Jason Booher expressed concerns about traffic lining up. Refuse disposal location was then discussed.

Jason Booher made a motion to approve the request, with the following condition –

- The refuse disposal location cannot extend further north than the existing wall of the facility.

Margaret Feierabend seconded the motion. The vote was unanimous in favor of the motion.

Motion: Approve with staff recommendation (with the stipulation that the Refuse disposal location cannot extend further north than the existing wall of the facility).			
	YES	NO	NOT PARTICIPATING
Kelly Graham	X		
Mahlon Luttrell	X		
Joel Staton	X		
Jason Booher	X		
Kevin Buck	X		
Andrew Snyder			Absent
Tekai Shu	X		
Mark Webb	X		
Margaret Feierabend	X		

C. Special Adaptive Reuse Permit – Mixed-Use Development in an R-2 district (Single-Family and Duplex) – 2031 Broad Street

Cherith Young provided the Commission with the background that the Special Adaptive Reuse Permit application for a Mixed Use Development was submitted for the building located at 2031 Broad Street. The property is zoned R-2 (Single-Family and Duplex District). The building is

currently vacant and was previously used for a school and subsequently a daycare center. The planned uses of the building include a restaurant, event venue, community center, and bike shop.

Per the Special Adaptive Reuse Permit requirements in the *Bristol Tennessee Zoning Ordinance*, the Planning Commission shall take into consideration the specific rules governing individual special uses to determine that a satisfactory arrangement has been made concerning criteria in the *Zoning Ordinance*.

The staff recommended the Planning Commission approve the Special Adaptive Reuse Permit for mixed development use at 2031 Broad Street with a list included in the staff report.

Kelly Graham asked that city staff review applications about the Zoning Ordinance. Cherith Young confirmed this. Mr. Graham specified that any future uses outside of those parameters must be reviewed by the staff and Planning Commission. Ms. Young agreed.

Jason Booher stated that the Planning Commission vote (July 18, 2022) was a final decision and made a motion to approve the special adaptive reuse request with the following stipulations:

- The uses permitted include a restaurant (not to exceed 3,000 square feet including the kitchen and dining room), an indoor event venue (not to exceed 4,000 square feet), and classroom space (not to exceed 8,000 square feet).
- No outdoor use of the property is proposed or approved except for the outdoor dining area and grassy area to be used for recreation activities. Speakers may be used in conjunction with the outdoor dining area at a volume that cannot be heard past the property line. No lighting or amplification is approved for the recreation area. All outdoor activities must be concluded by 9 p.m.
- Noises from inside the facility cannot be audible by someone with normal hearing at the property line.
- No outdoor live entertainment or DJs are permitted.
- Appropriate soundproofing measures may be required for the event space to ensure compliance with the City's noise ordinance. City staff will work with the applicant to check sound equipment before the issuance of a certificate of occupancy.
- If a dumpster is proposed, it shall be appropriately screened and the pick-up time may not be earlier than 7 AM.
- Should an event be scheduled with a large attendance to exceed the parking provided, a shuttle service to an off-site parking lot is required.
- Any variations or additions must be resubmitted to the Planning Commission for approval.

The motion was seconded by Joel Staton. Mark Webb mentioned his concern for DJs, before the 9:00 p.m. cessation. Kelly Graham reaffirmed the noise will not be heard at the property line. Lorna James then talked about her proposed use of the building.

Motion: Approve the special adaptive reuse request with the updated bulleted stipulations			
	YES	NO	NOT PARTICIPATING
Kelly Graham	X		
Mahlon Luttrell	X		
Joel Staton	X		
Jason Booher	X		
Kevin Buck	X		
Andrew Snyder			Absent
Tekai Shu	X		
Mark Webb	X		
Margaret Feierabend	X		

The Commission unanimously voted in favor of the motion.

OLD BUSINESS:

A. Historic Preservation Committee

Cherith Young requested the Commission re-confirm the staff could move forward with committee membership as shown below --

Position	Name
Fairmount Historic District	Susan Tanner
Holston Ave	Becky Wilkerson
Downtown (BIB)	Maggie Bishop
Planning Commission	Andrew Snyder
Bristol Historical Association	Representative
Professional (someone not tied to historic properties)	Lucia Schneider (Burwil Construction Co)
Previous Historic Preservation Award Winner(s)	Christa McClellan (Fairmount 2019) Kim Noll (City-wide 2018) Debra Kennedy (Holston Ave – 2018)

The commission confirmed the membership representation approval vote occurred last month.

OTHER MATTERS

A. Discussion: Triplexes and quadplexes

Cherith Young asked commissioners to review the allowance of triplexes and quadplexes in the B-1A, B-1B, and R-2 zoning districts.

Discussion ensued. Mark Webb stated that the city discouraged dividing large houses into separate units. Joel Staton agreed- in the past developers separated them into multiple units with no allowance for Codes. Jason Booher said he was leaning towards B-1A and B-1B, not R-2.

He also suggested dividing PRD into PRD-1 and PRD-2 districts to split out the multi-family component.

Tekai Shu inquired about creating floating special use permit across the three zones. The city could use the Planning Commission's power to evaluate concerns through the SUP process.

B. City Council updates

- Fox Meadows rezoning to PRD is complete.
- The indoor storage unit update received approval at the first reading.

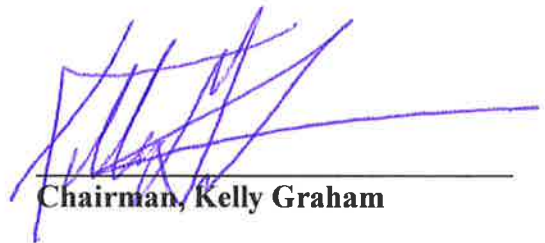
C. Training Updates

- Cherith Young reminded the Commissioners to pursue the available training opportunities to meet training requirements.

D. Other Matters

- Kelly Graham said junkyards and auto repair shops are a concern. Ms. Young confirmed the staff would assess the situation and present information at a future meeting.

The meeting adjourned at 7:58 p.m.



Chairman, Kelly Graham