

**BRISTOL TENNESSEE MUNICIPAL REGIONAL  
PLANNING COMMISSION  
MINUTES  
February 15, 2021**

***Members Present:***

Kelly Graham, Chairman  
Mark Webb, Vice-Chairman  
Joel Staton, Secretary  
Scott Gaynor  
Mahlon Luttrell  
Tekai Shu  
Margaret Feierabend  
Jason Booher  
Kevin Buck

***Staff Present:***

Tim Beavers  
Danielle Smith  
Cherith Young

***Public Members Present:***

John Mize  
Garrett Addington  
Mr. Sean Broyles  
Mr. Gary Cox

**This meeting was conducted electronically using Zoom.**

Chairman Kelly Graham called the Bristol Tennessee Municipal Regional Planning Commission meeting to order at 6:02 p.m. on Monday, February 15, 2021. Mr. Joel Staton performed roll call, and a quorum was declared present.

**DISCUSSION OF NECESSITY FOR CONDUCTING ELECTRONIC MEETING:**

City Attorney, Danielle Smith stated that Governor Lee suspended the provisions to the Open Meetings Act to the extent necessary for conducting meetings electronically instead of physically in order to protect the health, safety and welfare of Tennesseans in light of the COVID-19 crisis. Danielle Smith stated that the Planning Commission must make a determination on whether or not meeting electronically is necessary rather than in person. Chairman Kelly Graham asked if there were any remaining questions or concerns. As there were no remaining questions or concerns the motion passed unanimously by roll call vote.

**APPROVAL OF MINUTES:**

There being no changes to the January 25, 2021 Planning Commission meeting minutes, Mahlon Luttrell made a motion to approve the minutes as presented and Mark Webb seconded. The motion passed unanimously by roll call vote.

**UNSCHEDULED COMMENTS FROM THE PUBLIC:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**A. Willow Street Right-of-Way Abandonment Request**

Tim Beavers introduced the subject of consideration as the Street Right-of-Way Abandonment located on Willow Street. David Metzger presented an exhibit of the abandonment requested by Living Water Baptist Church of 1806 Kentucky Avenue. The portion for consideration is

the westernmost block of Willow Street, a dead-end block west of Kentucky Avenue. Living Water Baptist Church owns the adjacent properties located at the dead-end of Willow Street, and has requested that the city abandon the portion of the right-of-way on Willow Street. The church has submitted for review a combination plat that combines the multiple church properties into a single parcel, with utility and stormwater easements retained on the southernmost 25 feet of the Willow Street, and no utility easements retained in the balance of Willow Street right-of-way.

Living Water Baptist Church has agreed to take over the public street light located on the dead-end of Willow Street and maintain it as a private security light, if that portion of the right-of-way were to be abandoned.

Mr. Metzger commented that no public input was solicited as Living Water Baptist Church owns all of the adjacent property at the dead-end portion of the proposed Willow Street right-of-way abandonment request.

Staff recommended the Bristol Tennessee Municipal Regional Planning Commission send a favorable recommendation to the City Council for the abandonment of the Willow Street right-of-way, including the provision of retaining a 25-foot utility easement along the southernmost portion of the abandonment. The total abandonment territory is 50 feet wide and approximately 155 feet deep.

Chairman Kelly Graham asked if there were any remaining questions or concerns for the Surveyor that is present to represent this property. Having no public comment or other questions, Margaret Feierabend made a motion to approve the recommendation of the Willow Street abandonment request as presented. Mahlon Luttrell seconded the motion and the motion passed unanimously.

Tim Beavers stated that this recommendation will be forwarded to City Council to discuss during their Work Session on February 23, 2021, and then will be placed on the March 2, 2021 agenda for consideration on first reading.

#### **B. Rezoning Request – 121 Bluff City Highway**

Tim Beavers announced that up for discussion was a request to rezone a parcel at 121 Bluff City Highway from B-1B (*Neighborhood Shopping/Office Zone*) to B-3 (*General Business Zone*) for consideration of expanding the permitted uses allowed in the building and for the opportunity to install an electronic message board. Mr. Beavers stated that an electronic message board Sign Permit was mistakenly approved last year for this location, and electronic message boards are currently not allowed in a B-1B zone. The owner, Mr. Garrett Addington would like to have an electronic message board, and is present to discuss this request.

Cherith Young addressed the Planning Commission regarding the location of 121 Bluff City Highway. The applicant was Garrett Addington, owner and operator for the real estate company, The Addington Agency. The property is approximately 0.403 acres.

Mrs. Young presented a brief overview of the rezoning process that each request will follow if recommended by the Planning Commission.

Mrs. Young explained that the surrounding zoning and land use is B-1B to the north, B-1B to the east, R-2 to the South, and B-3 to the west. Located to the south is Haynesfield Elementary which is R-2 zoning. The school, and the B-3 parcels located across the street to the west would be eligible for electronic message boards under the current sign regulations. The surrounding existing land use is office, commercial, institutional, and residential. The residential property is zoned B-1B.

Some of the permitted uses in B-1B include single-family and duplexes, retail, financial and insurance, limited healthcare, and restaurants. Some of the Special Use Permit uses in B-1B include; churches, day care centers, hospitals, private clubs, and assisted living facilities. B-3 permitted uses include animal clinics, funeral homes, car washes, and used car lots. The B-3 zone expands the General Business Zone, and would allow for expanded use of the building located at 121 Bluff City Highway. The B-3 Special Use Permit uses include hospitals, private clubs, schools, assisted living and multi-family developments.

Staff believes that the requested rezoning would fall in line with the Future Land Use Plan, because this property fronts on a major commercial corridor of the city. Policies help inform staff analysis and recommendations. Plan guidance is provided by Policy 3 to sustain existing commercial areas, and by Policy 6 to encourage the redevelopment of underutilized land and buildings.

Mrs. Young stated that public notification signs were placed at the location to announce the request, meeting date and location, and contact number. The adjacent property owners were notified of the request by letter, which included a return envelope and comment sheet. No comment letters were received. One telephone call was received inquiring about the project, but they posed no opinion for approval or opposition.

Due to the commercial zoning on part of the subject parcel and on surrounding parcels, combined with the commercial corridor that the parcel is located on, and the parcel being in agreement with polices of the Bristol Future Land Use Plan, staff recommended the Bristol Municipal Regional Planning Commission send a favorable recommendation to the City council for this request.

Mahlon Luttrell asked if the current signage on the property will remain in addition to new signage. Mr. Garrett Addington commented that the pole and the base will be the only remaining components of the current sign, which will be replaced with an electronic messaging board if approved.

Chairman Kelly Graham asked if there were any questions for staff, and paused for the public to call in with questions for staff.

As there were no remaining concerns or questions, Chairman Kelly Graham asked that a motion be made to approve the rezoning of the property from B-1B to B-3. Mahlon Luttrell made motion to approve the rezoning as presented by the staff. Mark Webb seconded the motion and the motion passed unanimously by roll call vote.

Tim Beavers stated that this recommendation will be forwarded to City Council to discuss during their Work Session on February 23, 2021, and then will be placed on the March 2, 2021 agenda for consideration on first reading.

**C. Rezoning Request – 261 Broyles Lane (Sullivan County)**

Tim Beavers announced that up for consideration was a request to rezone two parcels at 261 Broyles Lane located in the Urban Growth Boundary from R-1 (*Low Density/Single Family Residential*) to A-1 (*General Agricultural/Estate Residential*).

Cherith Young addressed the Planning Commission regarding the location of 261 Broyles Lane. The applicant is Gary & Joy Cox. The property consists of approximately 10.9 acres (2 parcels).

Mrs. Young presented the rezoning process when a property is located within the City's Urban Growth Area but outside the City Limits. The Planning Commission makes recommendations to the Sullivan County Commission on rezoning requests. The Sullivan County Commission is not bound by the recommendation and will vote to either approve or disapprove the rezoning.

Mrs. Young explained that the subject property zoning and land use is R-1 (*Low Density Single Family Residential Zone*), as are the parcels to the north, east, and west. The parcels to the south are zoned R-1 (*Low Density Single Family Residential Zone*) and M-1 (*Light Manufacturing*).

Some of the permitted uses in R-1 zone include; single family dwellings, public libraries, commercial golf courses, and agriculture. A-1 permitted uses are similar to the R-1 zone with the inclusion of allowing duplex dwellings and expanded agriculture uses. The Future Land Use map indicates that the area will be developed primarily as low-density residential. Staff feels that the requested rezoning agrees with the Future Land Use Plan and Policy as the Sullivan County A-1 zone supports low-density single-family development.

Staff has received no public input on this request. Staff recommended the Bristol Tennessee Municipal Regional Planning Commission send a favorable recommendation to the Sullivan County Commission for this request.

Chairman Kelly Graham asked if there were any questions for staff or for the owner who is present, and paused for the public to call in with questions for staff.

As there were no remaining concerns or questions or call-ins, Chairman Kelly Graham asked that a motion be made to approve the rezoning of the property from R-1 to A-1. Jason Booher made motion to approve the rezoning as presented by the staff. Margaret Feierabend seconded the motion and the motion passed unanimously by roll call vote.

**D. Rezoning Request – 227 Brown Drive (Sullivan County)**

Tim Beavers announced that up for consideration was a request to rezone 4 parcels at 227 & 229 Brown Drive located in the Urban Growth Boundary from R-1 (*Low Density/Single Family Residential*) to A-1 (*General Agricultural/Estate Residential*).

Cherith Young addressed the Planning Commission regarding the location of 227 & 229 Brown Drive. The applicant is Sean Broyles, April Broyles, and Johnny Broyles. The property consists of approximately 12.9 acres (4 parcels).

Mrs. Young presented the rezoning process when a property is located within the City's Urban Growth Area but outside the City Limits. The Planning Commission makes recommendations to the Sullivan County Commission on rezoning requests. The Sullivan County Commission is not bound by the recommendation and will vote to either approve or disapprove the rezoning.

Mrs. Young explained that the subject property zoning and land use is R-1 (*Low Density Single Family Residential Zone*), as are the parcels to the south, east, and west. The parcel to the north is zoned A-1 & R-3 (*Manufactured Residential Park*).

Some of the permitted uses in R-1 zone include; single family dwellings, public libraries, commercial golf courses, and agriculture. A-1 permitted uses are similar to the R-1 zone with the inclusion of allowing duplex dwellings and expanded agriculture uses. The Future Land Use map indicates that the area will be developed primarily as low-density residential. Staff feels that the requested rezoning agrees with the Land Use Plan and Policy as the Sullivan County A-1 zone supports low-density single-family development.

Staff has received no public input on this request. Staff recommended the Bristol Tennessee Municipal Regional Planning Commission send a favorable recommendation to the Sullivan County Commission for this request.

Chairman Kelly Graham asked if there were any questions for staff or for the owner who is present, and paused for the public to call in with questions for staff.

Mahlon Luttrell commented that on the cover letter for this agenda item the request is listed as rezoning from "B-1 to A-1" and should be corrected to read "R-1 to A-1."

As there were no remaining concerns or questions, Chairman Kelly Graham asked that a motion be made to approve the rezoning of the property from R-1 to A-1. Jason Booher made motion to approve the rezoning as presented by staff. Joel Staton seconded the motion and the motion passed unanimously by roll call vote.

#### **E. Annexation – 2467 Weaver Pike**

Mr. Tim Beavers presented information on the proposed annexation for 2467 Weaver Pike. Mr. and Mrs. Joshua Roberts have requested annexation of their property. The Roberts wish to have access to services provided by the City. The property contains approximately 1.49 acres and is located adjacent to the existing corporate limits. The current Sullivan County zoning is R-1 (*Low Density Single Family Residential Zone*), which is similar to the City's R-1A (*Low Density Single Family*) zone.

If annexed, the majority of City services would be available on the effective date of annexation. Sanitary sewer service requires an extension of the existing system, approximately 150 feet, and would be completed within a year of the effective date of the annexation.

Staff requested the Bristol Tennessee Municipal Regional Planning Commission send a favorable recommendation to the City Council for the annexation of 2467 Weaver Pike and the associated plan of services which includes a City zoning designation of R-1A.

Tim Beavers stated that should the recommendation be made, a resolution will be presented to the City Council at their March 2nd meeting. Should City Council approve the resolution, public hearings will be held at their April 6<sup>th</sup> meeting for the annexation and plan of services. At the April 6<sup>th</sup> meeting the City Council would then consider resolutions formally annexing the property and approving the plan of services. Should the resolutions pass, the annexation would be effective immediately. At the same meeting, City Council would then considered on first reading the zoning designation of R-1A. The public hearing and consideration on second reading for the zoning designation would be held at the May 4<sup>th</sup> City Council meeting.

Chairman Kelly Graham asked if there were any questions for staff. Mark Webb inquired about any State requirements that were necessary for an annexation to become effective. Tim Beavers stated that there are two methods to become annexed:

1. By request of the property owner.
2. By referendum. If the City desired to annex a larger territory, there would be a percentage required to pass the referendum if all owners did not request the annexation.

Mr. Beavers further stated that annexations could be either contiguous or non-contiguous.

Kevin Buck inquired about the arrangement between the water services by an independent utility and the sewer services provided by the City. Mr. Buck asked if the water meters were equipped to meter the sewer services separately. Tim Beavers stated that the reading of the water meters would be based on any agreements in place for meter readings with the utility districts.

As there were no remaining concerns or questions, Chairman Kelly Graham asked that a motion be made to approve the annexation of 2467 Weaver Pike. Margaret Feierabend made a motion to approve the annexation as presented by the staff. Mahlon Luttrell seconded the motion and the motion passed unanimously by roll call vote.

## **OTHER MATTERS:**

### **A. City Council Update**

Mr. Beavers announced that City Council approved on first reading, Ordinance 21-1 amending Section 405 (B-3 District) of the Zoning Ordinance. There will be a public hearing and second reading at the March 2, 2021 meeting. City Council considered on first reading Ordinance 21-2 to rezone 362 Blountville Highway from R1-A (*Low Density Single Family*) to R-3 (*Multifamily Residential*); it did not receive a second on the motion to approve and therefore died due to lack of motion.

### **B. Discussion – Adaptive Reuse of Commercial Buildings in Residential Zones**

Cherith Young presented an overview of the adaptive reuse topic that was discussed at the January Planning Commission meeting. Mrs. Young commented that some of the older buildings for consideration of adaptive reuse are located within the R-E district and the R-2 district.

Mrs. Young stated that the permitted uses within an R-2 or R-E zone include two-family residential structures or single family structures. A Special Use Permit allows uses such as a church, day care center, hospital, and private clubs.

Cherith Young presented reuse examples from Knoxville and Johnson City which include art galleries, fitness studios, business offices, eating and drinking establishments, and retail establishments approved as neighborhood non-residential reuse. Johnson City allows reutilization of discontinued schools or similar structures to be reused as libraries, museums, art galleries, non-profit and civic organizations with restrictions on delivery hours, parking, and limited exterior alterations within the R-2C district.

Mahlon Luttrell commented that preserving the older buildings is ideal, however further discussion needs to occur to decide what types of future use is allowable. Jason Booher commented about considering a broader scope of buildings under a special use permit and discuss reuse based on the location of these buildings that will eliminate restrictions and foster development.

Scott Gaynor expressed concern about considering adaptive reuse of older buildings that may require extensive updates/upgrades to meet code standards, as opposed to new development. Mr. Gaynor stated that retail and restaurant use in residential districts may not be fitting. Margaret Feierabend stated that adaptive reuse of older buildings could include multi-family use as well as other allowable uses, and preserve the history of the neighborhood.

Tim Beavers commented that staff is seeking direction from Planning Commission on their interest in adaptive reuse opportunities of older buildings located in residential neighborhoods. Reuse provides the opportunity of development as opposed to demolition.

The Planning Commission expressed interest in the topic. Staff will draft information on adaptive reuse to present to the Planning Commission for future discussion. Kelly Graham suggested that staff start with drafting information on the reuse of schools and churches. Tekai Shu requested that staff provide an inventory of vacant churches and schools. Staff will draft a map with the locations and zoning of current vacant churches and schools.

#### **C. Discussion – Signs**

Cherith Young presented the topic of temporary signage regulations to continue the 2020 discussion of changes to temporary signage requirements contained within the Zoning Ordinance. Staff presented the 2020 discussion items which included: maximum number of signs, sign area, height, setbacks, and spacing. Staff would like Planning Commission to continue discussion on the maximum number of signs allowed. Staff will present graphics at the next meeting which will illustrate the impact of this regulation. Staff will draft regulations based on Planning Commission feedback. Jason Booher stated that enforceability should be a consideration when developing the regulations.


#### **D. Training Update**

Tim Beavers suggested that all members review the BZA training that was offered by Danielle Smith at the December 16, 2020 BZA Meeting. If viewed, any Planning Commission member

would receive one hour credit toward the 2021 training requirements. One hour of training each year must be on property rights.

Tim Beavers instructed the Planning Commission to send topics of interest to Cherith Young for in-house training opportunities.

**With no other business to discuss, the meeting was adjourned at 8:12 p.m.**



Chairman, Kelly Graham