

**BRISTOL TENNESSEE MUNICIPAL REGIONAL
PLANNING COMMISSION
MINUTES
March 18, 2019**

Members Present:

Kelly Graham, Chairman
Mark Webb, Vice-Chairman
Joel Staton, Secretary
Mark Byington, Vice-Secretary
Scott Gaynor
Kevin Buck
Jack Young

Staff/Others Present:

Tim Beavers
Danielle Kiser
Cherith Young
Ross Peters
Heather Moore
Steve Blankenship
Brittany Fleenor
Steven Mott

Members Not Present

Margaret Feierabend

Mr. Kelly Graham called the Bristol Tennessee Municipal Regional Planning Commission meeting to order at 6:00 p.m. on Monday, March 18, 2019. Mr. Joel Staton performed roll call and a quorum was declared present.

STAFF INTRODUCTIONS:

Mr. Tim Beavers introduced Mrs. Brittany Fleenor, Public Works Division Secretary, who is currently filling Mrs. Christy Justice's position.

Mrs. Cherith Young introduced Mr. Steven Mott, the new City Planner, who has been with the City for three weeks. Mrs. Young stated that Mr. Mott is doing a great job, and asked him to speak about his background.

Mr. Mott stated that he is from Johnson City, Tennessee. He received his undergraduate degree from ETSU in Political Science and his M.B.A. in Planning and Development. His previous experience includes working in Development Services for the City of Johnson City, as well as doing business management and marketing planning for Freedom Hall Civic Center. Mr. Mott stated that he is excited to be here and to get more acquainted with the Planning Commission.

APPROVAL OF MINUTES:

There being no corrections or additions to the February 18, 2019 Work Session minutes, or the February 18, 2019 meeting minutes, Mr. Mark Webb made a motion to approve all minutes as presented; Mr. Jack Young seconded the motion. The motion carried unanimously.

UNSCHEDULED COMMENTS FROM THE PUBLIC:

None

OLD BUSINESS:

A. Special Use Permit – 310 Georgia Avenue

Mr. Tim Beavers stated that this Special Use Permit was considered at the last meeting, but action was postponed while the reverend went back with his constituents to discuss design elements.

Ms. Cherith Young presented information on the special use permit application, and stated that, because this was the second presentation on this information, she would just touch on the particulars fairly quickly. Ms. Young stated that this is a Special Use Permit request to build an activity building that is 24 x 48 in an R-E (Established Residential) District. A Special Use Permit is required for church use on property in the R-E zone.

Staff recommended that the Planning Commission approve the special use permit for an activity building with the following conditions:

- A landscape buffer (Buffer Type B included in the Landscaper Chapter of the Zoning Ordinance) must be added along the project perimeter as indicated on the concept plan.
- Staff recommended that concrete surfaces in the front yard be kept to minimum widths to maintain the feel of a front yard which is common in adjacent properties.
- Staff recommended the building incorporate design elements to improve compatibility with the surrounding neighborhood. These elements should include:
- The exterior material chosen should complement the surrounding neighborhood homes and should not be bare cinder block, bare concrete block, or single sheet corrugated or bibbed panel metal siding.
- A window feature should be added above the doors on the front/Georgia Avenue façade.
- A window should be added to the side elevations, between the corner of the building and the start of the privacy fence.
- Windows should be vertically oriented and of similar size and scale, as they are on homes in the surrounding area.
- The roof should overhang the building and be of similar scale to homes in the surrounding area.
- Windows and doors should have trim/detail as a feature similar to homes in the surrounding area.

Ms. Young stated that she would be happy to answer questions the commission may have on this information. Mr. Graham asked why this Special Use Permit went away and then came back. He also asked what the Planning division is looking for in terms of making this an acceptable design. Ms. Young stated that, after the Planning Commission meeting last month, she had a really good discussion with the applicant, and they asked - and the Planning Commission agreed - that it would be a good option for them to go back and look at different materials for designing the building to achieve their goals but also fit into the neighborhood. They resubmitted the application last week.

Mr. Webb stated that he would like to know about the siding. Mr. Graham opened the floor for the petitioner to speak.

Dwight Marlow, pastor, 362 Arrowwood Drive, Kingsport, Tennessee, stated that there are two different suggestions for siding, vinyl and stucco. He stated that they would be looking at cost and color combinations. A member of his congregation is a master mason, and he suggested split face block. They are inevitably looking for something that will be maintenance free. They are a small church, not wishing to go into debt. The siding will be buff in color with white trim around the windows and doors. Mr. Marlow stated that the church is struggling with cost, but they have members of the church to help with funding.

Mr. Kevin Buck made a motion to approve the Special Use Permit; Mr. Byington seconded the motion; the motion carried unanimously.

NEW BUSINESS:

B. Subdivision – Leonard Farms

Ms. Cherith Young presented information on the subdivision replat request of the Reserve at Leonard Farms, 217-259 Oakview Circle. The property is approximately 3.887 acres, and the zoning is R-2 (Single Family and Duplex) District. A replat of 12 lots in the Reserve at Leonard Farms Phase IA has been requested by the property owner. The request is prompted by the owner's desire to remove the townhome footprint that was shown on the lots during the previous subdivision approval in 2006. Nine buildings, eighteen units were shown on the 2006 plat. Three duplex buildings, six units, have been constructed to date. The property owner now wishes to sell the remaining lots for single family development from a "Townhome Site" to an "Active Adult Site". The prompt for the subdivision request is related to the process involved in changing the classification of the lot according to the Declaration of Record on file for the development. No lot line changes, utility changes, or any other revisions are proposed as a part of this subdivision application.

The Planning Commission approved the 2006 plat on April 17, 2006 with the following stipulations:

- The zero lot line aspect of the plat;
- The need to maintain the 35 foot buffer easement on the western, southern and eastern property lines and the 25 feet front yard setback, as required by the Residential Cluster Development Special Use Permit zoning designation; and
- The need to make any necessary corrections to the plat, particularly items such as utility easements or additional plat notes, prior to recording.

The final plat meets all of the requirements of the Bristol, Tennessee Subdivision Regulations. Staff recommends that the Bristol Tennessee Municipal Regional Planning Commission grant preliminary and final approval of the Replat of the Reserve at Leonard Farms subdivision, subject to receiving all required signatures on the plat.

Mr. Graham asked about the zero lot line that was granted in 2006. Ms. Young responded that the R-2 zoning allowed for clustered development and that was removed from the zoning ordinance sometime after 2006 which allowed for flexible residential clustering development. The plat that was approved in 2006 carried that stipulation for the townhomes. The notes that were in effect when it was approved are still there, but the zero lot line will no longer be in effect because they do not desire to build townhomes there anymore.

Mr. Graham asked about side yard setbacks. Ms. Young responded that there will be a 5 ft. side yard setback. There is a 25 ft. front setback, and that is all recorded on the plat. There is a 35 ft. peripheral buffer on the rear as well as a 10 ft. setback for several of the lots. Mr. Graham stated that these units will be 10 ft. apart from one another. Mr. Scott Gaynor asked if there would be enough room between lot 255 and 259 because it appears narrow. Ms. Young replied that yes, these are the smaller lots, and it is noted that the building area with the maximum lot coverage for the smallest lot, which is 56B, will still be able to meet the maximum lot coverage.

Mr. Young made a motion to approve the subdivision request; Mr. Byington seconded the motion; the motion carried unanimously.

C. Subdivision – King College

Mr. Ross Peters presented information on the subdivision request. The request is for concept approval to re-subdivide 3 lots into 11 lots on King College Road. The property is approximately 10.15 acres, and it is zoned R-3 (Multifamily Residential) and B-1B (Neighborhood Shopping/Office Zone). This is a vacant property with city water and sanitary sewer available. The lot size and density meets the requirements of the Zoning Ordinance. The plat format meets the requirements of the Subdivision Regulations, Section 302 Concept Review. Ingress/egress would access onto King College Road.

Staff recommended that the Bristol Municipal Regional Planning Commission grant concept approval of the King College Road Subdivision Plat, noting conformance to the Bristol, Tennessee Subdivision Regulations.

Mr. Webb wondered how lot 12 is accessed. Mr. Peters responded that lot 12 will not be a part of the replat under this plan. Mr. Webb stated that it appears that more traffic will be dumped on King College Road. Mr. Beavers stated that King College Road is an eastern connector road. Anything that goes out on that end of town, regardless of these 10 lots, access Bristol by way of King College Road. Mr. Beavers stated that the road isn't near capacity and is adequate to hold the traffic from these 10 lots. Mr. Graham asked if there would be sidewalks for these lots. Mr. Beavers stated that only if there is a road proposed to be constructed will sidewalks be added.

Mr. Graham stated that he thinks putting that many driveway cuts on King College Road is unsafe. He would prefer a way to have a common road, or a road across the front, so that there wouldn't be so many points of ingress/egress. Even though there is not a new road being created, he would like to see a sidewalk so that people there would have a safer way to get from unit to unit.

Discussion ensued on the objections on Old Jonesboro Road and how the speed limit was lowered in the interest of safety shortly after being approved by the commission. Mr. Beavers stated that the speed limit on King College Road is 35 mph, and there is adequate sight distance without the vertical challenges that exist on Old Jonesboro Road. Also, the units were set closer to the road on Old Jonesboro Road. These units on King College Road will have longer driveways. Mr. Graham stated that he will be consistent with the objections he had on Old Jonesboro Road for multiple driveways.

Mr. Beavers stated that this property is currently zoned B-1B along the road and R3 along the rear, so there could have a much higher traffic volume if they developed the R3 section and put a single entrance out to the road. Mr. Graham asked is the commission would have the right to require dedication of additional width for sidewalks. Mr. Beavers responded that the right of way width would be based on the major road plan.

The commission opened the floor to the applicant. Tim Carter, of 116 Stonehenge, stated the reason he came before the Planning Commission is because of the issues on Old Jonesboro Road. He indicated that he would like guidance from the commission because his due diligence period ends in a week, and if there is a problem with the proposed plan he does not want to go through with purchasing the property. Mr. Carter explained that, on a 10 acre lot, one can put 13 units per acre. This means he could build 130 condos on the property which would create 10 times the amount of cars coming and going. With this plan, there may be 12 entrances, but there is only 1 family living at each residence. Mr. Graham stated that the road can handle capacity, but he believes 1 point of ingress/egress is safer than 10 points of ingress/egress, however; he understands that the commission is bound by ordinance.

Mr. Gaynor expressed his concern for safety and traffic flow. Mr. Byington stated that he is also unsatisfied with the 12 driveways. Mr. Young asked if there would be a traffic assessment made by staff if this request is approved. Mr. Beavers stated that staff has discussed the driveways and sight distance, but if the Planning Commission requires a traffic assessment then one will be performed. Mr. Graham wondered if the Planning Commission has the authority to demand sidewalks and single point of entries. Mr. Beavers stated that because of safety requirements a sidewalk demand would depend upon safety criteria requirements, however; the Planning Commission can require things other than what is in the subdivision plan for safety consideration. Mr. Graham stated that the Planning Commission would be fair, so if there would be a requirement later on, they would make the applicant aware at this meeting. Mr. Young stated that if the staff review sees that it is fine he would be comfortable with the concept as presented. Mr. Buck agreed.

Discussion ensued on driveway options, regulations, and requirements. Mr. Gaynor stated that if he will be allowed to insist on a frontage road then he would be comfortable with approving. Mr. Buck and Mr. Byington agreed. Mr. Beavers suggested that a motion be made that they would prefer to see two points of access onto King College Road on the concept plan.

Mr. Byington made a motion to follow staff recommendation on the concept plan with the additional limitation of only two ingress/egress to King College Road; Mr. Webb seconded the motion; the motion passed with all in favor with the exception of Mr. Buck.

D. Subdivision – Childress Farm

Mr. Steve Blankenship presented information on the subdivision request. Robert Greer was requesting preliminary and final subdivision approval of a 3.25 acre parcel into 3 lots on Old Jonesboro Road. The property was zoned R-3 (Multifamily) and R-1 (Low Density/ Single Family Residential). The property is currently vacant with City water service and Subsurface Septic System available. The lot size and density meets the requirements of the zoning ordinance and the plat format meets the requirements of the Subdivision Regulations, Section 303 Preliminary Plat/Section 305 Final Plat. The ingress/ egress of the property is on Old Jonesboro Road. Staff recommended that the Bristol Municipal Regional Planning Commission grant preliminary and final approval of the Childress Farm Subdivision Plat subject to receiving approval from TDEC for subsurface septic system approval is received.

Mr. Graham asked if there would be an extension of sewer for this property. Mr. Beavers responded that the sewer runs right up to this property, but an extension would not be provided because the topography of the property would make it impossible to connect to the Fairfield sewer. Discussion continued on sewer extension.

Mr. Graham opened the floor to the public to speak.

Mr. Nick Stickley, 173 Jaybird Court, asked if mobile homes are permitted in that zone. Mr. Beavers stated that they are not.

Mr. Buck made a motion to approve the subdivision request; Mr. Young seconded the motion; the motion carried unanimously.

E. Subdivision – Dunkin Donuts

Mr. Blankenship presented information on the site plan review to remodel a 1,875 square foot Dunkin Brand restaurant located at 1291 Highway 11W. The property is situated in a PBD (Planned Business District) Zone. The Planned Business District requires the submission of a preliminary concept plan for approval by the Planning Commission prior to the submission of a full site plan meeting the requirements of Chapter 10 of the Zoning Ordinance. The property is currently a restaurant called Hambinos. The developer will be adding a drive through and a refuse area. The property is utilizing an existing access point, and a 25' setback is required around the perimeter of the property. A landscaping plan has been submitted and will be reviewed for compliance with Chapter 11A of the Zoning Ordinance. There will be no new lighting for this project. Signage, when submitted, must meet the requirements of the Zoning Ordinance. A screened in refuse collection area is shown on the site plan at the north end of the parking lot. Staff recommends that the Planning Commission approve the conceptual site plan for Dunkin Brand noting conformance to the intent of the Planned Business District.

Mr. Webb asked if the commission will see a final site plan. Mr. Beavers responded that this is the commission's opportunity review the plan. A final will not be presented. The only external modifications will be a cooler on the back of the building, a drive through, a dumpster, landscaping, and signage. Not many modifications for the concept plan.

Mr. Webb made a motion to accept staff's recommendation; Mr. Byington seconded the motion; the motion carried unanimously.

OTHER MATTERS:

A. Driveway Widths

Mr. Paul Neal, 488 Manchester Place, built a concrete driveway that is 24 feet wide. This exceeds access control requirements in the Zoning Ordinance. The maximum square footage for a single family residential driveway is 20 feet, so staff subsequently required him to remove in the right of way 4 feet to meet the ordinance. He appealed that with an administrative appeal to the BZA at the meeting on February 21st, and the BZA upheld staffs decision. Mr. Neal requested to bring this before the Planning Commission to see about changing those widths of the access requirements. The neighboring government's access widths for single family residence are: Bristol, VA - 24 feet, Johnson City - 24 feet, Sullivan County is at the discretion of the Sullivan County Highway Department, and TDOT is 20 ft. Mr. Beavers stated that he believes that the 20 foot regulation comes from the Planning Commission's consideration of TDOT regulations. This was brought before the Planning Commission to see if they wanted to adjust that to be more consistent with our neighbors to allow 24 foot wide driveways for single family residential residence.

Mr. Gaynor asked if that will allow for people to expand their existing driveways. Mr. Beavers responded that yes, they could go up to 24 feet. Mr. Beavers stated that the Planning Commission Access Ordinance was adopted in July 2015. Mr. Graham stated that the commission is always happy to do a field test and come back and talk about things again. Mr. Beavers stated that there is not an engineering reason or a national standard for driveway width and staff does not have an issue with 24 foot driveway widths. Mr. Beavers stated that staff would bring more information before the Planning Commission next month. Enforcement for Mr. Neal's driveway will be withheld until regulations are changed.

B. Signage Standards Discussion

Ms. Cherith Young presented information on a signage chart that included items that still need to be resolved in terms of electronic signage. The items still needing resolution are expanding allowance of EMB into B-2 and B-2E, whether EMB will be allowed on either free standing or wall signage, and if allowed, the total must be split between them, creating a maximum amount of signage dedicated to EMB, and permit in B-1A and B-1B.

Mr. Beavers asked the commission if they would entertain wall mounted, instead of free standing, signs or message boards on a property. Mr. Webb wondered how the neon "OPEN" window signs come in to play and if they take up square footage. Mr. Beavers responded that the City does not regulate signage that can be seen through a window. Those signs may only cover up a percentage

of the window, but they do not factor into the square footage. Mr. Beavers then asked the commission if they would allow either free standing or wall mounted signage in the B-2 and B-2E zones. Mr. Graham asked if the commission were to say yes, and the Paramount decided to have an electronic sign instead of hanging letters on the marquee, they could do that. Mr. Beavers stated yes, or they could do both. Freestanding signage is allowed in the B-2 zones, but that wouldn't typically been seen here because the buildings are built right up to the sidewalk. He then asked the commission if they are comfortable with allowing either freestanding or wall mounted signage in those zones. Mr. Buck stated that he was not in favor of allowing this kind of signage because it appears too busy. Mr. Graham asked if it was both free standing and wall mounting signage that he did not favor. Mr. Buck stated that freestanding signage did not make since to him in these zones. Mr. Graham asked if he was still opposed, taking the Paramount and the Holiday Inn into consideration. Mr. Buck responded that he was still not in favor of the freestanding and wall mounted signage.

Mr. Byington pointed out that electronic message boards may distract drivers. Mr. Graham stated that he does not have a problem with this type of signage especially when visualizing the Holiday Inn, which is in a business district not affecting the residential district. Mr. Byington stated that some franchises require a sign and an electronic message board. Mr. Graham stated that he does not have the same concerns as Mr. Buck in regards to the signage appearing too busy, and that an electronic message board may be beneficial to businesses such as the Paramount. Mr. Byington stated that he agreed with Mr. Graham. Mr. Beavers stated that the majority was in favor of either freestanding or wall mounted signage in the B-2 and B-2E zones. Mr. Young stated that he believes it can be done tastefully with the right implementation.

Mr. Beavers asked the commission if they would have problems with electronic message boards in B-1A and B-1B zones. Mr. Webb stated that he didn't believe a message board would be any brighter than the street and traffic lights at the intersection at Tennessee High School. Mr. Graham stated that he is not in favor of allowing electronic message boards in residential areas. Mr. Byington also stated that he is not in favor of electronic message boards in residential areas. Mr. Beavers showed the commission a zoning map of the B-1A and B-1B areas, which show that they are mostly in residential areas. Mr. Graham asked the commission how they feel about electronic message boards in residential areas. Mr. Webb stated that he does not have a problem with the signage in these areas. Mr. Young stated that he was also fine with this signage in residential areas, but would like to see some spots in the middle of residential areas tidied up ab it. Mr. Graham reminded the commission that if they approve electronic message boards in residential areas that would apply to everyone within the B-1B zones. Mr. Gaynor asked if this signage could just be submitted as a special use permit for the B-1B zones. Mr. Young stated that he wouldn't want all those special use permits to come before the commission. Mr. Webb asked how the commission could turn one down and not another. Mr. Gaynor responded that it would depend on the location of the sign. Mr. Graham stated that doing that would be very subjective. Mr. Beavers stated that the special use permit would allow a sign, but it would be difficult to mitigate the conditions. Mr. Gaynor stated the special use permit would allow more conditions which would make a sign more permissible to wherever it happens to be. Mr. Beavers suggested that if the commission is going to allow an electronic message boards in B-1A and B-1B zones that they be allowed under specific conditions without the special use permit.

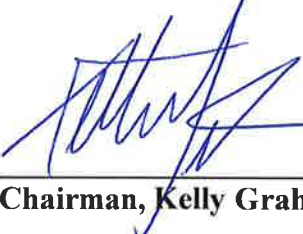
Mr. Young stated that he would have some concerns with some areas in the B-1A and B-1B zones, and he wouldn't be comfortable approving electronic message boards in these areas right now. However, he would be more comfortable of approving with conditions such as allowing them on collector roads or if it's not adjacent to a residence. Mr. Byington stated that he is not in favor because the conditions will cause a lot of special use permits. He stated that the commission should either allow these signs in B-1A and B-1B or don't. Mr. Graham stated that his vote would be no in the B-1A and B-1B zones. Mr. Byington stated that if it is something they need to readdress then they would in the future. Mr. Young asked if Tennessee High School is B-1A or B-1B. Mr. Beavers responded that the high school is zoned R3. He then asked the commission if the commission would be comfortable with allowing electronic message boards in residential areas outright or with conditions. Mr. Beavers stated he knew Mr. Young and Mr. Gaynor were for the conditions. Mr. Webb stated that he too was for the conditions. Mr. Graham stated that he was not in favor of the conditions because it is cleaner to either allow or disallow these signs in residential areas. He also stated that he is consistent with his stance to keep the electronic message boards out of residential areas. Mr. Byington and Mr. Buck also agreed with Mr. Graham. Mr. Beavers stated that the majority feels it is best to keep electronic message boards out of B-1A, and B-1B zones.

Mr. Beavers asked, if the commission allows an electronic message board, would they limit the size as a percentage of the sign that is allowed. Mr. Graham stated that the commission definitely want some sort of signage percentage. Discussion then ensued on signage percentage.

Mr. Beavers stated that the majority feel that a percentage is a better way to go, so based on that staff will bring back more information on the percentages next month.

ADJOURNMENT:

With no other business to discuss, the meeting was adjourned at 8:20 p.m.



Chairman, Kelly Graham