BRISTOL TENNESSEE MUNICIPAL REGIONAL
PLANNING COMMISSION
MINUTES
JULY 15, 2019

Members Present:
Kelly Graham, Chairman
Mark Webb, Vice-Chairman
Joel Staton, Secretary
Mark Byington, Vice-Secretary
Scott Gaynor
Kevin Buck
Jack Young
Tekai Shu
Margaret Feierabend

Staff/Others Present:
Tim Beavers
Danielle Smith
Cherith Young
Ross Peters
Heather Moore
Steve Blankenship
Steven Mott
Brittany Fleenor

Mr. Kelly Graham called the Bristol Tennessee Municipal Regional Planning Commission meeting to order at 6:00 p.m. on Monday, July 15, 2019. Mr. Joel Staton performed roll call and a quorum was declared present.

ELECTION OF OFFICERS:
Mr. Jack Young recused himself from the vote because he is no longer a sitting Council member, and the new Council representative will begin their term on the Commission at the August meeting. Mr. Webb made a motion to keep the officers the same with Mr. Kelly Graham as Chairman, Dr. Mark Webb as Vice Chairman, Mr. Joel Staton as Secretary, and Mr. Mark Byington as Assistant Secretary. Mr. Mark Byington seconded the motion; the motion carried unanimously.

APPROVAL OF MINUTES:
Mr. Kevin Buck noted one change to the June 17, 2019 work session minutes. He was present at that meeting, and was left off of the roll. There were no other corrections to the work session or regular meeting minutes as presented. Mr. Scott Gaynor made a motion to approve the minutes as presented with the addition of Kevin Buck to the work session roll. Mr. Kevin Buck seconded the motion; the motion carried unanimously.

UNSCHEDULED COMMENTS FROM THE PUBLIC:
None

OLD BUSINESS:
None
NEW BUSINESS:
A. Road Abandonment
Mr. David Metzger presented information on the road abandonment. As the expansion of the middle school advances, it is time to consider the official abandonment of the rights-of-way. There were 21 residential properties obtained by the City, and they are in various stages of demolition. In order to build the middle school with the footprint desired these rights-of-way and individual lots have to be combined into a single parcel. In this area there are 4 rights-of-way that are being considered for abandonment: Tremont Avenue from Columbia Road to Oakland Drive, Oakland Drive from College Avenue back to Tremont Avenue, and two alleys that are contained within the area. The ability of the rights-of-way to be abandoned, and the ability of the City to block rights-of-way for traffic and work zone integrity are mutually exclusive. These roads were blocked back on June 23, 2019 during demolition. The only adjacent property owner in these 4 rights-of-way is the City of Bristol, so there are no other property owners to solicit comments from. Staff recommended that the Planning Commission send a favorable recommendation to City Council to abandon the 4 rights-of-way without including storm water and utility easements because they are being developed with the overall project. The abandonment, if approved by City Council on first and second reading, would not become effective until a combination plat is developed to combine all these properties.

Mr. Mark Webb made a motion to approve sending a recommendation to City Council for the road abandonment. Mr. Scott Gaynor seconded the motion; the motion carried unanimously.

B. Concept Plan – Highway 394
Mrs. Cherith Young presented information on the concept plan. The applicant, George Gwinn of Appalachian Development Group, is proposing the construction of a 10,000 square foot building for a Dollar Tree located at Highway 394 and Agero Drive. The property is approximately 4.11 acres and is zoned B-3 (General Commercial) District and in the Highway 394 Overlay. The Highway 394 Overlay requires the submission of a concept site 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.

There are two access ways off Agero Drive. The maximum access way width for non-residential properties for two way traffic is 30 feet except when engineering analysis determines that turning lanes or a large turning radius is needed. An internal cross-access easement is proposed across the front of the property along the remainder of the parcel to the east for future development. The proposed structure exceeds the required setbacks for the B-3 (General Business) District. Setbacks for commercial structures are: 15' minimum front yard, 20’ minimum rear year, 10’ minimum side yard when adjoining residential lot or district. A landscape plan has not been provided, and will need to be submitted and meet the Chapter 11A of the Zoning Ordinance.

The provided parking spaces exceed that which are required within the Zoning Ordinance and the Building Code. Parking requirements for this type of use are 1 parking space per 333 square feet of gross floor area. 30 Parking spaces are required for this use. The applicant has provided 50 total spaces with 2 of those being handicapped accessible. A photometric plan has not been provided, which will need to be submitted and meet the requirements of the City Code. Signage, when
submitted, must meet the requirements of the Zoning Ordinance. A screened in refuse collection area is shown on the conceptual site plan at the north side of the building. The screening detail will be reviewed during the full site plan review process by staff to ensure conformance to the Zoning Ordinance.

Staff recommended that the Planning Commission approve the conceptual site plan for Dollar Tree noting conformance to the intent of the Planned Development Area Overlay provisions and the 2 access way connecting to Agero Drive be changed to meet the maximum width of 30 feet unless engineering analysis is provided to demonstrate that a wider width is needed.

Discussion ensued on access ways to the property. The Commission opened the floor for members of the public to speak. Mr. Ed Street, of Johnson City, Tennessee, stated that the distance from the Eastman Credit Union down to the bank of the property is 800 feet, and he stated that TDOT would allow another access way. Mr. Tim Beavers stated that the Highway 394 Overlay would not allow another access way to the property because there would need to be 1,100 feet between intersections.

Mr. Kevin Buck moved to approve the conceptual site plan. Mr. Scott Gaynor second the motion; the motion carried unanimously.

C. Text Amendment Recommendation – Access Standards
Mr. Jacob Chandler presented information on the text amendment recommendation. There are 4 key elements to the proposed draft which are to reorganize and edit the access standards for clarity, clarify that the standards apply to the portion of the access way within public right-of-way, change maximum width for residential structures from 20’ to 24’, and add language to address circular driveways.

Staff recommended that the Planning Commission send the following recommendations to the Bristol Tennessee City Council to amend the Bristol Tennessee Zoning Ordinance, Chapter 2, Section 225 Access Control:

1. Delete Section 225 Access Control from Bristol Tennessee Zoning Ordinance.
2. Add the revised Section 225 Access Control to Bristol Tennessee Zoning Ordinance.

Mr. Kevin Buck asked how item 6B, “The access way shall be designed to prevent vehicles from backing onto a collector or arterial street,” would be enforced. Mr. Tim Beavers stated that this would be enforced through the code for building plans. Mr. Buck stated that one cannot prevent someone from backing out onto a road, and recommended the word “prevent” be changed to “discourage.” All were in agreement.

Mayor Margaret Feierabend made a motion to approve sending the access standards text amendment recommendation to City Council with the rewording of item 6B included. Mr. Jack Young seconded the motion; the motion carried unanimously.
D. Text Amendment Recommendation – Electronic Message Boards

Mrs. Cherith Young presented information on the electronic message board text amendment. As of the conclusion of the June meeting, the proposal would be to amend the definitions that are in Section 203 of the Zoning Ordinance, amend electronic message board to adjust to allow an electronic message board to be a wall sign as well, strike the definition of electronic screen display technology because it is not used anywhere in the Ordinance, and amend the definition of sign flashing to match up with what the animation definition is so there won’t be as many different references to a measurement of time in the Ordinance. This section will expand the electronic message boards from where they are currently allowed, which is B-3 and PBD, to B-2, B-2E, M-1, M-2, and M-3. An electronic message board may be allowed as part of the parcel’s free standing or wall signage, but not both. This will also prohibit animation, signs cannot be used for off premise advertising, this section doesn’t bring in the regional entertainment facilities section of the Ordinance, electronic message boards used in outdoor advertising structures are governed by that section, preexisting signs may continue and in conformance or be rebuilt if necessary.

Mrs. Young presented options for the amount of total signage allowed toward electronic message boards for the Commission to choose.

A. Allowing the portion of the sign utilized for an electronic message board with changing copy to be 100% of the total sign advertising area, except as otherwise provided for in the Zoning Ordinance for Regional Entertainment Facilities.

B. Limiting the portion of a sign utilized for an electronic message board with changing copy is limited to 40% of the total sign advertising area, except as otherwise provided for Regional Entertainment Facilities.

C. Allowing a portion of a sign utilized for an electronic message board with changing copy to be 100% of the total sign advertising area, except as otherwise provided for Regional Entertainment Facilities. Further stipulating that if 100% of the total allowed square footage of the sign is comprised of an electronic message board, 60% must remain fixed and the copy or image for this portion may only be changed one time every 30 days.

Staff Recommended that the Planning Commission send a favorable recommendation to City Council to amend the Bristol Zoning Ordinance with the following revisions:


2. Section 203. Definitions to update associated terms, as shown on the attached draft.

Discussion ensued on the three options for total signage allowed. Mr. Beavers stated that option C would be the most difficult option to enforce and recommended that the Commission choose option A or B. The majority of the Planning Commission favored staff recommendation option A.
Mr. Scott Gaynor made a motion to adopt the changes as proposed by City Planning staff in the version labeled Draft for Planning Commission Recommendation on 7-15-2019. Mr. Mark Byington seconded the motion; the motion carried unanimously.

OTHER MATTERS:

A. B-2E Use List
Mr. Steven Mott presented information on the B-2E Use List. At the conclusion of the B-2E creation, City Council asked staff to refine the use list included in the Ordinance. Planning Commission spent the summer of 2018 revising the list. At the conclusion of the June Planning Commission meeting, Planning Commission expressed approval of the list and the Special Permit allowance of “Lessors of Miniwarehouses and Self-Storage Units.”

The key elements of the proposed draft are editing for clarity, adding Artisan/Technical Production definition and use, Under 10,000 Square foot as permitted use, over 10,000 as Special Use Permit, adding Daycare use to permitted use list, adding Dry-cleaner to permitted use list, and eliminating Miniwarehouses and Self-Storage Units.

This item will be brought before the Planning Commission for formal consideration at the August meeting.

B. Design Standards
Mr. Steven Mott presented information on Design Standards. The concept of Design Standards initiated with the B-2E Project. The current design standard that exists is related to the prohibition of materials within certain zoning districts and all overlays (B-1A, B-1B, B-2, B-2E, Volunteer Parkway Overlay, and Highway 394 Overlay). Mr. Mott asked Planning Commission in which districts they think the design standards should apply. The Planning Commission discussed applying the design standards in all business districts. Mr. Beavers stated that the City received the grant to do the Historic District zoning from the state. There will be a gap between the Historic Regulations and what is currently in place, which is why the B-2 zone is included. Overall, the Commission was in favor of applying the design standards to all the business districts.

Mr. Mott asked the Planning Commission how they believe the standards should be applied in regard to the size of development, renovation, and/or addition. The proposed ordinance language states that they shall be designed to incorporate no less than 3 of the architectural elements, and buildings over 50,000 square feet shall include a minimum of 5 architectural elements. Mr. Kelly Graham asked Mr. Kevin Buck how he feels about mandating this language. Mr. Buck stated that he has reservations about the mandates because it could limit creativity. Mayor Feierabend stated that she believes there is still room for creativity because there are elements that are already anticipated when designing a building; discussion then ensued on architectural elements. The consensus from the Planning Commission was that the proposed language is clean and flexible. An addition bigger than the existing structure, or the value of the addition being a certain percentage of the existing structure, and all new construction should have to meet these standards. The Planning Commission would like staff to look at the square footage vs. the dollar value being a portion of the existing development.
Mr. Mott asked the Commission if the standards should apply to all sides of a building or only the side facing the public right-of-way. On B-2 and B-2E standards must be visible on all elevations, and on the Overlays standards must be visible from arterial or collector streets. The Commission agreed that the standards should apply to the facing rights-of-way and adjacent sides.

Discussion ensued about different types of block facing and color. The Planning Commission would like staff to work on the language to disallow the unfinished looking, smooth block facing.

Mr. Mott asked the Commission if they should continue the prohibition of single sheet corrugated or ribbed panel metal siding within design standards. Mr. Byington stated that he is not in favor of this type of siding in the Business Districts, especially on the Main Corridor of Volunteer Parkway. The Commission agreed to continue the prohibition of single sheet corrugated or ribbed panel metal siding within the design standards.

Mr. Beavers asked if the Planning Commission would be opposed to allowing wood siding. Mr. Byington stated that he does not have an issue with wood siding as long as it meets the fire codes. Mr. Buck stated that there is a lot of maintenance that goes into wood siding as far as painting, preventing rot, and termite control. Mr. Gaynor wondered why staff is considering changing the language from allowing wood as an accent to allowing all wood siding. Mr. Buck said that the word “accent” could be open to interpretation. Mr. Beavers stated that there are property maintenance codes and building codes that regulate these issues. Mr. Gaynor stated that he is not in favor of allowing wood siding in residential areas. Mr. Webb stated that he believes the allowance of only wood accents was due to maintenance issues and fire risk issues. The Planning Commission agreed to leave the language about wood accents as is and will consider defining wood material in the standards.

Mr. Mott stated that staff is proposing an amendment to landscaping standards as an incentive to push buildings up to the street. These standards would only be applied to B-2 and B-2E districts, and the proposed change states that structures that are built at the property line (including the main building structure, porches, patios, or similar structures) are exempt from meeting the landscape requirements except for the provisions of Section 1107.2, Parking Lot Standards, provided, when appropriate, that the provisions of Section 1112 shall apply.

C. Subdivision Regulations
Mr. Beavers presented information on the Subdivision Regulations. Two years ago, a significant update to the Subdivision Regulations was approved by the Planning Commission. The Approval provided a final action to a multi-year project undertaken to comprehensively update the City’s Subdivision Regulations. The goal of the update was to enhance content by modifying, deleting, or adding provision that improve the subdivision process. In the past several years, Staff has encountered issues with commercial subdivisions in which the application of the sidewalk regulation was not feasible. One such case prompted the request for a waiver from the sidewalk requirement in May 2019. During the discussion over the waiver request, the Planning Commission tasked staff to look at the requirement to see if an adjustment is needed. Staff suggests
that the language from the residential section be replicated for commercial and industrial subdivisions. Staff proposed the following:

_Sidewalks shall be required along all existing and proposed streets for subdivisions within the B-1A, B-1B, B-2, B-3, PBD, M-1, M-2, and M-3 Districts on all new public streets, excluding alleyways, and on the extension of existing public streets where sidewalks exist. Subdivisions that propose the construction of new streets shall construct sidewalks on each side of the proposed street. Subdivisions that propose the subdivision of land on one side of an existing street shall construct sidewalks on the side of the street on which the subdivision is proposed._

Mr. Beavers requested the Planning Commission’s guidance on these topics. Mayor Feierabend proposed developing a sidewalk plan in the future. The Planning Commission agreed to move forward on an update, and staff will advertise a public hearing 30 days before the hearing date in September.

**D. Signs**
The Planning Commission agreed to continue the sign discussion at a later date.

**STAFF UPDATES:**
Mr. Beavers stated that at the last City Council meeting the 1101 Anderson Street rezoning from B-1B to RE passed on second reading. Also, the rezoning of 1 Centre Drive from B-3 to M2 passed on first reading, and the second reading will be at the August 6 City Council meeting.

Mrs. Cherith Young stated that staff is gearing up for second Historic Preservation Awards.

With no other business to discuss, the meeting was adjourned at 8:02 p.m.

Chairman, Kelly Graham