

**BRISTOL TENNESSEE MUNICIPAL REGIONAL
PLANNING COMMISSION
MINUTES
July 19, 2021**

Members Present:

Kelly Graham, Chairman
Mark Webb, Vice-Chairman
Joel Staton, Secretary
Kevin Buck
Mahlon Luttrell
Tekai Shu
Jason Booher
Andrew Snyder

Staff Present:

Tim Beavers
Danielle Smith
Ross Peters
Heather Moore
Steven Mott
Steve Blankenship

Members Absent:

Margaret Feierabend

Chairman Kelly Graham called the Bristol Tennessee Municipal Regional Planning Commission meeting to order at 6:00 p.m. on Monday, July 19, 2021. Mr. Joel Staton performed roll call, and a quorum was declared present.

ELECTION OF OFFICERS:

Tim Beavers opened the discussion for the annual election of officers. Chairman Kelly Graham asked if there were any nominations. Joel Staton made a motion to nominate Kelly Graham as Chairman of the Board; Mahlon Luttrell seconded the motion. A roll call was performed and the motion passed unanimously. Joel Staton made a motion to nominate Mark Webb for Vice-Chair; Kevin Buck seconded the motion. A roll call was performed and the motion passed unanimously. Mark Webb made a motion to nominate Joel Staton for Secretary; Kelly Graham seconded the motion. A roll call was performed and the motion passed unanimously.

APPROVAL OF MINUTES:

There being no changes to the June 21, 2021 Planning Commission meeting minutes, Jason Booher 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

NEW BUSINESS:

A. Special Use Permit – 2031 Broad Street

Chairman Kelly Graham stated that he is not able to participate in this discussion due to a conflict of interest. Tim Beavers announced that up for discussion was a Special Use Permit application for the property located at 2031 Broad Street. Steven Mott addressed the Planning Commission by stating that the property presented is formerly known as the Rosemont School and the proposed use is for a church. The applicant's name is Lorna James. The parcel is a 4.57 acre site that is currently zoned R-2 (*Single Family and Duplex Residential District*). The surrounding zoning is listed as R-2 District to the north, south, east, and west.

1. Ingress/Egress

The property has no new vehicular access points proposed.

2. Parking

The Zoning Ordinance requires one parking place per six seats within a house of worship. The total of both congregations is approximately fifty people. The maximum parking for this congregation is nine spaces. The location has approximately eighty parking spaces.

3. Refuse and Service Areas

There are no proposed commercial refuse areas at this time. Any proposed commercial refuse areas would require staff review.

4. Utilities

Public water and sanitary sewer service are currently provided to the building by the City of Bristol, Tennessee. Electric service is provided by Bristol Tennessee Essential Services.

5. Screening/Buffering

Buffering is present along the property line abutting the residential lot south of the subject parcel. Staff is not recommending any additional landscaping or buffering requirements other than maintenance of the existing landscape.

6. Signage/Exterior Lighting

Staff will work throughout the process to ensure compliance with City Code. The City's Lighting Ordinance requires a maximum of 0.5 foot-candles along all property lines abutting residential properties. A maximum of 2.0 foot-candles are allowed at all other property lines.

7. Setbacks, Lot Coverage, Density

The development utilizes the existing building with no proposed expansion.

8. General Compatibility

This request will improve an underutilized parcel without an intense usage, complementing its location along Broad Street and surrounding residential homes. The proposed use is less intense than the Special Use Permit for sports club use that was approved at the July 16, 2018 Planning Commission meeting.

9. Public Notification

The Special Use Permit was advertised in the June 2, 2021 edition of the Bristol Herald Courier. Public notification signs were placed in the neighborhood to announce the request, the meeting date and location, and contact phone number. Adjacent property owners were notified of the request by letter, which included a return envelope and comment form. Staff received four phone calls; two were in favor and two were inquiries only. Six comment letters were returned; four respondents were in favor of the special use permit, one respondent opposed, and one was neither for nor against the project.

Staff recommended that the Planning Commission approve the Special Use Permit for a church on the parcel located at 2031 Broad Street.

Vice-Chairman, Mark Webb asked if there were any questions or concerns regarding this Special Use Permit. Kevin Buck inquired about parking for this proposed establishment and how the calculation of required spaces has been determined. Tim Beavers responded that parking space requirements are determined by the Zoning Ordinance. Current the Zoning Ordinance requires 1 parking space for every 6 seats.

Vice Chairman, Mark Webb asked if there were any concerns or questions from the public. Ms. Martha Sharp, a resident of 2219 Bay Street, had concerns about lighting, noise, and signage. Mr. Tim Beavers stated the City has ordinances for noise, lighting and signage that are required for proposed developments.

Ms. Lorna James, the owner of 2031 Broad Street, addressed the Board stating that the exterior lighting existed before the purchase of the property. Mr. Tim Beavers stated that the City will speak with BTES to determine if the light can be shielded or dimmed. Ms. James also stated that the church would like to keep the existing pencil signs, and possibly install an awning and another small sign and will work with the City to meet requirements. The church would also like to provide programs to needy citizens. Mr. Tim Beavers stated that the Special Use Permit would allow a church to provide programs to citizens, but would not allow a church to provide sheltering services.

Mahlon Luttrell inquired if this structure could be utilized as residential if the church were to vacate ownership. Mr. Tim Beavers stated that it could be used as a single duplex under the current regulation.

As there were no remaining concerns or questions, Vice-Chairman, Mark Webb asked that a motion be made. Kevin Buck made a motion to approve the Special Use Permit with a condition of commercial refuse services must be located within fifty (50) feet of the building. The motion failed due to lack of a second motion. Vice Chairman, Mark Webb asked for a new motion to be made. Jason Booher made a motion to approve the Special Use Permit with a condition of commercial refuse services must be located within fifty (50) feet of the east or west side of the building. Kevin Buck seconded the motion and the motion passed 6-1 by roll call vote. Kelly Graham abstained due to conflict and Mahlon Luttrell opposed.

OLD BUSINESS:

A. Discussion – Adaptive Reuse of Commercial Buildings in Residential Zones

Tim Beavers announced that up for discussion is the continuation of development of regulations regarding adaptive reuse of commercial structures within residential zones. Staff has compiled a list of questions based on Planning Commission's feedback during previous meetings. Mr. Beavers asked the Board to review these questions for the next discussion so that staff can begin drafting a regulation.

Items to consider are:

- Which residential zones are appropriate
- Type and Intensity of Uses
- Specific Site Limitations
- Allowable in existing buildings or new construction

Most of the discussion was about uses that would be allowed in the different residential zones. Mr. Beavers asked the Board to give feedback on the type of uses they would be comfortable with in the residential districts. The feedback will be used for discussion at the next Planning Commission meeting.

B. Discussion – Landscape Ordinance

Tim Beavers announced that up for discussion is the continuation of development of a revised Landscape Ordinance. Staff has been drafting a regulation to combine Chapter 11 and Chapter 11A of the Zoning Ordinance, with suggestions from the Board.

An item of discussion has been fence coloring when used as a required buffering. Staff has provided the Board with regulations from other municipalities regarding fence colors, and most did not regulate color. Mr. Beavers asked the Board to decide if color should be regulated on a fence that is used as a required buffering option.

After discussion, a majority of the Board would like to see a regulation on the color of a fence option for required buffering. Staff will work to define an acceptable color palette (earth tone) for fence colors used as an option for required buffering.

C. Discussion – Sign Ordinance Update

Tim Beavers opened the discussion to amendments of the sign ordinance. Danielle Smith addressed the Board stating that there is currently an appeal to the Supreme Court involving the City of Austin, Texas to overturn their sign regulation. The Supreme Court has agreed to hear this case. While the City of Bristol is located within the 6th Circuit and not the 5th, such as the City of Austin – the 6th Circuit is clear that they are not favorable to content based distinctions in signs.

Considering this, the City of Bristol’s sign ordinance needs improvement in order to regulate as the Supreme Court may suggest. The Planning Commission can remove the on-premises, off-premises distinction in the Zoning Ordinance, or they can discuss this item once they have heard the outcome of this case.

After discussion, a majority of the Board would like to discuss this item once the Supreme Court has made their ruling in the City of Austin, TX case.

OTHER MATTERS:

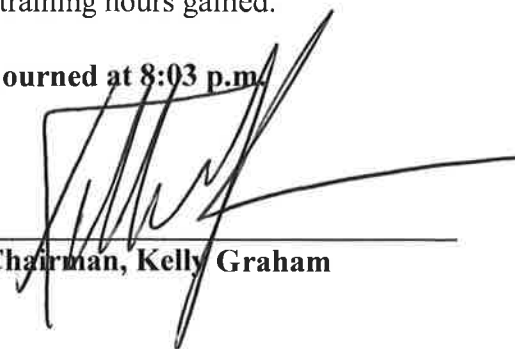
A. City Council Update

Mr. Beavers announced that City Council passed on first reading, Ordinance 21-10, revising Chapter 7 – Flood Plain Districts of the Zoning Ordinance. The public hearing and second reading will be on the August 3, 2021 City Council meeting agenda.

B. Training Update

Tim Beavers reminded the Planning Commission members to pursue the training opportunities available to meet their training requirements. There are general links listed on the training matrix for additional training, please review those and consider those courses for credits. There will be another Property Rights training date scheduled in December. Mr. Beavers shared with Mr. Andrew Snyder that he has one year from the date of his appointment to obtain the required training hours; there are a total of four hours required, and one of those hours needs to be the Property Rights training. Please update staff on any new training hours gained.

With no other business to discuss, the meeting was adjourned at 8:03 p.m.



Chairman, Kelly Graham