

BRISTOL TENNESSEE MUNICIPAL REGIONAL PLANNING COMMISSION MEETING MINUTES

Easley Municipal Annex
104 8th Street | Bristol, TN 37620
September 18, 2023
5:00 PM

Members Present:

Jason Booher, Chairman
Mark Webb, Vice-Chairman
David Akard III, Secretary
Tekai Shu, Vice-Secretary
Mahlon Luttrell
Lea Powers
Kelly Graham
Matt Slagle

Staff Present:

Kelli Bourgeois
Danielle Smith
Cherith Young
Ross Peters
Heather Moore
Carty Leonard
Steve Blankenship
Bretta Morenings

Members Absent:

Andrew Snyder

CALL TO ORDER AND ROLL CALL

Chairman Jason Booher called the Bristol Tennessee Municipal Regional Planning Commission meeting to order at 5:00 PM on Monday, September 18, 2023. A roll call was performed, and a quorum was declared present.

APPROVAL OF MINUTES

Lea Powers motioned to approve the August 21, 2023 meeting minutes. Mark Webb seconded the motion. The vote in favor was unanimous (7-0). Jason Booher abstained.

UNSCHEDULED COMMENTS FROM THE PUBLIC

None.

NEW BUSINESS

A. Rezoning

1. Highway 394 / Old Thomas Bridge Road (RZZ23-608)

Representative: Forrest Ramsey, Ron Ramsey and Associates

Jason Booher presented a rezoning application for property located at 3573 Highway 394 and 304 Old Thomas Bridge Road. The property owners requested to change the zoning designation from R-1A to a combination of B-3 and R-3 zoning. Mr. Booher explained the differences in zoning classifications, and their potential uses and densities, emphasizing that the Planning Commission was considering

the rezoning request rather than the specific intended use of the property. Adjacent property owners Billy Cross (347 Ridgetop Drive), Dave Mishizen (308 Ridgetop Drive), and Ronnie Hubble (84 Apple Lake), expressed concerns about increased traffic, potential property value declines, infrastructure challenges, and school capacity issues. They questioned the need for rezoning and its potential consequences for the area.

Forrest Ramsey (122 Ramsey Private Drive), the agent representing the property, stated that he lived nearby and understood the concerns raised by residents, and discussed the importance of allowing property owners to sell their land for the best value.

Commissioners expressed concerns about the lack of a clear conceptual plan for the development, particularly regarding traffic and infrastructure. David Akard stated his hesitation stemmed from the uncertainty surrounding the project and questioned whether there was a detailed plan or if the rezoning was solely about selling the property. Cherith Young confirmed the majority of the concerns expressed during the meeting would be addressed during the development process.

Forrest Ramsey noted that the developer's intentions were not entirely clear. He mentioned the possibility of creating a residential subdivision and emphasized that infrastructure costs should be considered. Jason Booher inquired about the potential inclusion of apartments in the development, but Mr. Ramsey could not provide a definitive answer.

The Planning Commission discussed the rezoning request's implications, including the potential for a large number of units on the property. They also debated the desire for a clear development plan before rezoning. Some members expressed concerns about the lack of specificity in the current proposal. They mentioned the possibility of rezoning to R-2 rather than R-3 for better compatibility with the surrounding area.

Jason Booher said he would entertain a motion to concur with Staff's recommendation to forward a favorable recommendation to City Council. Matt Slagle made the motion. David Akard seconded the motion. The motion to forward a favorable recommendation to City Council failed unanimously.

2. Highway 126 (Sullivan County UGB - RZZ23-608)

Representative: Noah and Sarah Housburgh, property owners

Jason Booher provided an overview of the rezoning application for the property located at 1234 Highway 126. Mr. Booher stated the owner/applicant requested to be rezoned from R-1 to M-1 for the purpose of a woodworking shop. Staff recommended an unfavorable recommendation to the Sullivan County Commission due to the following factors: M-1 zoning differs from the surrounding properties,

does not align with the city's future land use map and plan policy, and could be considered spot zoning.

Questions arose regarding alternative zoning options for the woodworking business. It was noted that B-3 zoning was not feasible due to county regulations. Noah Hosburgh (1234 Highway 126), the applicant, expressed the need for this zoning change to operate his business. A nearby property located within city limits with B-3 zoning being used for a similar purpose was also discussed.

The discussion emphasized the complexity of zoning decisions and assisting property owners to find suitable solutions while considering the broader impact on the community.

David Akard motioned to accept Staff's recommendation. Lea Powers seconded the motion. The vote in favor was unanimous.

Kelly Graham motioned to send a favorable recommendation for an alternate solution to rezoning to the Sullivan County Commission. Matt Slagle seconded the motion. The vote in favor was unanimous.

B. Waiver Request

1. Highway 126 / Armstrong Request

Representative: Rick Armstrong, TCI Group - Lowry & Foster, Inc.

Jason Booher provided an overview of the property and the waiver request made by Rick Armstrong on behalf of property owners Samuel K. and Pamela Jackson, whose property is located at 975-985 Highway 126 in the Urban Growth Boundary. Mr. Booher noted, unlike a usual recommendation to City Council, this was a final action by the Planning Commission.

Staff recommended granting the request, citing that it met the five criteria outlined in the Subdivision Regulations for granting a waiver. The request was made because the property had less than the required 50 feet of road frontage within the city. It was noted that the county's requirement is only 25 feet, which served as the basis for the waiver request.

Rick Armstrong (308 Galway Road) discussed the history of the property, noting one part was in the city and the other in the county. He stated the property in the county was landlocked, and the only access appeared to be through a private driveway with a 19-foot easement that was provided by neighboring property owners for a water line and access to the property. The request for the 25-foot waiver was primarily to address this subdivision issue and provide access to the property.

David Akard motioned to accept Staff's recommendation. Lea Powers seconded the motion. The vote in favor was unanimous.

2. Highway 390 / Skeens Request

Cherith Young discussed a request for a road frontage waiver from property owner Jerry Wayne Skeens II for the property located in the Urban Growth Boundary at 3605 Highway 390 (Bluff City Highway). Staff recommended granting the waiver.

The request pertained to a property with an existing road frontage of 40 feet, which was approved by Sullivan County in 1990. Mr. Skeens requested to subdivide the property into three lots, but the city's Subdivision Regulations required a minimum road frontage of 50 feet for each lot when the subdivision occurred. The 40 feet of existing road frontage would not meet this requirement, so Mr. Skeens sought a waiver to retain the 40 feet of road frontage for the new subdivision.

Mark Webb motioned to accept Staff's recommendation. Mahlon Luttrell seconded the motion. The vote in favor was unanimous.

OLD BUSINESS

None.

OTHER MATTERS

A. Discussion: B-1B Uses

Jason Booher discussed a request from Brian Boyd regarding amending the B-1B zone to allow car detailing. Mr. Boyd was previously granted a special use permit in 2022 for an automobile sales operation at 1020 Broad Street (in the B-1B Zone). Staff interpreted that the B-1B Zone did not allow car detailing as a permitted use.

The discussion revolved around whether to entertain the request for amending the Zoning Ordinance to accommodate car detailing as a permitted use in the B-1B zone. Concerns were expressed about changing the Zoning Ordinance for a specific property, and whether this would be considered spot zoning.

Four members were in favor of exploring the issue, while four were opposed. The vote was split, and no action was taken.

B. Discussion: Subdivision Regulations Amendments

Jason Booher discussed two proposed subdivision regulation amendments. The first proposal pertained to road frontage requirements in the Urban Growth Boundary. The Zoning Ordinance stipulates a 50-foot road frontage requirement in the city, while the county's requirement is only 25 feet per the Sullivan County Zoning Resolution. The commission discussed whether they should consider amending the ordinance to accommodate the 25-foot requirement in Urban Growth Boundary. Most commissioners expressed their comfort with the existing 50-foot

requirement, as well as with the stipulations for waivers outlined in the ordinance, and decided to maintain the 50-foot requirement.

The second proposal involved traffic impact studies and how they are determined and regulated by the city. The current ordinance relies solely on the recommendation of the city transportation engineer to determine when a traffic impact study is required. The commission expressed interest in exploring alternative metrics and guidelines for traffic impact studies. They supported the idea of defining who is responsible for conducting the study, when it should be required, which standards should be used, the scope of the study, and who should cover its costs. Commissioners asked staff to draft a proposal and present it during a future meeting.

C. Discussion: Weaver Pike / Cant Hook Hill Property

Cherith Young stated Staff received a deannexation request from two property owners of property annexed by the City at Weaver Pike and Cant Hook Hill - One from Mr. and Mrs. Still and one from a couple who purchased a lot from the Stills. Staff anticipates a request from Mr. Rutter but has yet to receive one at this time.

D. Discussion: Planning Commission Meeting Time

Jason Booher requested revisions to the Planning Commission Bylaws. All Commissioners were in favor of changing the meeting time from 6 PM at the Slater Center to 5 PM at the Annex. Danielle Smith requested the "order of business" be amended to better reflect Planning Commission proceedings.

E. Discussion: Project Updates

1. West State Street Corridor

Cherith Young stated the West State Street Study draft should be released in October and will be presented at a council work session. Staff is also working to schedule a public meeting to review the results.

2. Highway 394

Cherith Young stated Staff continues to make scheduling attempts with TDOT and anticipates having more results to report.

F. City Council Update

Cherith Young stated the 5th Street rezoning passed at the first reading and would have the second reading and public hearing on October 3, 2023.

G. Training Update

Cherith Young stated at least one in-person training opportunity will be held in December.

H. Site Plan and Subdivision Plats Report

Cherith Young briefly reviewed the Site Plan and Subdivision Plats Report with the Commission.

ADDITIONAL COMMENTS

Commissioners discussed the historical requirement of having a member of the Planning Commission also serve on the Board of Zoning Appeals (BZA). Danielle Smith stated this requirement existed until 2007 but was removed due to a lack of interest from Planning Commission members in serving on the BZA. Currently, a Planning Commission member could volunteer to serve on the BZA, and it was suggested that this arrangement could continue. The discussion also touched on whether a county representative could serve on the BZA if they met the residency and other qualifications. Mahlon Luttrell volunteered to fill the vacant BZA position.

Cherith Young provided an overview of the recent BZA hearing and the background of the B-3 Zoning Ordinance amendment which impacted car washes. She stated the BZA approved Tidal Wave's administrative appeal and noted Staff is working on the site plan application.

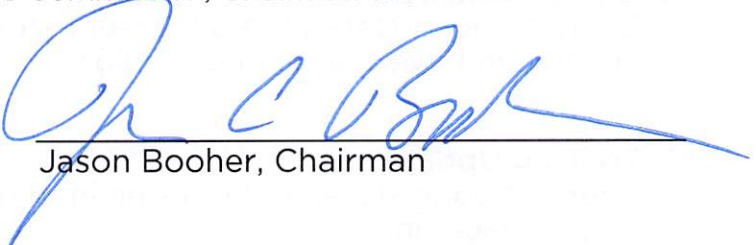
Jason Booher discussed the need to consider a public comment policy for the Planning Commission, emphasizing the importance of adopting bylaws that dictate aspects like time limits for public comments. He noted that while the law requires public comment for meetings with actionable items on the agenda, there's a question of whether to extend this to items that aren't actionable. Mr. Booher stated he would work with Staff on a draft of the bylaw proposal for review in a future meeting.

Kelly Graham asked for information regarding the process and requirements for deannexing property.

Lea Powers suggested that the Planning Commission should engage in a conversation about their vision for Bristol and potential development opportunities. She emphasized the importance of proactive planning and collaboration with developers to align with the city's goals, as well as potential legislative changes to accommodate growth, especially considering the increase in tourism in Sullivan County.

ADJOURNMENT

With no other matters to present to the Commission, Chairman Jason Booher adjourned the meeting at 7:11 PM.



Jason Booher, Chairman