

**MORRISTOWN REGIONAL PLANNING COMMISSION
AGENDA
February 14th 2017**



Call to Order

- I.** Approval of January 10th 2017 Minutes
- II.** Old Business: none
- III.** New Business:
 - A. Annexations:
 - B. Subdivisions/Site Plans:
 - C. Zoning Issues:
 - Text Amendment Change:
Section 14-209; Two Buildings on One Lot
 - D. Bond Reviews:
 - E. Right-of -Ways:
 - F. Ordinance Reviews:
- IV.** Departmental Reports:
 - Minor Subdivisions Approved:

Adjournment

*The next meeting of the Morristown Regional Planning Commission is scheduled for March 7th, 2017 at 4:00 pm.
The deadline to submit applications for this meeting is February 20th, 2017.*

Morristown Regional Planning Commission

Minutes

January 10, 2017

Members Present

Chairman Jim Beelaert

Vice Chairman Bill Thompson

Commissioner Sylvia Hinsley

Commissioner Wanda Neal

Commissioner Jack Kennerly

Commissioner Bob Garrett

Secretary Rose Parella

Mayor Gary Chesney

Others Present

Lori Matthews, Senior Planner

Logan Engle, Planner

Ralph "Buddy" Fielder, Asst. City Administrator

Steve Neilson, Planning Director

Kat Morilak, Development Services

Eual Noah, Fire Marshall

Tim Oakes

Agnes Sexton

Clint Harrison

Phillip Carlyle

Members Absent

Commissioner Doug Beier

Chairman Jim Beelaert called the meeting to order and invited anyone who wished to join the Commission in an Invocation and the Pledge of Allegiance to do so.

I. Chairman Beelaert called for the approval of the October 11, 2016 minutes.

Commissioner Neal made a motion for approval of the December 13th, 2016 minutes; seconded by Commissioner Thompson. Upon voice votes, all Ayes.

II. Old Business: None

III. New Business:

A. Annexations: None

B. Subdivisions/Site Plans: None

1a.) RES-2007-2016: 685 Central Church Rd- Site Plan Approval (PUD) for Parke Villas

2a.) RES-2007-2016: 685 Central Church Rd- Residential Sign Approval for Parke Villas

Senior Planner Lori Matthews discussed the site plan approval request which has been received from Mr. Phillip Carlyle for his proposed residential development to be located on the west side of Central Church Road. Per Section 14-222 of the Morristown Zoning Ordinance (Planned Unit Development), multiple buildings on one lot for multi-family and/or commercial uses must receive site plan approval from the Regional Planning Commission.

The applicant is currently going through the administrative site plan review process for multi-family residential planned unit development to consist of sixty-three (63), two-story townhouse style units on one six (6) acre parcel. Zoned R-2 (Medium Density Residential), the proposed site will have an approximate density of 10.5 units per acre, which meets that threshold specified in Section 14-609 of the R-2 (Medium Density Residential) physical building requirements. Of the sixty-three (63) total units, twenty-seven (27) units will be three bedrooms with the remaining thirty-six (36) being two bedrooms. A private driveway incorporates both one and two way traffic through the site to a single ingress/egress point along Central Church Road. A five foot wide sidewalk will front all units, although connectivity of the total sidewalk system is staggered. Adequate parking will be provided for the total number of units proposed, although handicapped parking will not be provided.

Walden Place Subdivision, a mixed residential development containing four (4) condominium units and eleven (11) single family residential lots, adjoins the subject site to the south with Westside Mobile Home Park bordering to the north. There is a large vacant tract across Central Church Road, which is just north of Westview Subdivision. Echo Hills Subdivision, also single family residential lots, abuts this parcel to the west.

Staff would recommend that the Planning Commission approve the concept plan as summarized and as shown on the accompanying attachments.

Along with the required site plan (PUD) approval, the Planning Commission is being asked to approve the proposed signage for this development, as stated in Section 14-2906. As discussed earlier today at the lunch session, permits have yet to be approved for the signs. All that is asked of the Planning Commission is to approve the location of the signs. Staff is in agreement that location is outside of any utility easements and at least ten feet off of the right-of-way. If you have any further questions about the development, Mr. Carlyle and his engineer are both here.

Chairman Beelaert stated that the site plan approval and the sign location approval will be voted on as one item and he called for a motion.

Vice Chairman Thompson made a motion to approve the request as presented and it was seconded by Secretary Parella.

Mayor Chesney asked Phillip Carlyle if he knew the proposed price range for the units. Phillip Carlyle replied that the two bedroom units will start out \$845.00 per month and the three bedroom units will start out at \$945.00 per month. He also stated that the units will not be subsidized.

Resident Agnes Sexton who resides adjacent to the proposed property at 683 Central Church Road addressed the proposed site plan. She voiced concerns over how this will affect the entryway of their property and what extra traffic will come from it. Chairman Beelaert stated that he would be lying if he said this wouldn't create more traffic. The reality is that more units will definitely create more traffic. Mrs. Sexton also commented that the traffic is already bad on Central Church Road. Chairman Beelaert thanked her for her comments and assured her that the developer did have a traffic plan and will have to continue through the other steps of approval throughout the development.

Voting Results: 8 yes; 0 no. Motion carries.

C. Zoning Issues: None

The meeting was adjourned.

Respectfully submitted,

Rose Parella

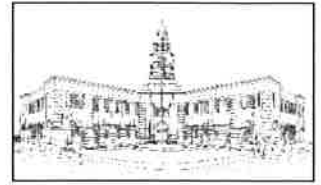
Secretary

RP/jc

City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission
FROM: Steve Neilson, Planning Director *SNA*
DATE: February 14, 2017
SUBJECT: Text Amendment -14-209. ONE PRINCIPAL BUILDING ON LOT

BACKGROUND:

This is a staff initiated request to amend Chapter 2, General Zoning Provisions to delete Section 14-209. ONE PRINCIPAL BUILDING ON LOT. Section 14-209 states:

Only one principal building and its accessory buildings may be erected hereafter on any lot. In the Residence Districts, any dwelling shall be deemed to be the principal building on the lot on which the same is situated, except rear dwellings as provided in Section 14-214.

This section which prohibits more than one building on a lot is in conflict with Sections 14-222, PLANNED UNIT DEVELOPMENT and 14-223, PLANNED NORESIDENTIAL DEVELOPMENT. These provisions allow two or more principal buildings on a single lot provided the site plan for the development is approved by the Planning Commission.

Under the current provisions, an applicant for a multi-building development would not only be required to have their site plan reviewed and approved by the Planning Commission, but would also be required to receive a variance from the Board of Zoning Appeals. This results in addition fees for the applicant and since the applicant must demonstrate a hardship for a variance, this also leads to the possibility the Planning Commission approves the site plan, but the BZA deny the variance request.

Staff feels that since the Planning Commission already has an opportunity to review multi-building developments, Section 14-209 is not necessary and would recommend this section be deleted.

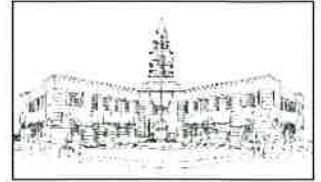
RECOMMENDATION:


Staff recommends the Planning Commission approve the proposed text amendment.

City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner 
DATE: February 14, 2017
SUBJECT: Work Session (Luncheon) Discussion

An increase in number of complaints received by both the Planning Department and our Codes Enforcement Department with regard to automotive sales and repair lots, predominantly, those located along our gateways, has prompted discussion of how better to regulate these hugely important commercial corridors.

The range of complaints vary from cars being parked inside the public right of way, cars blocking traffic, cars travelling against traffic, too many inoperable vehicles being located on one lot, dumping of tires and illicit discharges onto property of oil and gasoline. Complaints have been generated with regard to automobile parts and repair stores displaying both new and salvaged parts along the exterior sales center blocking entrances, parts being in public right of way, parts being dumped illegally, etc.

Auto parts sales and repair facilities, to include new and used tire sales, are per our zoning ordinance prohibited from having ANY parts displayed outside which are not packaged.

AUTOMOBILE PARTS STORE means the retail sales of new or reconditioned automobile parts; usually located within a store and organized in an orderly, inventory manner. Exterior storage of unpackaged parts is not permitted within this use (2646-09/17/1991).

Enforcement of our current zoning regulations has been stepped up in the past year due in large part to our Codes Enforcement Officer offering her time and assistance with our site visits. Sadly, while this seemed to produce positive effects for a short period, our entryways have fallen into disarray yet again.

It seems somewhat difficult to pinpoint where the problems start with these types of land uses. As the State of Tennessee demands that any automobile sales center include on site a repair center, many older lots have over time simply morphed into repair shops exclusively, with very large parking areas, making it convenient to store an untold number of vehicles. Conversely, the same is true of some older repair centers which have transformed into sales lots which simply do not have adequate space for the minimum number of parking spaces required by the State (15) and vehicular stacking into the garage area. Many go into business without our knowledge as many operate without a City Business License which requires zoning verification as does the State dealers license. Either of the above problems is difficult to address given the language contained in our current regulations. A change in use with no additional building footprint or increased parking does not in and of itself, warrant additional compliance with our zoning code. However, a change in the required parking or additional building space does require compliance with zoning landscape regulations at a minimum.

Per current City Code, (and State regs), any amount over the number 5 of inoperable vehicles on a lot crosses the threshold of being a salvage yard. Selling more than that number of vehicles per year requires a State dealers license. At present, the State of Tennessee lists 56 active motor vehicle dealer licenses within the corporate limits of Morristown. Our GIS data (provided by Hamblen County) shows a total of 12 properties characterized as 'auto-centers' and a total of 80 properties characterized as a 'garage'. (see graphic attached)

The State Revenue Commissioner's office has been helpful in the past year by sharing compliance regulations required by them, one of which is that every auto dealer must have one license per parcel of land. This has already prompted one dealer to request a combination of two of his lots into one in order to comply with the State. These properties are located along S. Cumberland and include the former 'Inferno' nightclub and the 'Quality Auto Sales' lot adjacent to it. In short, this means an additional very large expanse of cars being 'for sale' within our south gateway.

While the revenue generated from motor vehicle sales and parts is vitally important to a municipality, the negative impact from many of these businesses along our major corridors seems to have overshadowed what monetary reward could be gained. Vehicular parts strewn about and used cars crammed in and along the public right of way does not convey a positive image to those folk entering our City from the north or south.

RECOMMENDATION:

Staff would recommend a Planning Commission work session dedicated to discussion of this topic and formulation of plan and new zoning language to help address this problem and citizen complaints.

Factoids -

*All applicants for a motor vehicle dealers' license (and automotive dismantlers and recyclers) required to file with their application to the State, a letter from the local authority that the location or proposed location of the dealer's established place of business complies with all applicable local zoning requirements.

*Several Cities in Tennessee require yearly updated zoning verification letters be given to automotive dealers upon renewal of their City Business License which allows staff to check lots for conformance.

*A separate and approved license is required from the state for each motor vehicular sales person, for each motor vehicular rep, for each motor vehicle dealer, and separate for all who sell recreational vehicles.

*All dealers are now required to disclose, prior to sale, any vehicle with a rebuilt title, salvage title or salvage history along with the signature of the purchaser acknowledging such disclosure. The disclosure MUST be made on the MVC approved form.

*Effective 2016 all motor vehicle dealers must install signs which advertise their established place of business and shall not advertise any other business or product.

*All motor vehicle dealers must obtain and hold a current City and County business license - the State dealers' license shall be invalid during such time as no business license is valid.







***ACTIVE TENNESSEE DEALER LICENSE**

81 Auto Auction LLC,
 A & J AUTO SALES,
 A51 AUTO SALES 2,
 ADRIAN HALE & ASSOCIATES,
 ALPHA AUTO SALES,
 ATKINS AUTO SALES,
 AUTO WORLD WHOLESALE,
 BEAR MOUNTAIN MOTORS,
 BY PASS MOTORS,
 CAMERONS AUTO SALES,
 CHEVROLET OF MORRISTOWN, LLC,
 COMPTONS MUFFLER TIRE & AUTOMOTIVE,
 Cousins Community Cars LLC,
 DALTON LAWN & ATV SALES, INC.,
 DALTON MOTORS,
 DBI CLASSIC CARS,
 DEALS ON WHEELS,
 DWIGHT FRAZIER AUTO SALES, INC.,
 EAST PARK AUTO SALES INC,
 EAST TENNESSEE NISSAN, INC.,
 FRANK'S AUTO SALES,
 Gilliam Auto Sales LLC,
 HAMBLEN COUNTY AUTO SALES, INC.,
 HENDERSON MOTOR CO.,
 HOMETOWN AUTO,
 HONDA MORRISTOWN,
 K & J AUTO SALES, II,
 K & J AUTO, INC. E,
 K AND J AUTO SALES #3,

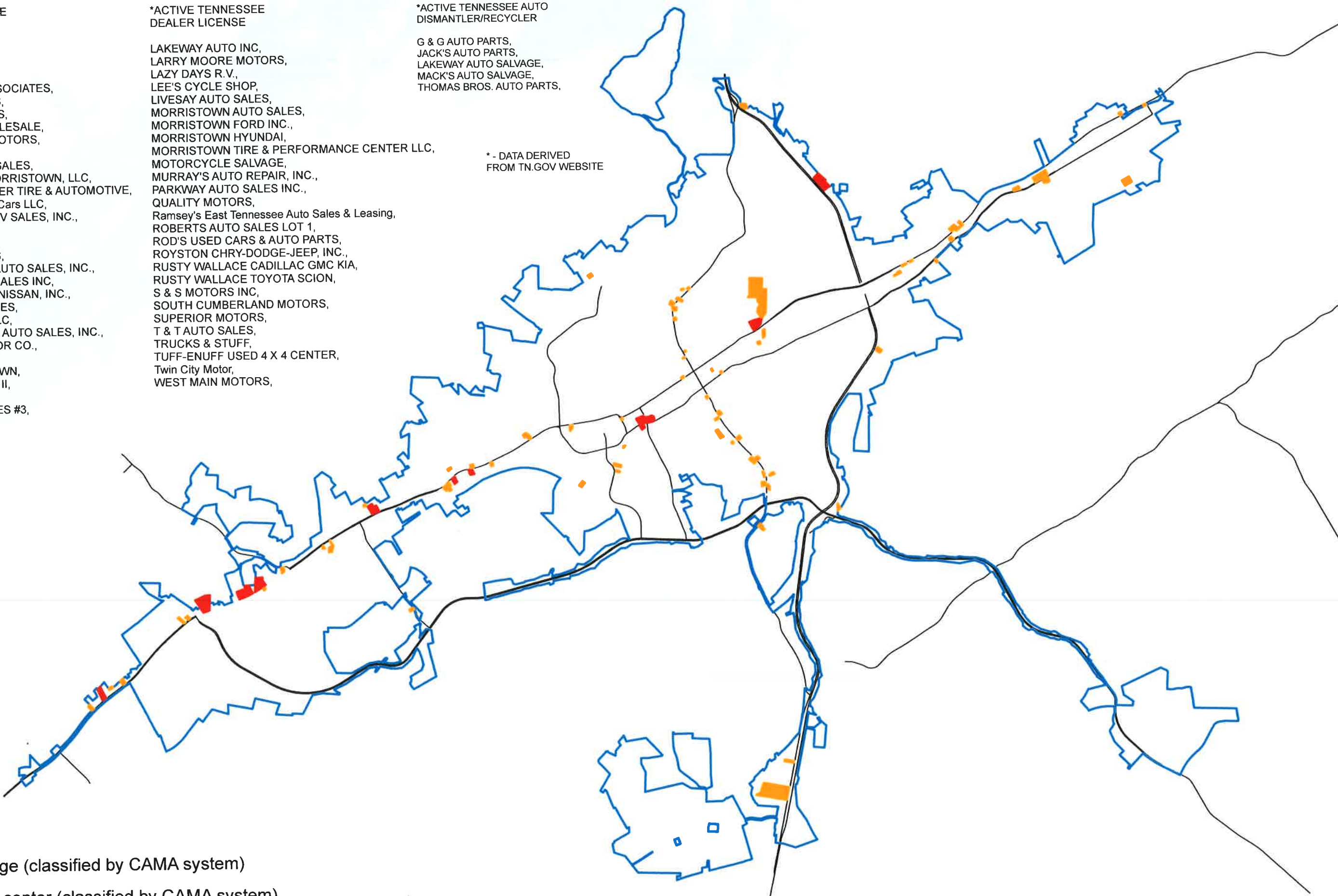
***ACTIVE TENNESSEE DEALER LICENSE**

LAKEWAY AUTO INC,
 LARRY MOORE MOTORS,
 LAZY DAYS R.V.,
 LEE'S CYCLE SHOP,
 LIVESAY AUTO SALES,
 MORRISTOWN AUTO SALES,
 MORRISTOWN FORD INC.,
 MORRISTOWN HYUNDAI,
 MORRISTOWN TIRE & PERFORMANCE CENTER LLC,
 MOTORCYCLE SALVAGE,
 MURRAY'S AUTO REPAIR, INC.,
 PARKWAY AUTO SALES INC.,
 QUALITY MOTORS,
 Ramsey's East Tennessee Auto Sales & Leasing,
 ROBERTS AUTO SALES LOT 1,
 ROD'S USED CARS & AUTO PARTS,
 ROYSTON CHRY-DODGE-JEEP, INC.,
 RUSTY WALLACE CADILLAC GMC KIA,
 RUSTY WALLACE TOYOTA SCION,
 S & S MOTORS INC,
 SOUTH CUMBERLAND MOTORS,
 SUPERIOR MOTORS,
 T & T AUTO SALES,
 TRUCKS & STUFF,
 TUFF-ENUFF USED 4 X 4 CENTER,
 Twin City Motor,
 WEST MAIN MOTORS,

***ACTIVE TENNESSEE AUTO DISMANTLER/RECYCLER**

G & G AUTO PARTS,
 JACK'S AUTO PARTS,
 LAKEWAY AUTO SALVAGE,
 MACK'S AUTO SALVAGE,
 THOMAS BROS. AUTO PARTS,

* - DATA DERIVED FROM TN.GOV WEBSITE



Legend

- garage (classified by CAMA system)
- auto center (classified by CAMA system)