

MORRISTOWN REGIONAL PLANNING COMMISSION

Agenda October 10th, 2023



Members of the public will have the opportunity to speak as items are presented.

Call to Order

I. Annual Meeting:

Election of Officers: Chairman, Vice-Chairman, Secretary

II. Approval of September 12th, 2023 Minutes

III. Old Business:

1. Subdivision Regulations Deviation: Windswept Street Lights

IV. New Business:

1. Text Amendment:

Building Height in Light Industrial

2. Rezoning Request IB to CB:

North Cumberland Street

3. Gateway Overlay District:

S. Cumberland Street Corridor

4. Rezoning Request R-2 to HI:

S. Economy Road

5. Right of Way Closure:

E. 4th North Street/Bebber Street

6. Windswept Surety Release

7. Annexation Request:

Noes Chapel Road/Cherokee Drive

IV. Departmental Reports:

None

Morristown Regional Planning Commission Minutes

September 12th, 2023

Members Present

Chairman Frank McGuffin
Vice-Chairman Jack Kennerly
Secretary Roni Snyder
Mayor Gary Chesney
Councilmember Robert (Bob) Garrett
Commissioner Amy Hancock
Commissioner Alpha Alexander
Commissioner Ventrus Norfolk

Members Absent

Commissioner Sabrina Seamon

Others Present

Doug Hart
Val Hart
Chris Raines
Cindy Parrish

Staff Present

Josh Cole, Senior Planner
Lori Matthews, Senior Planner
Hope Ross, Administrative Assistant
Steve Neilson, Development Director

Others Present Continued

Lee Shepherd
Jorge Guzman
Rich Hartman
Glenna Howington

Chairman Frank McGuffin called the meeting to order.

I. Approval of August 8th, 2023, minutes:

Secretary Roni Snyder made a motion for approval of the August 8th, 2023, minutes seconded by Commissioner Ventrus Norfolk.

Voting Results upon voice vote all Ayes. Motion carries.

II. Old Business:

None

II. New Business:

Annexation Request Noes Chapel Rd/ Cherokee Dr

Lori Matthews, Senior Planner, has received a request from property owner Shannon Greene, requesting annexation of a 15-acre parcel located at the northeast intersection of Cherokee Drive and Noe's Chapel Road. Located north of and adjacent to the Lochmere Subdivision, the vacant parcel is within the City's Urban Growth Boundary Area and is contiguous with the current City boundary. The applicant seeks to develop single-family residential lots.

The site is surrounded to the north by (County) R-1 zoning which allows single-family residential and duplex units. If developed under the current designation, lot sizes would range between 11,000 square feet and 1-acre, depending on the available utilities.

The applicant had originally requested R-3 (High Density Residential) zoning of the property upon annexation. Staff met with the applicant's agent and expressed concerns with regard to the width of Noe's Chapel Road only being 30 feet at its widest, along with the fact that neighboring properties to the site are

Morristown Regional Planning Commission Minutes September 12th, 2023

double the size of an R-3 zoned lot, which is 5,500 square feet. Staff suggested that an R-2 (Medium Density Residential) zone upon annexation would be more acceptable. Utility service providers will be Morristown Utilities.

Mayor Gary Chesney made a motion to approve the annexation request seconded Commissioner Amy Hancock.

Voting Results 8 yes, 0 no. Motion carries.

Rezoning Request (R-1 to IB) 455 Fish Hatchery Road

Josh Cole, Senior Planner, received a request from the property owner, Vittoriano Diluzio, to rezone property located at 455 Fish Hatchery Road from R-1 (Single Family Residential District) to IB (Intermediate Business District).

This property is located at the northeast intersection of Fish Hatchery and Highway 160. It currently contains a gas station/convenience store along with various other commercial uses and apartments. This property was annexed into the City in 2003 with an “interim Single Family Residential zoning” designation (R-1) which was standard at that time; however, the residential zoning has remained to this day.

Per TDOT, Highway 160 is a major corridor in the city with daily traffic counts near this parcel exceeding 20,000 in 2022. Thus, given this location and the existing commercial uses on the property, staff recommends the rezoning to IB and would ask Planning Commission to forward this request to City Council.

Vice-Chairman Jack Kennerly made a motion to approve the rezoning request seconded by Commissioner Ventrus Norfolk.

Voting Results 8 yes, 0 no. Motion carries.

Rezoning Request (LI to R-2) 432 N. Liberty Hill Road

Lori Matthews, Senior Planner, received a request from property owner JPP Holdings, to rezone 432 North Liberty Hill from Light Industrial to R-2 (Medium Density Residential). Located to the west of Liberty Plaza Storage, the 1.8-acre parcel contains an apartment complex comprised of 9 units. Access is from North Liberty Hill Road.

The properties which surround the subject site to the north are zoned for industrial use but contain residential housing. Properties to the east and south all front a major thoroughfare (East Andrew Johnson Highway) and are both used for and zoned for commercial land use. West of the site, across North Liberty Hill Road exists a vacated parcel, formerly used for industrial purposes, which is zoned Light Industrial. Staff views this request as bringing the property into conformance, given that land uses adjoining to the north are the same; and asked the Planning Commission to forward this request on to City Council for approval.

Secretary Roni Snyder made a motion to approve the rezoning request seconded by Vice-Chairman Jack Kennerly.

Voting Results 8 yes, 0 no. Motion carries.

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Gateway Overlay District - Knoxville Orthopedic Clinic

Lori Matthews, Senior Planner, received a request from Knoxville Orthopedic Clinic, to be located at the intersection of Merchants Greene Boulevard and Durham Landing. This region of Merchants Greene Boulevard falls within the City's Gateway Overlay District, a district which was created to provide a more harmonious corridor with regard to aesthetics along some of the City's major thoroughfares. Among the Gateway Corridor requirements is that building facades shall not contain metal siding but shall be comprised of 40% brick. Either side of Merchants Greene Boulevard and a portion of The Downs development (at Exit 8) are included within the City's Gateway Corridor District.

Both the building and site plan conform to the City's Gateway Corridor regulations; therefore, Staff would ask the Planning Commission to grant final approval to this development.

Mayor Gary Chesney made a motion to approve the gateway overlay seconded by Commissioner Amy Hancock.

Voting Results 8 yes, 0 no. Motion carries.

Subdivision Regulations Deviation – Windswept Street Lights

Steve Neilson, Planning Director, received a request to deviate from Subdivision Regulation's streetlights requirements from Adam Hatton representing the developers of the Windswept Subdivision. Mr. Hatton's request is to waive the street light requirements throughout the entire subdivision. Because the subdivision has been slow to develop, streetlighting has been installed only where homes have been constructed. The majority of the lighting in Phases I through III, have not been installed. Approximately one-third of the required lights have been installed. Mr. Hatton informed the City that the developer did not want to install the remaining fixtures or fixtures in the new phases (Phases IV, V, and VI).

Under the current Subdivision Regulations, streetlights are required on all streets. It does not differentiate between public and private streets. It also states that the City will provide the basic wooden poles, but if the developer wants to provide decorative poles, the developer will pay the difference. Mr. Neilson stated that it has come to the City's attention that spending public monies on private property would be a violation of Tennessee law. See attached memo from Lauren Carroll, City Attorney.

The City does not currently require lighting in other private developments such as apartment complexes or condominium developments and leaves it to the developer to determine what level of lighting is desired.

Staff feels that since the developer made the choice to put up a gate and decided to make the streets private, lighting should be their responsibility. If the residents in the neighborhood want street lighting, it would be up to them and their neighborhood association to provide.

Attached is a letter from Don Miller representing the Windswept property owners stating that they are working with the developers to resolve this issue and has requested the Planning Commission defer this item a month to allow time for them to reach an agreement.

Since the streets are private, Staff feels this should be treated like any other private development and recommends the Planning Commission approve this deviation to the Subdivision Regulations.

Morristown Regional Planning Commission Minutes September 12th, 2023

Vice-Chairman Jack Kennerly made a motion to defer the deviation under next Planning Commission seconded by Commissioner Ventrus Norfolk.

Cindy Parrish, homeowner in Windswept, requested the subdivision regulations regarding streetlights and when was it passed. Mr. Neilson deferred the question regarding the location of the streetlights to the utility provider. He explained that the erratic timing for the placement of the streetlight is based on the development of the houses. Ms. Parrish requested a deferment to allow time for research to reach an agreeable plan between the developer and homeowners.

Chris Raines, homeowner in Windswept, spoke in favor of using public funds to purchase streetlights on the private roads of Windswept for their safety.

Voting Results 8 yes, 0 no. Motion carries.

Preliminary and Final Plat Approval Whitmill Subdivision (Shields Ferry Road)

Josh Cole, Senior Planner, received a request for preliminary and final plat approval from surveyor Bill Shockley on behalf of property owner Doyle Whitmill for the proposed "Whitmill Subdivision." The subdivision is located on Shields Ferry Road and contains slightly over 21 acres. The plat contains 5 new lots that vary in size from 7,588 to 9,054 square feet with an additional 20 acres remaining for future development. Additionally, utilities are currently provided to the proposed lots.

The subdivision plat met all applicable subdivision requirements and staff recommended that the Planning Commission approve this request.

Secretary Roni Snyder made a motion to approve the preliminary and final plat seconded by Mayor Gary Chesney.

Voting Results 8 yes, 0 no. Motion carries.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Roni Snyder, Secretary
RS/hr

The City of Morristown

Community Development & Planning



TO: Morristown Regional Planning Commission
FROM: Steve Neilson, Development Director *[Signature]*
DATE: October 10, 2023
REQUEST: Request to deviate from Subdivision Regulation's Street Light Requirements

Staff has received a request to deviate from Subdivision Regulation's streetlights requirements. The request came from Adam Hatton representing the developers of the Windswept Subdivision. Mr. Hatton's request is to waive the street light requirements throughout the entire subdivision.

At the September meeting, the Planning Commission deferred this item to allow time for the applicant and the HOA time to reach an agreement regarding the lighting. Cindy Parrish, the head of the HOA informed staff that an agreement Has not been reached.

The City does not currently require lighting in other private developments such as apartment complexes, townhouses, or condominium developments and leaves it to the developer to determine what level of lighting is desired. Lauren Carroll, City Attorney, informed staff that spending public monies on private property would be a violation of Tennessee law. (See attached memo)

Staff feels that since the developer made the choice to put up a gate and made the streets private, lighting should be the responsibility of the developer. If the residents in the neighborhood want street lighting, it would be up to them and their neighborhood association to provide.

RECOMMENDATION

Since the streets are private, Staff feels this should be treated like any other private development and recommends the Planning Commission approve this deviation to the Subdivision Regulations.

To: Tony Cox

From: Lauren Carroll

Re: Windswept Lighting Issue/Public Infrastructure on Private Property

MEMO

Issue: Can the City of Morristown invest, fund, and continue to spend public money on private property for street lighting (specifically, at Windswept), or any other private property infrastructure/development?

Answer: No, see below for further explanation.

Public Purpose Doctrine

Article II, Section 29 of the Tennessee Constitution provides that “The General Assembly shall have power to authorize the several counties and incorporated towns in this State, to impose taxes for County and Corporation purposes...” Based upon this language in the Constitution, Tennessee Courts have interpreted that to mean that public funds can only be used for public purposes. Since taxes can only be levied for corporate or public purposes, expenditures can only be made for corporate or public purposes. Courts have further determined that a “public purpose” is something that serves a benefit to the community as a whole and at the same time is directly related to a governmental function.

Private Streets and Infrastructure

In Windswept, the roads are privately owned and not accessible to the general public. Therefore, the City has no authority to expend funds for maintaining the roads, adding infrastructure, investing in the infrastructure and keeping the infrastructure up.

Supporting Information

I have reviewed several MTAS opinions and even a couple Comptroller's Reports. I am happy to provide these opinions and reports to you, if you would like. Of note, in the opinions, there are several Tennessee cases cited and referenced regarding the reasons that cities cannot and should not do work on private property. There are certainly the legal concerns, that it goes against the Public Purposes Doctrine, and then also liability and risk management concerns. Another point mentioned is that if a service, paid for by the City, is offered to one citizen, it would have to be offered to all citizens; this is certainly problematic.

In the Comptroller's reports, he took issue with a situation where a town spent less than \$300.00 on gift sets that were distributed to citizens at the town's Christmas parade. This small purchase was questioned and became an issue because the purchase did not benefit all the citizens of the town. Additionally, this same town used town employees and equipment to install drain tiles on private property in a larger street project. Apparently, the tile was installed to eliminate a road hazard, but the Comptroller determined this was not proper, as town personnel and equipment cannot be used to perform projects on private property.

In another report, the Comptroller determined that a mayor had used a town owned lawnmower for his own benefit and also directed the use of the town's public works equipment and personnel to haul gravel for a non-profit organization. These actions go against the law and are not permitted.

If you have any other questions or would like any clarification on the above, please let me know.

The City of Morristown

Community Development & Planning



TO: Morristown Regional Planning Commission
FROM: Steve Neilson, Development Director *Sign*
DATE: October 10, 2023
SUBJECT: Text amendment to building height in the LI-Light Industrial District

BACKGROUND:

This is a request by the Industrial Development Board (IDB) to amend Chapter 14, Light Industrial District (LI) Section 14-1208. BUILDING HEIGHT to increase the maximum building height from 45 feet to 55 feet. Marshall Ramsey indicates that they have received several inquiries for buildings exceeding the current 45 feet height limit. He states that in order to remain competitive with other cities in the region, taller building heights would be helpful. The Planning Commission may recall that the Heavy Industrial District was recently amended to increase the building height from 55 feet to 75 feet. Chief Taylor is in support of this request.

PROPOSED AMENDMENT:

Light Industry

14-1208. BUILDING HEIGHT

Buildings shall not exceed four (4) stories or ~~forty-five (45)~~ fifty-five (55) feet in height.

RECOMMENDATION:

Staff recommends approval of the proposed text amendment.

Industrial Development Board of The City of

Morristown

P.O. Box 9 • 825 West First North St. • Morristown, TN 37815 • Ph. 423-586-6382

September 28, 2023

Mr. Steve Neilson
City of Morristown
P.O. Box 1499
Morristown, TN 37816

Dear Mr. Neilson:

Based on the large amount of industrial activity we have been experiencing, we recently asked you to increase the heavy industrial zoning height restriction to 75 feet, which we greatly appreciate. That increase has allowed us to submit and stay in the hunt for multiple new industrial projects. Recently, we have had discussions in the light industrial zoned areas, and many of those projects are requesting a height more than 45 feet. I would like to ask the Planning Commission to consider an increase in light industrial zones to 55 feet. This allows upward growth instead of linear growth which takes up additional greenspace that can be better utilized. We would of course ask that any industry partner work with city planning and the fire department to ensure that life safety is taken into account as a primary consideration for any new growth or expansion.

Thank you in advance for your time and consideration of this matter. Please let me know if you have any questions.

Sincerely,



Marshall Ramsey
Secretary

MR/jb

The City of Morristown

Community Development & Planning

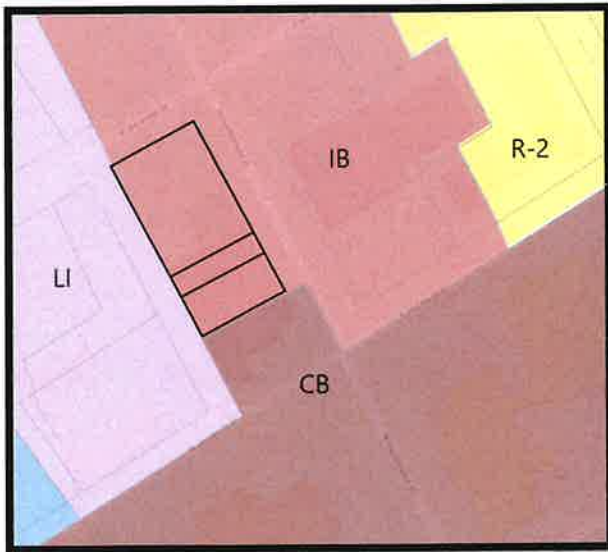


TO: Morristown Regional Planning Commission
FROM: Josh Cole, Senior Planner
DATE: October 10th, 2023
SUBJECT: Rezoning Request from CB to IB
309, 313, and 317 N. Cumberland Street

BACKGROUND:

Staff has received a request to rezone property located at 317 N. Cumberland Street from IB (Intermediate Business District) to CB (Central Business District). In addition to this, staff is also requesting 309 and 313 N. Cumberland Street to be rezoned IB to CB. The subject parcels are located just north of City Center between 2nd and 3rd North Street. It does have CB to the south of these parcels with IB to the west and LI to the east.

All three of the buildings located on the three parcels are more urban in development style and do not meet a number of requirements set forth in the IB district including lot coverage, setbacks, and parking. However, if it were to be rezoned CB, then it would be in conformance with this district. Beyond this, staff has envisioned growing the downtown further up N. Cumberland and this rezoning will further encourage this type of growth.




RECOMMENDATION:

Rezoning the subject parcels to CB will result in the properties being in conformance with the zoning ordinance. Thus, staff recommends the rezoning and would ask Planning Commission to forward this on to City Council.

The City of Morristown

Community Development & Planning



TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner 
DATE: October 10th, 2023
REQUEST: Zoning Amendment to the Gateway Overlay District

SUBMITTAL:

City Staff is initiating an amendment to Chapter 35 of the City's Zoning Ordinance. This amendment stems from recent grant monies awarded to the City of Morristown to upgrade South Cumberland Street as well as being a suggestion by the City's Community Appearance Committee. The amendment will simply add another corridor, South Cumberland, into the City's Gateway Overlay District, which limits specific land uses and promotes more aesthetically appealing construction standards.

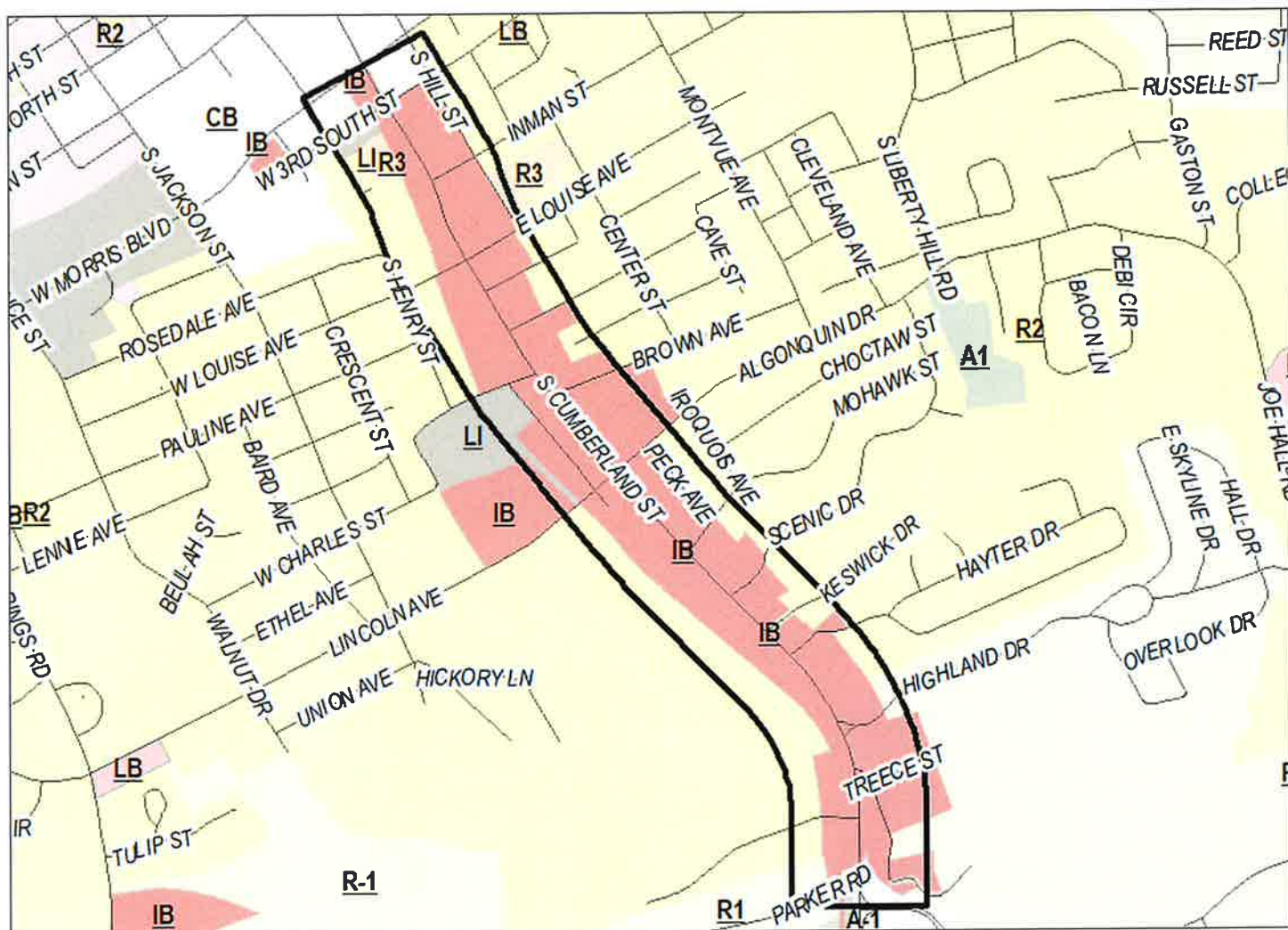
As can be seen from the pictures attached, South Cumberland Street/State Highway 343, has over the past decade transcended into a corridor dedicated to used automobile uses. Used tires, transmission and engine repair and automotive sales are now the major land use on either side from Morris Boulevard, south to Enka Highway, making this entryway into the City less than attractive.

While improvements may not be seen immediately with the addition of this corridor into the Gateway Overlay District, those which are currently illegal non-conforming will be closed; and those which are legal non-conforming may remain until the use changes, or, until the use is abandoned for a period of 2.5 years.

Staff is seeking to include 500-feet from either side of the South Cumberland Street centerline, from Morris Boulevard to Highway 160, to the Gateway District. Most recently, in order to promote higher standards along Merchants Greene Boulevard, Staff included roughly the same along Merchants Greene Boulevard from West Andrew Johnson Highway to Enka Highway. Nominal changes to the Zoning Ordinance have been attached for review.

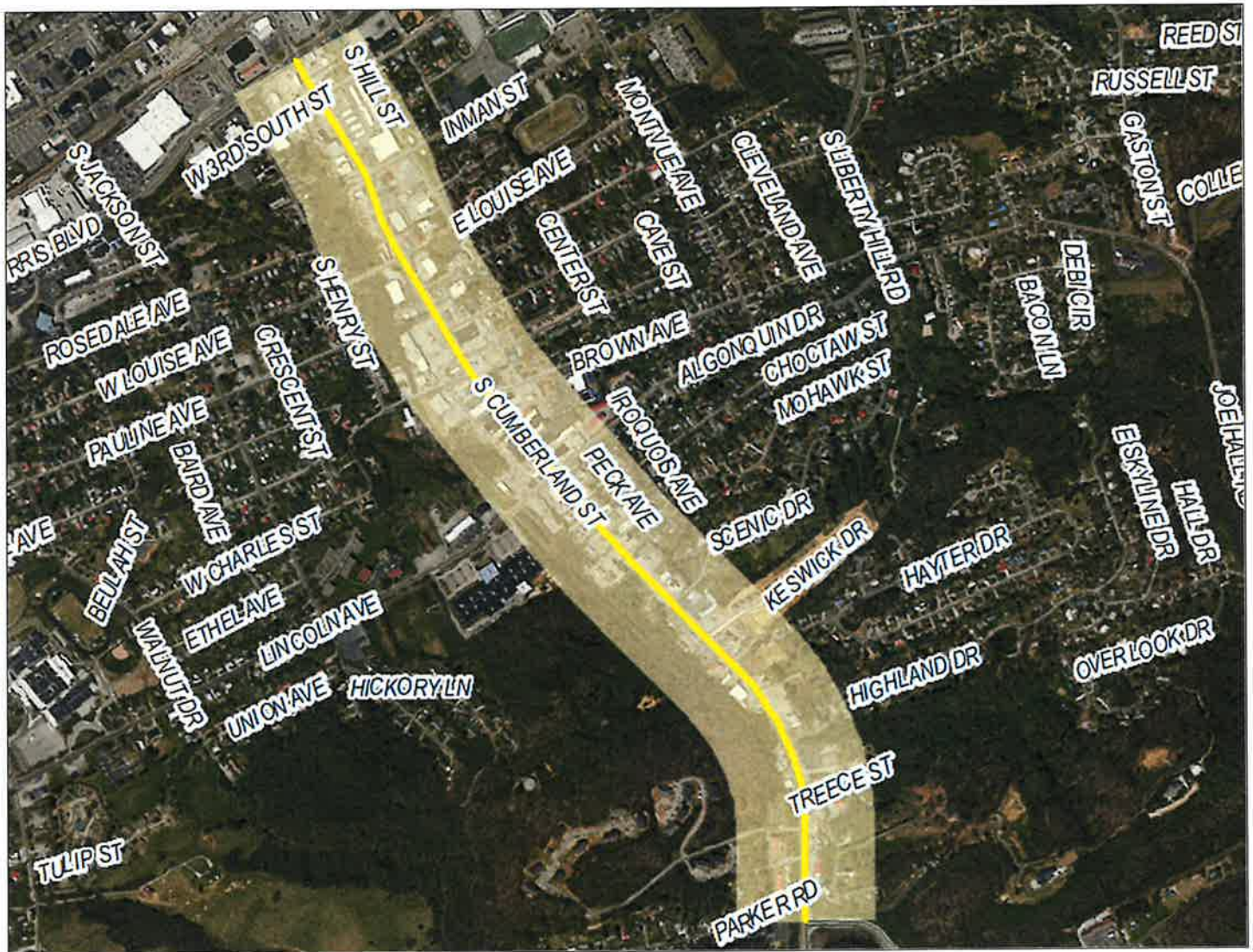
RECOMMENDATION:

Staff would ask the Planning Commission to forward this amendment to City Council for approval.



The City of Morristown

Community Development & Planning



The City of Morristown

Community Development & Planning



Chapter 35

Gateway Overlay District (last amended #3655-08/18/2020)

14-3501. PURPOSE

Design elements along Davy Crockett Highway, and State Route 66, and South Cumberland Street should promote a positive experience for those entering the City from Interstate 81/Exit 8 by elevating standards for development while providing some flexibility for developers along these scenic byways. Properties within these overlays are required to meet all underlying zoning standards in addition to those applicable under this chapter. All new construction must receive approval from the Morristown Regional Planning Commission prior to construction. A site plan and elevation plan of the development are to be submitted to City Staff a minimum of 20 days prior to the scheduled Planning Commission meeting in order to be placed on the agenda. The Planning Commission will decide if the development is compatible with the overall district and if it meets the intent of the overlay district when giving their approval.

14-3502. PERMITTED USES

Permitted uses are limited to those in the underlying zoning districts.

The following uses shall **not** be permitted:

1. Adult Entertainment
2. Automobile Repair as a principle use
3. Automobile Salvage Yards
4. Building Material Yards
5. Farms Equipment Sales
6. Incinerators
7. Junkyards
8. Methadone Treatment Facilities
9. Pain Clinics
10. Recycling Facilities
11. Sanitary Landfills

14-3503. SITE AND BUILDING REQUIREMENTS:

- A. Non-residential buildings & similar structures: The exterior solid wall of all buildings and similar structures constructed, placed or erected on the land shall be composed of a minimum of forty (40) percent face brick, stone, or other masonry material similar in appearance or stucco to finish grade, vinyl, wood or fabricated wood. A building elevation plan shall be submitted as part of the site plan approval process. All HVAC or other equipment located on the roof of any building, or other equipment affixed to, or located on the ground, shall be landscaped or screened from public view. Designers are encouraged to vary materials from building to building while limiting the number of different materials to three (3) on any individual structure. In general, neutral or muted tones should be used. All development designs are to be consistent or compatible within a development in terms of architectural design, exterior building materials, colors and/or arrangement of buildings
- B. Signage:

1. Davy Crockett Highway

In addition to those underlying provisions as provided for by Chapter 29, Sign Regulations, freestanding signs within this overlay district shall be permitted to increase the overall

height (from finished grade) to thirty-five (35) feet and not more than two-hundred (200) square feet in sign face size. Those properties located on the south side of Progress Parkway and Thoroughbred Run Road and/or east of Twin Spires Lane within this overlay district shall be permitted to increase the overall height of their free-standing sign to eighty-five (85) feet (from finished grade) and the sign face shall not exceed four hundred (400) square feet in size.

2. State Route 66

All signs shall comply to the provisions of Chapter 29, Sign Regulations.

- C. Landscaping and Buffer yards: Plantings used to fulfill the requirements of the City guidelines shall be grouped for visual impact from the gateways, located to accentuate the building and maximize environmental benefits. Each lot shall contain a minimum of two (2) trees for each forty feet (40 ft.) of frontage. Each tree shall be at least three inches (3") in caliper when planted. All landscaping required on any lot shall be completed within sixty days of substantial completion of construction, or within schedules set forth in the approved plans.
- D. Storage and Display shall not be stored in the open or exposed to public view or view from the adjacent land or any improvements. Any storage shall be fenced with a screening fence of permanent construction designed of materials used in the principal structure. No screening or fencing shall be less than eight feet (8 ft.) in height. All storage shall be limited to the rear of any building improvements and in no event shall any materials or equipment be stored closer than ten feet (10 ft.) to any side or rear property line. Dumpster's must be screened with one of the following: Brick, stone or masonry walls, picket fence style gate or solid metal gate, or evergreen trees.



The City of Morristown

Community Development & Planning



TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner
DATE: October 10th, 2023
REQUEST: Rezoning Request

SUBMITTAL:

Property owner American Plastic Profiles, Inc. are requesting their office and warehouse located at the end of South Economy Road be rezoned from R-2 (Medium Density Residential) to HI (Heavy Industrial). The applicant has just recently been made aware of the inconsistency between the zoning designation and the land use.

Much of the land northeast of the subject site, part of the James Estate platted in 1963, has been developed for residential use and is zoned accordingly as Medium Density Residential. Land to the west and that between the railroad and South Economy has over time developed into an industrial area, much of it is still being used for small manufacturing and warehousing businesses.

The request area consists of two parcels, Hamblen County Tax ID # 041F E 037.15 which is a 30,000 square foot parcel containing a 10,000 square foot warehouse. The second property, Hamblen County Tax ID # 041F E 037.13 is 14,000 square feet in size and contains an office/warehouse approximately 5,000 square feet in size. Tax records indicate the current buildings were constructed around 1974. The City annexed this area in 2007.

RECOMMENDATION:

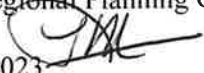
As the subject request is located at the end of an undeveloped road, within an industrial park, and, the applicant has operated an industrial business on-site for 20+ years, Staff would ask the Planning Commission to forward the request on to City Council to approve.



The City of Morristown

Community Development & Planning



TO: Morristown Regional Planning Commission
FROM: Lori Matthews 
DATE: October 10th, 2023
SUBJECT: Alley Abandonment Request

BACKGROUND:

Staff has received a request to vacate a portion of rights-of-way located between East 4th North Street and Bebbler Street from adjoining property owner(s) to the west, Mr. Randall Moles. All adjoining land owners have been notified and none have expressed any concerns.

Public Works and Morristown Utilities have also been contacted and neither agency has any concerns over the City abandoning this old rights-of-way. Morristown Utilities will still maintain a 20 foot-wide easement along their sanitary sewer line along this alley.

RECOMMENDATION:

Staff would ask the Planning Commission to forward this request on to City Council for their approval.



PLANNING COMMISSION APPLICATION City of Morristown

Prior to an **annexation, rezoning, subdivision** (major or minor) and/or **site plan** (preliminary or final plat approval) request being placed on the Regional Planning Commission Agenda, the applicant must furnish to the Department of Community Development and Planning the following information:

1. **Date:** Mar 30, 2023
2. **Name of Property Owner:** Randall Edward MOLES
Mailing Address: 433 East 4th North St City/State/Zip Morristown, TN 37814
Telephone: (Home) (423) 584-5244 (Business) _____ (Mobile) 423-208-6906
3. **Name of Applicant:** Randall MOLES
Mailing Address: _____ City/State/Zip _____
Telephone: (Home) _____ (Business) _____ (Mobile) _____
4. **Name of Agent (if applicable):** _____
Mailing Address: _____ City/State/Zip _____
Telephone: (Home) _____ (Business) _____ (Mobile) _____
5. **Property information:** Street Address: _____
 County Tax Map: _____ Group: _____ Parcel(s) 034H - A - 09.05
 Current zoning: RE Parcel size: .95 City/U.G.B. City
 Existing Use: _____ Proposed Use: _____
6. **Nature of Request:** (please circle)
 - a) Annexation (state reason for request) _____
 - ☒ b) Right-of-way/Alley Closure (state reason for request) Family has maintained alley for over 100 years. Found out closure was an option.
 - c) Subdivision/P.U.D.: Name _____ Acres/lots _____ Subdivided into _____
☐ Concept Plan Approval ☐ Preliminary Plat Approval ☐ Final Plat Approval ☐ P.U.D. Approval
 - d) Zoning Classification Change (\$100.00 Fee): From _____ To _____
 - e) Other Requests: _____
7. List name and addresses of **adjacent property owner(s)** that would be affected by request (reverse side).
8. Submit site plans, surveys, special fees or other items as required for review by City staff and Regional Planning Commission members.
9. **Applicant Signature:** [Signature] **Date:** Mar 30, 2023

This application will not be accepted unless all information is complete. If a question is not applicable, please draw a line through the space provided or mark "n/a" (not applicable).

MAY P.C.
JW
mtg

BETWEEN E. 6th
E. 4th

The City of Morristown

Community Development & Planning



TO: Morristown Planning Commission
FROM: Lori Matthews, Senior Planner
DATE: October 10th, 2023
REQUEST: Release of Infrastructure Sureties – Windswept Development

SUBMITTAL:

Manchester Realty, owner/developer of Windswept Subdivision in north Morristown has requested a release of a portion of their cash bond kept by the City for improvements to Phases 1-3 and construction of Phases 5-6.

Upon the writing of this memorandum, City Staff had not yet received as-built drawings for Phases 5 or 6, neither had the required geotesting of the streets been submitted. As the applicant has not completed the subdivision requirements in full, only 50% of the surety may be released per the City's Subdivision Regulations, which would be \$1 million dollars.

In addition to the above, Staff is requesting the Planning Commission release in full the bond held for completion of Phase 4 (Serenity Sound #LICX1214849) which is in the amount of \$973,725.00.

RECOMMENDATION:

Staff would ask the Planning Commission to release \$1,000,000.00 (one-million) of the \$2,000,000.00 cash bond between Manchester Realty and the City of Morristown; as well as the bond (in full) for Phase 4 of the Windswept development in the amount of \$973,725.00.

The City of Morristown

Community Development & Planning



TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner *LM*
DATE: October 10th, 2023
REQUEST: Reconsideration of Annexation Plan of Services

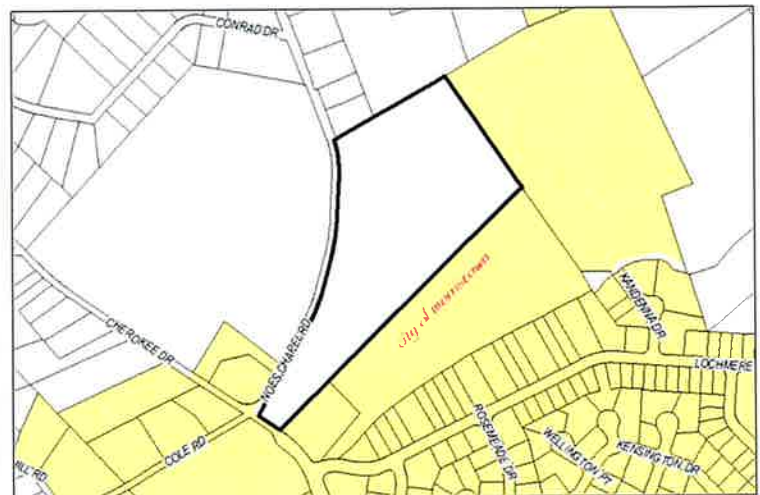
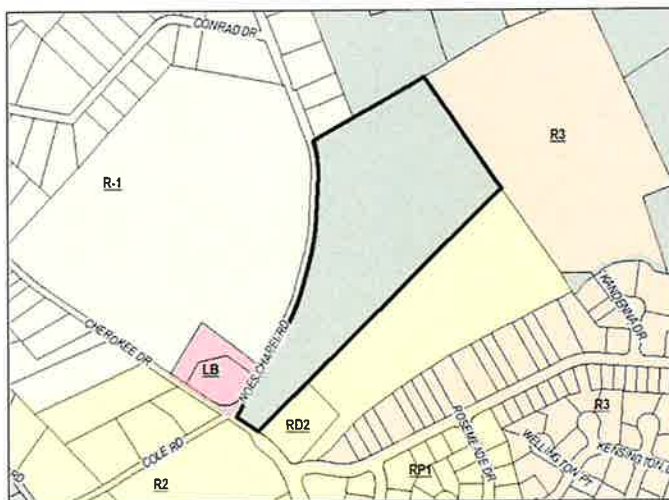
SUBMITTAL:

The Planning Commission at their September 12th meeting voted to forward to City Council an annexation request from property owner Shannon Greene. The request area was for a 15-acre parcel located at the northeast intersection of Cherokee Drive with Noe's Chapel Road, adjacent to the Lochmere Subdivision. As the applicant is wishing to construct a single-family residential community, Staff felt comfortable recommending the property be designated with an R-2 zone if annexed.

The request was then forwarded on to City Council for the required first reading on September 19th when the City Council opted to send the request back to the Planning Commission for reconsideration of the Plan of Services, specifically, the recommended zoning district of R-2 (Medium Density Residential). The City Council felt that a Planned Residential zoning district would be a better zoning designation due to the adjoining development standards.

RECOMMENDATION:

City Planning Staff still feels the R-2 designation to be appropriate for this property and ask the Planning Commission forward it again to City Council for approval.



The City of Morristown

Community Development & Planning



PLAN OF SERVICES

RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF HAMBLLEN COUNTY TAX ID # 0322 06201 LOCATED OFF OF NOE'S CHAPEL ROAD;

WHEREAS, TENNESSEE CODE ANNOTATED, TITLE 6, CHAPTER 51, AS AMENDED REQUIRES THAT A PLAN OF SERVICES BE ADOPTED BY THE GOVERNING BODY.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND COUNCIL OF THE CITY OF MORRISTOWN, TENNESSEE:

Being 14.68+/- acres as described in Hamblen County Warranty Deed Book 2001, Pages 808-812, having Hamblen County Tax ID # 032024 06201 and, as shown in Exhibit A;

Section I. Pursuant to the provisions of Title 6, Chapter 51, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described above, the following plan of services;

Police Protection

Patrolling, radio responses to calls, and other routine police services using present personnel and equipment will be provided upon the effective date of annexation.

Fire Protection

Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided upon the effective date of annexation. Water for fire protection to serve the substantially developed annexed area(s) will be provided in accordance with current policies of Morristown Utilities unless authorized by franchise agreement with another utility district which has made service available with capabilities to meet City of Morristown Fire Protection Standards. Any extension of water system infrastructure beyond that of Morristown Utility policies shall be at the expense of the property owner or developer.

Water Service

Morristown Utilities will extend service to properties within its jurisdiction in accordance with the regulations and extension policies of Morristown Utilities.

Sanitary Sewer Service

Morristown Utilities will extend service to properties within its jurisdiction in accordance with the regulations and extension policies of Morristown Utilities Commission.

Electrical Service

Electrical service for domestic, commercial and industrial use will be provided at city rates for new lines as extended in accordance with current policies of Morristown Utility Commission. In those parts of the annexed

area presently served by another utility cooperative, the above conditions or terms will begin with the acquisition by the city of such cooperatives or parts thereof, which may be delayed by negotiations and/or litigation.

Refuse Collection

The same regular refuse collection service now provided within the City will be extended to the annexed area sixty days following the effective date of annexation.

Streets

Reconstruction and resurfacing of streets, installation of storm drainage facilities, construction of curbs and gutters, and other such major improvements, as the need therefore is determined by the governing body, will be accomplished under current policies of the city. Traffic signals, traffic signs, street markings and other traffic control devices will be installed as the need therefore is established by appropriate study and traffic standards. Street name signs where needed will be installed as new street construction requires.

Inspection Services

Any inspection services now provided by the City (building, electrical, plumbing, gas, housing, sanitation, etc.) will begin upon the effective date of annexation.

Planning and Zoning

The planning and zoning jurisdiction of the city will apply to the annexed area in conjunction with the effective date of annexation.

Street Lighting

Street lights will be installed in accordance to City policies.

Recreation

Residents of the annexed area may use all existing recreational facilities, parks, etc., on the effective date of annexation. The same standards and policies now used in the present city will be followed in expanding the recreational program and facilities in the enlarged city.

Section II. This Resolution shall become effective from and after its adoption.

Passed on this _____ day of _____, 2023.

Mayor

ATTEST:

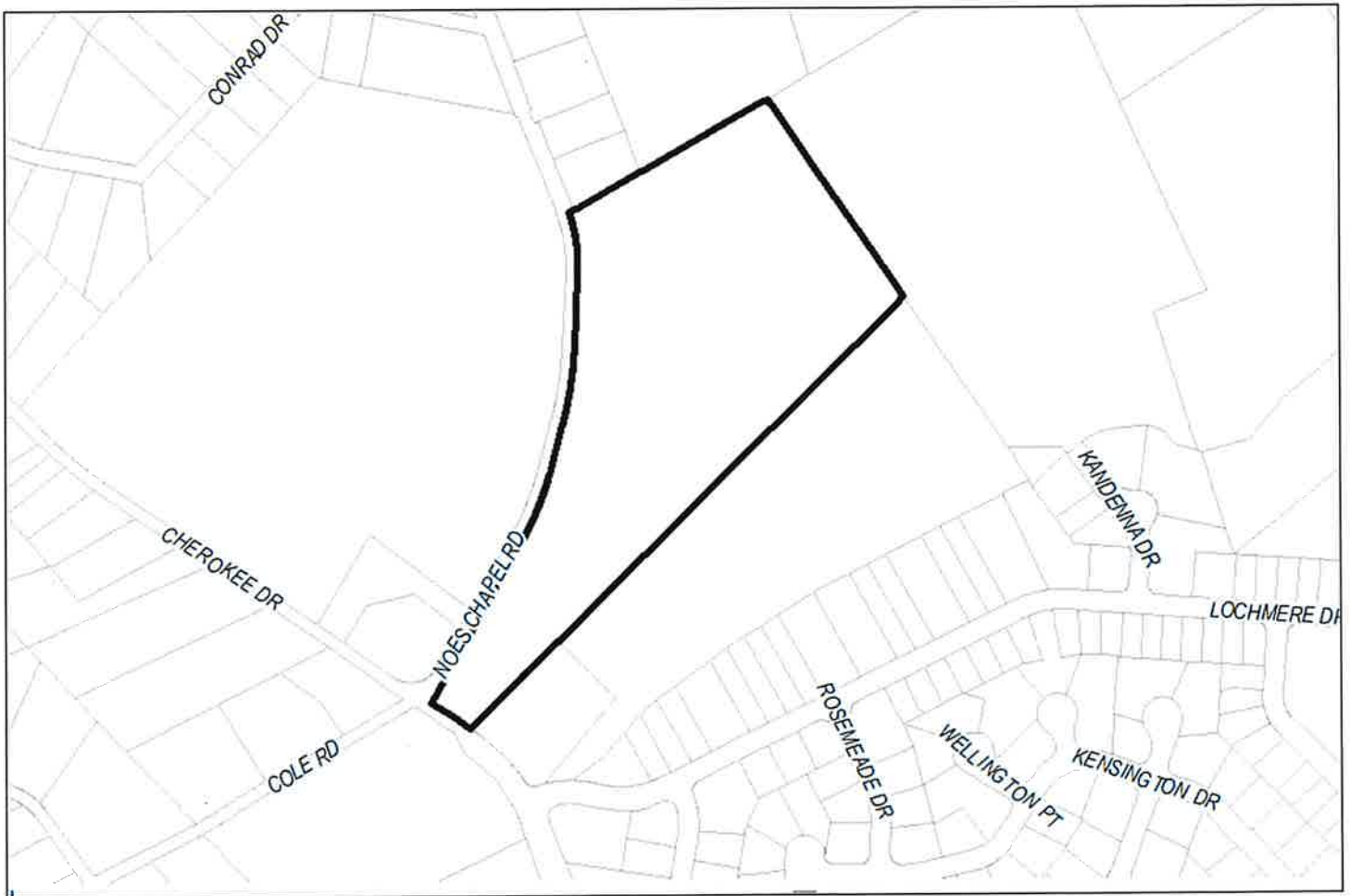
City Administrator

The City of Morristown

Community Development & Planning



Exhibit A:



ORDINANCE NO. _____

**ENTITLED AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE SAME
WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MORRISTOWN TENNESSEE;**

Annexation of 14.68 acres as described in Hamblen County Warranty Deed Book 2001, Pages 808-812, having Hamblen County Tax ID # 032024 06201 and, as shown in Exhibit A;

Section 1. WHEREAS, it now appears that the prosperity of the City and of the territory herein described shall be materially retarded and the safety and welfare of inhabitants and property owners thereof endangered if such territory is not annexed; and

Section II. WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and the City as a whole;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MORRISTOWN;

1. PURSUANT to authority conferred by Section 6-15:102 of the Tennessee Code Annotated, there is hereby annexed to the City of Morristown Tennessee and incorporated within the corporate boundaries thereof, the following described territory:
2. Medium Density Residential (R-2) zoning shall be applied upon adoption of the annexation area.
3. This Ordinance shall become effective from and after its passage, the public welfare requiring it.

PASSED ON FIRST READING THIS 17th DAY OF OCTOBER, 2023.

MAYOR

ATTEST:

CITY ADMINISTRATOR

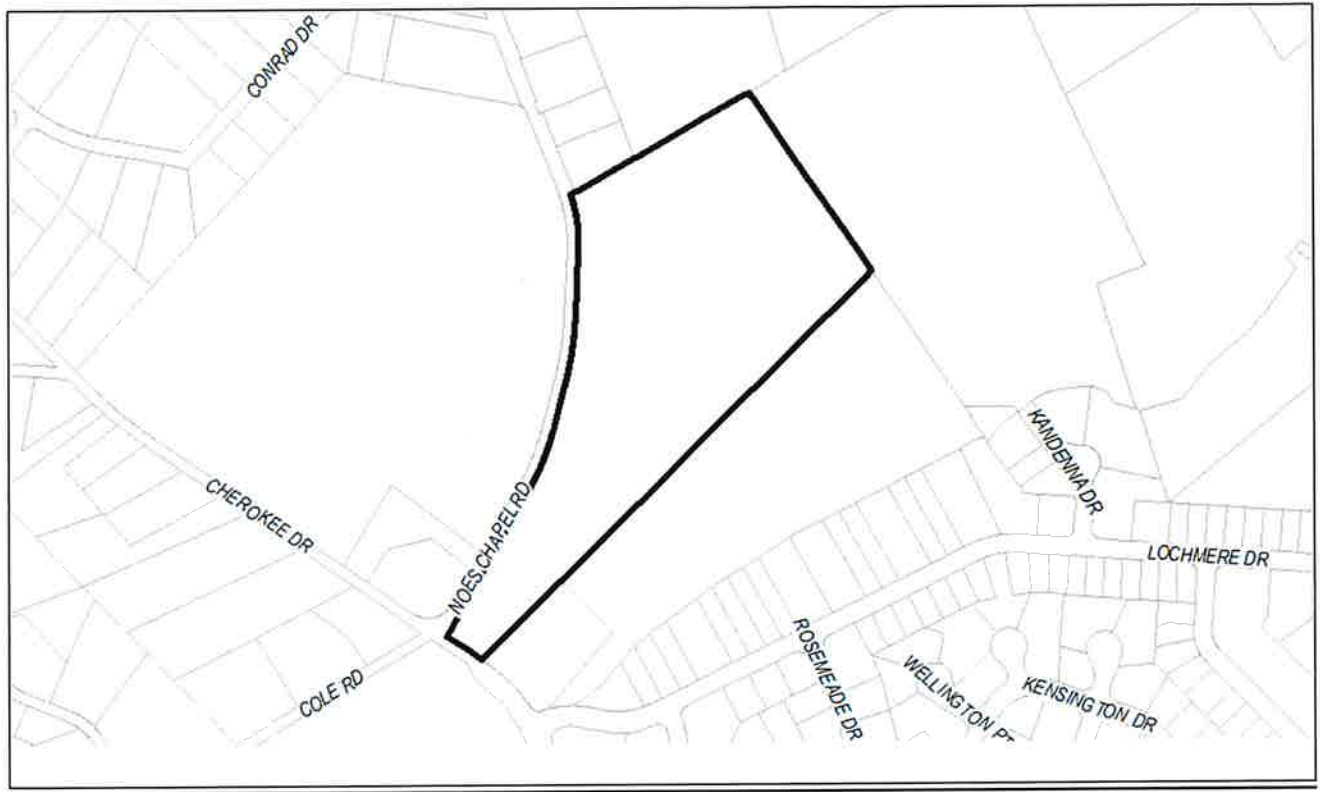
PASSED ON SECOND READING THIS 7th DAY OF NOVEMBER, 2023.

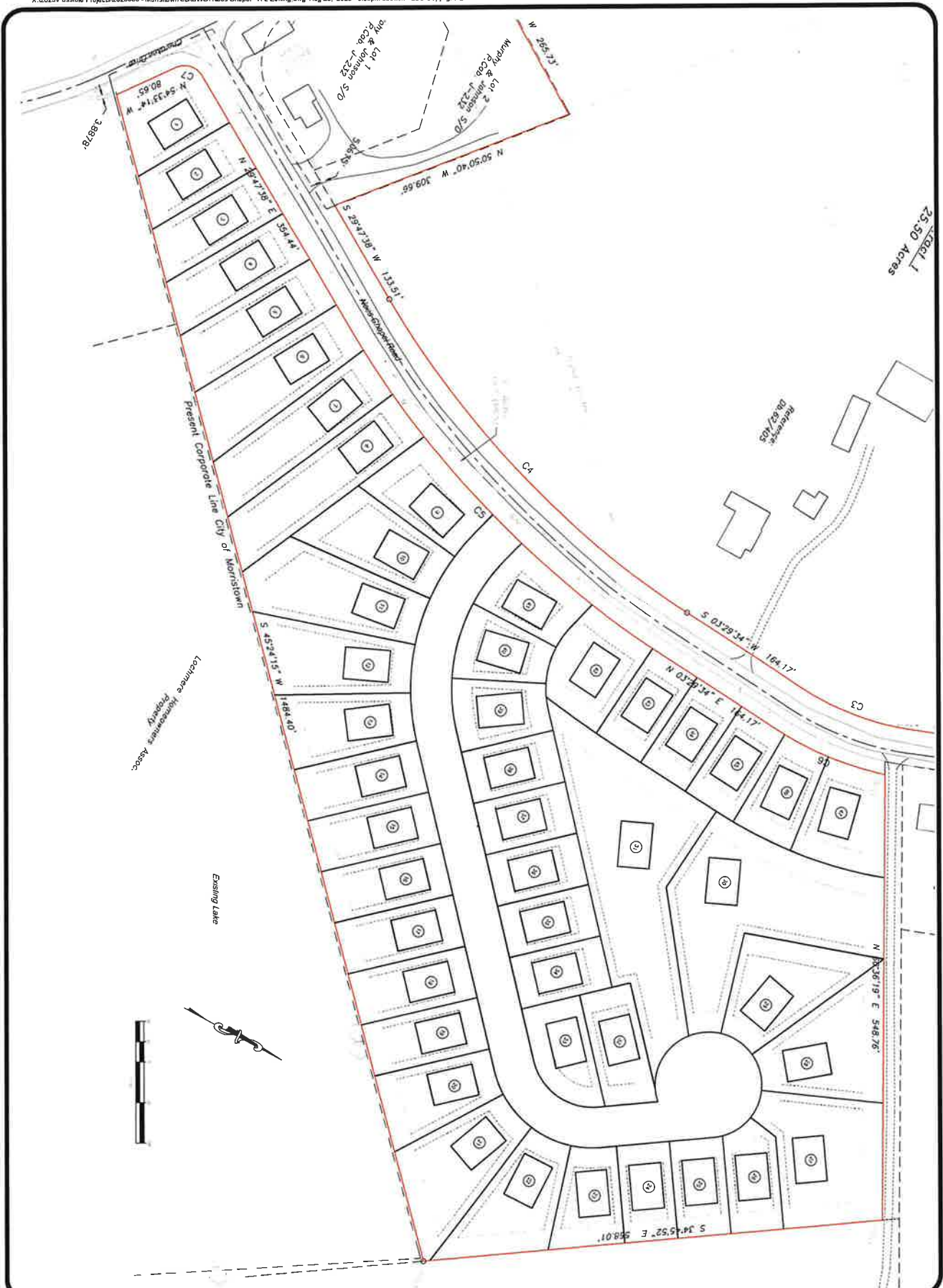
MAYOR

ATTEST:

CITY ADMINISTRATOR

EXHIBIT A:





C101-Alt 2	Not For Construction For Review Only	Date	Revision	Drawing Description: Alternate 2 Subdivision Site Plan Zoning - R2	 LAND DEVELOPMENT SOLUTIONS 310 SIMMONS RD., SUITE K-KNOXVILLE, TENNESSEE 37922 PH. 865-671-2281	Project Hamblen Co. / Morristown Subdivision Noss Chapel road Morristown, Tennessee

Village Greene

Proposal



CONSTRUCTION
AND
DEVELOPMENT

P.O. Box 746, Jefferson City, TN 37760 ♦ (865) 397-4733 Bus. & Res. ♦ (865) 397-2353 Fax

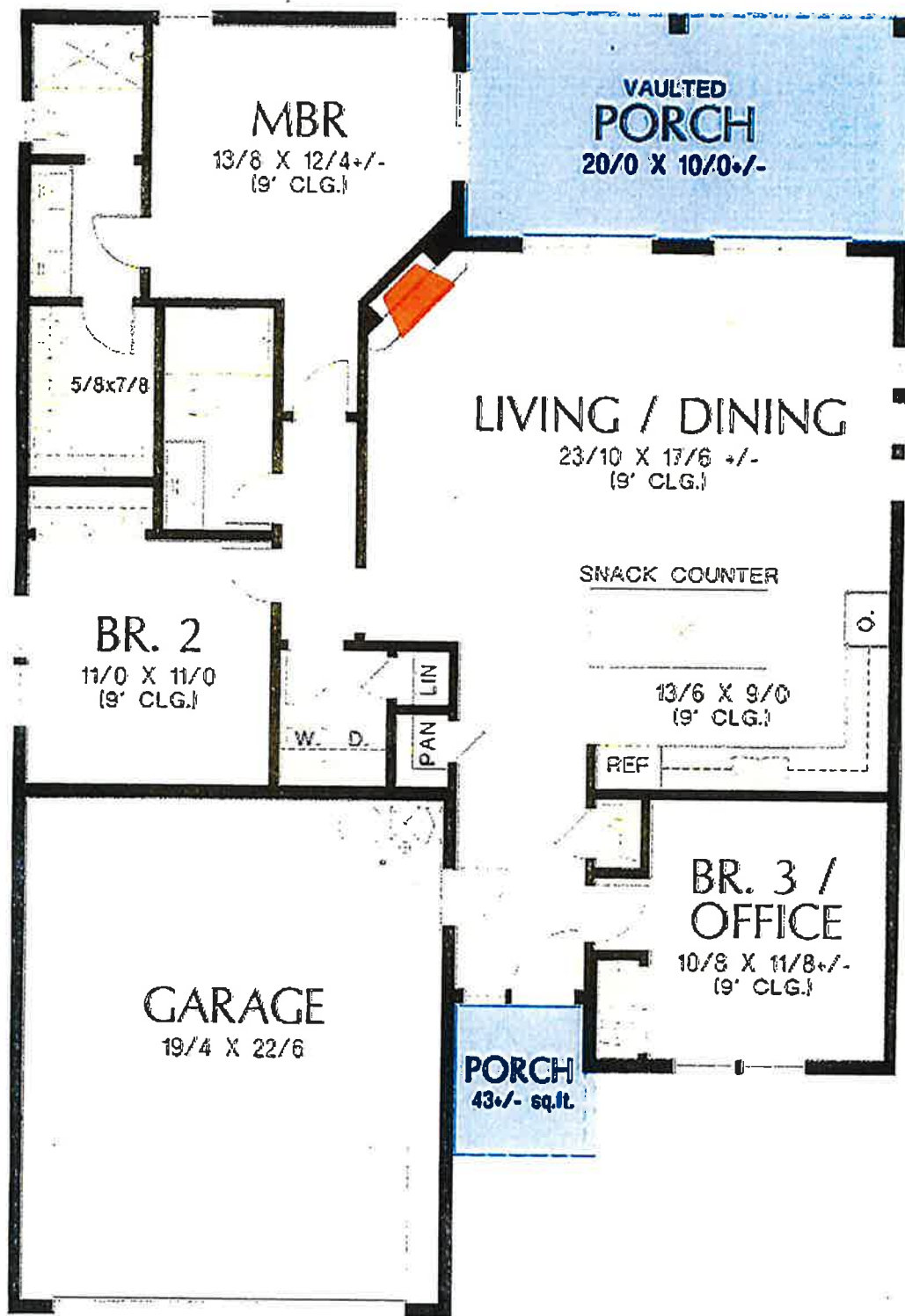
We feel that this New
Contemporary Style of Housing
Will be a Big Plus for our
Hamblen County Residents,

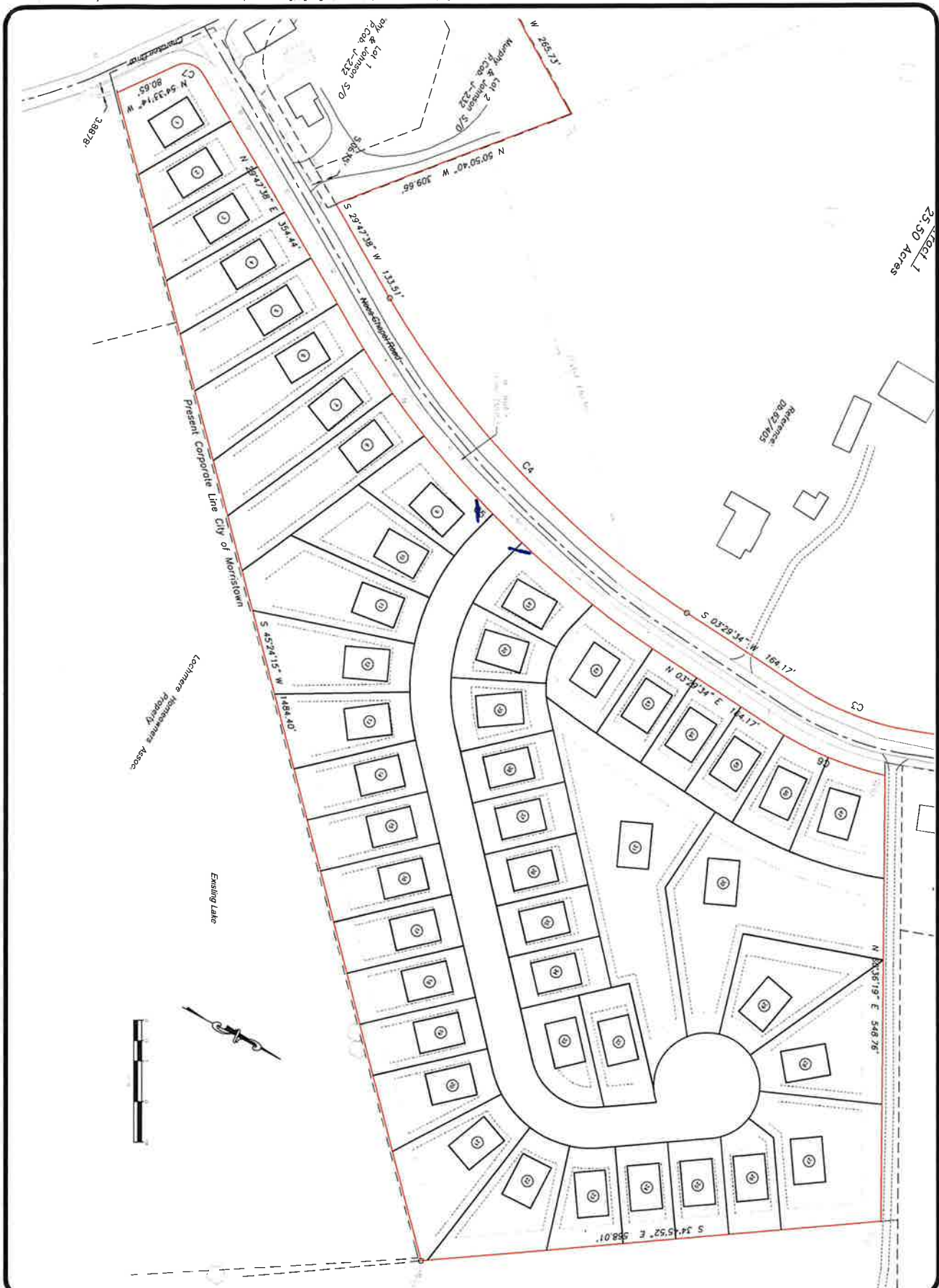
It's New, Young and
Different than anything else in
This area.

We are excited to bring this
New Look to Hamblen County



Contemporary Style Living





Not For Construction For Review Only			
Drawn By	Checked By	Approved By	Date
			6-20-2023
C101-Air 2			

Drawing Description:
 Alternate 2
 Subdivision Site Plan
 Zoning - R2



LAND DEVELOPMENT SOLUTIONS

310 SIMMONS RD., SUITE K-KNOXVILLE, TENNESSEE 37922
 PH. 865-671-2281

Project
 Hamblen Co. / Morristown Subdivision

Noes Chapel road
 Morristown, Tennessee