

MORRISTOWN REGIONAL PLANNING COMMISSION
Agenda
March 8, 2016

Call to Order

- I. Approval of the **February 9, 2016** minutes.

- II. *Old Business:*

- III. *New Business:*
 - A. Annexations:

 - B. Zoning Issues:

 - C. Subdivisions/Site Plans:

 - D. Bond Reviews:
 - 1) Walmart Neighborhood Market/Buffalo Trail
 - 2) Cherokee Crossing Lots 1-6
 - 3) Windswept Subdivision

 - E. Right-of-Ways:

 - F. Ordinance Reviews:

- IV. *Departmental Reports:*
 - Minor Subdivision(s) Approved:

Adjournment:

Morristown Regional Planning Commission
Minutes
February 9, 2016

Members Present

Chairman Jim Beelaert
Vice-Chairman Jack Kennerly
Secretary Rose Parella
Mayor Gary Chesney
Councilmember Robert (Bob) Garrett
Commissioner Bill Thompson
Commissioner Doug Beier
Commissioner Wanda Neal
Commissioner Wayne Nesmith

Members Absent

Others Present

Alan Hartman, Development Director
Lori Matthews, Senior Planner
Logan Engle, Planner
Eual Noah, Fire Marshal
Kat Morilak, Development Services
Ralph "Buddy" Fielder, Asst. City Admr
Greg Ellison, Chief Building Official

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

I. Chairman Beelaert called for the approval of the January 12, 2016 minutes.

Commissioner Beier made a motion for approval of the January 12, 2016 minutes; seconded by Mayor Chesney. Upon voice vote all Ayes.

II. Ordinance Review: Subdivision Regulations

Ms. Matthews explained due to changes enacted by the Tennessee Department of Environment & Conservation to all Tennessee Municipal Storm Sewer requirements and its permitting, the City of Morristown has been asked to revise their own storm water regulations. This type of infrastructure plays an important role in development, revisions are needed for both the City's Zoning Ordinance and Subdivision Regulations to ensure all documents coincide one with the other. I have listed, in your packet, to the Subdivision Regulations everything to be either added or omitted: Sections 2.1 Definitions; Sections 3.7 As-Built Engineering Drawings Content; Section 5.2 Grading Plans; Section 5.3 Erosion & Sediment Control; Section 5.8 Storm Drainage & Treatment Systems; Section 5.20 Installation of Improvements; Section 5.9 Driveway Culverts; Section 5.9 Storm Drains in City Right-of-way; and Section 5.23 Required Bonds which has to do with storm water surety's. As stated today at the work session, there are no technical requirements being added to the Subdivision Regulations we are simply moving all the stormwater requirements that exist now from the Subdivision Regulations to the Storm Water Program Ordinance which is where they belong.

Ms. Matthews explained due to the changes to the TDEC Municipal Separate Storm Sewer System, the revisions in our zoning text are fewer and simply put just to clarify existing verbiage. The longest addition and clarification is to Article V. Provisions for Flood Hazard Reductions. Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and with Floodways Designated clarification Encroachments into the special flood hazard zone could be permitted but only with the proper approval from the National Flood Insurance Program program and approval from the Federal Insurance Administrator. All of these costs would be incumbent on the applicant that is the only small addition made. It is clarification of what FEMA states anyway. Staff would ask that the planning commission forward the amendments shown in your packets to Chapter 22. Municipal Floodplain Zoning Ordinance to City Council for their approval.

Commissioner Beier asked how are the costs addressed right now. Ms. Matthews explained it is incumbent upon the applicant now as well. Ms. Matthews explained if we have a applicant/property owner who wants to make a correction to their flood map it is up to them to pay the cost involved in the engineering, etc. Commissioner Beier explained to recapitulate, there are no additional costs being added for applications. Mr. Hartman explained with these recommendations from staff, we are asking that it become effective April 1, 2016. Before we have any action, we need to open up and close the public hearing.

Chairman Beelaert opened the public hearing for the amendments to the Subdivision Regulations and amendmerits to Chapter 22. Municipal Floodplain Zoning Ordinance.

There we no comments.

Chairman Beelaert closed the public hearing.

Mayor Chesney made a motion for approval of the amendments to the Subdivision Regulations effective April 1, 2016, seconded by Commissioner Thompson. Voting Results: Yes 8. No 0. Voting yes were Councilmember Garrett, Chairman Beelaert, Commissioner Thompson, Commissioner Neal, Vice-Chairman Kennerly, Commissioner Beier, Mayor Chesney and Commissioner Nesmith.

Mayor Chesney made a motion to recommend to City Council the approval of the amendments to Chapter 22, Municipal Floodplain Zoning Ordinance, effective April 1, 2016: seconded by Commissioner Beier. Voting Results: 8 yes, 0 no. Voting yes were Councilmember Garrett, Chairman Beelaert, Commissioner Thompson, Commissioner Neal, Vice-Chairman Kennerly, Commissioner Beier, Mayor Chesney and Commissioner Nesmith.

The meeting was adjourned.

Respectfully submitted,

Rose Parella
Secretary / RP/sk



Department of Community Development
100 West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner
DATE: March 8th 2016
SUBJECT: Extension of Surety for Walmart Neighborhood Market
1997 Buffalo Trail

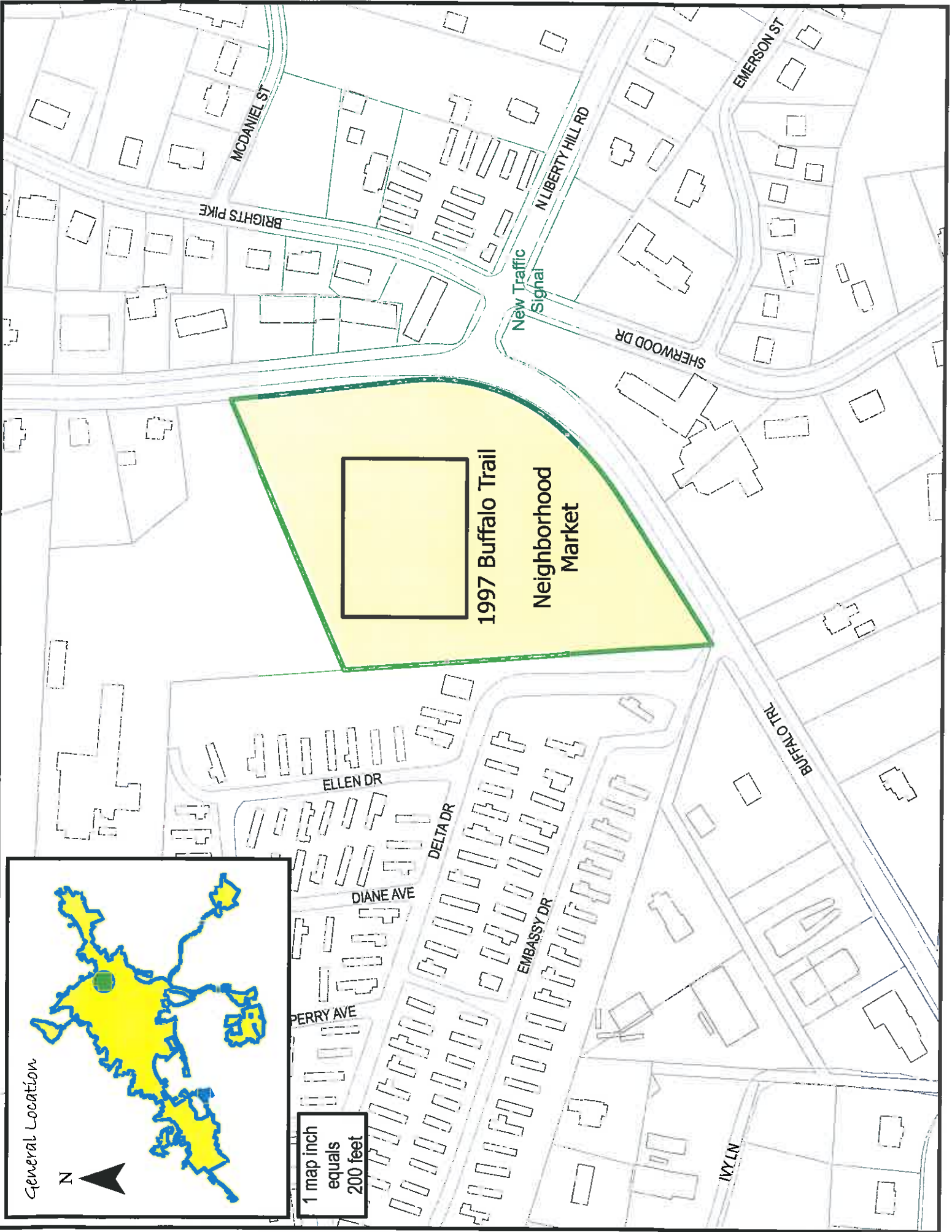
Surety in the amount of \$532,602 was granted for improvements needed to the above referenced subdivision and site development in March 2015. All site work has been completed to date though record drawings and final inspections have not yet been fully approved.

As project requirements are not 100% complete as documentation reviews and approvals are still in the works, the performance bond may not be released in full and is set to expire on 4/10 which is two days before the next scheduled Planning Commission meeting. The Planning Commission has been asked to extend the date of the bond for an additional 6 months for close out of the project.

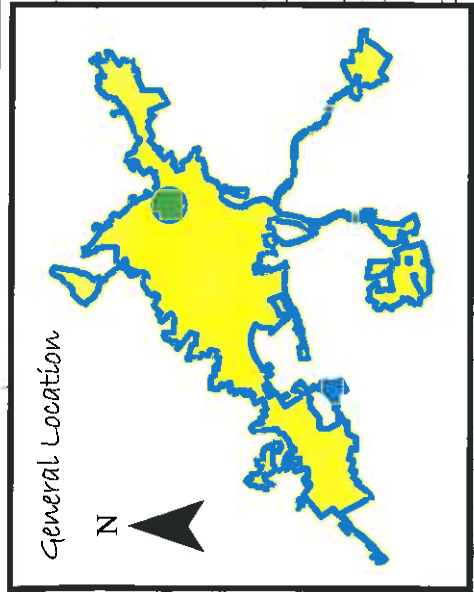
Staff expects this project to be fully complete prior to the current bond expiration date of 4/10/2016 but is recommending the extension be granted to safeguard any unforeseen holdups with document approval. Waiting until the April meeting would be too late and the bond will have lapsed.

Planning Commission Options:

- 1.) Grant the 6 month extension as requested;
- 2.) Deny the 6 month extension as requested;
- 3.) Grant a different extension deadline;
- 4.) Grant no further extensions.



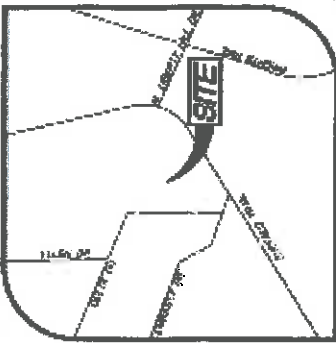
1997 Buffalo Trail
Neighborhood
Market



General Location



1 map inch
equals
200 feet



VICINITY MAP

- 1. PROPERTY ADDRESS: 10100 W. 101ST AVENUE, SUITE 100
- 2. THE MAP DATE: 08/14/2014
- 3. THE MAP DATE: 08/14/2014
- 4. THE MAP DATE: 08/14/2014
- 5. THE MAP DATE: 08/14/2014

PLAT REFERENCES

- 1. PLAT 10100 W. 101ST AVENUE, SUITE 100, 08/14/2014
- 2. PLAT 10100 W. 101ST AVENUE, SUITE 100, 08/14/2014
- 3. PLAT 10100 W. 101ST AVENUE, SUITE 100, 08/14/2014
- 4. PLAT 10100 W. 101ST AVENUE, SUITE 100, 08/14/2014

NOTICE OF ACTION

NOTICE OF ACTION: This is to certify that the above described property is being sold by the owner, and the sale is being conducted in accordance with the provisions of the Colorado Real Estate Act, Chapter 38, Article 10, Section 10-10-101, C.R.S.

ZONING INFORMATION

ZONING INFORMATION: The property is zoned as follows: [Details regarding zoning regulations and restrictions.]

GENERAL INFORMATION

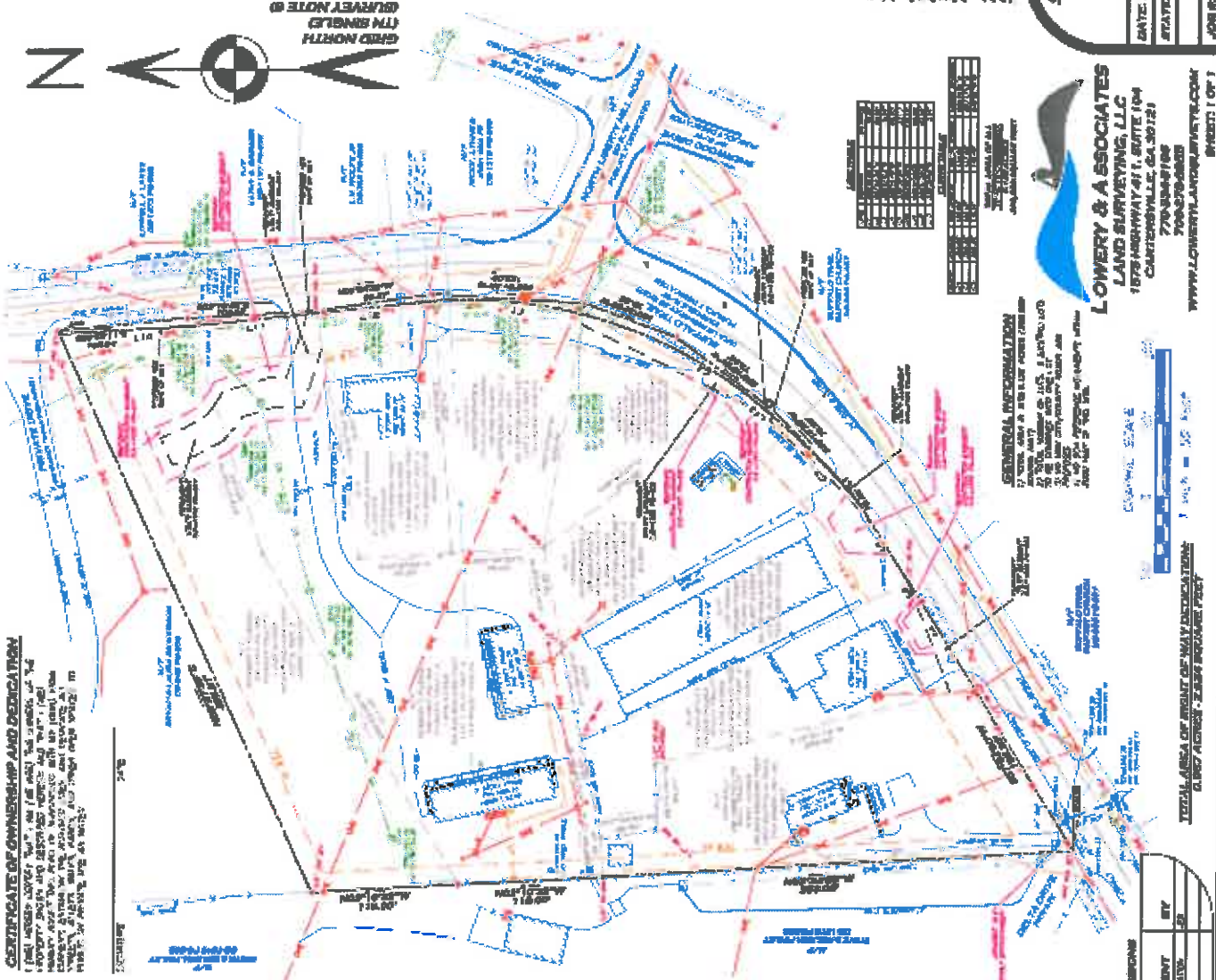
GENERAL INFORMATION: This is a preliminary plat for a subdivision of land, and it is subject to the approval of the local government.

CONVEYANCE SURVEY OF INTERESTS

CONVEYANCE SURVEY OF INTERESTS: This survey shows the interests of all parties involved in the conveyance of the property.

DATE: JANUARY 27, 2015	SCALE: 1"=80'
STATE: TENNESSEE	COUNTY: HAMILTON
CITY: LINDSEY, TN	

CREATED BY: J. LANGLEY



CERTIFICATE OF OWNERSHIP AND DEDICATION
 I, the undersigned, being the owner of the above described property, do hereby certify that the same is being conveyed to the public for the use and enjoyment of the community, and that the same is being dedicated to the public use and enjoyment of the community.

CERTIFICATE OF THE APPROVAL OF THE BOARD OF SUPERVISORS
 WHEREAS, the Board of Supervisors of the City of Lindsey, Tennessee, has reviewed the above described property and has determined that the same is suitable for the use and enjoyment of the community, and that the same is being dedicated to the public use and enjoyment of the community.

CERTIFICATE OF THE APPROVAL OF THE CITY COMMISSIONER
 WHEREAS, the City Commissioner of the City of Lindsey, Tennessee, has reviewed the above described property and has determined that the same is suitable for the use and enjoyment of the community, and that the same is being dedicated to the public use and enjoyment of the community.

CERTIFICATE OF THE APPROVAL OF THE LOCAL GOVERNMENT
 WHEREAS, the Local Government of the City of Lindsey, Tennessee, has reviewed the above described property and has determined that the same is suitable for the use and enjoyment of the community, and that the same is being dedicated to the public use and enjoyment of the community.

LOWERY & ASSOCIATES
 LAND SURVEYING, LLC
 1878 HIGHWAY 411, SUITE 104
 CAMDENVILLE, GA 30523
 770-336-8788
 706-270-6889
 WWW.LOWERYLANDSURVEYING.COM

GENERAL INFORMATION

1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROVISIONS OF THE COLORADO REAL ESTATE ACT, CHAPTER 38, ARTICLE 10, SECTION 10-10-101, C.R.S.

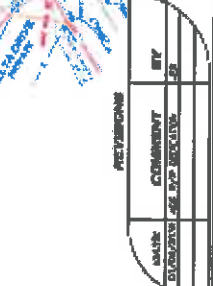
2. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE PROVISIONS OF THE COLORADO REAL ESTATE ACT, CHAPTER 38, ARTICLE 10, SECTION 10-10-101, C.R.S.

3. I AM A LICENSED SURVEYOR IN THE STATE OF TENNESSEE AND AM REGISTERED AS SUCH WITH THE BOARD OF SURVEYING AND MAPPING, TENNESSEE.

4. I AM NOT PROVIDING ANY WARRANTY AS TO THE ACCURACY OF THIS SURVEY.

5. THE TOTAL AREA OF THIS SURVEY IS 10.00 ACRES.

DATE	COMMENT	BY
08/14/2014	PRELIMINARY PLAT	J. LANGLEY



DATE: 08/14/2014
 TIME: 09:30 AM
 SHEET: 1 OF 1



Department of Community Development
100 West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner
DATE: March 8th 2016
SUBJECT: Reduction of Surety for Cherokee Crossing Lots 1-6

Surety in the amount of \$2,079,065 was granted for improvements needed to Cherokee Crossing Lots 1-6 Subdivision and site development in March 2015. The performance bond in place for this development will expire on March 11, 2016 which will not allow adequate time for completion of their improvements which include street lighting and sidewalk adjustments.

The applicant, Cherokee Investments, Inc., has requested a reduction of this bond by 50% (bringing the amount to \$1,039,532) which Staff feels satisfied will cover those improvements yet to be complete.

Per the Subdivision Regulations, sureties may not be reduced by less than 50% after which, any remaining work to be done must be reviewed and accepted by the City prior to the Planning Commission releasing the bond.

5.27 REDUCTION OF GUARANTEE

In cases where partial improvements have been made under provisions of the subdivision regulations the amount of the guarantee may be reduced upon compliance with the inspections and certifications by the City of Morristown or Hamblen County as appropriate and the dedication of a portion of the required improvements. The amount of the reduction shall not exceed the percentage of the improvements already completed. In no case, however, shall the Regional Planning Commission reduce the improvement guarantees to less than 50% of the original amount until all work is complete.

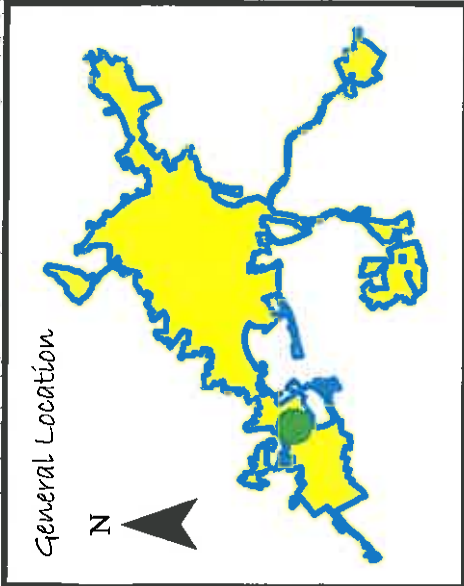
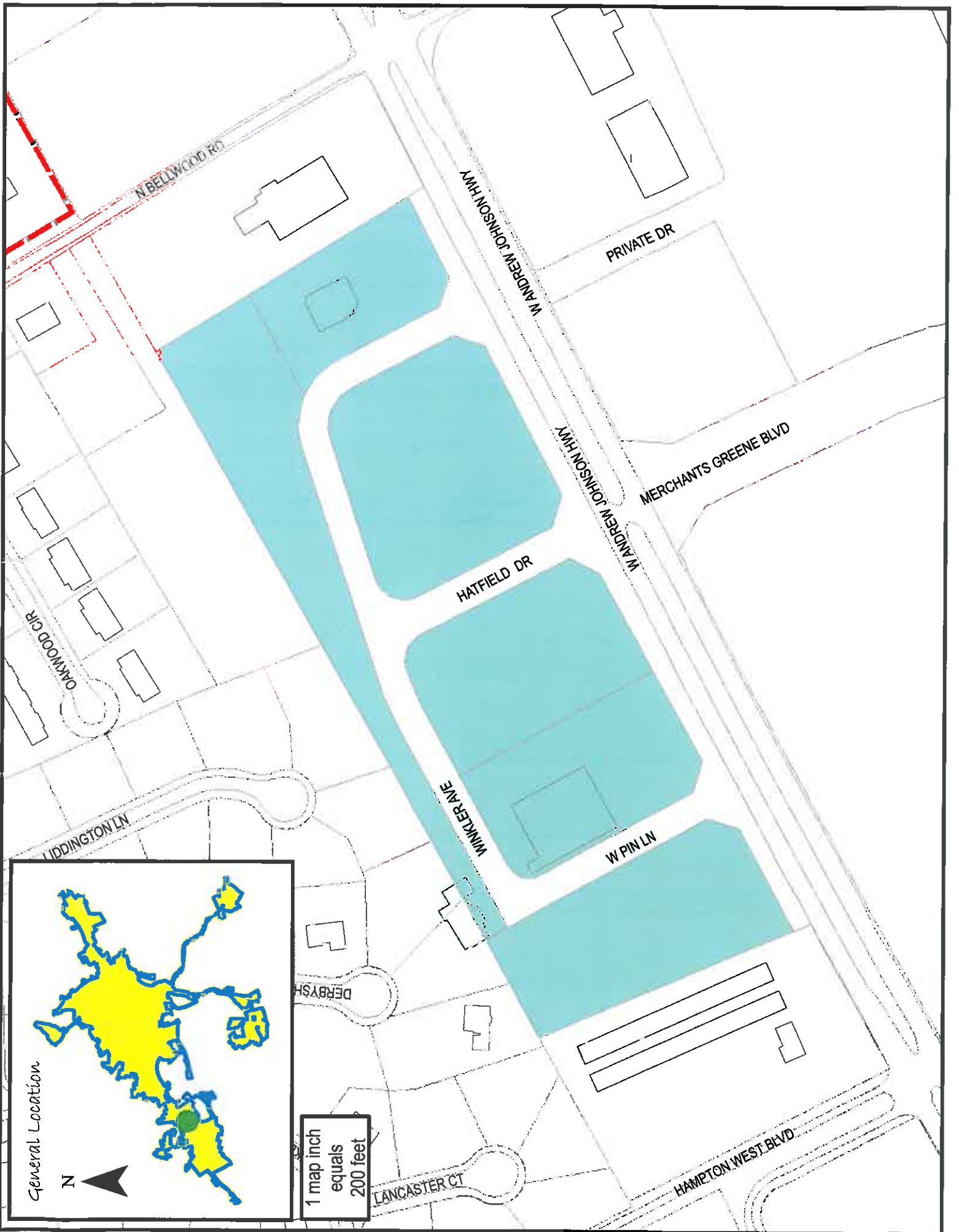
5.28 RELEASE OF GUARANTEE

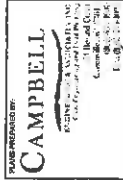
The Regional Planning Commission shall formally release the guarantee once all required improvements are installed and approved by the appropriate agencies.

The Planning Commission granted a 2 year deadline of completion for this project so no extension of time will be needed, only a reduction is being requested at this time.

Planning Commission Options:

- 1.) Grant performance bond reduction amount as requested;
- 2.) Deny performance bond reduction amount as requested;
- 3.) Grant a different reduced amount;
- 4.) Deny any reduction to bond.





**CHEROKEE CROSSING
DEVELOPMENT**
4320 / 4424 W. ANDREW JOHNSON HWY
MORRISTOWN, TN 37814
HAMLEN COUNTY

DEVELOPER:
SEMI INVESTMENTS, INC.
6711 LIONS VIEW PINE
SUITE 107
KNOXVILLE, TN 37819
CONTACT: JOSHUA GLAFENHEIN
(615) 285-0180

DESIGNED BY: [Blank]
CHECKED BY: [Blank]
DRAWING BY: [Blank]
DATE: [Blank]
JOB NUMBER: [Blank]
RECORD DRAWING

SHEET NUMBER: **RD**
C.C. #21875

**STORMDRAIN AND SITE INFORMATION
TAKEN FROM STORMWATER ASSULT
SURVEY FOR CHEROKEE CROSSING
DEVELOPMENT BY LYNCH SURVEYS LLC
BROUGHT FORWARD DECEMBER 15, 2016**

BASED ON THE INFORMATION AND DATA SUBMITTED BY THE DEVELOPER AND THE INFORMATION PROVIDED BY A REGISTERED LAND SURVEYOR, I HEREBY CERTIFY THAT ALL WORKING DIMENSIONS, LOCATIONS, AND IDENTIFICATIONS OF POINTS AND FEATURES SHOWN ON THIS PLAN ARE CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: [Blank]
BY: [Signature]

MASTER STORMWATER POND
2.488 AC
ON 12.625 AC PL. (12.625 AC EXISTING EXHAUSTION POND)

10 MAPPED ONE
2.857 AC
12.754 SQ. FT.

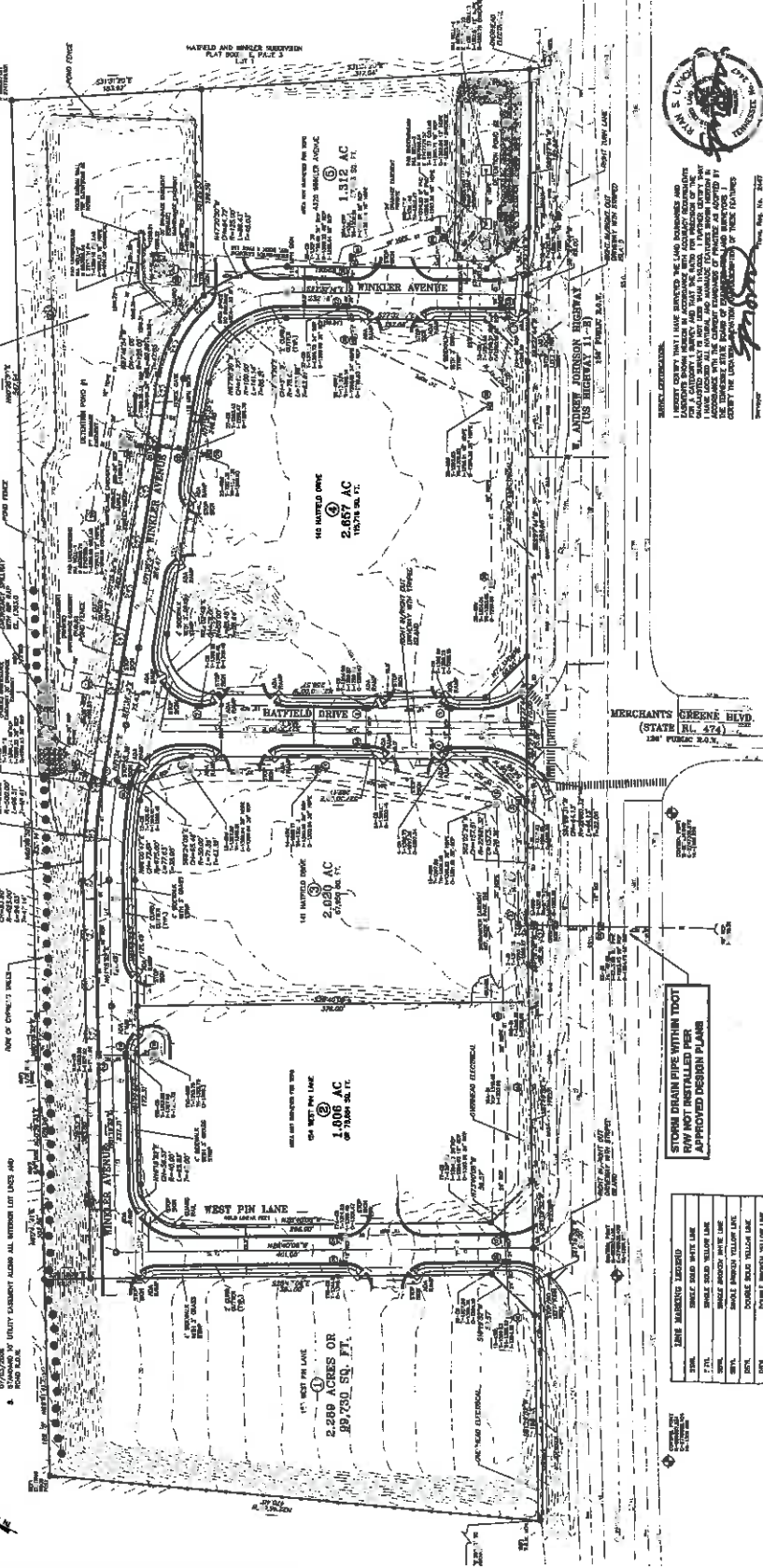
18 MAPPED ONE
2.020 AC
17,675 SQ. FT.

14 MAPPED ONE
1.000 AC
8,712 SQ. FT.

**2.288 ACRES OR
99,780 SQ. FT.**

**TOTAL AREA = 15.056 ACRES
INCLUDING 9 LOTS AND 1,488 ACRES
TOTAL LOTS = 5**

- NOTES:**
1. THESE PLOTS ARE IN ALL OF THE STATES BY THIS SURVEY, NAMELY:
ALABAMA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, ILLINOIS, INDIANA, IOWA, KANSAS, KENTUCKY, LOUISIANA, MARYLAND, MASSACHUSETTS, MICHIGAN, MINNESOTA, MISSISSIPPI, MISSOURI, MONTANA, NEBRASKA, NEVADA, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, NORTH DAKOTA, OHIO, OKLAHOMA, PENNSYLVANIA, RHODE ISLAND, SOUTH CAROLINA, SOUTH DAKOTA, TEXAS, UTAH, VERMONT, VIRGINIA, WISCONSIN, WYOMING.
 2. THE PROPERTY IS TO BE USED AS AN INDUSTRIAL BUSINESS DISTRICT.
 3. THESE DIMENSIONS WERE TAKEN FROM THE SURVEY AND ARE TO BE USED AS SUCH.
 4. ALL DIMENSIONS ARE TO BE TAKEN FROM THE CENTERLINE OF THE ROAD UNLESS OTHERWISE NOTED.
 5. THE PROPERTY IS TO BE USED AS AN INDUSTRIAL BUSINESS DISTRICT.
 6. THE PROPERTY IS TO BE USED AS AN INDUSTRIAL BUSINESS DISTRICT.
 7. THE PROPERTY IS TO BE USED AS AN INDUSTRIAL BUSINESS DISTRICT.
 8. THE PROPERTY IS TO BE USED AS AN INDUSTRIAL BUSINESS DISTRICT.
 9. THE PROPERTY IS TO BE USED AS AN INDUSTRIAL BUSINESS DISTRICT.



12/19/2016



**STORM DRAIN PIPE WITHIN TPOOT
ROW NOT INSTALLED PER
APPROVED DESIGN PLAN**

LINE MARKING IDENTIFIED
100' DOUBLE YELLOW LINE
75' DOUBLE YELLOW LINE
50' DOUBLE YELLOW LINE
25' DOUBLE YELLOW LINE
15' DOUBLE YELLOW LINE
10' DOUBLE YELLOW LINE

SEAL: [Blank]

DATE: [Blank]

BY: [Blank]

CITY OF MORRISTOWN

PLANNING DEPARTMENT



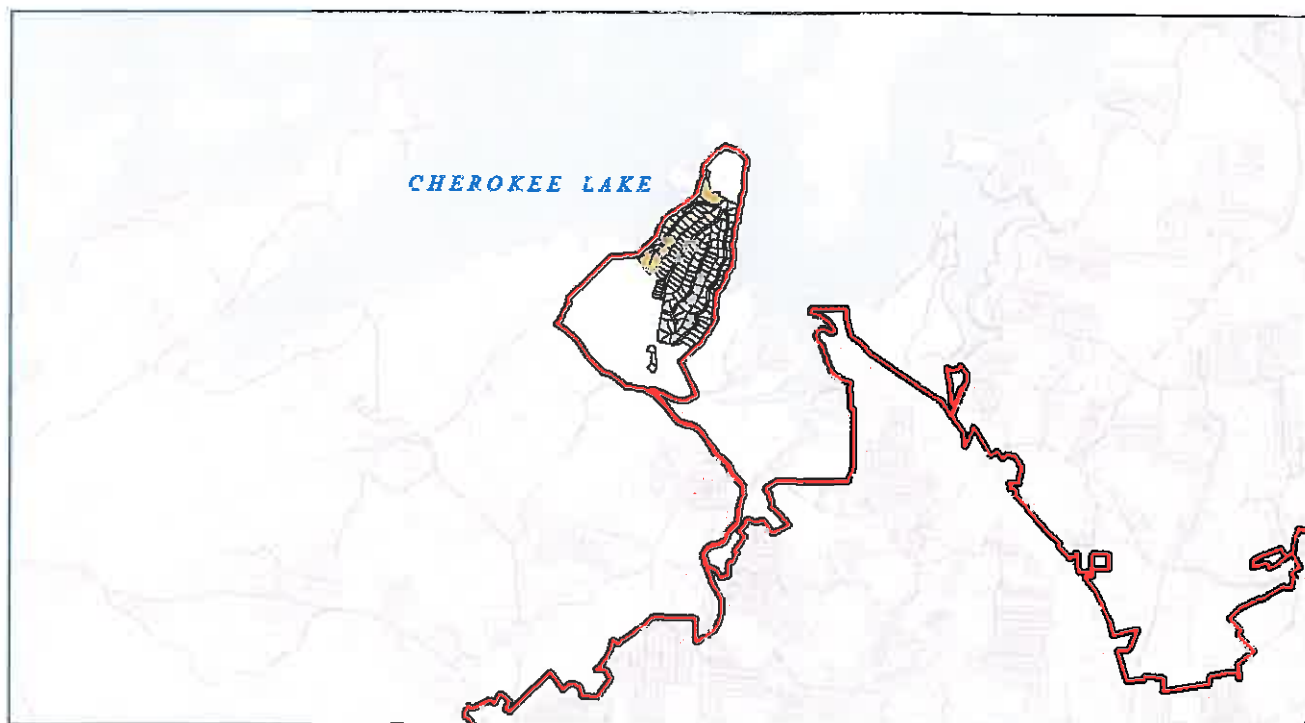
Department of Community Development
100 West 1st North Street
Morristown, TN 37814
(423)585-4620

TO: Morristown Regional Planning Commission
FROM: Lori Matthews, Senior Planner
DATE: March 8th 2016
SUBJECT: Extension of Surety for Windswept Subdivision

Surety in the amount of \$435,000 was extended to Phase I of the above referenced subdivision in March 2015 in order to finish streets included within this particular phase of the development. Lakeview Developers II, LLC have finished the required topcoat to Edgewater Sound but have not gotten to us quite yet some needed engineering calculations and costs to close out that particular phase of the development.

The developer hopes to have that documentation into the City in the near future and has set into motion completion of the remaining streets which had received final plat approval. Once we receive and approve the documents, the bond will be eligible to be reduced or released by the Planning Commission.

Windswept on Cherokee located off of Spout Springs Road in north Morristown is a 350 acre development annexed by the City in 2004 and 2006. Representing the development owners (Lake Developers II, LLC.) is Mr. Rusty Rowe. Zoning of the property as a whole is RP-1 (Planned Residential Development Development). The Master Development Plan shows 9 separate phases (Phase I - Phase IX) to consist of single family residential lots, townhomes and condominiums, all to be accessed by private roads. To date, Phases I through IV only have received approval and have been recorded.



General location

Staff would recommend that the bond in place for Phase I of Windswept be extended for an additional year as the developer is obtaining the necessary documentation required by the City to enable this bond be released in full.

Planning Commission Options:

- 1.) Grant a one year bond extension for Phase I as requested;
- 2.) Grant bond extension with different deadline for Phase I;
- 3.) Deny any bond extension for Phase I.

