

MORRISTOWN REGIONAL PLANNING COMMISSION

Agenda December 10th, 2019



Call to Order

I. Approval of November 12th, 2019 Minutes

II. Old Business: none

IIII. New Business:

ROWC-2332: Right-of-Way Closure for a Portion of Dice St.

REZN-2347: Rezoning from A-1 to C-1 in Urban Growth Boundary
1623 Fish Hatchery Road

IV. Departmental Reports: None

Adjournment

*The next meeting of the Morristown Regional Planning Commission is scheduled for January 14th, 2020 at 4:00 pm.
The deadline to submit applications for this meeting is December 16th, 2019.*

**Morristown Regional Planning Commission
Minutes
November 12, 2019**

Members Present

Mayor Gary Chesney
Secretary Roni Snyder
Commissioner Wanda Neal
Vice-Chairman Jack Kennerly
Commissioner Sylvia Hinsley
Chairman Frank McGuffin
Councilmember Robert (Bob) Garrett
Commissioner Bill Thompson

Others Present

Steve Neilson, Development Director
Lori Matthews, Senior Planner
Josh Cole, Planner
Tina Allison, Admin. Asst. Planning
T. J. Bryant, Planning Intern
Kaissen Carr
Clint Harrison

Members Absent

Commissioner Ventrus Norfolk

Chairman Frank McGuffin called the meeting to order and invited anyone who wished to join the Commission in an Invocation and the Pledge of Allegiance.

I. Approval of October 8th, 2019 minutes:

Vice-Chairman Jack Kennerly made a motion for approval of the October 8th, 2019 minutes seconded by Secretary Roni Snyder.

Voting Results upon voice vote all Ayes. Motion carries.

II. Old Business:

None

III. New Business:

Windswept Bonds Extension

T. J. Bryant, an intern in the Planning Department, discussed a request from Lakeway Developers II Inc. to approve the three remaining infrastructure bonds for Windswept Subdivision located in north Morristown by Cherokee Lake. The development for Windswept Subdivision was began in 2005. In 2006, the City of Morristown annexed the property along with Spout Springs Road. The first house bought in 2008 and approximately 75% of the lots have been sold. Unfortunately, when the recession happened development slowed down, and the City has extended the bonds on a yearly basis. Originally Lakeway Developers had five bonds but two were released in 2017 after Phases I and II were completed. The remaining three bonds will go to completion of Phase IV, III and completion of sewer.

Morristown Utilities Commission has been working diligently on the installation of needed sanitary sewer infrastructure along Spout Springs Road which will serve both this development and the proposed Bridgewater Pointe residential Development.

A one-year extension for the remaining three bonds in place requested by the developer:

Lexon Insurance Company
Bond # 1037625 - \$75,000
(Completion of Sewer)

Lexon Insurance Company
Bond # 1019282 - \$241,823
(Completion of Phase III)

Lexon Insurance Company
Bond # 1023350 - \$973,725
(Completion of Phase IV)

City Staff asked that the Planning Commission approve the bond extensions for a period of one year as developer has shown improvements to the overall project area.

Vice-Chairman Jack Kennerly made a motion to approve the bond extensions seconded by Commissioner Wanda Neal.

Voting Results 8 yes, 0 no. Motion carries.

**MASD-2325: Preliminary Plat
Stonehaven Phase II**

Senior Planner Lori Matthews discussed an application for preliminary plat approval submitted by Clint Harrison on behalf of property owner Phillip Carlyle for the second phase of Stonehaven. This residential development started in early 2018 with the approval Phase I. Since that time, the developer has completed and closed out the first phase and wished to begin on the next phase. The entire subdivision is zoned R2 (Medium Density Residential) and will be single family residential lots exclusively.

Stonehaven is located east of Brights Pike and south of the former "Las Brisas" development. Phase II, which is 14 acres in size, will tie into Phase I at Limestone Path and Pebblestone Court and will extend Reese Street when completed. Total length of public right of way to be accepted by the City is 1,400 linear feet. This phase consists of 30 lots, the smallest being 7,500 square feet, the largest being over an acre. Sidewalks will be provided along Pebblestone Court and the south side Reese Street.

Ms. Matthews stated, until the development of Phase II is complete, a metal gate with emergency vehicle access will be erected at the existing terminus of Reese Street due to the recent theft on construction sites. After the City accepts the streets, the gate will be removed.

As the plat meets all subdivision regulations, Staff recommended the Planning Commission grant preliminary approval to the plat.

Secretary Roni Snyder made a motion for the approval of the plat seconded by Commissioner Wanda Neal.

Voting Results 8 yes, 0 no. Motion carries.

TEXT-2339: Text Amendment

Methadone/Substance Abuse Treatment Facilities

Community Development Director, Steve Neilson discussed replacing the current definition and requirements for methadone and suboxone clinics with text amendment changes.

First, methadone and suboxone are two different treatments. Methadone is dispensed on-site whereas suboxone is dispensed through a prescription. Suboxone is a Schedule III drug and methadone is a Schedule II drug and they each have different state requirements to meet. Staff thoughts were to separate them into two different land use categories. When creating land use categories, definitions, criteria and parking are defined.

Mr. Neilson stated if a significant portion of customer base is methadone then you would be considered a methadone treatment clinic or facility which requires a certificate of need by the state. A suboxone facility will be referred to as a substance abuse treatment facility due to the names of drugs changing every few years. Both type of facilities will be permitted as a Use on Review in:

OMP – Office Medical and Professional District;
IB – Intermediate Business District;
CBD – Central Business District;
LI – Light Industrial District;
HI – Heavy Industrial District; and
TA – Tourist Accommodation District.

Medical offices are allowed in these districts now and these facilities will be treated the same any type medical use.

USE ON REVIEW

Methadone Treatment Clinic or Facility provided (scheduled drugs dispensed on-site):

1. The facility shall be fully licensed/certified by the appropriate regulating state or federal agency, if required;
2. If a certificate of need (CON) is required, a copy of the CON application shall be submitted to the Board of Zoning Appeals prior to being heard by the Board. The CON shall be obtained as a condition of final approval; no building permits shall be issued or occupancy be allowed prior to the petitioner receiving the CON and licenses; and presenting them to the Planning Development;

3. The facility shall be located on properties which abuts, adjoins, or physically borders a collector or arterial street;
4. The petitioner shall provide the Board of Zoning Appeals with information regarding the number of staff to be employed;
5. The indoor waiting/seating area shall be open to all patients thirty (30) minutes prior to patients being seen;
6. The facility shall post a conspicuous sign stating that no loitering is allowed on the property; and
7. Provide the name and phone number of the community relations contact who will respond to complaints.

Substance abuse treatment facilities provided:

1. No facility shall allow outdoor seating areas, queues, or customer waiting areas. All activities shall be conducted within the building and adequate indoor waiting areas shall be provided for all patients and business invitees.
2. The indoor waiting/seating area shall be open to all patients thirty (30) minutes prior to patients being seen;
3. The facility shall post a conspicuous sign stating that no loitering is allowed on the property. A sign shall also be posted stating that no drugs/medications are stored or distributed on property; and
4. Provide name and phone number of the community relations contact who will respond to complaints.

Staff recommended approval of the proposed text amendments.

Mayor Gary Chesney made a motion for the approval of the text amendments to be forward to City Council seconded by Vice-Chairman Jack Kennerly.

Voting Results 8 yes, 0 no. Motion carries.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Roni Snyder, Secretary

RS/ta

DRAFT

City of Morristown

Incorporated 1855

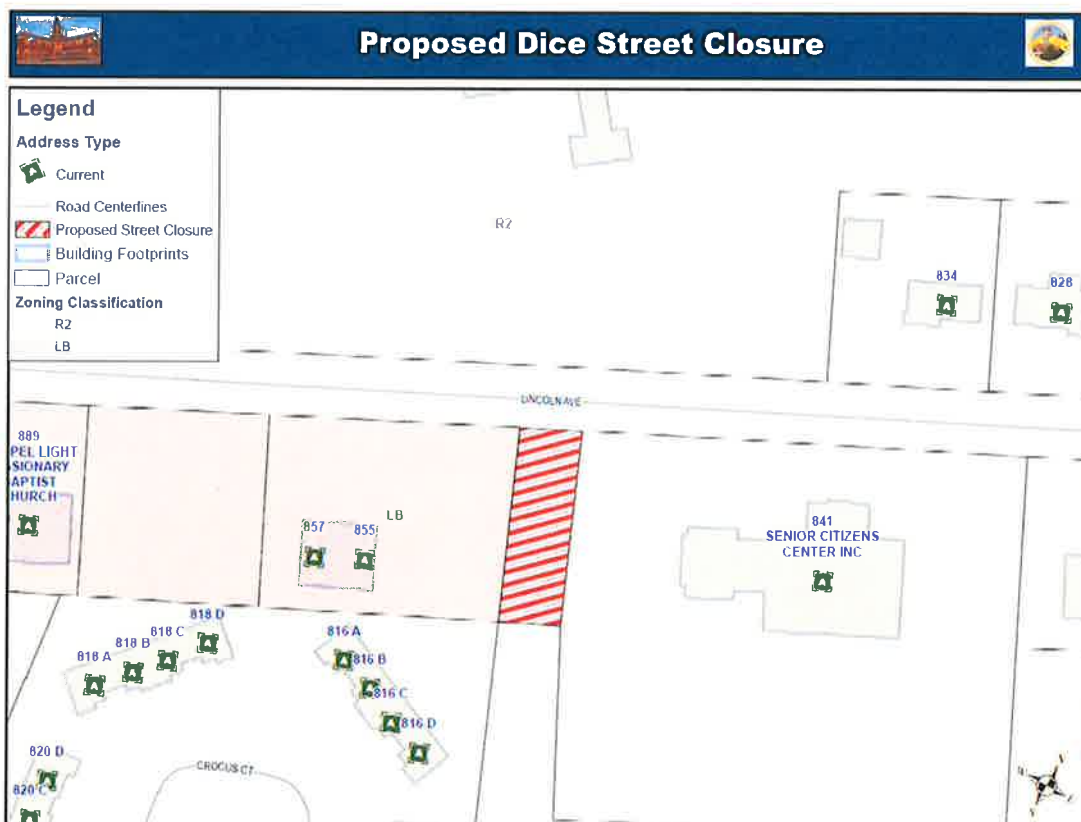
DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING



TO: Morristown Regional Planning Commission
FROM: Josh Cole, Planner
DATE: December 10th, 2019
SUBJECT: Right-of-Way Abandonment for a portion of Dice Street

BACKGROUND:

Mr. Scott Reams, representing the Hamblen County Board of Education, is requesting the right-of-way abandonment for an undeveloped portion of Dice Street. This public right-of-way is located south of West High School and between the Senior Citizens Center (841 Lincoln Avenue) and Douglas-Cherokee's "Meals on Wheels" (855 Lincoln Avenue).



Dice Street was originally platted to extend beyond its current end point at Lennie Avenue through the current campus of West High School to an end point just south of Lincoln Avenue. However, this did not develop as originally platted which has resulted in this undeveloped portion of Dice Street. It is the understanding of staff that the Board of Education has reached an agreement with the two neighboring owners to obtain this right-of-way for access to future development they plan on the property to the south.

RECOMMENDATION:

Staff recommends approval of this right-of-way abandonment request and would ask that the Planning Commission forward it on to City Council.



Proposed Dice Street Closure



Legend

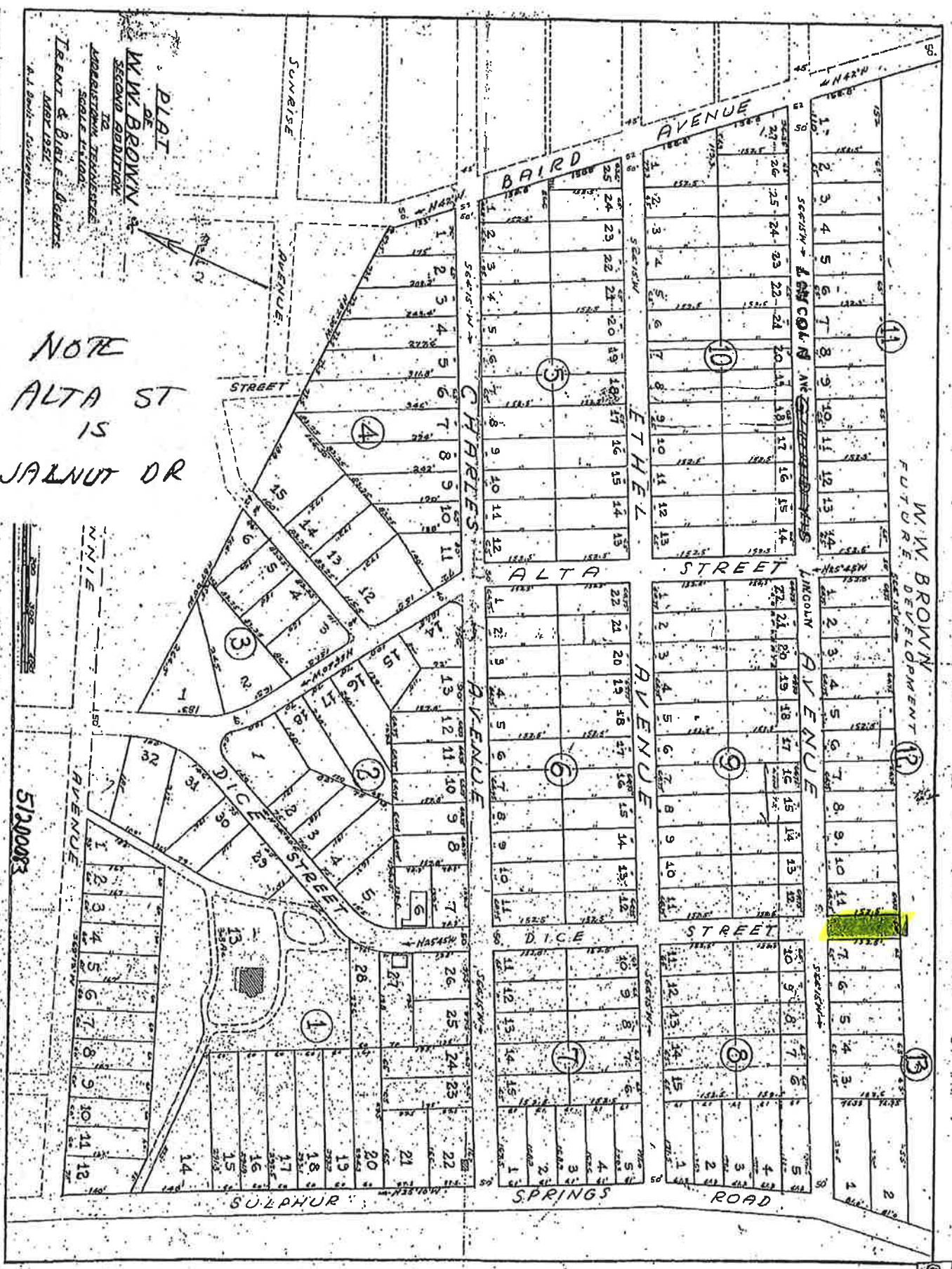
Address Type
 Current
— Road Centerlines
 Proposed Street Closure
 Building Footprints
 Parcel

Zoning Classification
R2
LB



PLAT
OF
W.W. BROWN
SECOND ADDITION
TO
ADRIANUM TERRAETEE
SCALE 1:100.
TRENT & BAYE RIVERS
MAY 1957
A.J. Davis - Surveyor

NOTE
ALTA ST
IS
WALNUT DR



City of Morristown

Incorporated 1855

DEPARTMENT OF COMMUNITY DEVELOPMENT & PLANNING

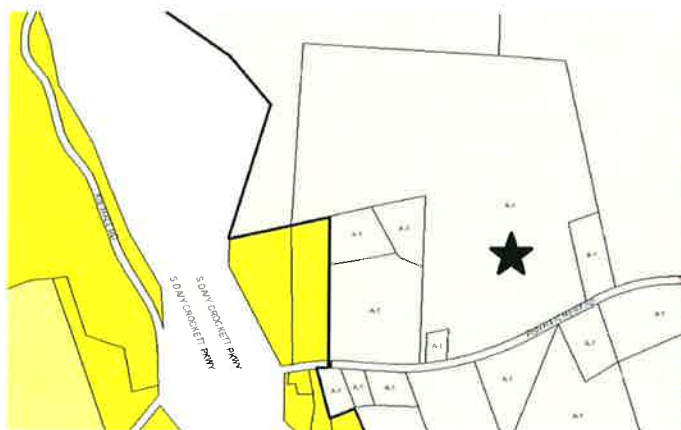


TO: Morristown Regional Planning Commission
FROM: Josh Cole, Planner
DATE: December 10th, 2019
SUBJECT: Rezoning in the Urban Growth Boundary
1623 Fish Hatchery Road from A-1 to C-1

BACKGROUND:

Mr. Israel Guzman Reyes is requesting on behalf of the property owner, Theresa Croley, to rezone a portion of property located at 1623 Fish Hatchery Road from the current county zoning of A-1 (Agriculture-Forestry District) to C-1 (Commercial District). This property is outside of the city limits; however, it is within the Urban Growth Boundary, thus, the request must go before the Regional Planning Commission.

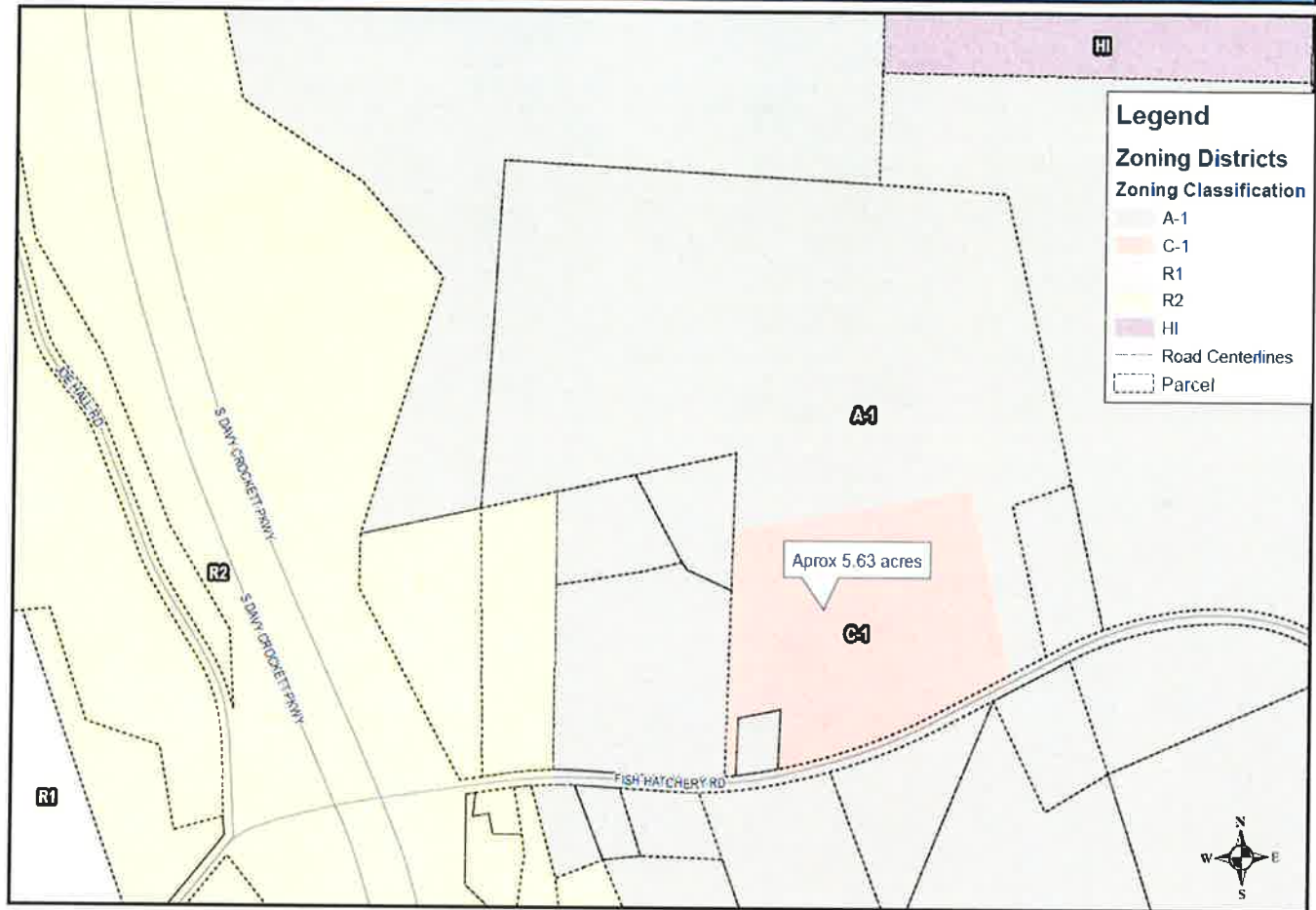
The property is approximately 22.5 acres in size and contains a single-family house along with various detached accessory structures. This parcel is surrounded by A-1 zoning in all directions with most of the properties containing single-family residential houses; however, the property to the east does contain a storage-yard/business which is non-conforming and was never approved by the county. The applicant is only wanting to rezone a portion of this property C-1 (approximately 5.6 acres) while the rest would remain the current A-1 zoning designation. The reason given for the rezoning request is to place a tow yard at this location. They are wanting to maintain the rest of the property A-1 for a future residential subdivision.



A letter provided by the applicant noted that the tow yard will be 60'x60' while also being secured and fenced. It should be noted that any development on this site will have to meet the applicable site plan requirements or the subdivision regulations set forth by Hamblen County and receive approval from this board.



Fish Hatchery Rd Rezoning Proposal



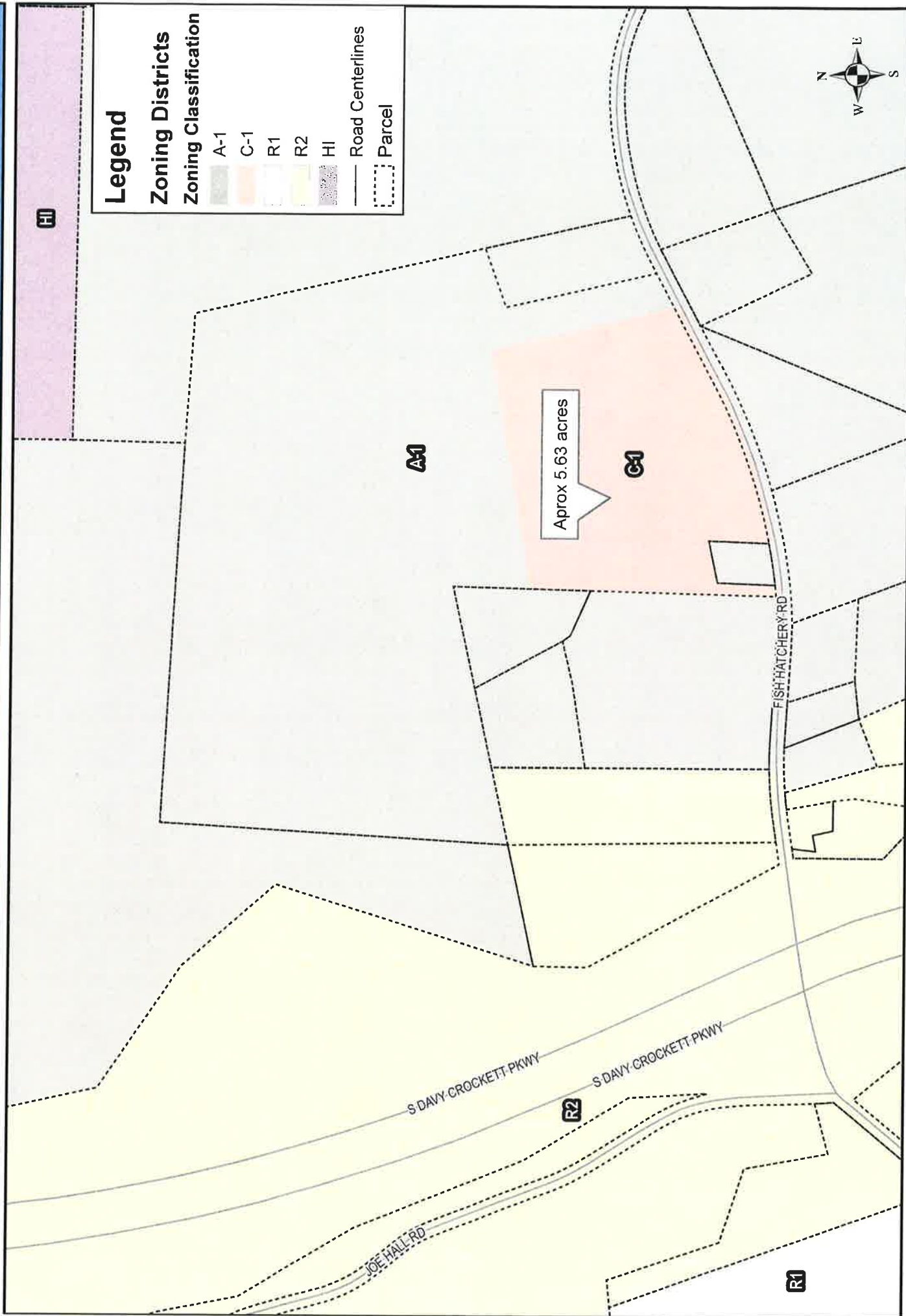
RECOMMENDATION:

As noted above, this parcel is surrounded by solely A-1 zoning, thus, it is staff's opinion that rezoning any portion of this parcel to C-1 would be spot zoning and would open up a wide variety of potential commercial uses into a primarily single-family residential area. Additionally, staff does not support a single parcel being split-zoned and containing multiple zoning designations. Due to these reasons, staff recommends denial of this request.

Fish Hatchery Rd Rezoning Proposal



| Legend | |
|-----------------------|--|
| Zoning Districts | |
| Zoning Classification | |
| A-1 | |
| C-1 | |
| R1 | |
| R2 | |
| HI | |
| Road Centerlines | |
| Parcel | |



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:** 11-24-19
2. **Name of Property Owner:** Croley Theresa
Mailing Address: 1210 arden LN **City/State/Zip** morristown TN
Telephone: (Home) _____ **(Business)** _____ **(Mobile)** 378/3
E-Mail Address: _____
3. **Name of Applicant:** Israel Guzman Reyes
Mailing Address: 675 witt RD **City/State/Zip** morristown TN
Telephone: (Home) 423 3176555 **(Business)** _____ **(Mobile)** 423 2730778
E-Mail Address: Israel423@live.com
4. **Name of Agent** (if applicable): _____
Mailing Address: _____ **City/State/Zip** _____
Telephone: (Home) _____ **(Business)** _____ **(Mobile)** _____
E-Mail Address: _____
5. **Property information:** **Street Address:** 1623 fish hatchery Rd
County Tax Map: _____ **Group:** _____ **Parcel(s)** 042
Current zoning: Residential **Parcel size:** 028.00 **City/U.G.B.** _____
Existing Use: farm **Proposed Use:** towing yard
6. **Nature of Request:** (please circle)
 - a) Annexation (state reason for request) _____
 - b) Right-of-way/Alley Closure (state reason for request) _____
 - 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:** Theresa B. Croley **Date:** 11-26-19

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).

Walter Dunlap P. Dunlap Patricia



Office: 423.317.6555
675 Witt Rd. | Morristown, TN 37813

August 20, 2019

RE: 1623 Fish Hatchery Rd
Morristown, TN

Hamblen County and City of Morristown Officials,

This letter is to inform and explain what our intentions are for the property located at 1623 Fish Hatchery Rd. We hope that with this letter we can show you that we here at Guzman Construction have the best interested of the community in mind.

We are planning to use the front of the property for a commercial towing service, this would only house a towing lot. The towing lot would be approximately a 60 x 60 lot which in turn go about 350' deep on to the front of the lot. The towing lot would be accessed thru the existing driveway. The lot would be completely fenced and would be secured at all times.

For the back side of the property we would build a driveway on the right side next to lot 30 which would be used to access the remaining acreage. On the remaining acreage we would like to construct a residential subdivision which would house homes in the \$149,000.00 to \$200,000.00 range. The construction of this residential subdivision would increase the property values of the surrounding homes as well as bring more income into Hamblen County and potentially the City of Morristown.

Thank you for taking the time consider this zoning plan. Please feel free to contact us at our office to discuss this more in depth either by telephone or to schedule a meeting.

Thank you for your prompt attention to this zoning request.

Thank you,
Tammy Varguez
Administrative Assistant
Guzman Construction, Inc
423-231-2522 Cell

Ref: 100, 1000, 10000, 100000

