



JOHNSON CITY Regional Planning Commission
Minutes
Tuesday February 11, 2020

Call to Order

The regular meeting of the Johnson City Regional Planning Commission was called to order at 6:00 pm, on Tuesday February 11, 2020 in the Commission Chambers of the Municipal and Safety Building by Chairman Zajonc. Recorder Nicole Lawrence was present.

Invocation and Pledge of Allegiance

Invocation was given by Chairman Zajonc.
Pledge of Allegiance to the flag of the United States of America was led by Chairman Zajonc.

Members in attendance:

Dr. Tim Zajonc, Chairman
Dr. Larry Calhoun, City Commission Representative
Dr. Stacey Wild, Secretary
Mr. Chris Dagenhart, Mayoral Representative, Asst. Secretary
Gen. Gary Harrell, County Representative
Mr. Clay Hixson
Mr. Jamie Povlich
Dr. Benjamin Whitfield

Members absent:

Mr. Bob Cooper, Vice-Chairman

City of Johnson City Staff Present:

Preston Mitchell, Director of Development Services
Asongayi Venard, Development Coordinator
Matthew Manley, Senior Planner
Allan Cantrell, Public Works Engineer
Travis Olinger, Water/Sewer Engineer
Lawrence Perry, Public Works Engineer
Nicole Lawrence, Recorder

Quorum

A quorum was present.

Agenda

The Agenda was approved with the following addition; item number three, a Variance request for the Galloway Property Subdivision Plat. The Agenda was then approved.

Vote: 8-0.

Minutes

The minutes from the January 14, 2020 meeting were approved with one correction; Dr. Stacey Wild is the Secretary of the Planning Commission with Mr. Chris Dagenhart as the Asst. Secretary.

Vote: 8-0

Old Business

Reconsider Design Deviations for Verizon Wireless Small Cells located at 340 Liberty Bell Blvd.

Discretionary Review of Small Cell Antenna Design:

- Design of 35' tall pole exceeds Height Limit of 25'
- Design of 10" diameter pole exceeds 6" diameter limit
- Design includes externally-mounted equipment cabinet while regulations call for all wireless hardware to be located internal to the pole.

Senior Planner, Matt Manley gave a detailed description on the proposed design and build of the proposed tower. He and the Commissioners ensued in a discussion regarding the original Ordinance the city has created to address the design of these towers and its validity and functionality in regards to the true aspects of the towers designs. Mr. Manley informed the Commission that he would address these issues regarding the Ordinance with other city staff and pass along their concerns. The Planning Commissioners also addressed the issue that any decision they make regarding the tower in question tonight will set a precedence for future tower placement and design requests.

The public hearing was opened;

Andy Loeb with Tower Source, on behalf of Verizon spoke in regards to the equipment being placed into these towers for them to work properly. He stated that the 10 in. diameter was necessary to ensure all of the fiber optic wiring would fit and work correctly. He stated the 10 in diameter is the standard for this tower. He was asked by the Commission if the height of this tower is the standard? Mr. Loeb stated that no, the height of this particular tower is due to the topography of the site.

Mr. Loeb was asked if other providers could “piggy back” onto this tower. He stated that no, these towers were not able to handle any “piggy backing” by other providers.

Alex Brosky with Verizon Wireless spoke in regards to the capabilities of this particular tower and the needs being addressed by providing this tower in this location. He stated that due to a large increase in data usage in this particular area there is a need for this tower. By adding this tower the increase in data will not affect its customers by slowing down their devices. He believes the increase in this particular area is from Science Hill High School and Liberty Bell Middle School. Verizon has not noticed any other spikes in data usage in any other areas of the city at this time. In regards to the height of this tower, he stated that the increase in height is due to the topography of the location and the need for uninterrupted visual distance. He stated that this is a 4g tower, not a 5g tower and that 5g towers are actually much smaller and sleeker than the current 4g towers.

Seeing no one else wished to speak; the public hearing was closed.

A motion to approve the small cell tower located at 340 Liberty Bell Blvd. with the condition that it is no higher than 27 ft. from the street edge and with a top diameter to not be larger than 10 $\frac{3}{4}$ in. and to ensure the shroud is located at the base of the tower was put forth by Commissioner Whitfield with a second from Commissioner Povlich.

Motion to approve with conditions as stated was approved.

VOTE: 8-0

At this time, 7:00 pm, Chairman Zajonc left the diose and relinquished the Chair to Secretary Stacey Wild. Commissioner Wild proceeded to Chair the remainder of the meeting.

New Business

Consider annexation of properties located at 5112 Bobby Hicks Hwy. & 3309 Sid Martin. Zoning of B-5 (Planned Community Business District).

The properties are located within the Urban Growth Boundary, adjoin current city limits, and the annexation of both lots is requested by the property owner. Thus, the legal requirements for annexation of the properties are met. It is estimated that the properties will generate \$10,547 in property taxes if not treated as “Not-for-profit” operations. Public services will be provided in accordance with city policies from the effective date of annexation.

The property is to be purchased from Ballad Health. Staff recommended approval of the annexation, B-5 zoning and plan of services.

Commissioner Whitfield asked Mr. Venard about the possibility of this becoming a "not-for-profit use" and if that were to occur how would this annexation be of any benefit to the city since they would then be tax exempt?

Mr. Venard, Development Coordinator for the city replied that this is a question for Ballad Health to answer however, since this location is in the midst of other annexed properties that by receiving city services such as fire and police there would be a benefit to the applicant and the city.

The public hearing was opened;

Scott Davis - 108 Woodlawn Dr. and with the Realty Trust Group representing Ballad Health with this request, spoke in favor of the request. He stated that this building was going to be used by Ballad Health to train employees on the new electronic medical records program, "EPIC". He stated that this training facility will bring people from all over the area to this site. He stated that Ballad wanted to be annexed for the police and fire protection the city could offer to this facility. He could not answer any questions regarding Ballad changing this site to a "Not-for-Profit" location.

Seeing no one else wished to speak; the public hearing was closed.

Commissioner Whitfield addressed the Commission and stated he did not feel this annexation was a benefit to the city according to the standards for annexation that are set by the city. If Ballad were to change the status of this facility to a "Not-for-profit" location then there would be no tax revenue, yet the city would be responsible for providing all outside services.

Commissioner Calhoun addressed the Commission and stated he felt that since Ballad Health was a good corporate partner with the city, they should approve this request. He stated that Ballad has many facilities in this area that are paying taxes and we should not deny them this request.

Commissioner Povlich then agreed with Commissioner Calhoun. He also added that by annexing this area this may entice others to come into the city as well.

Mr. Venard stated to the Commission that the annexation request was sound on the premise of the plan of services, alone.

A motion to approve the annexation located at 5112 Bobby Hicks Hwy and 3309 Sid Martin Rd., the B-5 zoning designation and the plan of services as requested was put forth by Commissioner Dagenhart with a second from Commissioner Hixson. Motion to approve as stated was approved.
VOTE 6-1 (Whitfield)

Consider deferral on "Access Standards" in the Johnson City Regional Planning Commission Subdivision Regulations. Schedule Public Hearing for April 14, 2020.
This item was deferred and will be heard along with a public hearing on April 14, 2020.

A motion to defer until the April 14, 2020 Planning Commission meeting and hold a public hearing was put forth by Commissioner Povlich with a second from Commissioner Calhoun. Motion to defer as stated was approved.
VOTE: 7-0

Variance request for the Galloway property subdivision plat.
The property owners intend to subdivide 3.33 ac lot into two lots of 2.05 ac and 1.28 ac, and share the estate among themselves. The lot depth of the proposed Lot 1 is 521.81 ft., and the lot width is 133.19 ft. This exceeds the 3:1 lot depth to width ratio restriction for lots layout plan in the Subdivision Regulations.

The purpose of the 3:1 lot depth to width ration restriction is to avoid the creation of narrow lots that may be unbuildable, and to encourage the construction of new streets in to the City and its planning region; and, thus, to encourage the creation of more buildable lots that increase density inside the City limits and the Planning Region. In other words, this restriction is intended to encourage the efficient use of land for development.

The property is located outside of the City limits in an area that is generally rural in character with large lots as shown on Map 1. Although these large lots have significant potential for future major subdivision developments, the subject property adjoins an existing Williams Landing subdivision in which streets have already been constructed. In the construction of Williams Landing subdivision, no street extension was envisaged into the subject property - thus, there is no street stub extending to the lot line of the Galloway property. In this regard, the development of this property does not significantly fit the intent of the 3:1 lot depth to width ratio requirement.

Staff recommended that the Planning Commission grant the 3:1 lot depth to width ratio variance to the proposed "Division of the Galloway Property" minor subdivision because the lots are in an area that is generally rural in character with large lots, and the street network in the adjoining subdivision was not planned to be extended into this property.

The public hearing was opened;

Terry Galloway - the petitioner spoke in favor of the request. He stated that this property was inherited and he and his brother wanted to split the property. There is a log cabin on one portion that dates back to the early 1800's. His brother wishes to renovate this cabin and live in it full time. Mr. Galloway also stated that he is going to build a home on the other portion of the property for his family. He stated that his family owns all of the surrounding farm land and has since 1777, so there was no worry about neighboring subdivisions being built or neighbors having issues with this request.

Seeing no one else wished to speak; the public hearing was closed.

A motion to approve the variance request for the Galloway property subdivision plat as presented was put forth by Commissioner Hixson with a second from Commissioner Harrell. The motion to approve as stated was approved.
VOTE: 7-0

Seeing there was no further business to go before the Commission, the meeting was adjourned at 7:45 pm.



Chairman - Dr. Tim Zajonc

Secretary - Dr. Stacey Wild

3-10-20

Date