

**JOHNSON CITY REGIONAL  
PLANNING COMMISSION MEETING  
ON  
TUESDAY, NOVEMBER 10, 2015  
AT 6:00 P.M.**

**Johnson City Regional Planning Commission**  
**Tuesday, November 10, 2015**  
**6:00 P.M.**

**Agenda**

**I. Call to Order and Roll Call**

**II. Invocation and Pledge of Allegiance**

**III. Approval of the Agenda**

**IV. Approval of Minutes**

1. Approval of the minutes of the October 13, 2015, regularly scheduled Planning Commission meeting.

**V. Unfinished Business**

**VI. Consent Agenda**

**VII. New Business**

1. Consider Rezoning Request #1003 for property located at 71 Wilson Avenue from B-3 (Supporting Central Business) to B-2 (Central Business).
2. Consider Washington County Rezoning of property known as Tax Map 44 Parcel 68, located along Boones Creek Road from A-1 (General Agriculture District) to PR-BD (Planned Residential-Business District).
3. Consider Washington County Rezoning of property located at 198 Claude Simmons Road from A-1 (General Agriculture District) to R-3 (High Density Residential District).
4. Consider Final Plat approval of the Toth Property a 6-lot, 5.4-acre subdivision at the intersection of Plymouth Road and Old Lewis Road.
5. Consider an amendment to Article 7 of the Zoning Code regarding signage in the B-2 and B-3 Zoning Districts.

**VIII. Adjournment**

**IX. Informational Items**



## Development Services Department

Administration • Codes • Planning  
Community Development • GIS • MTPO

### PLANNING DIVISION

**DATE:** November 10, 2015  
**TO:** Johnson City Regional Planning Commission  
**FROM:** Angie Carrier, Development Services Director  
**SUBJECT:** November Meeting

Enclosed is the agenda and supporting documents for the regular meeting of the Planning Commission to be held on Tuesday, November 10, 2015. The agenda items are summarized below.

1. The first item on the agenda is to consider Rezoning Request #1003 for property located at 71 Wilson Avenue from B-3 (Supporting Central Business) to B-2 (Central Business). The existing land use is a vacant commercial building. The petitioner proposes to renovate and utilize the existing commercial building for a retail/restaurant space, a music venue, and storage for Yee-Haw Brewing Co. The petitioner is Joseph Baker, of 5 String LLC.
2. The second item on the agenda is to consider Washington County Rezoning of property known as Tax Map 44 Parcel 68, located along Boones Creek Road from A-1 (General Agriculture District) to PR-BD (Planned Residential-Business District). The county recommends denial of the request and suggests instead a B-2 (Retail Business) district for a 1.3-acre portion of the property.
3. The third item on the agenda is to consider Washington County Rezoning of property located at 198 Claude Simmons Road from A-1 (General Agriculture District) to R-3 (High Density Residential District). Both the City and the County recommend approval of the request, as the characteristics of the surrounding area is varied ranging from agricultural to commercial uses.
4. The next item on the agenda is to consider Final Plat approval of the Toth Property a 6-lot, 5.4-acre subdivision at the intersection of Plymouth Road and Old Lewis Road. This item was before the Planning Commission last month for preliminary approval. At that time the Commission granted a waiver to the minimum three to one lot depth ratio requirement. The property owner is Joe and Sarah Toth.

*"The Johnson City Development Services Department is committed to  
a comprehensive approach to guide and shape quality development in our region."*



## **Development Services Department**

Administration • Codes • Planning  
Community Development • GIS • MTPO

5. The last item on the agenda is to consider an amendment to Article 7 of the Zoning Code regarding signage in the B-2 and B-3 Zoning Districts. At the June Planning Commission meeting, the Planning Commission created a taskforce to review the B-2, Central Business District and the B-3, Supporting Central Business District Sign Regulations. The taskforce met three times during the months of June and July. Staff additionally researched the definition of murals from cities around the country and was able to develop proposed guidelines for the approval of murals.

If you have questions about any item on the agenda please contact Angie Carrier, Development Services Department Director at (423) 434-5955.

*“The Johnson City Development Services Department is committed to a comprehensive approach to guide and shape quality development in our region.”*

I. CALL TO ORDER &  
ROLL CALL

II. INVOCATION &  
PLEDGE OF  
ALLEGIANCE

III. APPROVAL OF THE  
AGENDA

**IV. APPROVAL OF  
MINUTES**

**JOHNSON CITY REGIONAL PLANNING COMMISSION  
MINUTES  
October 13, 2015**

**MEMBERS PRESENT:** Brenda Clarke, Assistant Secretary  
Uwe Rothe  
Jenny Brock  
Jacobus Louw  
Thomas Henning  
Jamie Povlich  
Timothy Zajonc, Vice-Chairman  
Bob Cooper  
Greg Cox, Secretary

**MEMBERS ABSENT:** Joe Wise, Chairman

**STAFF PRESENT:** Angie Carrier, Development Services Director  
Angie Charles, Senior Planner  
Steve Neilson, Development Coordinator  
Matt Young, Planner  
Laura Edmonds, Administrative Coordinator  
Alan Cantrell, City Engineer  
Tim Seaton, Construction Inspector  
Travis Olinger, W/S Engineering Service Coordinator

Vice-Chairman Zajonc called the meeting to order at 6:00 p.m. Commissioner Povlich gave the invocation and led the Pledge of Allegiance.

The minutes of the regularly scheduled Planning Commission meeting on September 8, 2015, were approved by a 9-0 vote.

The first order of business was the Approval of the Agenda. The agenda was then approved by a 9-0 vote.

The first item on the agenda was to consider Final Plat approval of the Food City – Marathon Realty Corp. Property, a 5-lot, 5-acre subdivision at the intersection of Sunset Drive and State of Franklin Road. The property is zoned B-4, and the petitioner is the Marathon Realty Corporation. The project received Preliminary Plat approval at the February 10th Planning Commission meeting.

Public Hearing was held and no one spoke.

**Motion: Cox**  
**Second: Povlich**

**Consider Final Plat approval of the  
Food City – Marathon Realty Corp.**

**Property, a 5-lot, 5-acre subdivision  
at the intersection of Sunset Drive  
and State of Franklin Road.**

**The motion passed by a 9-0 vote.**

The second item on the agenda was to consider Final Plat approval of the Food City, Phase II, MSHA Property, a 3-lot, 12.3 acre subdivision at the intersection of Sunset Drive and State of Franklin Road. The property is zoned B-4, and the petitioner is the Mountain States Health Alliance. The project received Preliminary Plat approval at the March 10th Planning Commission Meeting.

Public Hearing was held and no one spoke.

**Motion: Cox  
Second: Rothe**

**To consider Final Plat approval of  
the Food City, Phase II, MSHA  
Property, a 3-lot, 12.3 acre  
subdivision at the intersection of  
Sunset Drive and State of Franklin  
Road, contingent upon a note being  
added to the plat regarding the  
maintenance of the detention pond.**

**The motion passed by a 9-0 vote.**

The third item on the agenda was to consider Preliminary Plat approval of the Toth Property a 6-lot, 5.4-acre subdivision at the intersection of Plymouth Road and Old Lewis Road. The property is split zoned with R-2, Low Density Residential District and R-5, High Density Residential District. The property owner is Joe and Sarah Toth.

Public Hearing was held.

Charles Johnson, spoke in favor of Preliminary Plat approval noting that the property is well-suited for a single family home along with having the possibility for other types of development such as a multi-family as well.

Public Hearing was closed.

**Motion: Cox  
Second: Henning**

**To consider Preliminary Plat  
approval of the Toth Property a 6-  
lot, 5.4-acre subdivision at the**

**intersection of Plymouth Road and Old Lewis Road, contingent upon a waiver to the 3-to-1 lot depth-to-width ratio requirement.**

**The motion passed by a 9-0 vote.**

The last item on the agenda was to consider an Amendment to Article 7 of the Zoning Code regarding signage in the B-2 and B-3 Zoning Districts. At the June Planning Commission meeting, the Planning Commission created a Taskforce to review the B-2, Central Business District and the B-3, Supporting Central Business District Sign Regulations.

**Motion: Brock  
Second: Cooper**

**To defer an Amendment to Article 7 of the Zoning Code regarding signage in the B-2 and B-3 Zoning Districts.**

**The motion passed by a 9-0 vote.**

There being no further business, the meeting was adjourned at 6:37 PM.

APPROVED:

SIGNED:

\_\_\_\_\_  
Joe Wise, Chairman

\_\_\_\_\_  
Greg Cox, Secretary

V. UNFINISHED  
BUSINESS

# VI. CONSENT

## AGENDA

# VII. NEW BUSINESS

**REZONING REQUEST #1003**  
**71 Wilson Avenue**  
November 2015

**PETITIONER:** Joseph Baker, of 5 String LLC

**OWNER:** 5 String LLC

**REQUESTED ACTION:** Rezoning of property (approximately 1.4 acres) located at 71 Wilson Avenue, from B-3 (Supporting Central Business) to B-2 (Central Business)

**EXISTING LAND USE:** Vacant commercial building

**PROPOSED USE:** The petitioner proposes to renovate and utilize the existing commercial building for a retail/restaurant space, a music venue, and storage for Yee-Haw Brewing Co.

**SURROUNDING ZONING AND LAND USES:**

<b>NORTH:</b>	Wilson Ave and First Presbyterian Church property	B-2 (Central Business)
<b>SOUTH:</b>	Commercial	B-3 (Supporting Central Business)
<b>EAST:</b>	S. Commerce St and Founders Park	B-3 (Supporting Central Business)
<b>WEST:</b>	Commercial	B-3 (Supporting Central Business)

**LAND USE PLAN:** The Johnson City Land Use Plan, 2020 designates this area for 'Commercial' Uses.

**UTILITIES:** Existing water and sewer services are available and adequate for the proposed use.

**TRANSPORTATION:** The property has approximately 215 feet of frontage on Wilson Ave, and 345 feet of frontage on S. Commerce St, which are both designated as 'Local' streets in the city's Major Thoroughfare Plan. The requested B-2 district does not contain onsite parking requirements; however, the petitioner intends to provide parking spaces on the property.

**PHYSICAL CHARACTERISTICS:**

The property requested for rezoning totals approximately 1.4 acres. The topography is level, being along the edge of the downtown floodplain.

**CITIZEN COMMENTS:**

The petitioner held the required Neighborhood Meeting on November 6<sup>th</sup>. Staff has not received any calls pertaining to this request.

**PLAN REQUIREMENT:**

A Concept Plan for this rezoning request is not required, per Section 14.3 of the Zoning Ordinance.

**OPTIONS:**

The Planning Commission's options are as follows:

1. Approve the rezoning as requested.
2. Disapprove the rezoning, and state the reasons for denial in writing.
3. Postpone action pending the receipt of additional information.

**STAFF**

**RECOMMENDATION:**

Staff recommends Option 1 based on the following rationale:

The Land Use Plan has designated this area as being suitable for Commercial uses and the continuing improvements to the downtown, including the new farmer's market and Founders Park development, serve as catalysts of expansion to our Central Business District.

## Charles, Angie

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**From:** Wufoo <no-reply@wufoo.com>  
**Sent:** Friday, October 09, 2015 7:00 PM  
**To:** Charles, Angie  
**Subject:** Application for Rezoning Request [#25]

**Petitioner's Name** Joseph Baker

**Petitioner's Address**   
121 Court Avenue  
Sevierville, Tennessee 37862  
United States

**Home Phone Number** (865) 292-5472

**Work Phone Number** (865) 428-2888

**Mobile Phone Number** (865) 292-5472

**Email** [baker@joebakerlaw.com](mailto:baker@joebakerlaw.com)

**Address/Location of Requested Area** 71 Wilson Avenue Johnson City TN 37604

**Description of Proposed Amendment** Re-zone parcel at 71 Wilson Avenue from B-3 to B-2, which will more closely match the zoning and usage of adjacent property in downtown Johnson City and Founder's Park.

**Current Zoning of Area** B-3

**Current Acreage** &lt;= 5 Acres (\$200.00)

**Proposed Zoning of Area** B-2

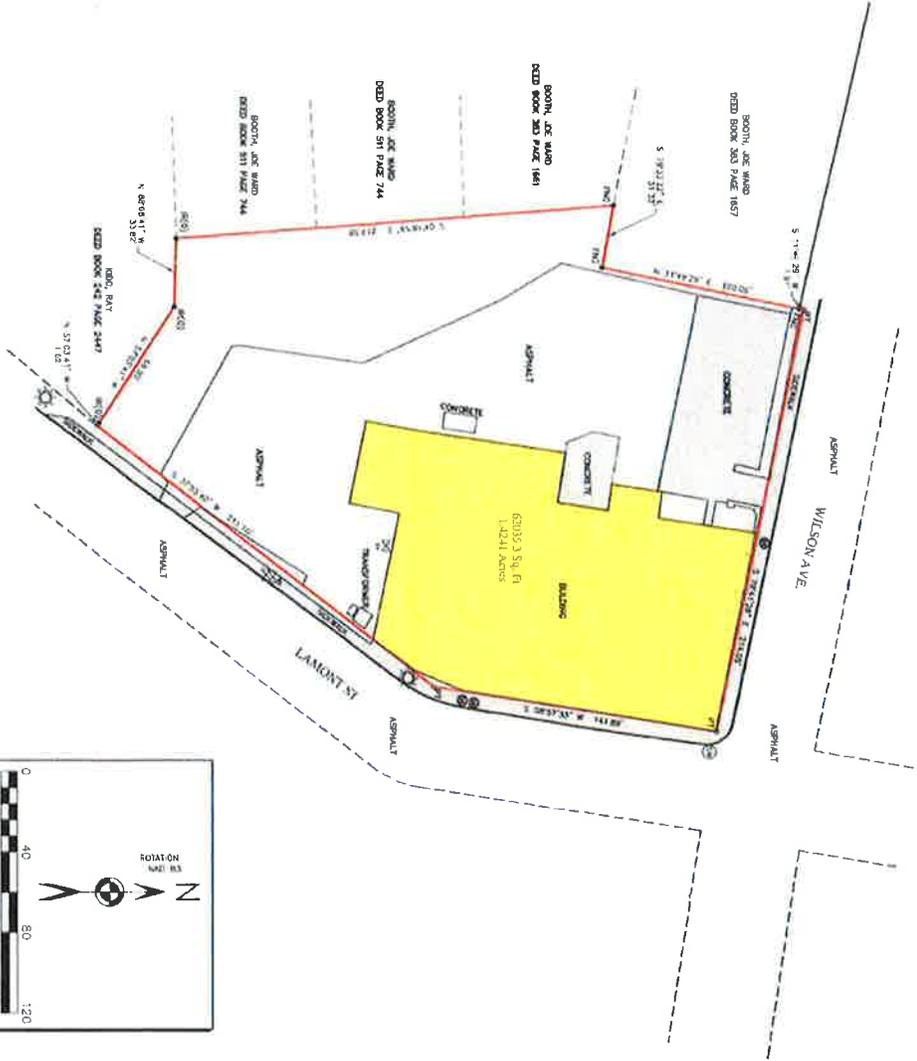
**Proposed Use of Area if Rezoned** The original building at 71 Wilson Avenue will be used for retail space on the 1st floor and a music venue on the 2nd floor. The building attached to the west will be used as warehouse space by Yee-Haw Brewing Co.

**Attach Legal Description of Requested Area**  
**[include all dimentions and calls]**  [71\\_wilson\\_ave.pdf](#) 638.44 KB · PDF

**Check the box If Concept Plan is NOT Required**  Concept Plan is NOT Required

**NOTES:**

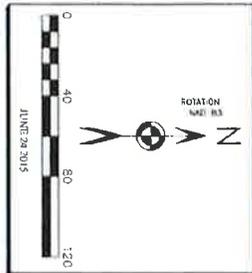
1. RECORDS TO BE: CHECK ZONING REGULATIONS.
2. PROPERTY IS SUBJECT TO ANY AND ALL APPLICABLE ORDINANCES AND REGULATIONS, INCLUDING BUT NOT LIMITED TO, THE ZONING REGULATIONS, SUBDIVISION REGULATION AND LAND ACQUISITION AS APPLICABLE IN THE COUNTY REGISTER OF DEEDS.
3. THE PREPARER OF THIS PLAN MAKES NO REPRESENTATION AS TO THE ACCURACY OF THE INFORMATION HEREON, BUT THE PREPARER OF THIS PLAN MAKES NO REPRESENTATION AS TO THE ACCURACY OF THE INFORMATION HEREON.



**FLOOD NOTES**

AS OF THE DATE OF THE SURVEY, THE PREPARER DOES NOT BE WITHIN A SPECIAL FLOOD HAZARD AREA OR A FLOOD PLAIN AREA HAVING A PROTECTION ACT OF 1973.

THE UNDERGROUND HAS REVIEWED THE MOST RECENT FLOOD INSURANCE RATE MAP (FIRM) FOR THE PROPERTY AND HAS DETERMINED THAT THIS PROPERTY IS IN ZONING X OF THE FLOOD INSURANCE RATE MAP. COMMUNITY PANEL NO. 4717 (PROVIDED) WHICH BEGINS AN EFFECTIVE DATE OF SEPT. 28, 2017. THIS IS A SPECIAL FLOOD HAZARD AREA FLOOD DEPTH FOR THIS SITE IS 2 FEET.



- LEGEND**
- 6"Ø DOWNS & 1/2" ROD ROD CAP
  - 8" FT DOWNS & CALCULATED POINT
  - FMC DOWNS & STEEL FENCE POST
  - ⊗ WATER VALVE
  - ⊙ WATER METER
  - ⊕ SANITARY SEWER MANHOLE
  - ☀ STEEL LIGHT POLE
  - ⊕ STORM WATER MANHOLE/CATCH BASIN
  - ⊕ TRAFFIC LIGHT SUPPORT POLE
  - ⊕ GAS VALVE

**SURVEYOR CERTIFICATION:**

I HEREBY CERTIFY THAT THIS IS A CORRECT AND ACCURATE SURVEY AND THAT I AM A LICENSED SURVEYOR AS SHOWN HEREON. THE DATE OF MY EXPIRES IS 10/30/2018.

*[Signature]*  
 J. BERNARD GIBNEY, SURVEYOR  
 2018-2021  
 1000 N. BENTLEY AVE., SUITE 100  
 MEMPHIS, TN 38103  
 OFFICE: (901) 525-8888

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD PLAIN MAP FOR THE PROPERTY AND THAT THE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD AREA.



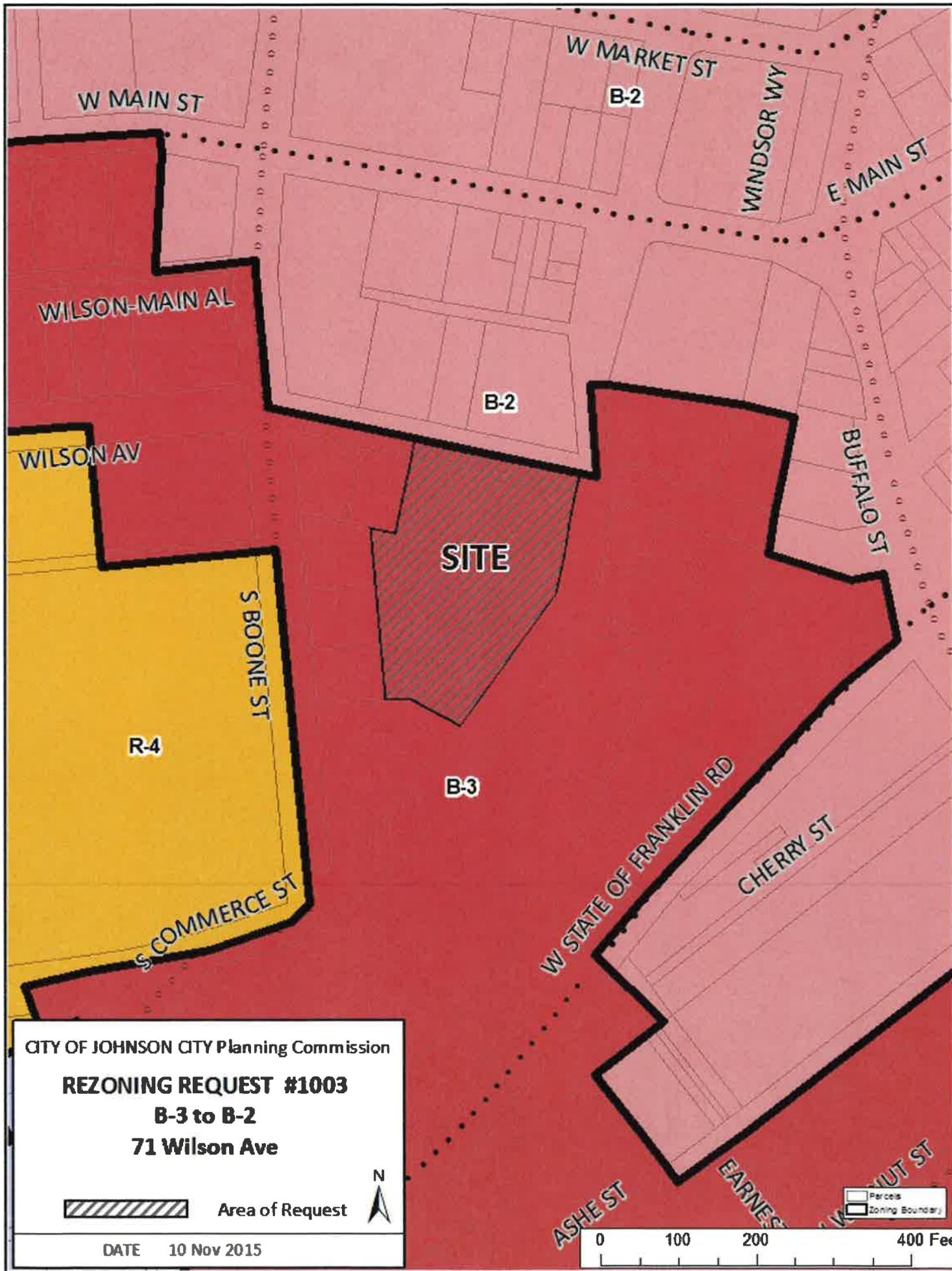
FOR SOURCE OF TITLE SEE:  
 DEED BOOK 562 PAGE 2504

FOR MAP REFERENCE SEE:  
 NONE AVAILABLE

PARCEL INFORMATION:  
 PART OF  
 TAX MAP 46N GRP 7 PARCEL 21.00  
 NINTH CIVIL DISTRICT  
 WASHINGTON COUNTY, TENNESSEE

SURVEY FOR  
**JOE BAKER**  
 OF  
**WILSON AVE AND  
 LEMONT STREET PROPERTY**

**THE LAND  
 SURVEYORS, INC.**  
 1414 HARBOR DRIVE GATLINBURG, TN 37738  
 OFFICE: (603) 896-6666



CITY OF JOHNSON CITY Planning Commission

**REZONING REQUEST #1003**

**B-3 to B-2**

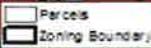
**71 Wilson Ave**



Area of Request



DATE 10 Nov 2015



0 100 200 400 Feet

**WASHINGTON COUNTY REZONING**  
**Tax Map 44 Parcel 68, on Boones Creek Rd**  
November 2015

**General**

The Commission is requested to consider the rezoning of property known as Tax Map 44 Parcel 68, located along Boones Creek Road from A-1 (General Agriculture District) to PR-BD (Planned Residential-Business District).

The following staff report has been provided by Cory Osborne, of the First Tennessee Development District and on behalf of the Washington County Zoning Department.

**Recommendation**

The County recommends denial of the request, and suggests instead a B-2 (Retail Business) district for a 1.3-acre portion of the property.

City staff recommends approval of the PR-BD district as requested, as the PR-BD zoning requires Site Plans to be approved by the County Planning Commission as development occurs. This requirement would reinforce a recent decision to establish a taskforce, comprising of representatives from both the city and the county, to protect the development of the Boones Creek Rd corridor.

**Rezoning Request  
David Sanders  
Boones Creek Road  
Tax Map 044, Parcel 068.00, 15<sup>th</sup> Civil District**

**Current Zone:** A-1 (General Agriculture District)

**Proposed Zone:** PR-BD (Planned Residential-Business District)

**Staff Recommendation:** Staff recommends against rezoning the property from A-1 to PR-BD. The Sanders property, further identified as tax map 044 parcel 068.00, contains 94.50 acres of land in a single lot, divided by Boones Creek Rd. and Bugaboo Springs Rd. The rezoning request was prompted by the rental of a metal building on a portion of the property (approximately 1.3 acres) by Mr. Sanders to a lawn care business also planning to conduct retail sales, which is not an allowable use in an A-1 zone. The remainder of the lot (approximately 93.2 acres) is currently planned to retain its current use as farmland after the rezoning. The requested zone, PR-BD, allows for any use in the R-3A residential district and any use permitted in the B-1 and B-2 business districts, as well as golf courses. The proposed use is allowable in the B-2 zone and, by extension, the PR-BD zone. The Planned Developed Districts, of which PR-BD is one, by the language of the Washington County Zoning Resolution, "are intended to provide optional methods of land development which encourage imaginative solutions to environmental design problems." The Planned Development Districts section of the Zoning Resolution further reads that "planned development permits the placement of buildings on land without adherence to conventional lot-by-lot approach common to traditional zoning." Planned districts are exempt from setbacks with the exception of a 25' buffer around the entirety of the outer boundaries of the property. Staff believes that PR-BD is an improper zoning designation for this property as it is comprised of a single lot, rather than multiple lots, and has no immediate plans for mixed-use residential and business development facing environmental design problems. For those reasons, staff recommends that a more traditional B-2 zoning designation, only for the 1.3 acre portion of the lot being used for business purposes, is more appropriate.

**Washington County, Tennessee Zoning Administrator**  
**APPLICATION for REZONING**

REZONING FEE: \$300.00 + \$5.00 ARCHIVE FEE PAYABLE TO KATHY STOREY,  
COUNTY CLERK AT TIME OF APPLICATION

PLANNING REGION:  Washington Co.  Jonesborough  Johnson City  File \_\_\_\_\_

Existing Classification A-1 Proposed Classification PR-BD

Adjoining Zoning Classification: North A-1/R-1 South B-2 East A-1/A-2 West B-2/PBD-1

**PROPERTY OWNER & AGENT INFORMATION**

Owner David Sanders Phone 423-647-4999 Work \_\_\_\_\_

Address P.O. Box 3204 City Johnson City State TN Zip 37602

Agent \_\_\_\_\_ Phone \_\_\_\_\_ Work \_\_\_\_\_

**SITE INFORMATION**

Subdivision \_\_\_\_\_ Date \_\_\_\_\_

911 Address Boones Creek Rd

Civil District 15 Tax Map 044 Group \_\_\_\_\_ Parcel 068.00 Lot Size 94.50 +/-

Roll \_\_\_\_\_ Image \_\_\_\_\_ Date \_\_\_\_\_ Plat Book \_\_\_\_\_ Page \_\_\_\_\_ Date Recorded \_\_\_\_\_

**MEETING INFORMATION**

I agree to attend all meetings that concern this request as follows:

Washington County Tennessee Regional Planning Commission: Date \_\_\_\_\_ Time 6:00 PM  
(Jonesborough Courthouse, Jonesborough, Tennessee)

Jonesborough Regional Planning Commission: Date \_\_\_\_\_ Time 6:00 PM  
(Town Hall, Jonesborough Tennessee)

Johnson City Regional Planning Commission: Date 11-10-15 Time 6:00 PM  
(City Hall, Johnson City Tennessee)

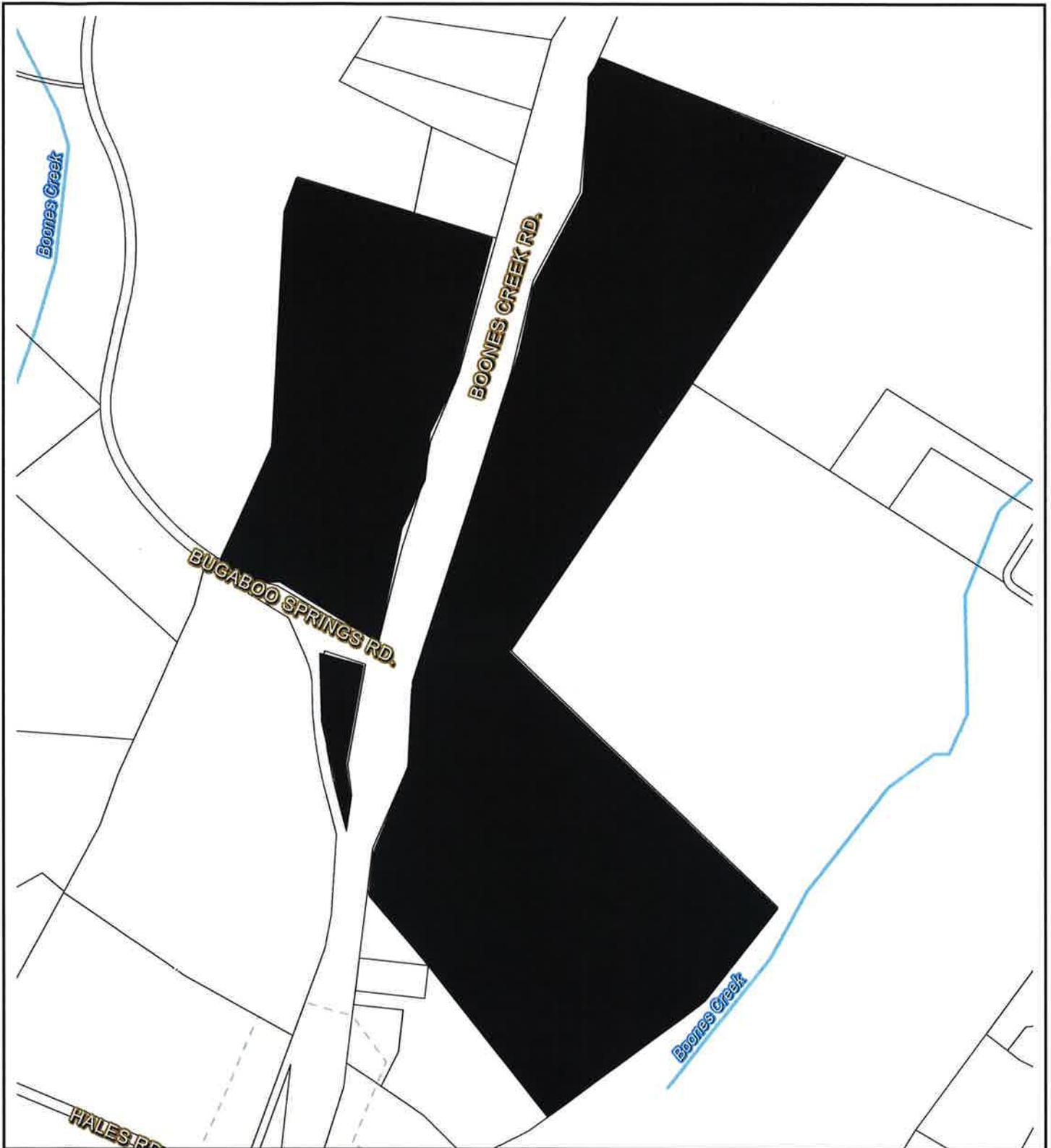
Washington County Commission: Date 11-23-15 Time 6:00 PM  
(George P. Jaynes Justice Center, Courtroom 7, Jonesborough, Tennessee)

I understand that staff will post a sign on my property and I must maintain the sign on the subject parcel until after all meetings are concluded. Upon completion of all meetings, staff will remove the sign. Should the sign go missing, I will contact the Zoning Office immediately.

Applicant *David Sanders* Date 10/8/15

Staff \_\_\_\_\_ Date 10/14/15

Tax Map  Zoning Atlas  Adjoining CAAS Cards  Parcel Deed  Survey



David Sanders Property, 15th Civil District,  
Tax Map 044, Parcel 068.00

Prepared by the Washington County, Tennessee Zoning Office.  
This map is not for engineering purposes.



- Subject Property
- Municipal Boundaries
- Tax Parcels
- County Boundaries

Coordinate System: NAD 1983 StatePlane Tennessee FIPS 4100 Feet  
 Projection: Lambert Conformal Conic  
 Datum: North American 1983  
 False Easting: 1,968,500.0000  
 False Northing: 0.0000  
 Central Meridian: -86.0000  
 Standard Parallel 1: 35.2500  
 Standard Parallel 2: 36.4167  
 Latitude Of Origin: 34.3333  
 Units: Foot US

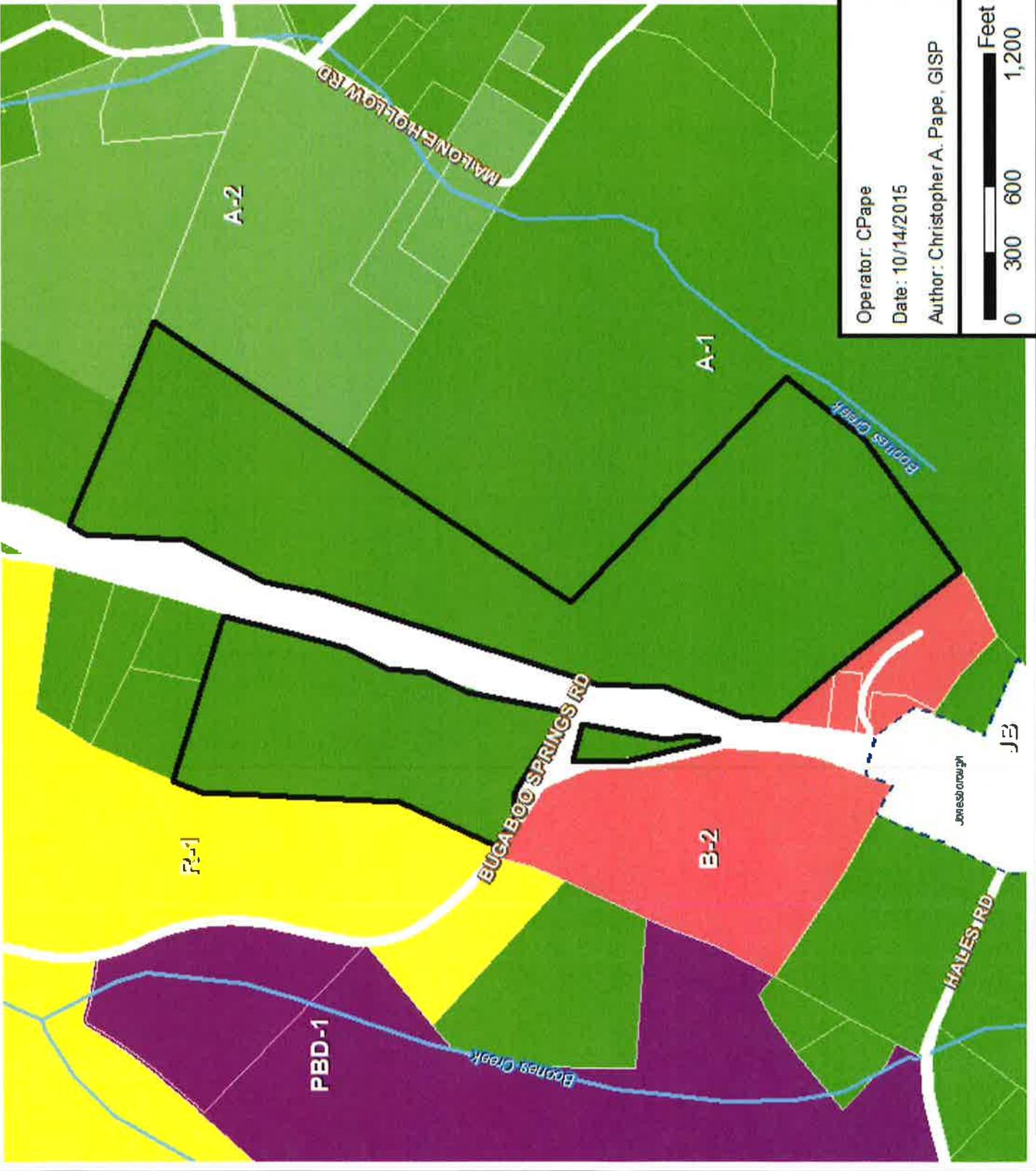
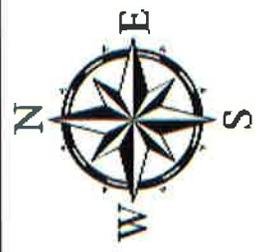
Date Created: 10/14/2015 2:25:33 PM  
 Software Version: ArcGIS 10.2.2  
 Cartographer: Christopher Pape, GISP



- County Boundaries
- Municipal Boundaries
- Subject Parcel
- Railroads
- Waterbody
- Waterlines

**Zoning**

- A-1
- A-2
- A-3
- B-1
- B-2
- B-3
- B-4
- M-1
- M-2
- PBD-1
- PBD-2
- PMD
- PR-BD
- PRD-1
- PRD-2
- PRD-3
- R-1
- R-1A
- R-1B
- R-2
- R-2A
- R-3
- R-3A



Operator: CPape  
 Date: 10/14/2015  
 Author: Christopher A. Pape, GISP

0 300 600 1,200 Feet

**WASHINGTON COUNTY REZONING  
198 CLAUDE SIMMONS ROAD  
November 2015**

**General**

The Commission is requested to consider the rezoning of property located at 198 Claude Simmons Road from A-1 (General Agricultural District) to R-3 (High Density Residential District).

The following staff report has been provided by Cory Osborne, of the First Tennessee Development District and on behalf of the Washington County Zoning Department.

**Recommendation**

Both the City and the County recommend approval of the request, as the characteristics of the surrounding area are varied ranging from agricultural to commercial uses.

**Rezoning Request**  
**Miguel Garcia**  
**198 Claude Simmons Rd, Johnson City**  
**Tax Map 053, Parcel 005.07, 15<sup>th</sup> Civil District**

**Current Zoning Designation: A-1**

**Requested Zoning Designation: R-3**

**Staff Recommendation:** The requested designation of R-3 High Density Residential is in keeping with nearby zoning both in the County and in Johnson City and presents no immediate concerns. For those reasons, staff recommends approval of the rezoning request.

**Washington County, Tennessee Zoning Administrator**  
APPLICATION for REZONING

REZONING FEE: \$300.00 + \$5.00 ARCHIVE FEE PAYABLE TO KATHY STOREY,  
COUNTY CLERK AT TIME OF APPLICATION

PLANNING REGION:  Washington Co.  Jonesborough  Johnson City  File \_\_\_\_\_

Existing Classification A 1 A Proposed Classification R 3

Adjoining Zoning Classification: North A-1/R-3A South A-1/R-1 East J.C./R-1 West A-1

**PROPERTY OWNER & AGENT INFORMATION**

Owner Miguel Garcia Phone (865) 361-3954 Work 423-543-1711

Address 623 W. ELK AVENUE City Elizabethton State TN Zip 37643

Agent \_\_\_\_\_ Phone \_\_\_\_\_ Work \_\_\_\_\_

**SITE INFORMATION**

Subdivision \_\_\_\_\_ Date \_\_\_\_\_

911 Address 198 Claude Simmons Road JC TN 37604

Civil District 15<sup>TH</sup> Tax Map 53 Group \_\_\_\_\_ Parcel 005.07 Lot Size 5.07 AC

Roll 62 Image 962 Date 9-18-95 Plat Book \_\_\_\_\_ Page \_\_\_\_\_ Date Recorded 6-13-03

**MEETING INFORMATION**

I agree to attend all meetings that concern this request as follows:

Washington County Tennessee Regional Planning Commission: Date \_\_\_\_\_ Time 6:00 PM  
(Jonesborough Courthouse, Jonesborough, Tennessee)

Jonesborough Regional Planning Commission: Date \_\_\_\_\_ Time 6:00 PM  
(Town Hall, Jonesborough Tennessee)

Johnson City Regional Planning Commission: Date 11-10-15 Time 6:00 PM  
(City Hall, Johnson City Tennessee)

Washington County Commission: Date 11-23-15 Time 6:00 PM  
(George P. Jaynes Justice Center, Courtroom 7, Jonesborough, Tennessee)

I understand that staff will post a sign on my property and I must maintain the sign on the subject parcel until after all meetings are concluded. Upon completion of all meetings, staff will remove the sign. Should the sign go missing, I will contact the Zoning Office immediately.

Applicant [Signature] Date 9-29-15

Staff [Signature] Date 9-29-15

Tax Map  Zoning Atlas  Adjoining CAAS Cards  Parcel Deed  Survey

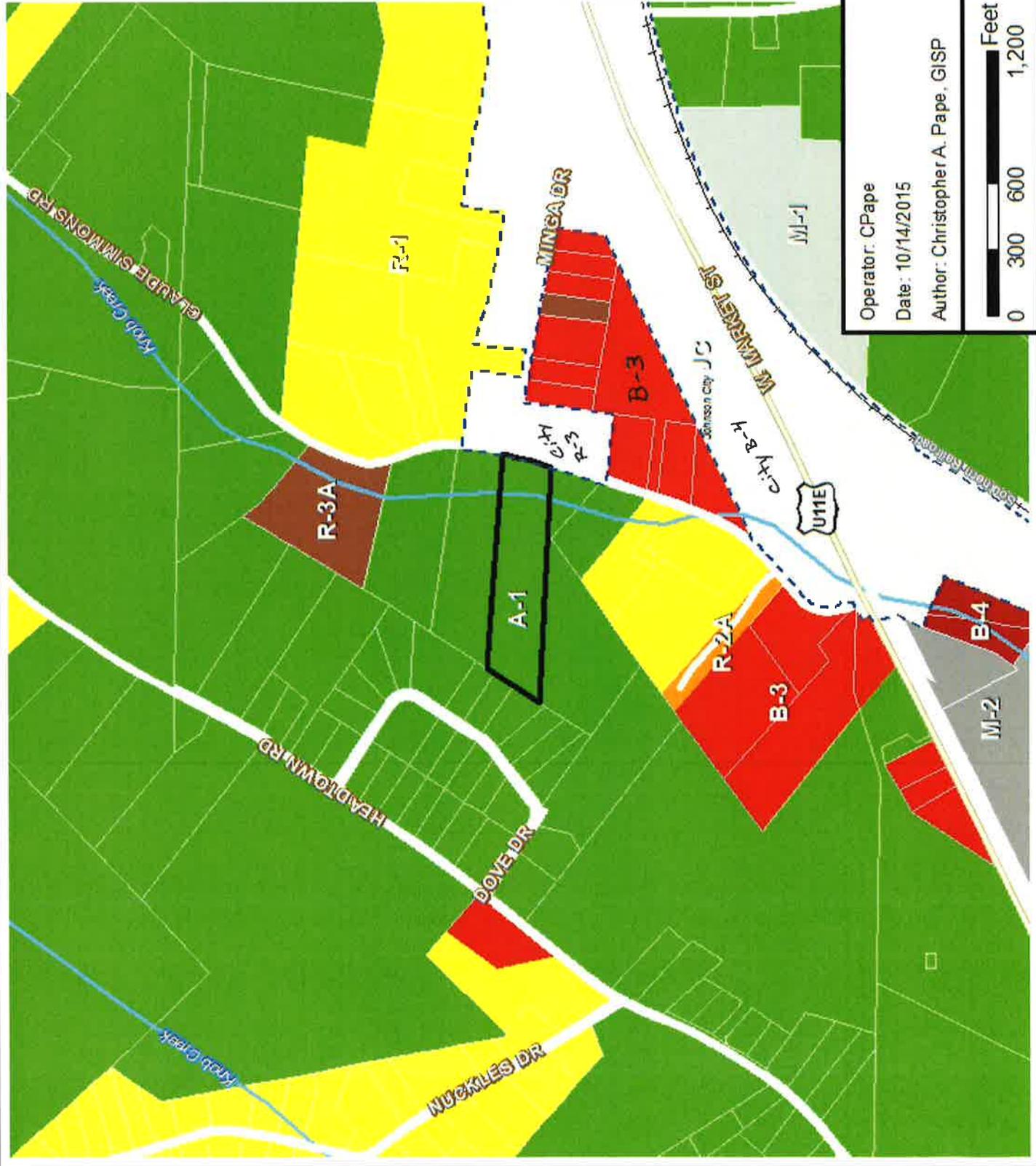
- County Boundaries
- Municipal Boundaries
- Subject Parcel
- Railroads
- Waterbody
- Waterlines

**Zoning**

- A-1
- A-2
- A-3
- B-1
- B-2
- B-3
- B-4
- M-1
- M-2
- PBD-1
- PBD-2
- PMD
- PR-BD
- PRD-1
- PRD-2
- PRD-3
- R-1
- R-1A
- R-1B
- R-2
- R-2A
- R-3
- R-3A



Operator: CPape  
 Date: 10/14/2015  
 Author: Christopher A. Pape, GISP



**TOTH PROPERTY  
FINAL PLAT APPROVAL  
November, 2015**

**General**

This is a request for Final Plat approval of the Toth Property Subdivision, a 6-lot, 5.4 acre subdivision at the intersection of Plymouth and Old Lewis Roads. The property is split zoned with R-2, Low Density Residential District and R-5, High Density Residential District. The property owner is Joe and Sarah Toth.

This item was before the Planning Commission last month for preliminary approval. At that time the Commission granted a waiver to the minimum three to one lot depth to width ratio requirement.

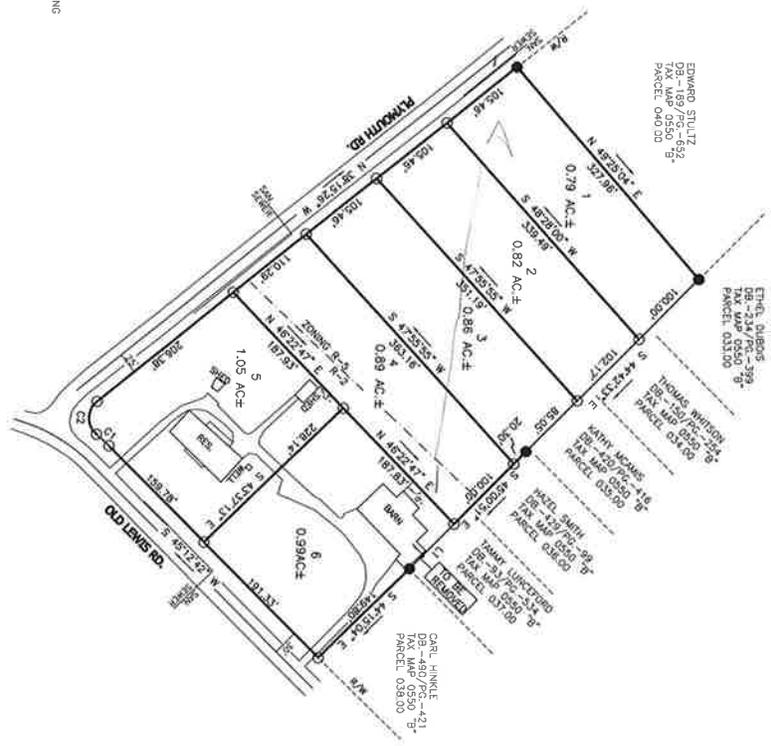


The Water and Sewer Service Department indicated that utilities are available to the proposed lots. The Engineering Division has requested a note be put on the plat showing the stormwater flow path. To date, the plat has not been review to include this information.

**Recommendation**

Staff recommends approval of the plat condition upon the requested note.

NORTH RECONCILED TO DEED



LINE	BEARING	DISTANCE
1	S 47°23'14" E	102.46'
2	S 47°23'14" E	102.46'
3	S 47°23'14" E	102.46'
4	S 47°23'14" E	102.46'
5	S 47°23'14" E	102.46'
6	S 47°23'14" E	102.46'
7	S 47°23'14" E	102.46'
8	S 47°23'14" E	102.46'
9	S 47°23'14" E	102.46'
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15	S 47°23'14" E	102.46'
16	S 47°23'14" E	102.46'
17	S 47°23'14" E	102.46'
18	S 47°23'14" E	102.46'
19	S 47°23'14" E	102.46'
20	S 47°23'14" E	102.46'

SURVEY BY: CHARLES T. JOHNSON  
 NUMBER: 1565  
 PROJECT: 15198  
 DATE: 09-14-2015



I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TENNESSEE PLAT ACT AND THE REQUIREMENTS OF THE REGISTERED PROFESSIONAL SURVEYORS OF THE STATE OF TENNESSEE.

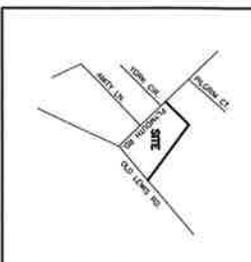
PROPERTY REFERENCE:  
 JOE TOHY/THE SHARAH TOHY REV/LWTRUST  
 TAX MAP 0550 9  
 PARCEL 03800

**TPSI** TN, PROFESSIONAL SURVEYING INC.  
 1169 HWY 107 JONESBOROUGH, TN (423)753-8857

JOHNSON CITY REGIONAL PLANNING COMMISSION  
 TOHY Property  
 JOHNSON CITY / CARTER COUNTY, TN

TOTAL ACRES 5.40  
 TOTAL LOTS 6  
 ACRES NEW ROAD 0  
 MILES NEW ROAD 0  
 CIVIL DISTRICT 5TH  
 SURVEYOR CHARLES T. JOHNSON CLOSURE ERROR 1-10000

SCALE 1" = 100'  
 SHEET 3 OF 3



MISCELLANEOUS NOTES:  
 1. 1/2" IRON PIN SET (TPSI CAP)  
 2. 1/2" IRON PIN TRIANGULAR  
 3. POINT ON RIGHT-OF-WAY

THE BUILDING SET-BACK LINES SHALL BE AS PER THE PLANNING AND ZONING ORDINANCE IN EFFECT UPON THE SUBJECT PROPERTY.

THIS SURVEY SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, OR RESTRICTIONS EITHER WRITTEN OR UNWRITTEN.

EASEMENTS FOR UNDERGROUND AND ABOVEGROUND UTILITIES SHALL BE PROVIDED ALONG ALL FRONT, REAR, AND SIDE PROPERTY LINES, AND SHALL BE A MINIMUM OF 7.1/2' WIDE. EASEMENTS OF GREATER WIDTH MAY BE NECESSARY FOR THE EXTENSION OF EXISTING OR PLANNED UTILITIES OR DRAINAGEWAYS.

THIS PLAT DOES NOT ELIMINATE OR CHANGE THE REQUIREMENTS OF THE REGISTERED PROFESSIONAL SURVEYORS THAT ARE ASSOCIATED WITH ANY UNDISCOVERED UNDERGROUND UTILITY. THIS SURVEY WAS PERFORMED AT THE REQUEST OF: JOE TOHY

THE SURVEY PERMIT WAS ISSUED TO: \_\_\_\_\_  
 DATED: \_\_\_\_\_  
 THIS SITE RECEIVES WATER FROM: \_\_\_\_\_ UTILITY DISTRICT:

**CERTIFICATION OF THE APPROVAL OF THE PLANNING AND ZONING COMMISSION**  
 I HEREBY CERTIFY THAT THE PLANNING AND ZONING COMMISSION HAS REVIEWED THE PLANNING AND ZONING ORDINANCES OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND THE PLANNING AND ZONING ORDINANCES OF JOHNSON CITY, WHICH RESTRICTS OR MODIFIES DEVELOPMENT ADJOINING OR DRAINING TO A SIMILAR USE.

**CERTIFICATION OF THE APPROVAL OF THE CITY OF JOHNSON CITY**  
 I HEREBY CERTIFY THAT THE CITY OF JOHNSON CITY HAS REVIEWED THE PLANNING AND ZONING ORDINANCES OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND THE PLANNING AND ZONING ORDINANCES OF JOHNSON CITY, WHICH RESTRICTS OR MODIFIES DEVELOPMENT ADJOINING OR DRAINING TO A SIMILAR USE.

**CERTIFICATION OF THE APPROVAL OF THE REGISTERED PROFESSIONAL SURVEYOR**  
 I HEREBY CERTIFY THAT THE REGISTERED PROFESSIONAL SURVEYOR HAS REVIEWED THE PLANNING AND ZONING ORDINANCES OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND THE PLANNING AND ZONING ORDINANCES OF JOHNSON CITY, WHICH RESTRICTS OR MODIFIES DEVELOPMENT ADJOINING OR DRAINING TO A SIMILAR USE.

**CERTIFICATION OF THE APPROVAL OF THE REGISTERED ENGINEER**  
 I HEREBY CERTIFY THAT THE REGISTERED ENGINEER HAS REVIEWED THE PLANNING AND ZONING ORDINANCES OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND THE PLANNING AND ZONING ORDINANCES OF JOHNSON CITY, WHICH RESTRICTS OR MODIFIES DEVELOPMENT ADJOINING OR DRAINING TO A SIMILAR USE.

**CERTIFICATION OF THE APPROVAL OF THE REGISTERED LAND SURVEYOR**  
 I HEREBY CERTIFY THAT THE REGISTERED LAND SURVEYOR HAS REVIEWED THE PLANNING AND ZONING ORDINANCES OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND THE PLANNING AND ZONING ORDINANCES OF JOHNSON CITY, WHICH RESTRICTS OR MODIFIES DEVELOPMENT ADJOINING OR DRAINING TO A SIMILAR USE.

**CERTIFICATION OF THE APPROVAL OF THE REGISTERED PROFESSIONAL SURVEYOR**  
 I HEREBY CERTIFY THAT THE REGISTERED PROFESSIONAL SURVEYOR HAS REVIEWED THE PLANNING AND ZONING ORDINANCES OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND THE PLANNING AND ZONING ORDINANCES OF JOHNSON CITY, WHICH RESTRICTS OR MODIFIES DEVELOPMENT ADJOINING OR DRAINING TO A SIMILAR USE.

**CERTIFICATION OF THE APPROVAL OF THE REGISTERED PROFESSIONAL SURVEYOR**  
 I HEREBY CERTIFY THAT THE REGISTERED PROFESSIONAL SURVEYOR HAS REVIEWED THE PLANNING AND ZONING ORDINANCES OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND THE PLANNING AND ZONING ORDINANCES OF JOHNSON CITY, WHICH RESTRICTS OR MODIFIES DEVELOPMENT ADJOINING OR DRAINING TO A SIMILAR USE.



## Development Services Department

Administration • Codes • Planning  
Community Development • GIS • MTPO

DATE: November 10, 2015  
TO: Johnson City Regional Planning Commission  
FROM: Steve Neilson, Development Coordinator   
SUBJECT: Amendment to Article VII, Sign Regulations

At the June Planning Commission meeting, the Planning Commission created a taskforce to review the B-2, Central Business District and the B-3, Supporting Central Business District Sign Regulations. The taskforce was made up of:

Diane Cantler, Johnson City Development Authority  
Jennifer Salyer, Public Arts Committee  
Uwe Rothe, Planning Commission & Tree and Appearance Board  
Greg Cox, Planning Commission & Historic Zoning Commission  
Tim Zajonc, Planning Commission

The taskforce met three times during the months of June and July. After which, a meeting with downtown business owners was held on August 27<sup>th</sup> to present the taskforce's recommendations and to solicit feedback. The general consensus of the business owners was that they were in favor of the proposed changes; however, they felt the proposed definition of "mural" was unclear. In addition, they felt that murals should be approved by staff and that there should be some general guidelines established for their approval.

Staff researched the definition of murals from cities around the country. In addition, working with Amber Lee, staff developed proposed guidelines for the approval of murals.

The proposed revisions include:

- Expanding wall signs from one (1) sq. ft. per linear foot of building to two (2) sq. ft.
- Allowing sandwich boards with a maximum area of six (6) sq. ft.
- Expanding windows signs from 20 % to 25 % of opaque surface any given window.
- Amending definitions of sign and murals.

**SIGN:** Any device, structure, placard, surface, or fabric using graphics, letters, symbols, pictures, or sculptured matter designed to convey information visually directing attention to a business, product, service, or entertainment conducted, sold, or

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## Development Services Department

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offered on the premises where the sign is located and exposed to public view from the outside.

~~MURAL: A graphic display that covers all or a portion of a wall and depicts a scene or event of natural, social, cultural, or historic significances, including, but not limited to painting, fresco, or mosaic. It shall not include any on or off-premises advertising.~~

MURAL: A mural is a singular work of art painted or otherwise directly applied on a building, structure, fence, or other object within public view. The work does not contain text, graphics, or symbols which specifically advertise or promote a business, product, or service.

The proposed text changes are highlighted in red. The proposed additions are underlined and the proposed deletions are ~~strike-out~~.

*"The Johnson City Development Services Department is committed to a comprehensive approach to guide and shape quality development in our region."*

## 7.1.2 DEFINITIONS:

**SIGN:** Any device, structure, placard, surface, or fabric using graphics, letters, symbols, pictures, or sculptured matter designed to convey information visually directing attention to a business, product, service, or entertainment conducted, sold, or offered on the premises where the sign is located and exposed to public view from the outside.

~~**MURAL:** A graphic display that covers all or a portion of a wall and depicts a scene or event of natural, social, cultural, or historic significances, including, but not limited to painting, fresco, or mosaic. It shall not include any on or off-premises advertising.~~

**MURAL:** A mural is a singular work of art painted or otherwise directly applied on a building, structure, fence, or other object within public view. The work does not contain text, graphics, or symbols which specifically advertise or promote a business, product, or service.

## MINIMUM STANDARDS AND CONFORMANCE

### 7.1.3.4 Setback:

The following signs shall be erected no closer than ten (10) feet to any property line or public street right-of-way. In addition, such signs shall comply with Section 4.11 of the Zoning Code, which deals with vision clearance at street intersections. If the adjoining street right-of-way is less than fifty (50) feet in width, each such sign shall be located no closer than thirty-five (35) feet from the centerline of the right-of-way.

- A. Freestanding signs, except in the B-2;
- B. ~~Real estate signs~~;
- C. ~~Political signs~~;
- D. Construction signs;
- E. Directory signs;
- F. Ground-mounted signs; and
- G. Temporary signs.

7.1.3.7 Mural Application Permit:

Applications for a mural permit shall provide the following information:

- A. Address of the property of proposed mural;
- B. Written consent from the property owner giving permission to place the mural on the building;
- C. Contact information of artist/team leader;
- D. Scale drawing and color photo of the building showing proposed size and location of the mural, Drawings shall include the dimensions, construction supports, sizes, foundation, electrical wiring and components, materials of the mural and method of attachment and character of structure members to which attachment is to be made. The design, quality, materials and loading shall conform to the requirements of the Building Code, as amended;
- E. List the type of paints proposed (latex, oil base, acrylic..);
- F. A plan for who will be maintaining the mural;and
- G. Any murals proposed in the Downtown Historic District must also be approved by the Historic Zoning Commission.

7.2-EXEMPT AND PROHIBITED SIGNS

7.2.1 EXEMPT SIGNS:

The following signs shall be allowed in any zoning district without permit. However, these signs are still subject to the applicable size and setback requirements.

- A. DIRECTIONAL SIGNS;
- B. Flags of any nation, government, or noncommercial organization;
- C. GOVERNMENT SIGNS;
- ~~D. REAL ESTATE SIGNS;~~
- E. Memorial signs, cornerstones, and similar signs containing the name of the building and date of erection, provided such signs are permanently installed on the building;

- F. Window signs which consist entirely of letters, numerals, and symbols, none of which are greater than three (3) inches in height;

~~F. POLITICAL SIGNS;~~

- H. Noncommercial seasonal displays customarily associated with a national, local, or religious holiday, provided such are not used to advertise the name of a product, service, or business. Such displays shall be removed promptly after the holiday; a

~~I. MURALS~~

H. TEMPORARY SIGNS

7.3-REGULATIONS BY ZONING DISTRICTS

7.3.3 B-2 and B-3 DISTRICTS.

In the B-2 Central Business District and B-3, Supporting Central Business District, the following regulations shall apply.

7.3.3.1 Permitted Signs:

- A. For single and two-family dwellings, one (1) nameplate, not to exceed two (2) square feet in area, shall be permitted for each dwelling unit.
- B. For multi-family residential and other permitted group dwellings, one (1) WALL SIGN per street frontage granting access to the premises shall be permitted. The maximum size of each such sign shall be thirty-two (32) square feet in area.
- C. For permitted nonresidential uses, the following shall be permitted.
1. DIRECTORY SIGN: One (1) directory sign per development or merchant association.
  2. WALL SIGN: Each nonresidential building shall be permitted one or more wall signs. ~~One (1)~~ Two (2) square foot of wall sign area shall be allowed for each horizontal linear foot of exterior wall length. If an exterior wall length is less than thirty-two (32) feet, the maximum allowable sign area on that wall shall be thirty-two (32) square feet. ~~The maximum allowable sign area on any single wall shall be one hundred (100) square feet, regardless of the length of that wall.~~ A permitted wall sign must be placed on the wall surface for which it is authorized; sign area for two or more walls cannot be combined and placed on a single

wall. In multiple-occupant buildings, the owner shall determine how the authorized sign area is allocated among the occupants.

3. FREESTANDING SIGN ~~OR PROJECTING SIGN:~~

In the B-2 District, each business or premises shall be entitled to one (1) freestanding sign ~~or one (1) projecting sign~~ for each street frontage granting access to the premises. ~~No freestanding sign shall be permitted which does not meet the required ten (10) foot setback from any property line or public right-of-way. The maximum size of each freestanding sign shall be determined by its setback distance from the adjoining qualifying street, according to the following table:~~

<u>Setback Distance</u>	<u>Maximum Height and Area</u>
<u>Less than 10 feet</u>	<u>7 feet in height, 12 feet in area</u>
<u>10 feet or greater</u>	<u>25 feet in height, 32 feet in area</u>

In the B-3 District, each business or premises shall be entitled to one (1) freestanding sign or one (1) projecting sign for each street frontage granting access to the premises. Maximum height of each freestanding sign shall be twenty-five (25) feet. Maximum area of each freestanding sign shall be one-hundred (100) square feet. No freestanding sign shall be permitted which does not meet the required ten (10) foot setback from any property line or public right-of-way.

4. UNDER-AWNING SIGN: Each business or premises shall be permitted one (1) such sign per qualifying entrance.

5. BANNER: A business or merchant association shall be permitted to erect a temporary BANNER for a maximum of ninety (90) days during any one calendar year.

6. SANDWICH BOARD: ~~Each restaurant receiving a special exception, allowing outdoor dining on public property, shall be allowed one (1) Sandwich Board, provided the sign does not encroach into the four (4) foot unobstructed pedestrian way. Each business or premises shall be entitled one (1) sandwich board sign for each street frontage granting access to the premises provided the sign does not encroach into the four (4)-foot unobstructed pedestrian way. The maximum area of a sign shall be no more than six (6)~~

square feet per side of sign with the maximum height being (42) inches. The sign material shall be wood and slate.

7. PROJECTING SIGNS: Each business or premises shall be entitled one (1) projecting sign for each street frontage granting access to the premises. A projecting sign may extend no more than four (4) feet from that wall or one-half the distance between the wall of the building and the curb line of the adjacent street, whichever is less. No such sign shall extend above the roof line of its building nor shall it be placed less than ten (10) feet above the sidewalk or ground level. Maximum area of each freestanding sign shall be thirty-two (32) square feet.

D. TEMPORARY SIGNS: The maximum area of such signs shall be fifteen (15) square feet. Any sign announcing an event shall be removed within forty-eight (48) hours after the event.

G. WINDOW SIGN: ~~The window sign(s) shall not cover more than twenty (20) percent of any given window~~ The opaque surface of any window sign shall not exceed twenty-five percent of any window pane.

H. MURALS

I. Commercial signs in the B-2 district may be internally or externally illuminated.

7.3.3.2 Blinking signs, conventional motion picture theater signs, or lighted marquee signs are permitted in the B-2 Central Business District.

7.3.4 ~~B-3~~, B-4, B-5, I-1, I-2, BP, and PB DISTRICTS.

The following regulations shall apply in the B-3, B-4, B-5, I-1, I-2, BP, and PB zoning districts.

# VIII. ADJOURNMENT

**IX. INFORMATIONAL  
ITEMS**