
JOHNSON CITY REGIONAL PLANNING COMMISSION
Minutes
April 9, 2019

Members Present: Dr. Tim Zajonc, Chairman
Mr. Bob Cooper, Vice-Chairman
Col. Paul Williamson, Secretary
Dr. Stacey Wild, Asst. Secretary
Dr. Larry Calhoun, City Commission Representative
Dr. Mike Marchioni
Mr. Clay Hixson
Mr. Jamie Povlich
Mr. Jacobus Louw

Members Absent: Gen. Gary Harrell

Staff Present: Preston Mitchell, Director of Development Services, City of Johnson City
Asongayi Venard, Development Coordinator, City of Johnson City
Nicole Lawrence, Recording Secretary, City of Johnson City
Allen Cantrell, City Engineer, City of Johnson City
Tim Seaton, Inspector, Public Works, City of Johnson City
Travis Olinger, Engineer, Water Sewer, City of Johnson City

Chairman Zajonc called the meeting to order at 6:11 p.m. Vice-Chairman Cooper gave the invocation and led the Pledge of Allegiance.

Approval of the Johnson City Regional Planning Commission agenda was put forth, Commissioner Wild made a motion for approval of the agenda as presented with a second from Commissioner Williamson. Motion approved 9-0

The minutes of the Johnson City Regional Planning Commission Meeting held on March 12, 2019 were approved unanimously by a 9-0 vote with Commissioner Williamson making the motion and Commissioner Marchioni with a second.

New Business

The first item on the agenda was to consider Annexation of property located at 519 Claude Simmons Rd. The property has one existing single house on it. The Johnson City Regional Planning Commission has approved the preliminary plat for the construction of a 17 lots single family Bent Oak subdivision. The property is located within the Urban Growth Boundary and adjoins current City limits. The annexation is requested by the property owner. The Fiscal Impact Analysis employs the Per Capita Multiplier Method, which uses average government cost per person and school costs per pupil multiplied by a projection of the expected number of new people and students to estimate the costs of a new development. Upon approval by the City Commission, the developer will be reimbursed the material costs for water and sewer lines to the Bent Oak subdivision lots. The need for a school van causes the initial net fund estimate to be a deficit of \$18,881.45; however, recurring net revenue is estimated to be \$89,183.27 annually. The requested zoning is R-2, Low Density Residential District
Staff recommended approval.

Chairman Zajonc asked staff what the difference between R-2 zoning and R-1? Asongayi Venard Development Director replied that R-1 is the lowest zoning district in terms of density. This zoning request will meet those requirements, R-2 is an extension of the adjoining R-2 district and is in alignment with the area. R-1 and R-2 are both low density residential districts.

Public Hearing was opened; seeing no one wished to speak the public hearing was closed.

Chairman Zajonc would like to note for the record that a “doughnut hole” has been created with this Annexation however, due to current State of Tennessee Annexation laws we must have the property owner’s approval to annex. This could possibly be an issue in the future with the delivery of services including emergency services to this area.

A motion to approve as presented was put forth by Commissioner Povlich with a second from Vice-Chairman Cooper.

Motion was approved as presented.

VOTE: 9-0

The second item on the agenda was to consider Annexation of property located at 278 & 280 S. Pickens Bridge Rd. The parcels have a total of 8 existing dwelling units. The property owner proposes to construct additional four (4) to eight (8) dwelling units. The property is located within the Urban Growth Boundary and adjoins current City limits. The annexation is requested by the property owner. The Fiscal Impact Analysis employs the Per Capita Multiplier Method, which uses average government cost per person and school costs per pupil multiplied by a projection of the expected number of new people and students to estimate the costs of a new development. No water and sewer lines extension will be required. Total recurring net fund is estimated to be \$13,655.88. The proposed zoning is R-4, Medium Density Residential District. **Staff recommended approval.**

Commissioner Povlich asked staff if Pickens Bridge Rd was a city or county road? Asongayi Venard, Development Director replied that part of Pickens Bridge Rd. is in the city and some is still in the county.

Commissioner Povlich would like to state for the record that he would recommend the Planning Commission and City Commission look into Land Impact Fees for these Owner requested Annexations. All of our Johnson City Public Schools are full and over capacity at this time. It would be beneficial to see how these Annexations are impacting our areas.

Public Hearing was opened; seeing no one wished to speak the public hearing was closed.

A motion to approve as presented was put forth by Commissioner Marchioni with a second from Commissioner Williamson.

Motion was approved as presented.

VOTE: 9-0

The third item on the agenda was to consider a request from the City of Johnson City for the Carver Recreation Center, Splash Pad Site Plan approval. The City of Johnson City is proposing to construct a splash pad within Carver Park adjacent to the Carver Recreation Center. The splash pad will be approximately 2,500 square feet in size and contain 25 aquatic components. In addition to the splash pad's concrete base and water spray features, the project will involve the installation of a water re-circulation system. The pad had been awarded for funding by the State of Tennessee. **Staff recommended approval.**

Public Hearing was opened; seeing no one wished to speak the public hearing was closed.

A motion to approve as presented was put forth by Commissioner Marchioni with a second from Commissioner Williamson.

Motion was approved as presented.

VOTE: 9-0

The fourth item on the agenda was to consider Preliminary Plat Approval for The Cottages at Cedar Rock Phase III. The property is zoned RP-3, Planned Residential District. All lots are proposed for single-family residential development. The RP-3 Zoning District permits 8.5 dwelling units per acre as provided in Section 6.10.4.2 of the Zoning Ordinance. Therefore, the 0.42 acres property permits 3 dwelling units. The preliminary plat is in conformity with the concept plan for the rezoning of the property as approved by the Johnson City Board of Commissioners on March 7, 2019 at the recommendation of the Johnson City Regional Planning Commission. The proposed plat meets the requirements of the Johnson City Zoning Ordinance. **Staff recommended approval.**

Public Hearing was opened; seeing no one wished to speak the public hearing was closed.

A motion to approve as presented was put forth by Commissioner Williamson with a second from Commissioner Marchioni.

Motion was approved as presented.

VOTE: 9-0

The fifth item on the agenda was to consider changes to the Johnson City Regional Planning Commission By-Laws. Amendments to the By-laws of the Johnson City Regional Planning Commission require a two-thirds majority approval vote of the entire membership of the Planning Commission. An important area that staff proposes, as an addition to the bylaws is Article VIII on "Standing Committees". The proposed three standing committees, namely, The Long Range Plans Committee, the Current Land Use and Transportation Committee, and the Legislation and Policy Advisory Committee, consider a wide range of planning commission responsibilities and establish a permanent accountability and oversight system to ensure that these duties are being fulfilled by staff and the Planning Commission. Periodic reports or updates by the Chairpersons of the standing committees promote continuous engagement of Planning Commissioners in the planning and development of Johnson City, TN. The Planning Commission may create ad hoc committees, as it deems necessary to address specific issues.

Recommendations from Planning Commissioners and staff on By-Law changes:

- Clerical changes to show consistency.
- Article III section 5; Chain of command of who will run the meeting in the absence of others.
- Article IV section 5, added language to clarify conflicts of interest. "Personal interest" was changed to conflict of interest.
- Article X Section 9 regarding time allocation for people to address the Planning Commission, the by-law changes allow the chairman more flexibility to rule on how long people have to speak and guarantee equality for both sides of an issue to have the same amount of speaking time.
- Article XII addition of Section 2c regarding Standing Committees; Long Range Planning, Land Use and Legislative Review committees. The Chairman will appoint to the committees and float around among the three.
- Addition of Article XIII, Sections 1, 2, 3 and 4.

Commissioner Marchioni stated that he would like to see under Article X section 5; wording changed to recuse themselves from the voting rather than abstain. The current recommended wording is as follows:

Section 5. When a member of the Planning Commission has a personal interest in a matter brought before the group, it is customary that he or she abstain from voting upon the issue.

Preston Mitchell, Director of Development Services stated that one way to change the wording is to make it a duty instead of customary. It is also an option to place in front of the phrase *Conflict of interest* to place the word *expressed*.

Chair Zajonc stated that City Code of Ethics already addresses this concern.

After much deliberation on the wording and differences between Abstaining and Recusing one's self from an item that may pose a Conflict of Interest it was decided to hold off on approval of Article X Section 5 until further review and study could be performed by staff and fellow Planning Commissioners.

A motion to approve as presented with the exception of Article X Section 5 was put forth by Commissioner Wild with a second from Commissioner Marchioni.

Motion was approved as stated.

VOTE: 9-0

At this time appointments to the following committees were made:

Long Range Planning Committee:

Commissioner Marchioni
Commissioner Hixson
Commissioner Povlich

Current Land Use Committee:

Vice- Chairman Cooper
Commissioner Harrell
Commissioner Louw

Legislative Review Committee:

Commissioner Williamson
Commissioner Calhoun
Commissioner Wild

There being no further business the meeting was adjourned at 7:20 pm.


Chairman - Dr. Tim Zajonc


Secretary - Col. Paul Williamson

5-13-19
Date