

MINUTES

LOUDON COUNTY REGIONAL PLANNING COMMISSION

AUGUST 21, 2007

The August meeting of the Loudon County Regional Planning Commission was called to order at 5:30 PM Present were Mr. Harrison, Mr. McEachern, Mr. Ghormley, Ms. Terry, Ms. McNew, Mr. Brown, Mr. Brooks, Mr. Luttrell, Mr. Parr and Mr. Henderson. Absent was Ms. Cardwell.

Chairman Harrison introduced Mr. Bill Ghormley, Lenoir City representative to Board.

Motion to approve the minutes of the July 17, 2007 meeting was made by Mr. Parr, seconded by Mr. Luttrell and approved 10-0.

Agenda Item A: Request consideration of approval for rezoning approximately 16.65 acres of property located at 2010 Beals Chapel Road from R-1/F-1, Suburban Residential District and Floodplain District, to R-1/F-1 with Planned Unit Development (PUD) Overlay District for 3.0 units per acre, referenced by Tax Map 16, Parcel 377.00, 6th Legislative District, Owner: Lillian Hodge [07-06-140-RZ-CO(LEPR)]

Mr. Richard LeMay was present for the applicant.

Mr. Newman described the property and location for the Board. He noted the request is for this parcel to be combined with part of the golf course that has already been rezoned to a 3.0 PUD overlay district. This combination and revised plan will allow for the access to the property to be located further from the Martel underpass on Beals Chapel Road. He noted the property is very steep, and this combination will eliminate a steep cut and have less impact on the adjacent property. He also noted that last year the RPC recommended a rezoning of PUD overlay for two units per acre due to issues with Beals Chapel Road and the railroad underpass at Martel Road, but County Commission approved a PUD overlay at 3 units per acre..

Mr. Lemay stated that after the previous rezoning of 3.0 units per acre the owners and entered discussions with the adjacent property owner. By being able to combine these parcels, it will eliminate steep cuts and retaining walls, provide for the improved entrance location, and create a better overall development. He also stated he understood that there will be improvements to the railroad underpass in the near future.

County Commissioner Wayne Gardin told the Board that he is working to straighten out the railroad underpass. The phone line should be relocated by the end of the month and the gas company was meeting with Road Commissioner Sean Giles on Wednesday. Once the phone lines are moved LCUB will relocate the power lines.

Mr. Parr stated that looking at the plans the new concept does provide for better entrance. He questioned how much of the property is located in the flood plain.

Mr. Lemay stated that less than half the property is in the flood plain.

Mr. Brooks made the motion to approve, Mr. McEachern seconded, and motion was approved 10-0.

Agenda Item B: Request consideration of approval for rezoning approximately 67.24 acres of property located on Beals Chapel Road from R-1/F-1, Suburban Residential District and Floodplain District, to R-1/F-1 with Planned Unit Development (PUD) Overlay District for 2.0 units per acre referenced by Tax Map 16, Parcel 214.00 & part of Parcel 234.00, 6th Legislative District, Owner: James White [07-06-141-RZ-CO(LEPR)]

Mr. Newman described the property and location for the Board, noting that it this property would be the last remaining part of Cedar Hills Golf Course. He noted that due to the flood plain area, the developer needed the flexibility to modify the lot sizes. They would still be allowed in the R-1 District to have 2 lots per acre, but they also required this flexibility. He stated he still had concerns with adequate improvements to the railroad underpass, and felt other options needed to be considered. He recommended a traffic study be required when the developer turns in development plans.

Mr. Parr expressed concern with the location of the proposed entrance in relation to the railroad underpass.

Mr. Lemay stated they could try to line it up with the development across Beals Chapel Road when they worked on further plans. The 2.0 overlay will allow them more flexibility with it.

Mr. Parr made the motion to approve, Mr. Luttrell seconded, and motion was approved 10-0.

Agenda Item C: Request consideration of approval for rezoning approximately .87 acres of property located at 7400 Highway 11, from C-2, General Commercial District to C-1, Rural Center District, referenced by Tax Map 16, Parcel 36.00, 5th Legislative District, Owner: Lisa & Donnie Bentley [07-07-150-RZ-CO]

Mr. & Mrs. Bentley were present.

Mr. Newman explained that the Bentley's owned a home inspection business located at this address. He described the property and location for the Board and noted the Bentley's desire to live on the property, which is allowed in the C-1 zone but not the C-2.

Mr. Henderson made the motion to approve, Mr. Brooks seconded, and motion was approved 10-0.

Agenda Item D: Request consideration of approval for rezoning approximately 59.59 acres of property on Northshore Drive, from A-2, Rural Residential District to R-1, Suburban Residential District with Planned Unit Development (PUD) Overlay District of 3.0 units per acre, referenced by Tax Map 17, Parcel 55.00, 6th Legislative District, Applicant: Darryl Heninger, Tennessee Investments LLC [07-07-165-RZ-CO]

Mr. John King, Attorney, was present for the applicant.

Mr. Newman described the property and location for the Board, noting this was a portion of the Jim Boling farm. The surrounding land use is agricultural and in large tracts. There is rural residential development with large tracts located across Northshore Drive. Sanitary sewer, water and gas are available. There have been other requests for rezoning in this area, most recently a 20 acre tract adjacent

to this one, but that property is not included in this request. There are other developments closer to Harvey Road and the Knox County line that have been rezoned to allow 2 units per acre.

Mr. King passed out materials to the Board for their review and introduced Mr. Matt Sprouse, the architect, to describe the proposed development.

Mr. Sprouse, of Siteworks Studios in Ashville, noted the site is 59.59 acres, and the rezoning of the property to R-1 with 3.0 units per acres being allowed, would allow a mix of 114 single family lots and 64 multi family units of 16 buildings with four units each. They are proposing a traditional style neighborhood with sidewalks, pocket parks and a lifestyle facility. There would be a mix of multi and single family units providing for different levels of ownership. There is a planned accel-decel lane for Northshore Drive, a roundabout for a water feature at the entrance, no cul-de-sacs, and a minimum number of homes backing up to Northshore Drive. The regulations require 2.1 acres of open space, but the plan is providing over 7 acres. The average lot size would be half an acre or 80' x 135'.

Mr. King stated the construction materials would be brick, stone, or a combination of both. The plan will include sidewalks and underground utilities. There will be a 7000 square foot clubhouse with a pool. The development will be heavy on amenities and landscaping. The lots will be 3000 square foot with homes at \$400,000 – \$425,000. The condos will sell for slightly less. He stated that he has met with the neighbors in Deerfield and understands that they are opposed to the development, but they are willing to do things to appeals to the neighbors, understanding that the issue is with the density. He noted he felt Mr. Newman would recommend against this rezoning. He has also had a conversation with Commissioner Gardin who is opposed based on the density. He noted the developer has tried to be a good future neighbor and respond to concerns. He asked, since the approval of 3.0 unit density would allow for 178 homes, that the limit of 160 homes be placed on the approval. Already approved nearby has been 2.0 units per acre, and 160 units would only be 40 more than what is allowed in the 2.0 area. This developer wants to develop here and other areas in other counties in the area. They are willing to address traffic concerns with ingress and egress to their facility. He asked for approval of the modified request.

Mr. Harrison asked about setbacks and Mr. Newman said that is addressed with the development plan, and at this point this is a rezoning request.

Mr. Parr stated he applauded the design, but the first picture in Mr. King's handout shows that this would be out of character for the area and he is not sure it would be a good fit.

Commissioner Gardin stated he would recommend to County Commission that this request be denied. The density is out of character for the area. There are natural springs on the property and even when the underpass at Martel Road is improved there are still large trucks traveling on the roadways. Highland park Elementary School is also at capacity. He asked the Board to deny the request.

Mr. Parr noted approval of this request would be contrary to the Land Use Plan.

Mr. Newman agreed that the Land Use Plan recommended rural residential for this area of the county.

Mr. Arthur Seymour Jr., Attorney, stated he was representing Mr. Robert Hyde, Mr. Tom Dean, and other residents of the Deerfield subdivision. He stated that his clients are concerned because they live across from the property being discussed. Their properties are all five acres or larger. The county was fortunate to have this area with large lots, horses, and cattle. His clients are asking that this be preserved as A-2 Residential as in the Land Use Plan. Any development should be consistent with what is already there.

Ms. Jackie Dean, 150 Deerfield Lane, read to the Board magazine quotes with descriptions of Loudon County. She described development that had already occurred on Northshore north of this property. It is 38 acres of open land and streets where the property had been covered with trees. It has been clear cut, there is no grass, and no houses there yet. The developer even destroyed the green space buffer that he had promised to keep along Northshore Drive. The property being discussed for rezoning has year-round springs and wildlife. The proposed development would add 350 vehicles and hundreds of trips a day on Northshore Drive. If this rezoning request is allowed, then the next developer making the same request could not be denied. She stated she did not have an anti-development mentality, but 3.0 units per acre was only to the advantage of the developer, not the community. She stated this Board and County Commission were responsible for responsible, controlled growth.

Mr. King stated that Loudon County is not a static community. It is dynamic and involved in growth and change. There is always resistance to change, but what they are proposing is a quality development. This proposal is not stripping the land, carving out lots and selling them. They are trying to take in concerns of the area residents. They would have heavy regulations on the development and construction.

Mr. Parr said they were to be commended in their planning, and development is inevitable. This body exists to control growth in a planned manner and this is not consistent with the Land Use Plan. He made the motion to deny the request.

Mr. Brooks seconded and the vote was 10-0 to deny the request.

Agenda Item E: Request consideration of preliminary plat approval for a 35 lot subdivision of 204.12 acres located on Fairview Road, referenced by Tax Map 43, Parcels 2.00 & 4.00, Zoned A-2, Rural Residential District, 3rd Legislative District. Applicant: Fulghum, MacIndoe & Associates [07-07-164-SU(P)-CO]

This item was postponed at the request of the applicant. The plat is prepared, but it could change with the addition of a new partner in the project. It will be presented at the September meeting.

Mr. Brown expressed concern with items being pulled from the agenda at the last minute.

Agenda Item F: Request consideration of preliminary plat approval for a 4 lot subdivision of 7.67 acres of property located on Blue Heron Drive in Miller's Landing, referenced by Tax Map 28, Part of Parcel 33.00, Zoned R-1, Suburban Residential District, 6th Legislative District. Owner: Glen Miller [07-08-172-SU(P)-CO]

Mr. David Harbin was present for the applicant.

Mr. Newman described the property and location for the Board. He explained that this is part of the original land that Miller's Landing was developed from. It will be a four lot development and an extension of the road will be required. There will be a final plat submitted.

Mr. Harbin explained that each of the lots will consist of at least 20,000 square feet above the 840 contour, and a new road will be built to provide access.

Mr. Newman explained that this is being done by the Miller family and they are creating the four lots off of the property they still own. There will be a temporary dead end when the road is constructed to allow for future extension. This request is consistent with subdivision regulations and recommended approval.

Mr. McEachern made the motion to approve, Mr. Luttrell seconded, and motion was approved 10-0.

Building Commissioner's Report

52 permits issued for the month of July with an estimated value of \$6,745,050.00 and fees of \$24,820.00.

Mr. Cox requested assistance from the Board in advising property owners that receive special exceptions and variances that a building permit is still required.

Additional public comments

None

Announcements and/or comments from the Board/Commission

Mr. Luttrell questioned the letter he had received regarding GIS monuments.

Mr. Newman stated that the Planning Office reviews each plat to verify GIS monuments are referenced on a plat, but some of the electronic plats that are received by the Assessor's office do not include them. The Planning Office does not have the computer software to open these electronic files to assure they are correct. There has also been a problem with monuments being removed during road construction and development and not being replaced.

With no further comments from the Board or the audience, the meeting was adjourned at approximately 6:45 PM.

Signed

Dated