

MINUTES

LOUDON COUNTY REGIONAL PLANNING COMMISSION

JUNE 17, 2008

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

Motion to approve the minutes for the May 20, 2008 meeting was made by Mr. Luttrell, seconded by Ms. Cardwell and approved 9-0.

Agenda Item A: Request consideration of approval of rezoning approximately .65 acres of property located at Leeper Parkway and Avery Drive from R-1, Suburban Residential District to C-2 General Commercial District referenced by Tax Map 21A, Group A, Parcels 44.00 & 45.00, 2nd Legislative District. Owner: Kent Sanderson [08-05-119-RZ-CO]

Mr. Sanderson was present.

Mr. Newman described the property and location for the Board. The property was originally platted lots of Highland Hills subdivision, but the covenants of the subdivision do not prohibit commercial use. The property is currently vacant and has been recently used as a soccer field. Mr. Sanderson also owns Parcel 10.00, which is zoned C-2, and the neighboring commercial retail center. The Property across Leeper Parkway is C-2 retail and also a medical office. Across Avery Drive is a residential apartment complex. Mr. Sanderson has indicated he plans a building similar to what is on Parcel 10 for this parcel if rezoned and move the Good Neighbor Shop into it. The land Use Plan requires medium Density Residential for this property, and the request is not consistent with the Land Use Plan.

Mr. Sanderson stated that all the property before it along Leeper Parkway is commercial, and the property is apartments. He feels to use these two lots for a residential purpose would be out of sync with the rest of the area. He plans to build the same type building as the Good Neighbor Shop is currently in.

Dr. Howard Holmes, a resident of the neighborhood, told the Board the neighbors did not feel it would be good for their property values to have a commercial building there. That is not what they are looking for in their neighborhood.

Mr. Newman asked Dr. Holmes what he thought would be appropriate on the site and Dr. Holmes said he did not know what would be appropriate, but he felt the commercial building would be inappropriate.

Mr. Luttrell asked how this would decrease values of the surrounding properties.

Dr. Holmes said it would devalue the neighborhood property.

Ms. Beverly Moser, a Highland Hills resident, said there have always been lots of rumors about this land, and she wants to know more about the plans for it. She does not want an eyesore, as the trailer with the garage door would have been last year. She also wants to know if it would be an increase of traffic through the neighborhood.

Mr. Sanderson told the Board that this property is bordered by commercial zoning on three sides. He has nice buildings, and he keeps the landscaping nicely kept. The property is serviced by a double boulevard road, and he feels that his buildings are currently nicer looking than the apartments across Avery Circle.

Mr. Brown asked what business would be using the new building.

Mr. Sanderson said it would be Good Neighbor Shop, which is a resale retail chop that provides donations to charities in the community.

Ms. Ross noted that the C-2 zoning would open up to a lot of non-neighborhood businesses. An Office type zoning would seem to be more appropriate.

Mr. Brown said that an Office zoning may not satisfy what Mr. Sanderson plans to do with the property.

Mr. Newman told the Board an office zoning would have less impact than a multi-family development.

Ms. Cardwell noted that the medical office on Leeper Parkway looks more like a house than an office. She asked members of the audience how many were opposed to this rezoning request and twelve people raised their hands.

Mr. Harrison commented that this is a difficult piece of property to do anything with.

Mr. Newman stated that the Land Use Plan does not support commercial use, but he does agree with Mr. Sanderson that it is not suitable for single family residential. He stated he felt it would be a more appropriate office site. He recommended the request be denied.

Mr. Brown made the motion to deny, Ms. Cardwell seconded, and motion was approved 9-0.

Agenda Item B: Request consideration of approval of rezoning approximately 5.57 acres of property located on Irene Lane from A-1, Agriculture-Forestry District to C-2, General Commercial District, referenced by Tax Map 58, part of Parcel 71.02, 7th Legislative District. Owner: Glen Gregg [08-05-134-RZ-CO]

Mr. Newman described the property and location for the Board, noting this is part of what was known as the white Farm, adjacent to Tellico Village with frontage on Irene Lane, which has recently been improved. A larger part of this property was rezoned to R-1 with a Planned Unit

Development overly with plans it will be developed as an assisted living facility. The application for the C-2 is to be able to use the property to build a new library and for a self storage facility.

Mr. Richard Lemay, engineer for the property owner, described the plan for the library and also for the self storage facility, noting there will eventually also be a boulevard type entrance built.

Mr. Newman told the Board that there is also commercial property bordering this site and Irene Lane is also connected through Choto Center through the church parking lot. The Land Use Plan supports a Town Center type land use. The request is consistent with the land use plan, and he recommended approval.

Mr. Brooks made the motion to approve, Ms. McNew seconded, and motion was approved 9-0.

Agenda Item C: Request consideration of lot frontage variance of 42' (from 75' to 33') for resubdivision of lots located at 11721 Rausin Road, referenced by Tax Map 66, Parcel 47.00, Zoned A-1, Agriculture-Forestry District, 4th Legislative District. Owner: Mike Bennett

Mr. Bennett was present.

Mr. Lambert told the Board the owner is moving one lot line on two existing parcels. A road frontage variance will be required on the smaller of the two lots, as the larger lot is over five acres. No new lots are being created.

Mr. Newman recommended approval of the request.

Mr. Brown made the motion to approve, Mr. seconded, and motion was approved 9-0.

Agenda Item D: Request consideration of preliminary plat approval for The Cove at Baker's Creek, a 34 lot subdivision of 20.18 acres of property located on East Cost Tellico Parkway, referenced by Tax Map 78, Parcel 4.00, Zoned R-1, Suburban Residential District, 3rd Legislative District. Owner: Laurel Properties [08-05-146-SU(P)-CO]

Mr. Newman described the property and location for the Board, noting it had been rezoned to R-1 in 2007. The developers had submitted a concept plan for the rezoning request which is consistent with the submitted preliminary plat. The developer has chosen to develop the property under the Cluster Option, which is allowed in R-1 if public sewer is available. This option allows lot sizes of 15,000 square foot as long as the density averages the same as if the lots were 20,000 square foot. There also must be open space and sidewalks included. The surrounding neighbors were concerned at the time of rezoning due to the small lots being adjacent to larger farms. At that time the developers agreed to provide some type of screen across the rear property line.

Mr. randy Davis, an adjacent neighbor, wanted it on record that there is supposed to be a buffer zone between the new development and the farms.

Mr. Newman recommended approval of the preliminary plat subject to the staff comments that had been returned to the engineer and the buffer zone referred to by Mr. Davis.

Mr. Brooks made the motion to approve, Mr. Luttrell seconded, and motion was approved 9-0.

Agenda Item E. Request consideration of final plat approval of 3 lot resubdivision of property in The Pines, located on Pine Lane, and approval of lot frontage variance of 45' (from 75' to 30') for Lot 23R, referenced by Tax Map 36C, Group B, Parcels 3.00, 4.00 & 5.00, Zoned A-1/R-E. Agriculture-Forestry District with Single Family Exclusive Overlay District, 3rd Legislative District. Owner: Jana Fisher [08-05-125-SU-CO]

Mr. Newman told the Board this item had been withdrawn by the applicant.

Agenda Item F. Request consideration of final plat approval of 3 lot subdivision of 7.55 acres of property located at 41700 Hwy 95 N., referenced by Tax Map 44, Parcels 9.00 & 16.00, Zoned C-1, Rural Center District, 3rd Legislative District. Owner: Edward Vineyard [08-05-150-SU-CO]

Mr. Lambert described the property and location for the Board. He noted the owners are moving one lot line and creating one additional lot.

Mr. Newman recommended approval of the plat.

Mr. Brooks made the motion to approve, Mr. Brown seconded, and motion was approved 9-0.

Agenda Item G: Request consideration of final plat approval of 4 lot subdivision of 15.26 acres of property with 675' Joint Permanent Easement on property located on Lakeside Drive, referenced by Tax Map 22, Parcel 61.00, Zoned A-2, Rural Residential District, 6th Legislative District. Owner: Ed Loy & D J Wheeler [08-05-147-SU-CO]

Mr. Newman described the property and location for the Board and noted that the members had also received ortho photos and topo maps of the property. The applicant is purchasing Parcel 61 and creating three lots. One lot shown (#4) already exists. The length of the proposed joint permanent easement is 675', which is 175' longer than allowed in the regulations. He provided the ortho to show the board members the existing easement and to show where the paved easement being proposed would be located. The actual length of the proposed JPE on Parcel 61.00 would actually be less than 500' long, since it has to cross another parcel from Lakeside Drive. The proposed lots are over 2 acres each as required by the regulations.

Mr. Bob Sheridan expressed concern about the location of the driveway and the danger of the traffic on Lakeside Drive.

Mr. Brian Petty questioned the entrance from Lakeside Drive, noting the road is dangerous now.

Mr. Newman said the issue of the vegetation along the right of way will have to be addressed. He also thought it would be advisable to tie in an existing adjoining driveway into the new entrance.

Mr. Petty noted he was against this item, due to the safety concerns along the road.

Mr. Brooks said the Board could not approve a 675' Joint Permanent Easement. That would open the door to other requests of the same type.

Mr. Newman agreed that the length of the GPE is an issue, with the extenuating circumstance that they front parcel of property is not part of the subdivision plat.

Mr. Brown stated that the Board had not allowed an exception to the 500' length since that

regulation was adopted. He suggested the lots be rearranged to deep the JPE at 500' or less. He made the motion to deny the request.

Mr. Brooks seconded and motion to deny was approved 9-0.

Agenda Item H: Request release of Letter of Credit in the amount of \$5,000 for Williamsburg Subdivision located off Highway 321, 3rd Legislative District. Owner: Bill & Sylvia Matlock [06-06-131-SU-CO]

Mr. Newman described the property and location for the Board, noting the work was complete.

Mr. Luttrell made the motion to approve, Ms. McNew seconded, and motion was approved 9-0.

Agenda Item I: Request consideration of amendment to Loudon County Zoning Resolution for Section 5.041 A-1 Agriculture-Forestry District and A-2, Rural Residential District, Section E: Dimensional Regulations, changing the accessory structure setback to 5' from the rear or side property line [08-05-143-RGZ-CO]

Mr. Newman described the amendment and told the Board this change had already been made to the R-1 Zone, but Board members had requested the change also be made to the A-1 and A-2 districts.

Mr. Brown made the motion to approve, Mr. Brooks seconded, and motion was approved 9-0.

Agenda Item J: Discussion of settlement of Lane lawsuit, Phelps Road. [07-09-202-SU-CO]

Mr. Newman gave a brief overview of the lawsuit filed by Mr. Lane. He told the Board that the attorney for the county had suggested settling before it went any further, which would involve paying part of the court costs.

After a brief discussion, Mr. Brooks made the motion to let the County proceed the way they think is best. Mr. Brown seconded and motion was approved 9-0.

Building Commissioner's Report

54 permits issued for the month of May with an estimated value of \$10,188,573.00 and fees of \$31,456.00. Adequate Facilities Tax Liability \$51,985.00

With no additional comments from the Board or the audience, the meeting was adjourned at approximately 6:55 PM

Signed

Dated