

## MINUTES

### LOUDON REGIONAL PLANNING COMMISSION

JUNE 6, 2007

The June meeting of the Loudon Regional planning Commission was called to order at 12:30 PM. Present were Mr. Carey, Mr. Brennan, Mr. McEachern, Mr. Melton, Mr. Greenway, Mr. Garner, Mr. Gammons, Mr. Brewster. Ms. Millsaps was absent.

Motion to approve the minutes of the April 4, 2007 meeting was made by Mr. McEachern, seconded by Mr. Melton and approved 8-0.

Motion to approve the minutes of the May 2, 2007 meeting was made by Mr. Garner, seconded by Mr. Gammons and approved 8-0.

**Request consideration of final plat approval of The Shire at Loudon, referenced by Tax Map 31, Parcel 5.00, Zoned A-1, Agriculture-Forestry District. Owner: Terry Roberts [07-05-96-SU(F)-CO-[LOPR]**

Mr. Newman noted this item had been withdrawn from the agenda.

**Request consideration of revised final plat approval of 38 lots in Pod 2, Phase 3 in Tennessee National Golf and Residential Development, Zoned Planned Development District (PDD), located in Matlock Bend, referenced by Tax Map 23, part of Parcel 1.00. Owner: Tennessee National LLC [07-05-108-SU(F)-LO]**

Mr. Ryan McMaster and Mr. Chad Hewlett were present. Mr. McMaster described the elimination and changes in the open space to eliminate any new road access to the rear of the lots.

Mr. Newman recommended approval of the revised final plat.

Mr. Gammons made the motion to approve, Mr. Brennan seconded, and motion was approved 8-0.

**Request consideration of site plan approval for Community Bank of Loudon, referenced by Tax Map 48, Parcel 42.00, Zoned C-2, Highway Business District. Owner: Greene County Bank [07-05-110-SP-LO]**

No one was present for the applicant. Mr. Newman described the site plan for the Board, noting the renderings of the building would be available at the next meeting.

Mr. McEachern expressed a desire to have someone from the bank present while the site plan is discussed.

Mr. Newman explained that Mr. McNabb was unable to attend the meeting, but the site plan conforms with all regulations, with the exception of a landscape plan which has also not been submitted. He recommended approval.

Mr. Brewster made the motion to approve, Mr. Gammons seconded, and motion was approved 8-0.

**Request consideration of release of letter of credit for Roberson Estates in the amount of \$15,000. Owner: Ed Collis [06-01-09-SU(F)-LO]**

Mr. Newman recommended the letter of credit be reduced to \$10,000, but the balance of the letter needs to be held until the last two houses on Bell Road are built.

Mr. Branam noted that one area of the detention pond had collapsed.

Mr. Newman said the \$10,000 would be adequate to cover that problem if it is not corrected.

Mr. Garner made the motion to allow the reduction of the letter of credit, Mr. Melton seconded, and motion was approved 8-0.

**Additional public comments**

None

**Announcements and/or comments from the Board/Commission**

Mr. Melton asked about the status of the tree trimming business that is operated on Riverbend Drive.

Mr. McEachern said the equipment was moved from the road after action was taken. He further noted that the employees used to park in the yard, but now the equipment had been placed in the yard and the employees park on the street.

Mr. Brewster requested further discussion on the sign issue. He asked what can be done about the sign issue, including all signs, from yard sale signs and political signs, and signs that are never taken down. Is there an action that this board can take to help beautify this city.

Mr. Newman stated that it is not the Board as much as the administrative authority of the staff. Mr. Branam has issued warnings to people over the issue since this has come up, and if they don't comply, he will have to cite them to court.

Mr. Branam said he has issued over 15 warnings for several different types of signs.

Mr. Newman read from the city ordinance regarding signage that is in addition to the Zoning Ordinance regarding posting notices and their propitiation. It subject the offender to up to \$50 for each offense.

Mr. Garner said he thought something had been passed about political signs.

Mr. Newman stated that this Board was aware of the problem is why an amendment had been proposed, to give City Council an opportunity to make political signs legal, if they were not going to allow enforcement of the temporary sign ordinances. They chose not to do that.

Ms. Hines stated she had attended the workshop meeting where the proposed ordinance regarding temporary signs was discussed and it was given no support by City Council members.

There was much discussion among the Board members regarding different signs around town.

Mr. Brennan said the requirements are on the books, the issue is enforcement.

Mr. Garner brought up the flashing portable signs that were now anchored in the ground.

Mr. McEachern said that at least they do not flash now.

Mr. Brennan said that City Council needs to feel the same way as the Board about the need to remove temporary signs. Enforcement is the issue.

Mr. Brewster said that if a law is on the books, it should be able to be enforced by Mr. Branam without the backing of City Council.

Mr. Newman said that Mr. Branam could not do his job effectively if he did not have administrative support.

Mr. Brewster asked if violators were cited to City Council or City Court. Mr. Newman said it was to City Court.

Mr. Gammons asked if it was totally illegal for Mr. Branam to pick up the temporary signs.

Mr. Branam said he removes them and stores them.

Mr. Brewster said he does not even like to see the "Financed by? And "Open House" signs all over the residential developments.

Mr. Branam said he wants support when he starts further enforcement.

Mr. Garner said he has issues with the square footage requirements for businesses and cited the "Changing Faces" sign.

Mr. Carey said the owner of Changing Faces said the smaller sign had not hurt her business.

Mr. Garner cited the Domino's Pizza sign that did not have to come down.

Mr. Brennan said it should have been made to come down and Mr. Garner agreed.

Mr. Garner cited presidential election signs and how long signs would be up.

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Mr. Brennan said it seemed the community had decided that what they wanted was for these signs to not be allowed. The citizens of Loudon are not having their rights protected by ht requirements on the books not being met.

Mr. Garner cited commercial development not being allowed to have signs and asked if there was not a 30 day permit.

Mr. Newman said that commercial businesses have other avenues of advertising their businesses other than temporary signs.

Mr. Branam said that there is no longer a 30 day permit.

Mr. Carey asked if the proposed ordinance would have allowed homeowners to have a small political sign in their yard and was told that was correct. He further asked if Mark's Diner A-frame sign could be in the alcove at the diner and was told no, it would still be outside. Likewise for the Carmichael Inn sign on Wharf Street. Mr. Brennan also noted that in the historic district the a-frame signs can be allowed.

Mr. Newman said that perhaps the board would want to look at specific standards for the walking district downtown, perhaps for business hours only. Mr. Carey agreed, as did Mr. McEachern. Mr. Newman asked if the Board would like to look at a revision of the signage in that district.

Mr. Gammons suggested a provision for businesses to have small signs out during business hours.

Mr. Carey said he was told several years ago the rule was nothing on the sidewalk at all, even lawn mowers or wheelbarrows.

Mr. Greenway said that different types of signs needed to be differentiated between.

Mr. Carey said he did not think signs in front yards could be eliminated.

Mr. Brennan noted that if the signage rules were enforced for three months it would become normal.

Mr. Garner said that when Rocky Top complained to him, they said they would comply, but they wanted consistency. Mr. Newman said that is all anyone wants.

Mr. Brennan said that all this Board is asking for is consistency.

Mr. Greenway said you don't tell a church they cannot put up a vacation bible school sign.

Mr. Brennan said you don't do that, but you tell a community these are the guidelines. You don't pick on an entity.

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Mr. McEachern said that for every temporary sign variance that comes before the Board, he will make the same motion he made today. Mr. Brewster said he would second it.

Mr. Newman said that if Mr. Branam picks the signs up for a couple of months in a row, people will stop spending money on them.

Mr. Brewster asked if there needs to be a workshop. Mr. Garner said he had been asking for a workshop. He feels there needs to be a joint workshop with City Council and the RPC and it needs to happen this year.

Mr. Brennan said he felt this issue needs to be looked at a piece at a time.

Mr. Melton said it could take years to resolve a lot of the questions and it would not be done in just a few meetings.

Mr. Garner suggested MTAS assistance.

Mr. Carey suggested asking everyone to submit a list of priorities by the next meeting of what they felt should be discussed.

Mr. Brennan asked if Mr. Newman had access to requirements in other communities that addressed signage ordinances in small and medium size communities that he could send out in the packages. Mr. Newman said he could.

Mr. Brennan asked Mr. Branam how the Board could support him.

Mr. Branam described his process, and noted that if someone appealed, the sign stayed up until the meeting. If they don't appeal, they are cited to court.

Mr. Gammons asked what other communities did.

Mr. Newman said he could acquire other community ordinances. Staff has spent a lot of time helping Lenoir City with their sign ordinances in 2006, and it is a cumbersome and controversial process. It is more difficult with the Hwy 321 area and the growth in that area. But no matter what happens with an ordinance or a workshop, the support of the legislative body has to be there.

Mr. Greenway stated that supporting Mr. Branam and City Council backing him up, the Board does not need to micromanage every type of sign that goes up. If everyone works on what is in place already, he does not see a problem.

Mr. Garner stated there is a misconception that appeals to the BZA go to City Council instead of Chancery Court.

Mr. Carey said that the BZA is to appeal the ordinances that are already in place.

Mr. McEachern was asked if the County was set up the same way and he explained that only 5 of the 11 RPC members are BZA members.

Mr. Carey withdrew his request for members to bring ideas to the Board at the next meeting.

Mr. McEachern stated he wanted to see what the fallout of this current sign issue is before anything else is tackled.

Mr. Brannan asked what happened if the strikers sign was moved across the river, did the process start again?

Mr. Newman said he did not think that was correct. The Board had dealt with the sign today and the question was not the zoning, it was the fact that the temporary sign is not allowed.

Mr. McEachern stated that if it was in the county it would no longer be an issue for this board.

Mr. Carey asked if it was moved from a residential area to C-2, what would be the difference.

Mr. Newman said that if it was towed around town behind a vehicle it would be a non-issue and would not be a temporary sign as the Board would see it.

Mr. Branam asked why there is no minimum lot size in the C-2 & C-3 zones.

Mr. Newman said that setback requirements and parking requirements would control that issue.

With no further business, the meeting was adjourned at approximately 2:45 PM

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Signed

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Dated