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MINUTES

LOUDON REGIONAL PLANNING COMMISSION

June 4, 2014

The June meeting of the Loudon Regional Planning Commission was called to order at 12:30 p.m. Present were Mr. Carey, Mr. Brennan, Mr. McEachern, Mr. Gammons, Ms. Hines, and Mr. Brewster. Absent were Ms. Jones and Mr. Cardwell.

A motion to approve the minutes for the May 7, 2014 meeting was made by Mr. McEachern, second was by Ms. Hines. Minutes were approved 6-0.

Agenda Item A: Review request from owner of Taco Loco Restaurant, located at 859 Mulberry Street, to add 6 outdoor tables along the front (Mulberry Street) side of the restaurant. Applicant: Heriberto Navarrete

Mr. Navarrete was present.

Mr. Newman reminded the Commission that they had postponed action on this request last month due needing some input from the other City departments. He referred to the project summary that was included in their agenda packet. He stated that each of the 6 tables would seat 4 people and an umbrella. He said that Mr. Navarrete proposed that the outdoor seating would approximately be 13' from the outside of the building. He stated that when he measured, the outdoor seating would be 23' long between the 2 doors on the front of the building. He said that would be approximately 300 sq. ft. area for adding the 6 tables. He stated that Mr. Navarrete said that a fence was required to go around the area due to selling alcohol. He said that the waitresses would have to come out the door from the front of the restaurant and go through the gate on the fence to get into this area.

Mr. Gammons asked Mr. Navarrete how he would take care of the trash from this area.

Mr. Navarrete stated that when the tables were cleaned off, the trash would be taken inside the restaurant. He said there would not be any trash receptacles in this area.

Mr. Newman said that this 300' area would still leave enough (5 ½') walkway on the sidewalk for pedestrians between the street and the fence. He stated that a typical sidewalk was 5' wide. He said he felt like this walkway was wide enough. He said he looked at the old plat maps. He stated that there was an old survey of this part of town from 1916 that shows a 50' right of way. He said measuring from the center of the road that this whole area was on this property. He stated that the power pole was the edge of the right of way. He said that the 14 parking spaces,

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plus 1 handicap parking space, they currently have is adequate for the extra 6 tables. He stated that 5 parking spaces which were on the side of the building that Mr. McEachern gave them permission to use after 5 o'clock in the evening were in addition to the 14 spaces, plus the 1 handicap parking space. He stated that only 11 parking spaces were required. He said that Mr. Navarrete had been talking with the owner, Christina Shurina, about tearing down the old building in the back to of the restaurant to add some parking spaces. He stated that Mr. Navarrete proposed to add a deck with seating onto the back of the restaurant. He said that if Mr. Navarrete did that, he would not need the tables in the front of the restaurant. He stated that Mr. Gray, Code Enforcer for the City, had spoken with the other City departments.

Mr. Gray said there were not issues from the other City departments.

Mr. Brewster asked Mr. Navarrete what the fence would be made of and what would be the height of the fence.

Mr. Navarrete stated that he would like the fence to be made out of wood and maybe the height would be 3'-4'.

Mr. Gray said that he would work with Mr. Navarrete on the height of the fence.

Mr. Newman suggested to Mr. Navarrete to have the fence made out of metal/aluminum to be more attractive. He asked Mr. Navarrete if he had considered replacing one of the windows in front with a door for direct access from the restaurant to the outdoor area.

Mr. Navarrete stated that he would consider replacing a window in front with a door. He said that it might not be worth the money to do that if he planned to build the deck in the back within a year's time.

Mr. Brewster asked if the Commission would be approving this request indefinitely.

Mr. Newman said that Mr. Navarrete's request was indefinitely.

Mr. Newman recommended approval for the request based on the comments from the other City departments. He stated that there wasn't any negative impact that would be created from sight visibility and/or pedestrian access through the walkway. He said that he did approve the request with the condition that Mr. Navarrete use the black metal fencing.

Mr. Brennan made the motion to approve the request subject to using the metal fencing as Mr. Newman suggested, second was made by Mr. Brewster. Motion carried 5-0, with Mr. McEachern abstaining.

Agenda Item B: Discuss roadway improvements for Ft. Loudoun Middle School along Hwy. 11 entrance. Jason Vance, Loudon County Schools Superintendent

Mr. Vance was present.

Mr. Vance passed out a revised drawing of left turn lanes for Fort Loudoun Middle School. He stated that he thought there was as some reservations for the potential traffic issues they could have in the future. He said he thought this revised drawing would elevate those concerns and

help them move in a more positive direction. He referred to the middle drawing on the page that provided a left-hand turn lane on Hwy. 11 which would not encroach on the property owners, but it did encroach on the City property. He said that it would not encroach enough to get on the track or the tennis courts. He stated that the side of the property would have to be sloped, hopefully, to a 3 to 1 slope. He said to keep from having drainage issue, they would sod the slope.

Mr. Newman stated that the left-hand turn lane was within the right of way. He said it was not actually on City property.

Mr. Brennan said that the grading would probably encroach on the City property.

Mr. Vance stated that he thought they could do the grading without hurting the trail and tennis courts and still provide the turning lane.

Mr. Newman asked Mr. Vance if this revised plan would eliminate the utility relocation issue.

Mr. Vance said that with this plan, they would not have to do anything with the utilities. He stated that they did have plenty of money to do this project to go back and do some things to fix the park. He said they wanted to make the park better than when they started this project.

Ms. Hines asked Mr. Vance why he was presenting this plan to the Commission.

Mr. Vance stated that he did not feel like the plan from last month was sufficient from the school board's point of view. He said that they can't retain money (\$350,000) as requested. He stated that this plan answered all the issues.

Mr. Newman asked Mr. Vance if the current traffic plan would still be used if this revised plan was approved.

Mr. Vance said that they would continue the current traffic plan they are using.

Mr. Newman stated that the current traffic plan worked well.

Mr. Brewster asked if there would still be a need for a sign saying "No Left Turn" on Pam Thomas Way.

Mr. Newman said that the revised plan had a dedicated left-turn lane on Pam Thomas Way.

Mr. Mark Harrell, Director of Parks and Recreation, stated that they had cooperation from the contractor, and they did need the 3 to 1 slope. He said they wanted a bank that would be maintainable.

Mr. Brennan asked when they could get started on this plan.

Mr. Vance said they hoped to get started next week.

Mr. Fagg, City Public Works Director, stated that on the north side of the highway there would be an 11' offset with the intersection. He said that tractor trailers would probably be the only vehicles that would have a problem. He stated that the 20 mph school zone would slow them down during school hours, but the tractor trailers would be going 45 mph at other times. He asked Mr. Vance if the plan was going to be permitted by the State.

Mr. Vance said that he had heard from TDOT, and they were in favor of the revision. He stated that TDOT wanted the turn arrows to be eliminated.

Mr. Fagg suggested to Mr. Vance that they get a written permit from TDOT. He stated that would release the City of Loudon for any responsibility if there were any crashes. He said that TDOT did not allow the city to do any painting of lines on their right of ways.

Mr. Newman recommended approval for the revised plan. He stated that having a left-turn lane long term would be a benefit to the entrance and traffic flow on Hwy. 11. He said that if they give up this opportunity now, it may never get done. He stated that he did not want the city to have to deal with it later.

Ms. Hines read last months recommendation from the Commission. She asked if the flashing lights and signs would still go in place that was in last month's motion. She asked if the School Board would still need to reimburse Parks and Recreation the \$100,000 in damage to the park.

Mr. Harrell said that the reimbursement was based on if the School Board was not going to have the left-turn lanes. He stated that the reimbursement in the motion could be eliminated.

Mr. Fagg stated that the speed limit would be posted on the flashing light signs. He confirmed that City Council had lowered the speed limit down to 20 mph.

Ms. Hines made the motion to accept the revised plan as submitted at this meeting; and from last month's meeting eliminate all the requirements except the school zone flashing signals as noted contingent on getting the written permit from TDOT, second was made by Mr. Brewster. Motion carried 6-0.

Mr. Newman reminded Mr. Vance that the detention basins had not been fixed upon completion.

Mr. Vance stated that the construction company said when they start this approved plan; they would do what needed to be done to the detention basins.

Mr. Newman explained to Mr. Vance the liability issue for the school of the detention basins holding water.

Mr. Brewster asked Mr. Vance if he felt like the contractor could work with Mr. Harrell to finish out the remaining issues in Liberty Park.

Mr. Vance said that he thought they could work with Mr. Harrell.

Mr. Harrell stated that Merritt Construction would be doing some work for Parks and Recreation building a new pool, and this was the same contractor that the School Board was using doing this plan.

Mr. Brewster left before this item.

Agenda Item C: Review Temporary Use Ordinance provisions for permitting in cases where temporary businesses do not operate on a daily basis. Staff

Mr. Newman stated that Mr. Gray, Code Enforcer for Loudon City, had a question about issuing permits for temporary uses under the Temporary Use Regulation. He said the he wanted the Commission to discuss how to approach a certain situation. He referred to the attached copy of the Temporary Use Regulation in the agenda packet. He asked the Commission to look at Page 124 of Section 14 that applies to this type of use for a restaurant type for a vendor in terms when the permit needed to be renewed. He read this Section to the Commission. He asked Mr. Gray to explain the business for his concern.

Mr. Gray stated that there was a restaurant vendor who worked out of a trailer. He said they were licensed through the Health Department and was a very well run business. He stated they had agreed to the Temporary Use Regulations with the property owner. He said that this vendor did not operate for 120 consecutive days. He stated that this vendor only set up their trailer every other Thursday year round which equals to 60 days a year. He said he had issued a 120-day permit.

Ms. Hines asked Mr. Gray if his question was the permit was for 120 days which was 4 months or was it a 12 month permit that they could only work up to 120 days.

Mr. Gray said "yes" was it for 120 consecutive days which was 4 months and "yes" could it be for a 12-month permit that let them work 120 days.

Mr. Carey stated that his opinion that the vendor could use 120 days out of the 365 days of the year.

Ms. Hines agreed with Mr. Carey.

Mr. Newman said that the permit was for a 12-month period not to exceed 120 days. He stated that since Mr. Gray knew how this vendor operated, he should write the permit on January 1 through December 31, and they couldn't operate more than 120 days.

Mr. Gray stated that was what he had thought, but he just wanted to make sure that was the intent of the ordinance.

Additional Public Comment: There were none.

Announcements and/or Comments from the Board/Commission: Before Mr. Brewster left, he asked Mr. Newman why the site plan for the new addition to Loudon Elementary was not brought before the Planning Commission for approval.

Mr. Newman stated that he had made the decision not to bring the addition to Loudon Elementary to the Commission. He said that the addition was connecting 2 existing buildings together. He stated that he didn't think it was significant enough to submit the site plan to the Planning Commission.

Mr. Brewster asked Mr. Newman what that criteria was based on.

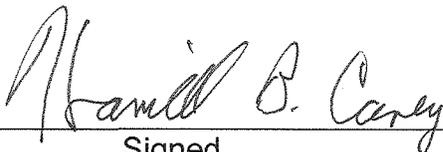
Mr. Newman said that they had a walkway between Loudon Elementary and the Fort Loudoun Middle School. He stated that they were enclosing the walkway. He said that he did require the detention area to be put in, due to some erosion during this construction project. He stated that making his decision on if it was a significant addition onto an existing building or a new free-standing building, it would require a site plan approval from the Planning Commission.

Mr. Brewster asked if there was a square footage that he used.

Mr. Newman stated that he did not have a square footage minimum requirement. He said that if an addition was less than 500 sq. ft. on a property that already had an existing improvement on it; he probably would not bring it before the Planning Commission. He stated that this project was not a commercial nature that required additional parking.

Mr. Newman told the Planning Commission that this was his last meeting with the City. He thanked all the Commission for serving on the Commission. He stated that he had worked as the Planner Director for 16 years.

Meeting was adjourned at approximately at 1:30 p.m.


Signed


Date