



# Loudon County Planning Department

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## MINUTES

### LOUDON REGIONAL PLANNING COMMISSION

April 1, 2015

The April 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, Mr. Parks, Mr. Harris, Mr. Brewster, Ms. Hines, and Ms. Jones.

A motion to approve the minutes for the March 4, 2015 meeting was made by Ms. Hines, second was by Mr. Gammons. Minutes were approved 9-0.

**Agenda Item A: Proposed U.S. 11 Improvements. Speakers: Mr. Bryan Bartnik and Mr. Nathan Vatter with TDOT.**

Mr. Bartnik and Mr. Vatter, representatives of Region I TDOT, were present.

Mr. Vatter stated that TDOT proposed to resurface Hwy. 11 with turn lanes leaving Loudon going east. He said that their goal was to listen to feedback and explain the options they have come up with. He stated that the crash history between Cox Road and Natalie Blvd. was 27 total crashes, which was 1 ½ times the state average, with 14 of those crashes being rear ends. He said that they proposed to leave the turn lanes for Blairbend Road the same. He stated that at Cox Road, there were 7 crashes, which was 2 ½ times the state average, with 6 of those crashes being rear ends. He said that at Simmons Road and Rock Quarry Road, there were 8 crashes, which was 3 ¼ times the state average, with 5 of those crashes being rear ends. He stated that at Engle Road, there were 5 crashes, which was 2 times the state average. He said at this location, there was a severe injury.

Mr. Vatter explained the options that could be done while resurfacing the highway. He stated that Option I was to resurface, but to leave everything the way it is currently. He said they had some work to do on the shoulders at Natalie Blvd. He stated that Option II was to leave a short truck lane and include some turn lanes.

Mr. Carey asked if Option I, leaving the lanes the way they currently were, was an option.

Mr. Vatter said that leaving the lanes the way they currently were was an option.

Mr. Eddie Simpson, Loudon County Road Commissioner, stated that he realized that this section of the highway was in the city's Urban Growth Boundary, but it was in the county. He

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said he had received a copy of what TDOT proposed. He stated that the earlier proposal was for TDOT to make a turn lane all the way up the hill. He said this proposal raised some concern to him. He stated that he contacted Mr. Lynn Mills, City Manager, and Mr. Pat Phillips, EDA Director, to review the proposal. He said he then contacted Mr. Vatter and asked if there were some other way to do this and accomplish both. He stated that he suggested to Mr. Vatter about still having some passing area with a turn lane at the top of the hill at Simmons Road. He said he would agree with whatever they decided. He stated that his recommendation was to consider having a passing area up the hill and then a turn lane there forward. He said he thought this would help all the subdivisions in the area.

Mr. Brewster asked Mr. Simpson if Option II was his recommendation.

Mr. Simpson said that Option II was what he recommended.

Mr. Carey asked Mr. Vatter and Mr. Bartnik how much consideration they would give to what the public wanted.

Mr. Vatter stated they were willing to do whatever option people wanted. He said they would listen to whoever was representing this community.

Most of the Planning Commission agreed that Option II was the best choice.

Mr. McEachern said he didn't like either option. He stated that the subdivisions had other entries rather than having to put a turn lane at the top of the hill where it was dangerous. He said that the current acceleration lane worked well.

Mr. Vatter stated that they try to enhance safety features they have.

Mr. Harris and Ms. Jones said they preferred Option II. Mr. Scotty Newman, Loudon City policeman, stated that he preferred Option II also. He said he thought the speed limit needed to be changed further up the hill coming into Loudon than where it did currently. He stated that when truckers are using their GPS, it tells them to turn on to Cox Road. He said the police have to help these truckers back out of Cox Road.

Ms. Hines asked Mr. Vatter if a traffic light was going up at the intersection of Hwy. 11 and Natalie Blvd.

Mr. Vatter stated that he had no request for a traffic light to go up at the intersection of Hwy. 11 and Natalie Blvd.

Mr. Bill Fagg, Loudon City Public Works Director, said he didn't think they could have a turn lane at the top of the hill that could turn to the left and to the right, because there is not that much room. He stated that when he talked with Mr. Vatter that he said they were not going to spend any money outside of the current roadway. He said he thought the turn lane would increase the accidents. He stated that his main concern was someone turning left onto Simmons Road coming south on Hwy. 11. He said that they did not need to do away with the acceleration lane going up the hill, due to trucks traveling on Hwy. 11.

Mr. Carey asked about closing those roads at the top of the hill coming off Hwy. 11, since there are other entrances to the subdivisions.

Mr. Simpson said that he would hesitate to close these roads.

Mr. Parks suggested placing a "No Left Turn" sign at the top of the hill going onto Simmons Road.

Mr. Simpson stated that could be a possibility to put a "No Left Turn" sign at the top of the hill going onto Simmons Road. He said he would work with Mr. Vatter about maybe put a sign up that says, "Industrial Park Straight Ahead." He stated that he could make the signs.

Mr. Vatter said they could work together on the sign.

Mr. Parks asked Mr. Vatter if GPS could be contacted that they were telling people to turn at the wrong place.

Mr. Vatter stated that he would give him some telephone numbers that he had.

Ms. Pat Hunter said that her concern was the speed limit. She stated that this needed to be addressed with whatever option they implemented.

Mr. Vatter stated that they needed to know the suggestions before May.

Mr. Brewster asked what the Planning Commission could recommend due to this being in the county.

Mr. Simpson said that this was a state highway, but was in the city's UGB (Urban Growth Boundary). He stated that this Planning Commission had this jurisdiction.

Mr. Vatter stated that TDOT did not want to spend money on a project that they did not want. He said they wanted to make the project as safe and efficient as possible for the future. He stated that now was the time to make any changes they wanted to make while they were resurfacing the pavement.

Mr. Brewster asked Mr. Vatter if he wanted a formal recommendation from the Planning Commission.

Mr. Vatter said that whatever the Planning Commission wanted to do, TDOT would do it.

Mr. Brennan stated that the next meeting would be too late to make a decision that they needed to do something at this meeting.

Mr. Brewster asked Mr. Simpson and Mr. Fagg if they would agree with the Planning Commission for Option II and backing up the speed limit.

Mr. Simpson said he would have no problem with that.

Mr. Vatter stated that TDOT had the jurisdiction of changing the speed limits and where to post the signs for a state highway. He said there had to be a speed study. He stated that they could do an engineering study.

Mr. Brewster asked Mr. Vatter if TDOT could proceed with Option II without the speed study.

Mr. Vatter said that TDOT could proceed with the project. He stated that it would be good to have a transition before people got to the bottom of the hill. He said he thought 30 mph was pretty low. He stated that it would be good to change the speed limit going up the hill to 40 mph, because people were trying to accelerate going up a hill.

Mr. Brewster made the motion to go with Option II, second was made by Mr. Brennan. Motion carried 7-2 with Mr. McEachern and Mr. Parks voting "no."

**Agenda Item B: Consideration of a re-subdivision in Legacy Park of Lots 54-60, located off West Lee Hwy., referenced by Tax Map 48N, Group A, Parcels 54.00-60.00, Zoned R-1 (Low Density Residential District). Applicant: LeMay and Associates/Owner: CMH Parks, Inc. File # 14-12-74-SU-LO**

There were no representatives for Legacy Park.

Ms. Smith stated that the request was for re-subdividing the lots in the interior of the subdivision. She said that these lots met the subdivision requirements.

Ms. Hines made the motion to postpone this item due to no representative being present, second was made by Ms. Jones. Motion carried 9-0.

**Agenda Item C: Consideration of a request to reduce letter of credit for Legacy Park**

Ms. Smith stated that she had talked with a CMH representative, who now owns Legacy Park, about several things. She said one of the things they talked about was their Letter of Credit needed to be renewed. She stated that when the subdivision was approved many years ago, there were several items they had to complete. She said some of things that needed to be completed were: left-hand turn lane into the subdivision on Hwy. 11, the wearing surface, street lights, sidewalks, signs, reseeding, and repair the detention pond. She stated that when talking with the CMH representative, he wanted to get the Letter of Credit reduced. She said she asked them to go ahead and extend the Letter of Credit, and then they could work on these items. She stated that the turn lane had been done with other things. She said she thought there were still some issues with the detention pond, even though they have worked on it. She stated that TDEC is monitoring the detention pond. She said that Mr. Fagg had talked with her earlier about the property owner below Legacy Park. She stated that she had found some documentation of some repair work and something had been worked out with this property owner. She said she thought that they did what they said they would do, which was a few years ago. She stated that TDEC was aware that there is water that stays on this owner's property. She said that this water did not all come from Legacy Park. She stated that CMH wanted to ask for a reduction on the Letter of Credit after they have gotten estimates for the items they lack doing.

Mr. Brewster asked what amount was on the Letter of Credit.

Ms. Smith said that the amount on the Letter of Credit was for \$300,000.

Mr. Gray stated that the items they needed to do was the top coat of pavement, retention, and stormwater needs to be checked to make sure it was working properly. He said that the streets were full of mud. He stated that TDEC was taking care of this.

Ms. Smith said that TDEC's last visit was in March, 2015. She stated that the visit in January, 2015, TDEC discussed the sediment that needed to be removed from the road; the notice of coverage needed to be posted on site; the inspection reports needed to be available; reseeding until the permanent vegetative coverage had been established; storm/sewer road inlets needed to be protected, replaced and/or repaired; steps needed to be taken about the sediment leaving the site of the pond discharge location; and there were no prevention in sediment controls on the lots with homes under construction (silt fencing).

Mr. Brewster stated that he could not support reducing the Letter of Credit.

Ms. Smith said that they would have to submit estimates. She stated that she thought about removing this request for a reduction on the Letter of Credit from the agenda, but she thought they would be at this meeting.

Mr. Harris asked how long these issues have been going on.

Mr. McEachern stated that he thought the subdivision was approved in 2007.

Mr. Brewster said that all they did was take all the vegetation off the property.

Ms. Smith said when TDEC came back on site in March, 2015; the sediment had been removed from the road, inlet protection had been installed at each catch basin, and silt fencing had been installed on the down slope of active home construction. TDEC also noted that check dams had not been installed above the pond as discussed on site, February 3, 2015.

Mr. Brewster asked if TDEC had said anything on their report about cleaning out the catch basins.

Ms. Smith stated that she could ask TDEC specifically if they had cleaned out the pond and the catch basins. She said that CMH went ahead and extended the current amount of Letter of Credit. She stated that before the Letter of Credit could be reduced, they will need to bring in estimates of what they are lacking.

Mr. Brennan asked who would look at the requirements from where it is today and review the estimates.

Ms. Smith said that typically people bring in 2-3 estimates. She stated that the Planning Commission would decide which estimate to accept. She said she would definitely have Mr. Fagg's input on it.

Mr. McEachern informed the Commission that the county is working toward not taking any more Letters of Credit. He said that the county would accept bonds.

Ms. Hines made the motion to review the Letter of Credit when CMH submits estimates of what they are lacking, second was made by Ms. Jones. Motion carried 9-0.

**Agenda Item D: Consideration of subdivision approval for Hope Haven Subdivision, Phase 5, lots consisting of 12-26 and 36-39, located off Roberts Rd. on Hope Way, referenced by Tax Map 49, Parcel 8, Zoned R-1 (Low Density Residential District). Applicant: Loudon County Habitat for Humanity. File #15-02-07-SU-LO**

Loudon County Habitat for Humanity withdrew this request.

Ms. Smith said that there were some questions about their Letters of Credit. She stated that they had Letters of Credit on Phase 3 and Phase 4. She said the Letter of Credit for Phase 3 expires in a couple of weeks, which they said they would extend. She said that the Letter of Credit for Phase 4 expires in June. She stated that Habitat's goal was to put all of the phases into one Letter of Credit. She said they needed to come before the Planning Commission to get that approval. She stated that Habitat needed to get something within the next two weeks. She said she did not want to let this Letter of Credit expire.

Mr. Travis Gray, Loudon City Code Enforcer, said he had gotten some complaints from some of the people who live in the community of Hope Haven about the lighting. He stated that he thought the original plans were to have street lights.

Ms. Smith stated that Habitat wanted to wait until the houses had been built to see what the community wanted. She said she had not found anything where there were street light plans on the subdivision plat.

Mr. Gray said he thought that was a requirement in the subdivision regulations that subdivisions had to have street lights.

Mr. McEachern stated that Hope Haven was a nice community, and he liked their concept.

**Agenda Item E: Consideration of a resubdivision in Tennessee National, POD 2, Phase 2, lots 211-215, located on Persimmon Ridge Road, referenced by Tax Map 23N, Group C, Parcels 211.00-215.00 and Tax Map 23, part of Parcel 1.00. Applicant: Tennessee National File #15-03-10-SU-LO**

Mr. Patrick Clark with Tennessee National was present.

Ms. Smith stated that they currently have 5 lots that they want to enlarge. She said that it meets all the requirements. She stated that she wasn't sure what setback requirements to use, so she viewed the previous plats that were recorded several years ago.

Mr. Harris made the motion to approve the resubdivision request, second was made by Mr. McEachern. Motion carried 9-0.

**Agenda Item F: Consideration of adding 2 new lots to Tennessee National, POD 4, lots 75-76, located on Buckhorn Way, referenced by Tax Map 23, part of Parcel 1.00. Applicant: Tennessee National File#15-03-11-SU-LO**

Ms. Smith said that these setbacks listed on this plat were on the previous recorded plat for this POD.

Mr. Harris made the motion to approve the request, second was made by Mr. McEachern. Motion carried 9-0.

**Agenda Item G: Consideration of adding 3 new lots to Tennessee National, POD 7, lots 23-25, located on Old Club Road, referenced by Tax Map 23, part of Parcel 1.00. Applicant: Tennessee National File #15-03-13-SU-LO**

Ms. Smith stated on this plat that it listed a 5' sideyard setback. She said that could be a typographical error.

Mr. Clark said that the 5' sideyard setback requirement listed on the plat was not a typographical error.

Mr. Harris made the motion to approve the request, second was made by Mr. McEachern. Motion carried 9-0.

**Agenda Item H: Consideration of adding 2 new lots to Tennessee National, POD 13-C, lots 23-24, located on the corner of Old Club Road and Black Cove Lane, referenced by Tax Map 23, part of Parcel 1.00. Applicant: Tennessee National File #15-03-14-SU-LO**

Mr. Harris made the motion to approve the request, second was made by Mr. McEachern. Motion carried 9-0.

Mr. Brewster asked why these plats have to come to the Planning Commission if they meet all the requirements. He asked why the plats could not be approved in house.

Mr. McEachern stated that if there were any changes to the original subdivision plat, they needed to be approved by the Planning Commission.

Ms. Hines said that she thought that only 3 lots or more were supposed to come to the Planning Commission for approval. She stated that she thought under 2 lots could be approved in house.

Ms. Smith stated that it was 3 lots or more that needed to come to the Planning Commission for approval. She said she needed to do some research on these 2 plats with only 2 lots. She stated that she did have 2 other plats from Tennessee National that she was reviewing in house.

Ms. Hines, Mr. Brewster, and Mr. Brennan had to leave the meeting at this time.

**Agenda Item I: Discussion of Zoning Map**

Mr. Gray asked if anyone had found anything that they needed to check into.

Ms. Smith said that Ms. Hines had emailed her about a 5 acre parcel that was on Queener Road that was not in the city limits. She stated that the old maps she referred to had this parcel outside the city limits during the years of 2006 through 2009, but on the 2013 map, the parcel was on the inside of the city limits. She asked if anyone remembered taking this parcel into the City.

Mr. McEachern stated that if the parcel was on the left side of the road, it would be in the city limits.

Ms. Smith said she would check records to see if anything changed after 2009.

Mr. Carey asked Mr. Gray if he was finding any other parcels that were in the city limits.

Mr. Gray stated that he had not found any other parcels that were in the city limits. He said that once they have addressed the discrepancies they have found that the zoning map could be voted on.

Mr. Harris asked Mr. Gray if Mr. Janikula, the person making the zoning map, was working on the colors on the map.

Mr. Gray said he had not talked with Mr. Janikula about the colors, but he would when it came time to print a new zoning map after the changes had been made.

**Agenda Item J: Consideration of site plan approval for an addition for Vytron Corporation, located 1000 Carding Machine Road, Loudon, referenced by Tax Map 40, Parcel 157.00. Applicant: Vytron Corporation**

Mr. Mark Weaver, President of Vytron Corporation, was present.

Ms. Smith stated that Vytron proposes to add a concrete slab in the existing gravel area and put a roof over the concrete slab. She said there was a proposed addition on the site plan, but she said they were not going to do it at this time.

Mr. Weaver said that there was an existing 50' X 80' concrete pad on the property. He stated that there was a 25' X 80' section of this concrete pad that was under roof. He said they propose to extend the roof 25' and extend the pad another 50'.

Mr. Carey stated that the adjacent property owner had sent out an email with a concern about the detention pond.

Mr. Weaver said he thought they were thinking of someone else.

Mr. McEachern stated that it was the Vytron's detention pond. He said it was the storm drainage and the detention pond were not sufficiently doing the job.

Mr. Weaver said that they had done some work on the detention pond approximately 13 years ago. He asked if the complainant was referring back to that time or was it a current issue.

Mr. McEachern stated that it was an issue before that time and was still an ongoing problem.

Mr. Weaver said that he was not aware that there was still a problem.

Mr. McEachern stated that water flows from this property over a road onto the next farm. He said that the water had formed approximately  $\frac{3}{4}$  of an acre lake in the neighbor's pasture. He stated that the lake was on the side of the detention pond. He said that he had brought the former planner to the property about 10 years ago to show him the problem. He stated that they stood in the road while it was raining and water flowed over their shoes. He said after that they had done some cleaning of the detention pond. He stated that the water flow on the road was slowed down after the cleaning, but it did not stop the water flow on the road. He said that this adjacent property owner was not against what they propose to do, but wanted this brought to their attention.

Mr. Weaver said that they did do some work in 2002 and had done an engineering study to make sure the ponds held all the proper water that was required to the codes. He stated that he had no clue that it was still a problem. He said that the pond below them and his pond both flow into the road.

Mr. McEachern stated that he was aware of that, but those people weren't at this meeting to bring this to their attention.

Mr. Weaver said that he will make sure the detention is in good repair.

Mr. Gammons made the motion to approve the site plan, second was made by Mr. McEachern. Motion carried 8-0 (Ms. Hines had stepped out.)

**Additional Public Comment:** There were none

**Announcements and/or Comments from the Board/Commission:**

**Planning Commissioner Training sponsored by ETDD (East Tennessee Development District, TDEC (Tennessee Department of Environment and Conservation), and The University of Tennessee on Tuesday, June 30, 2015 in Oak Ridge, TN at 5:45 p.m. Pre-registration is required by calling (865) 748-5113 or email MJessiman@ETDD.org.**

Meeting was adjourned at approximately at 2:10 p.m.

*Samuel B. Coray*

Signed

*5/6/15*

Date