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**MINUTES**

**LOUDON REGIONAL PLANNING COMMISSION**

**March 6, 2013**

The March 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 Ms. Jones. Absent were Mr. Cardwell, Mr. Brewster, and Ms. Roberts.

A motion to approve the minutes for the February 6, 2013 meeting was made by Ms. Hines with a couple of corrections to be made, second was made by Mr. Gammons. Motion carried 6-0.

Mr. Brewster came in at this time.

**Agenda Item A: Consideration of request to re-zone 801 Poplar Street, Loudon from R-1 (Low Density Residential) to C-3 (Local Business District), Referenced on Tax Map 41B, Group C, Parcel 16.00. Owner: James Thompson**  
Mr. and Ms. Thompson were present.

Mr. Newman referred to the amended agenda with Item C added.

Mr. Newman explained the location of the property. He stated that there had been a house on the property, but it had burned.

Mr. Thompson said that he had owned the property since 1999.

Mr. Newman stated that Mr. Thompson was requesting to rezone the property for the purpose to build a bait shop on the property. He handed out the drawings of the proposed building. He said that the property was 33' wide facing Church Street and 108' deep on Poplar. He stated that Mr. Thompson wanted the building to face Church Street.

Mr. Thompson said that the proposed building was 16' X 24'. He stated that the shop would be ½ block from the parking lot of the ball park. He said that the boat ramp was on down the street from the parking lot. He stated that it was within walking distance for the kids to come to buy their fishing supplies. He said that he was willing to face the building anyway the Commission suggested.

Mr. Newman referred to the City Zoning Map to what the area parcels were zoned. He stated that the property diagonally from this property was zoned C-1. He said that if Mr. Thompson wanted to zone this property C-1, he could do what he proposed to do. He stated that the parcels in Mr. Thompson's are were zoned residential. He said that the lot would not be usable for any purpose without variance approvals from the Board of Zoning Appeals. He stated that the lot was a double-frontage lot. He said that if the property was rezoned to C-3, the front setback requirement was 35' on Church Street and Poplar. He stated that if Poplar was designated as the sideyard, the setback would be 10'.

Mr. McEachern stated that whatever Mr. Thompson built, he would have to get some variances approved.

Mr. Thompson said that the property was a Lot of Record.

Mr. Newman stated that he was not aware of the property being a Lot of Record. He said for the property to be a Lot of Record, it existed in its current shape since 1963. He stated that if the property was divided after 1963, it would not be a Lot of Record.

Ms. Thompson said that in 1999 they had applied for a building permit to build a little house on this property, and it was listed as being a Lot of Record.

Mr. Brennan asked if this was "spot zoning" since everything around was zoned residential. He asked if a C-3 zoning would be common in a residential zoning district.

Mr. McEachern stated that in this area, it would not be uncommon.

Mr. Newman said that a C-3 zoning would be a neighborhood business zone.

Mr. Branam stated that he had recommended to Mr. Thompson to have it rezoned to C-3, because the size of the building could be controlled.

Mr. Newman said that a bait shop was not a permitted use in the C-3 zoning. He stated that if the property was rezoned to C-3, the BZA would need to approve a Special Exception to have a bait shop on the property.

Mr. Brewster asked if there would be some handicap parking issues.

Mr. Newman stated that if they develop the site, they can put handicap parking there. He said with the C-3 zoning, they would have to have off-street parking.

Mr. Thompson said that most people would park at the ball park and walk the ½ block to the shop. He stated that Mr. Jimmy Park, the adjoining property owner, did not have a problem with what he proposed to do.

Mr. Carey stated that this property was totally unusable for anything.

Mr. Thompson said that he knew the lot was substandard, and he would have to get a variance to build anything.

Mr. McEachern stated that Mr. Thompson would have to have a couple of variances.

Mr. Thompson said that Poplar was not used much for traffic other than for the Fiddler's Convention. He stated that he was amazed at how little the City has done to benefit from the natural resources in Loudon, like the river. He said there were a lot of kids that go down to the river to fish.

Mr. Newman stated that the land-use plan does not support a commercial zoning at this location. He said that some concerns that he had in addition to that were the size of the lot, and that he would have to have more off-street parking than a residence required. He stated that Mr. Thompson had a great idea, but he didn't think this was the best location to do this kind of use.

Mr. Carey said that the zoning would not be contiguous with any other commercial property.

Mr. Brennan stated that his challenge was if they proceeded with the rezoning, and the next person shows up and it's a plan that they didn't agree with, how does the Commission not go forward. He said this was working outside the guidelines.

Mr. McEachern said that he didn't see anything wrong with a neighborhood store.

Mr. Newman stated that if the property was rezoned to C-3 and Mr. Thompson doesn't follow through with his proposed plan, what else could go on the property.

Mr. Newman said that his recommendation, based on the land-use plan and the lot size, that the request for rezoning be denied.

Mr. Brewster stated that his concerns were the "spot zoning", the land-use plan, potential parking issues, and so many potential variances.

Mr. Thompson said that this proposal would be beneficial to the community.

Mr. Carey stated that the Commission was very sympathetic with Mr. Thompson, but they had to consider the "spot zoning", consistency, and the land-use plan.

Mr. Thompson read the Zoning Ordinance, Section 14-806, about variances to the Commission.

Mr. McEachern asked how much impact of "spot zoning" could it be on a lot that is 33' X 108'.

Mr. McEachern made the motion to approve the rezoning request, second was made by Ms. Jones. The roll was called: Yes votes were Mr. McEachern, Ms. Jones, and Mr. Gammons. No votes were Mr. Brennan, Ms. Hines, Mr. Brewster, and Mr. Carey (breaking the tie vote). Motion was denied 4-3.

**Agenda Item B: Consideration of request to accept Sweetwater Creek Blvd., Llewellyn Lane, Kline Drive, Evelyn Drive and Olivia Circle located in Sweetwater Creek Subdivision as city streets.**

Mr. Newman stated that these were streets in Phase I and Phase II of Sweetwater Creek Subdivision. He said he wanted to modify the request, because of an issue that the City has with Olivia Circle. He stated that there was a small repair area that needed to be addressed with the extension of Olivia Circle.

Mr. Fagg, City Public Works Director, said that there was a potential problem in the lower end of Olivia. He stated that he didn't think the City needed to get into that. He said that it was going to be developed later.

Mr. Brewster suggested not to accept Sweetwater Creek Blvd. until the development was finished. He stated that the City could now take in Llewellyn Ln., Kline Dr., Evelyn Dr., and Olivia Circle.

Mr. Branam stated that the City has already accepted Sweetwater Creek Blvd. down to Llewellyn Ln.

Mr. Fagg said that the Property Owners had built a little park with the right-of-way surrounding the front of the park. He stated that if the City accepts Sweetwater Creek Blvd., the City would accept responsibility to mow and keep up the park.

Mr. Newman recommended to approve the proposed ordinance to accept Sweetwater Creek Blvd., Llewellyn Ln., Kline Drive, Evelyn Drive, and Olivia Circle with the word "centerline" being added to the description of Sweetwater Creek Blvd.

Mr. Brewster asked if it was not cleaner to not to accept Sweetwater Creek Blvd. from Llewellyn Ln. to Olivia Circle.

Mr. Fagg stated that he did not have a problem with not accepting any of Sweetwater Creek Blvd. He said the problem would be with the property owners.

Mr. Newman said that the developer has finished what he was supposed to do to meet the City's requirements.

Mr. Newman suggested to recommend accepting Llewellyn Ln., Kline Dr., Evelyn Dr., and Olivia Circle from their intersection to Sweetwater Creek Blvd. that was a part of Phase II. He stated this allows the City to have some control over when the new streets are tied in with the next phase into Sweetwater Creek Blvd. to insure no further damage to the road.

Mr. Brewster made the motion to accept Llewellyn Ln. from Lot 260 to the intersection of Olivia Circle, Kline Dr. to the intersection of Sweetwater Creek Blvd., Evelyn Dr. to the intersection of Sweetwater Creek Blvd., and Olivia Circle to the intersection of Sweetwater Creek Blvd., second was made by Ms. Hines. Motion carried 7-0.

Mr. Newman stated that he would re-do the map and highlight specifically the streets segments to be accepted.

**Agenda Item C: Review changes to proposed amendment to City of Loudon Zoning Ordinance, Chapter 3, Section 11-31. Site Plan Review for minimum parking lot paving standards. Staff**

Mr. Newman passed out the proposed amendment to the ordinance. He stated he had made 3 changes to the original draft: (1) have a minimum depth of gravel of 4"; (2) when the parking lot is in the rear yard and needed to be screened, limit the parking spaces to 8; and (3) any new lot (graveled or paved) the section that ties into street to the parking lot needs to be paved.

Mr. Brewster suggested putting something in the amendment about the type of stone to be used.

Mr. Brennan stated that it could be adequately designed with a base.

Mr. Newman said that he would talk with Mr. Fagg and bring back to next month's meeting.

**Additional Public Comment:** There were none.

**Announcements and/or Comments from the Board/Commission:** Mr. Brewster asked if the parking in front of the Graystone apartments was public parking.

Mr. Newman said that it was part of the City's right-of-way.

Mr. Brewster stated that the owner had "no parking" up in the parking and had numbers in the spaces indicating the parking spaces for the apartment number.

Meeting was adjourned at approximately 2 p.m.

*Samuel B. Carey*

Signed

*4/3/13*

Date