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MINUTES

LOUDON REGIONAL PLANNING COMMISSION

May 7, 2014

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

A motion to approve the minutes for the April 9, 2014 meeting was made by Mr. McEachern, second was by Ms. Hines. Minutes were approved 7-0.

Agenda Item A: Consideration of options for proposed left-turn lane improvements on Hwy. 11 at Ft. Loudoun Middle School entrance. Loudon County Schools Assistant Superintendent, Mike Garren/Staff

Mr. Garren, Loudon County Schools Assistant Superintendent, was present.

Mr. Garren stated that after the original site plan had been approved by the Planning Commission, they had a change in their traffic flow on Hwy. 11 and Steekee Street. He asked the Commission to advise the school board on what direction to go after he explained some of things that had changed. He said when they got to the part of where they were going to do the work on Hwy. 11, TDOT said they didn't have the right of way in that location. He stated that TDOT said that their easement was from edge of pavement to edge of pavement. He said with this information, they would be impacting about seven properties, including some businesses, on the other side of Hwy. 11. He stated that the school board did not want to negatively impact those businesses with the project. He said Mr. Newman had informed him of some new information on the right of way that they were not aware of. He stated that they had asked their architect to come up with another drawing to pull of those properties on the other side. He said he had gone to City Council to seek their advice. He stated that if they did come off the property owners, then they would be coming onto some city property on their side of Hwy. 11. He explained all the changes in the traffic flow they had made at Loudon High School and Ft. Loudoun Middle School. He said they had pulled all the buses off Hwy. 11, and they were coming in from Steekee Street. He stated there was a cut-through road from Ft. Loudoun Middle School to the high school. He said all the parents dropping off and picking up their children were encouraged to use Carter Street into the high school and Steekee Street for Ft. Loudoun Middle School and back out to Steekee Street. He stated that they are currently working on a Loudon High School project that would also help with another access road in the front. He said that originally the school board had not discussed this traffic flow with the Commission when the original site plan was approved.

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He stated that seeing the school in operation has helped them work on the traffic flow. He said they had talked with the local law enforcement and emergency services, and they said that the traffic flow is doing well. He stated they had not seen more than 9 cars stack up on Hwy. 11 to come into the entrance of Ft. Loudoun Middle School. He said that City Council was supposed to lower the speed limit to 20 mph. He stated that the school board had ordered the beacons to be installed. He said that the school board wanted to ask the Planning Commission to leave things on Hwy. 11 as they are currently going into the entrance of Ft. Loudoun Middle School. He stated they could taper out their pavement on the entrance, finish the paving, and install the beacons. He said when he talked with City Council about the new design; he didn't think they wanted them to come further on their property at the park. He stated that they did not think there was a current safety issue at this entrance.

Mr. Carey commended the school board for changing all the traffic patterns.

Mr. McEachern said that he went through this area twice a day, and he thought the traffic ran smoothly.

Mr. Carey asked Mr. Garren if they were going to put up a "No Left Turn" sign on Hwy. 11.

Mr. Garren stated that if that is what the Planning Commission wanted them to do, they would put up a "No Left Turn" sign and place the beacons where ever the Commission thought they should go. He said that people had asked the school board why they were spending the extra money on this project when the traffic flow seems to be going fine. He stated that specifically, they wanted to leave Hwy. 11 the way it is currently, finish the paving at Ft. Loudon Middle School, do some additional grading to feather the drive out more, and install the flashing beacons beyond the high school and middle school.

Mr. Carey asked Mr. Garren if he was not asking to do the new design that the architect had done.

Mr. Garren said that the school board was not asking to do the new design.

Ms. Hines asked Mr. Newman what was the new information he had.

Mr. Newman stated that the big issue at the beginning was that the TDOT plans showed a 66' ROW, and the width of the improvement was only 60'. He said that the improvement could be done with the right of way shown on the plan. He stated that the surveyor who had done the survey work for the school project told him that the right of way was a prescriptive right of way, and it was not deeded. He said that Mr. Carey had found a deed for the right of way on Tuesday. He stated that the Thomas' had owned all of this property on this stretch. He said that the Thomas' sold 66' of property to TDOT. He stated that the right of way is there. He said there was no property needed to be acquired to do the improvement. He stated that the question was now if the improvement was necessary based on the information that Mr. Garren had given them.

Mr. Garren said that the new design the architect had drawn came after Mr. Vance, Director of Loudon County Schools, had spoken with Mr. Newman about a compromise. He stated that he

still thought they would have to be going onto city property, and the City did not seem to want to the school board to do that. He said that the new design would still have to get TDOT's approval. He stated he wanted to know if the Commission felt like the school board in not needing the improvements done on Hwy. 11.

Mr. Brewster asked Mr. Garren why the Bradford pear trees were cut and the disturbances was done on the park when the project first started if there was no plan to do an acceleration lane.

Mr. Garren said that he was not sure, and he would have to check on that.

Mr. Mark Harrell, with Loudon Parks and Recreation, stated that he didn't know the reason for losing the 15 Bradford pear trees.

Mr. Garren stated that it might have been in preparation for the original project before they ran into to the right of way issue.

Mr. Newman asked Mr. Garren if the enrollment at the middle school was at capacity.

Mr. Garren said that the enrollment was about 350, which was what it was in the older facility. He stated that the building was built for a capacity of 500. He said that they have not seen an increase in enrollment for about 3-4 years. He stated that unless there was a boom in construction and in the economy, they probably would not see an increase in enrollment.

Mr. Newman asked Mr. Garren if the new school did get to the capacity would the traffic pattern continue to handle the flow of traffic. He said that the current traffic pattern was working great.

Mr. Garren stated that he thought the traffic flow would still work fine if the school gets to capacity. He said they would continue to bring traffic off of Steekee Street and not Hwy. 11.

Mr. Brewster asked Mr. Garren if academic events and sports events would cause a traffic problem.

Mr. Garren said that he did not see a traffic problem for these events as much as there was at the high school. He stated that they could only put in a softball field and soccer field at the middle school. He said that the participation in these sporting events would not cause a traffic problem.

Mr. Brewster asked Mr. Fagg, City Public Works Director, what he thought about the traffic situation.

Mr. Fagg stated that he thought it would be better not to do anything to Hwy. 11. He said they would see how the lowering of the speed limit would work. He stated that the caution lights would be installed at Huffland Drive and at the Mexican Restaurant going toward Hwy. 72. He recommended leaving Hwy. 11 like it was.

Mr. Brewster asked who would be financially responsible to make the improvement if there was an increase in enrollment in the future.

Mr. Fagg said that since it was a state highway, TDOT would be financially responsible.

Mr. Newman stated that when Eaton Elementary and North Middle School had a traffic problem years ago that the improvement to the road was paid for by grant money. He said that this was about \$1 million project.

Mr. Brewster asked Mr. Garren how much was set aside to do the original improvement.

Mr. Garren said that he thought it was about \$300,000. He stated he was not 100% sure of the exact cost.

Mr. Fagg stated that there was a study done years ago by UT. He said they recommended changing the speed limit for the high school from 45 mph to only 30 mph.

Mr. Brewster asked Mr. Fagg if he would recommend the original project to Hwy. 11 that was recommended by the Planning Commission or the new designed improvement.

Mr. Fagg said that he would not recommend either improvement. He stated that it would be almost impossible to do those improvements without having more of a drainage problem. He asked if they would dump the water on the park.

Mr. Mills, City Manager, stated that City Council was in the process of changing the speed limit in that area to 20 mph. He said that City Council also thought it was best to postpone any changes to the lanes on Hwy. 11 and just put the caution lights up with the new speed limit to see how that helps. He said that if there were no issues for a year, the county would not be required to do anything with adding a left hand turn lane on Hwy. 11. He stated that if there were issues in a year's time, the county would be required to install the improvements on Hwy. 11.

Mr. Newman stated that it would be up to the school board to set aside the funds to make the improvements. He said that the Commission could not force them to do that.

Mr. Brewster said that there was approximately \$300,000 available right now.

Mr. Garren stated that the school board has a fund balance, but they have to ask County Commission to get the money out of the fund balance. He said he could not promise to pull any money from a fund that another government body controls.

Mr. Cardwell said that they needed to plan and spend for future projections and not current capacity. He stated that if they waited until there was a traffic issue in the future, it may cost more money.

Mr. Fagg stated that the state had approved a permit for the drive to come onto Hwy. 11. He said he thought that since this was a state highway and it was a county building, the finances to make the improvements later on would have to come from one of them and not the city.

Mr. Cardwell asked how there could be a requirement that the city does not recommend doing it. He asked why all these issues did not come up at the time the Planning Commission required these improvements to be done.

Mr. Brewster said they were told it was the architects fault.

Mr. Mills stated that someone did not do their due diligence, and that there was not enough right of way on the business side of the highway to accommodate that plan.

Mr. Garren said that earlier when the decision was made with the information given, there were some issues that came up later.

Mr. Newman stated that the Planning Commission made the requirement for the road improvements. He said that it was an assumption for the requirement based on the patterns that are at some of the other schools in the county.

Mr. Garren said that the variable of the change to the requirement was the changes internally to traffic flow at the schools. He stated that these changes were made after school had already started.

Mr. Cardwell stated that his point was there was not an analysis done to see what needed to be done.

Mr. Newman said there was no study that had been done to document whether there is sufficient justification for requiring a left turn lane. He stated that the evidence since the opening of school was indicative of the fact that there is not that kind of need for it. He said that if these internal changes remain, he did not see justification to require the improvements on Hwy. 11. He stated that it did merit the speed limit change, the installation of caution lights, labeling on the pavement that there is a school zone, and adding "No Left Turn" signage at the entrance from Hwy. 11 during the peak school periods.

Mr. Brewster asked who could enforce the no left turn.

Mr. Newman stated that the police could enforce it. He said the police were present now during these school peak periods.

Mr. David Wright, owner of Proformance Muffler Shop, suggested making a right turn lane going into the entrance. He stated that would eliminate the backup coming from Hwy. 72.

Mr. Newman said that he would also recommend that the school board set aside a reserve to address this if it does become an issue and the Planning Commission brings it back to their attention.

Mr. McEachern asked what the recommendation from staff was.

Mr. Newman stated that he recommended to amend the site plan requirement to not to make the left turn lane improvement at this time based upon the evidence that the Commission does have

that it is not needed. He said that it was not needed due to the school board's traffic circulation plan. He stated there were no buses and very few vehicles going into this entrance. He said there was no sufficient justification to require them to put the left turn lane. He stated that may change, and the Commission could ask the school board to set aside a reserve fund for a minimum 3-year period to re-evaluate the issue.

Mr. McEachern stated that based on the recommendation from the staff and an employee of the city, made the motion to give the Loudon County School Board a 3-year reprieve of implementing any turn lane on Hwy. 11, and then after 3 years if the Planning Commission had a concern about the traffic flow, the School Board would have to go back to the original site plan or offer an alternative that the Planning Commission would approve.

This motion failed due to no 2nd.

Mr. Gammons suggested to table the decision, because they were going to put the caution lights up. He said he thought this would solve the problem.

Mr. Brewster made a motion (after 2 amendments) for the school board to proceed with installing the school zone flashing signals near the Harper's driveway south of the school entrance and near Huffland Drive north of the school entrance, place a "No Left Turn" signage on Pam Thomas Way at the intersection with Hwy. 11, place signage stating "Emergency Vehicles Only" on Hwy. 11 at Pam Thomas Way, reimburse the City of Loudon Parks and Recreation Department \$100,000 for trees removed from Liberty Park and damages to the Park during construction, place \$200,000 in a reserve fund for 3 years to complete the turn lane improvements if the City thought it was needed, and that the City post the school zone speed limit at 20 miles per hour during school hours. Mr. Cardwell made a 2nd to the motion. Motion carried 7-0.

Agenda Item B: Review request from business owner of Taco Loco Restaurant to add outdoor tables in front of restaurant along Mulberry Street. Applicant: Heriberto Navarrete
Mr. Navarrete was present.

Mr. McEachern recused himself from the Commission.

Mr. Navarrete passed out his plan for the outdoor tables in the front of the restaurant.

Mr. Brewster asked if this was not addressed previously.

Mr. Newman stated that the previous owner/operator had submitted a request a couple of years ago for adding an awning to the building to place tables under. He said that the awning was going to extend out over the sidewalk. He stated that Mr. Navarrete was not asking for that same request.

Mr. Navarrete said that due to selling liquor at the business, he was required to put up a fence around the tables.

Ms. Hines asked if Mr. Navarrete was putting tables on the right of way.

Mr. Navarrete stated that he was.

Mr. McEachern said that the right of way only encompasses the city sidewalk. He stated that there was about 10-11' of concrete from the front of the building that belongs to the property owner.

Mr. Newman stated that Mr. Navarrete's plan shows that there was 13' of concrete.

Ms. Hines asked Mr. Newman how much seating this added to the business and what would be the parking spaces requirement.

Mr. Newman said that he didn't know, because he was just handed this plan at the meeting.

Mr. Cardwell made a motion to table the request until the next meeting due to just receiving the plan. He stated that they needed to hear from public safety about sight lines on the corner and hear from the fire personnel. He said that Mr. Newman had not had time to get his parking space calculations. He stated that they were guessing on right of way measurements.

Mr. Gammons asked Mr. Navarrete what the fence would be made out of.

Mr. Navarrete stated that the fence would be metal or wood.

Mr. Brewster made a 2nd to Mr. Cardwell's motion to table the request until next meeting. Motion carried 6-0 (with Mr. McEachern not voting).

Mr. Navarrete said that he would be using the tables in the summer months. He stated he wanted to make the restaurant more attractive by adding the tables.


Mr. Newman stated that he didn't think the tables and fence would be an issue to obscure vision.

Additional Public Comment: There were none.

Announcements and/or Comments from the Board/Commission: There were none.

Mr. Cardwell made a motion to adjourn, second was made by Ms. Hines. Meeting was adjourned at approximately 2:00 p.m.


Signed


Date