

MINUTES  
TOWNSEND MUNICIPAL PLANNING COMMISSION  
DECEMBER 12, 2013

Members Present

Sandy Headrick, Chair.  
Michael Talley, Mayor  
Alicia McClary  
Rob Webb

Members Absent

Chester Richardson  
Steve Fillmore, Sec.

Others Present

Shelia Moss  
Andy Morton  
Ron Palewski  
Debbie Baum  
Darrell Tipton  
Mark Dunn  
Diana Dunn

ETDD Staff Representative: Joe Barrett

CALL TO ORDER AND APPROVAL OF MINUTES

Chairman Headrick called the meeting to order at 6:00 P.M. on December 12, 2013 at the city hall. The minutes from the last regular monthly meeting were reviewed by the members. After review, a motion was made by Michael Talley and seconded by Rob Webb to approve the November 14, 2013 Planning Commission Minutes as written. The motion passed unanimously.

NEW BUSINESS:

REPORTS FROM BOARD OF COMMISSIONERS

Mayor Talley reported that Lisa Stewart had resigned from the board of zoning appeals. A new member will need to be appointed to the three-member board.

DISCUSSION OF PROPERTY REZONING

A representative was present to discuss the possibility of rezoning property from an R-2 District to a B-1 District. The property (Tax Map 97, Parcel 103.01) is approximately 4.5 acres and is located off Old Highway 73 behind Trillium Cove. The representatives wished to sell the property for future business development. A discussion ensued regarding potential uses of the property and the issue of "spot zoning". Some of the criteria such as consistency with the zoning arrangement and land use activities were discussed with the members. Generally, any proposed use is not binding in a rezoning request and any use that is permitted in the B-1 District would be permitted. A rezoning request is typically deemed spot zoning if the request has the effect of singling out a small parcel for the benefit of a single property owner that is inconsistent with the zoning and detrimental to surrounding properties. However, this is not defined in state law, but is based on general guidelines that have been established by the court system. Moreover, a rezoning of a small parcel that meets these guidelines is generally not favored by the courts. These is

properties across Old Highway 73 that are zoned as B-1, but there are no adjoining properties on the same side as this property that are zoned as a B-1 District. A discussion then ensued regarding the tubing businesses since the property adjoin the Little River. There were mixed reactions to the possibility of a rezoning request of this nature. No action taken at this time.

OLD BUSINESS:

REVIEW DISTILLERY & BREWERY OPTIONS

Staff provided members with revised draft standards for distilleries and breweries for review. The performance standards are categorized into two sections based on the defined principal use. These principal uses are based on the production capacity of the facility. Staff reviewed the draft standards with the members and answered questions regarding these uses. During the discussion, there were amendments to the standards that were requested. These amendments included placing “brewpubs” in the section for principal uses, requiring all facility operations be located on the same parcel and including the compliance with all other city codes be included for the accessory use section. Staff will revise the regulations accordingly and provide copies for review at the next meeting. No action taken at this time.

REVIEW DRAFT OF ZONING AMENDMENT: SPECIAL EXCEPTIONS FOR CARPORTS

Draft standards for detached carports have been reviewed by the commission at previous meetings to consider conditions in which detached carports outside of the rear yard would be acceptable. Members were provided the latest revision for review. During review, there was some questions on the terms in the regulations. The commission requested that the definition of a detached garage/carport be revised to include “one-story”. Following discussion, a motion was made by Michael Talley and seconded by Rob Webb to recommend the revised zoning amendment to the board of commissioners. The motion passed unanimously. Staff will revise the draft standards and provide the city and members a copy.

OTHER BUSINESS:

Pedestrian/Bike Transportation

A presentation was provided to the public for the Maryville-to-Townsend Greenway Master Plan that recently completed by Equinox Environmental Consultants. The greenway is a 13.7-mile corridor that is broken down into four phases. The public has access to the plan for those that are interested.

Local Administrative Items

A letter sent to the city from RS Construction stating that the company will no longer be providing services for Cades Cove Cellars and requesting the permit be revoked was reviewed by the members. The letter also states that the owners have made changes that are not reflected on the design and construction plans. A response letter from the building inspector will be drafted and sent to RS Construction. Clarification on some of the modifications that the contractor is contending the owners made will need to be confirmed.

STATUS REPORTS:

An inquiry was made to staff regarding a Dollar General development in town. The contact was from the Land Development Solutions. This is a Civil Engineering Design and Surveying Firm that was inquiring about the regulations in Townsend. No further details were provided.

At 7:45 PM, with no further business the meeting was adjourned.

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Secretary

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Date