

MINUTES
FARRAGUT MUNICIPAL PLANNING COMMISSION

July 19, 2012

MEMBERS PRESENT

Rita Holladay, Chairman
Ed St. Clair, Vice-Chairman
Ed Whiting, Secretary
Melissa Mustard
Ron Rochelle
Noah Myers
Ron Honken, Alderman

MEMBERS ABSENT

Ralph McGill, Mayor
Betty Dick

Staff Representatives: Ruth Viergutz Hawk, Community Development Director
Gary Palmer, Assistant Town Administrator
Darryl Smith, Town Engineer

Chairman Holladay called the meeting to order at 7:00 p.m.

CITIZEN FORUM

Chairman Holladay recognized Boy Scouts, Braxton McDonald of Troup 444 who is earning his Citizenship in Community Badge and Parker Chambers of Troup 59 who is earning his Communications Merit Badge.

Commissioner Holladay reported Winston & Associates are working on the Land Use Plan and are on schedule. You can go to www.farragut2025.com for updates.

Per a recent change made by the State General Assembly, the Farragut Municipal Planning Commission members are required to fill out disclosure forms and submit them to the Tennessee Ethics Commission before the end of the year.

APPROVAL OF MINUTES

Commissioner Myers moved to approve the June 21, 2012, minutes as submitted. Commissioner Mustard seconded the motion and the motion passed 5-0-2, with Commissioners St. Clair and Honken abstained because they were absent.

ELECTION OF OFFICERS

Commissioner St. Clair nominated Rita Holladay as Chairman. Commissioner Myers seconded the motion and the nomination passed with a 7-0 vote.

Commissioner Whiting nominated Ed St. Clair as Vice-Chairman. Commissioner Myers seconded the motion and the nomination passed with a 7-0 vote.

Commissioner Myers nominated Ed Whiting as Secretary. Commissioner Mustard seconded the motion and the nomination passed with a 7-0 vote.

APPROVAL OF PLANNING COMMISSION BY-LAWS

Staff recommended approval of the Farragut Municipal Planning Commission By-Laws as submitted.

Commissioner St. Clair moved to approve the Farragut Municipal Planning Commission By-Laws. Commissioner Whiting seconded the motion and the motion passed 7-0.

AGENDA ITEMS

DISCUSSION AND PUBLIC HEARING ON REQUEST TO EXTEND THE LETTER OF CREDIT FOR THE COMPLETION OF OUTSTANDING ITEMS, OUTLETS DRIVE EXTENSION PLAT, LOCATED ON OUTLET DRIVE WEST OF TURKEY CREEK PUBLIC MARKET, PARCELS 154.06, 154.07, 154.08, 154.09 & 154.10, TAX MAP 130, APPROXIMATELY 20.5 ACRES (Furrow Family Partnership LP, Applicant)

Withdrawn

DISCUSSION AND PUBLIC HEARING ON A SITE PLAN FOR REVISED SIDEWALK AND DUGOUTS AT KNOXVILLE CHRISTIAN SCHOOL, 11549 SNYDER ROAD PARCEL 129, TAX MAP 130, 67 ACRES, ZONED R-2 (David Roland/Knoxville Christian School, Applicant)

Staff recommended approval of the site plan subject to addressing the following items:

1. Clarify size of joists and stair stringer;
2. Verify commercial stair loading; and
3. Meet all Town requirements.

Commissioner Myers moved to approve the site plan subject to staff's recommendation. Commissioner Honken seconded the motion and the motion passed 7-0.

DISCUSSION AND PUBLIC HEARING ON A SITE PLAN FOR ZAXBY'S RESTAURANT, 11636 PARKSIDE DRIVE, LOCATED ON THE SOUTH SIDE OF PARKSIDE DRIVE BETWEEN HOME FEDERAL BANK AND JC PENNEY, PARCEL 191.08, TAX MAP 130, 13.40 ACRES, ZONED C-1 (Jeff Carter, Applicant)

Staff recommended approval of the site plan subject to addressing the following items:

1. Add clarification to "Farragut Notes" on sheet 3 stating building is sprinklered per NFPA 13;
2. Provide location of Fire Department Connection and fire hydrant within 100' of the FDC;
3. Provide fire lane markings at all fire hydrants, FDC and emergency access locations on the property in accordance with the 2006 International Fire Code;

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4. Provide written approval of all water and sewer plans from First Utility District of Knox County;
5. Provide the number of required fire hydrants, as indicated in appendix “C” of the 2006 IFC. Utilizing your calculations on sheet 4. Include in fire flow note at the top of sheet four;
6. Record a plat establishing the shared access easement, deleting drainage easements, showing new utility easements, etc., prior to the issuance of any Certificate of Occupancy.
7. Delete all sign information, including the building sign and the Drive Thru Menu Board reference;
8. Modify plans to reflect that the sidewalk is contained in the shared access easement and the 10' perimeter parkway is maintained;
9. Remove the side flares/ramps from the delivery ramp at the rear of the building;
10. In the lighting plan, include details of all wall lights, recessed canopy lights, etc.;
11. Move the bike rack concrete pad so that it is not located within the required landscape island (front of building);
12. Add a line of sight from the JCPenney property to verify that the HVAC units cannot be seen from that property;
13. Submit Drainage Fee of \$630;
14. Submit irrevocable letter of credit for erosion control for \$6,000; and
15. Meet all Town requirements.

*Commissioner Myers moved to approve the site plan subject to staff's recommendation.
Commissioner Mustard seconded the motion and the motion passed 7-0.*

**DISCUSSION AND PUBLIC HEARING ON A SITE PLAN FOR DISCOUNT TIRE,
LOCATED ON THE KFC SITE, 11201 KINGSTON PIKE, PARCEL 120, TAX MAP
143, 1.00 ACRE, ZONED C-1 AND FLOODPLAIN (Discount Tire Company, Applicant)**

Staff recommended approval of the site plan subject to addressing the following items:

1. Provide clarification, under Codes Division on sheet 1, that structure is to be fully sprinklered in accordance with NFPA 13 and square footage of building;
2. Provide the required fire flow and hydrant quantity calculations in accordance with the 2006 IFC appendix B and C. Include these calculations on the drawings. Provide a calculation summary on sheet 1 or 8;
3. Provide location of sprinkler system post indicator valve, fire department connection and required hydrant within 100' of FDC. No FDC location was provided, therefore we cannot assume the other items;
4. Provide written approval from First Utility District of Knox County (Sheet 8);
5. If the fire department connection for the fire sprinkler system will be located on the West End Avenue side of the building, the fire lane markings should be adequate;

6. Change the wall pack light to a wedge style. The light/globe must be fully recessed in the fixture housing;
7. Clarify the light pole height. The maximum is 28' tall;
8. Submit detailed plans of the bioswale construction including how it will be constructed and staged in this setting;
9. Add a note to Sheets 14 and 15 that all HVAC units shall be screened so that they are not visible from adjacent properties or rights of ways;
10. Submit irrevocable letter of credit for erosion control for \$6000.
11. Submit Drainage Fee of \$530.
12. Meet all Town requirements.

Commissioner Honken moved to approve the site plan subject to staff's recommendation. Commissioner St. Clair seconded the motion and the motion passed 7-0.

DISCUSSION AND PUBLIC HEARING ON A SITE PLAN FOR KRISPY KREME, LOCATED ON THE TOYAMA SITE, 11212 KINGSTON PIKE, PARCEL 2, TAX MAP 143, 1.26 ACRES, ZONED C-1 AND FLOODPLAIN, AND A VARIANCE REQUEST FROM THE FARRAGUT MUNICIPAL CODE, TITLE 16, CHAPTER 4, DRIVEWAYS AND OTHER ACCESSWAYS, SECTION 16-406 (1) DISTANCE REQUIREMENTS. (A) DISTANCE FROM INTERSECTIONS AND (B) DISTANCE BETWEEN DRIVEWAYS, FOR A DRIVEWAY TO KINGSTON PIKE, WHICH IS CLASSIFIED AS A MAJOR ARTERIAL (Michael LaRue/Krispy Kreme Doughnut Corporation, Applicant)

Variance Request: The entrance onto Kingston Pike cannot meet the Town's Access Ordinance, which requires a minimum distance of 400' between driveways and/or intersections. As the site can access Kingston Pike via access easements at the signalized High School/Old Kroger entrance as well as the signalized access to Concord Road, the property is not automatically entitled to a direct access onto Kingston Pike.

Staff can recommend a variance to the Access Ordinance for a right-in/right-out only, but cannot support a variance for a full access because of the head-on conflicts in the center turn lane. The primary conflict is east bound traffic turning left into the site and west bound traffic turning left onto West End Avenue. The Sheriff's Department's traffic officers familiar with the area emphatically concurred with staff's recommendation.

A lengthy discussion followed. Tony Capiello, Oliver Smith, and Bobby Spear represented the applicant.

Commissioner St. Clair moved to approve a 40' variance to the west and a 30' variance to the east for a right-in/right-out/left-in only access to Kingston Pike with a physical barrier in the driveway to prevent left turns out of the site. Commissioner Honken seconded the motion and the motion passed 7-0.

Site Plan: Staff recommended approval of the site plan subject to addressing the following items:

1. Provide written verification from First Utility District of Knox County to confirm approval of all water related utilities;
2. Sheet 2 - plat note #9 - Please include the 2010 flood study information. Since you are choosing not to elevate per the 2010 flood study, include in the plan note that the developer and property owner are choosing to elevate the building per the 1999 study and not the 2010 study;
3. Sheet 10 - the Exitronix light fixture is not a compliant decorative light fixture. Substitute accordingly;
4. Include the decorative light fixture information on the Fixture Schedule and on the map on Sheet 13;
5. Sheets 10 & 13 - what is the difference between Type III and Type IV fixture? Please clarify;
6. Eliminate the overhead power line running from Pole 11 to Pole 17 (rear center of property) and remove Pole 17;
7. Show both power poles located east of the entrance at Kingston Pike;
8. Add a sidewalk connection to the west property line;
9. Remove or relocate the noncompliant on-site real estate sign. It does not meet the minimum setback requirements and it blocks visibility;
10. Though it is shown, the location of tree protection fencing is hard to follow graphically on the plan. Please make this more discernible;
11. Given the proximity of the limits of disturbance in relation to the large pine trees located on the adjacent property to the west, an arborist review and recommendations for protecting the pine trees and minimizing construction related stress will need to be implemented at the recommended stages of construction;
12. Terminal parking lot islands cannot count toward fulfilling the landscaping requirement between the building and parking lot. Also, the menu board area is proposed to help satisfy the landscaping requirement between the building and parking lot. Any portion of this menu board area that is not landscape material, because these are typically mounted onto a concrete pad, will need to be deducted from the qualifying square footage. Modify the diagram and calculations accordingly;
13. Design the Kingston Pike access as a right-in/right-out only;
14. Include at least a 90' taper as a short deceleration lane on Kingston Pike to the access driveway;
15. Submit TDOT entrance permit;
16. Submit irrevocable letter of credit for erosion control for \$6300;
17. Submit Drainage Fee of \$515; and
18. Meet all Town requirements.

Commissioner Myers moved to approve the site plan subject to items 1-12 and 14-18 and modifying item 13 to read "Design the Kingston Pike access as a right-in/right-out/left-in only with a physical barrier. Commissioner St. Clair seconded the motion and the motion passed 7-0.

DISCUSSION AND PUBLIC HEARING ON A PRELIMINARY PLAT FOR LANTERN PARK, FORMERLY EVERETT HILLS, LOCATED ON THE WEST SIDE OF EVERETT ROAD APPROXIMATELY 2,500 FEET NORTH OF SMITH ROAD, PARCEL 98.01, TAX MAP 141, 50.77 ACRES, ZONED R-1 AND OSR, 105 LOTS (Robert G. Campbell & Associates, Applicant)

Postponed

DISCUSSION AND PUBLIC HEARING ON AN AMENDMENT TO THE TEXT OF THE FARRAGUT MUNICIPAL CODE, TITLE 9, CHAPTER 4. SIGN ORDINANCE, SECTION 9-406 (4), TO ELIMINATE SUBSECTION (P) WALL SIGNS IN THE OFFICE DISTRICT, THREE STORIES (O-1-3) AND OFFICE DISTRICT, FIVE STORIES (O-1-5), WHICH PROVIDES FOR ADDITIONAL SIGNS

Staff recommended approval of Resolution PC-12-08, which recommends approval of Ordinance 12-11 and the Sign Ordinance amendment to the Board of Mayor and Aldermen.

A lengthy discussion followed.

Commissioner Whiting moved to approve Resolution PC-12-08. Commissioner Myers seconded the motion. The motion failed 3-4 with Commissioners Rochelle, Honken, Mustard, and St. Clair casting the dissenting votes. This was a planning commission generated request and by consensus the members agreed Ordinance 12-11 would not be forwarded to the Board of Mayor and Alderman.

DISCUSSION OF REQUEST TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, CHAPTER 3, SECTION XII. GENERAL COMMERCIAL DISTRICT (C-1), TO PERMIT RENTAL CAR BUSINESSES AND CERTAIN ANCILLARY USES AS AN ALLOWED USE (Enterprise Rent-A-Car Company of Tennessee, LLC, Applicant)

For discussion purposes only

DISCUSSION OF AN AMENDMENT TO THE FARRAGUT ZONING ORDINANCE, CHAPTER 4., SECTION XXIII. SITE PLAN REGULATIONS, TO REQUIRE FINALIZED, STAMPED APPROVED SITE PLANS AND ALL ASSOCIATED REVISIONS TO BE SUBMITTED AS A PDF AND TO REQUIRE APPROVED AS-BUILTS TO BE SUBMITTED AS A PDF PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, AND TO CLARIFY PRE-SUBMITTAL MEETINGS REQUIREMENT

For discussion purposes only

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PUBLIC HEARING ON PROPOSED LOCATIONS FOR NEW UTILITIES

None at this time

ADJOURNMENT

The meeting adjourned at 10:45 p.m.

A handwritten signature in dark ink, appearing to read "Edwin K. Whiting", is written over a horizontal line.

Edwin K. Whiting, Secretary