



FARRAGUT MUNICIPAL PLANNING COMMISSION AGENDA

October 15, 2020

7:00 p.m.

This meeting can be viewed live on Charter channel 193 and TDS channel 3." The meeting will be held virtually, authorized by Governor Lee's executive orders regarding the COVID19 pandemic.

Meeting comments may be emailed to comments@townoffarragut.org and must be received by 12:00 p.m. on October 15 to be included in the record of the meeting. Anyone that wishes to provide comments must include their name and address. For questions please e-mail Mark Shipley at mshipley@townoffarragut.org

- 1. Approval of agenda**
- 2. Approval of minutes – September 17, 2020**
- 3. Discussion and public hearing on a request for a comcast cable line installation along the south side of Parkside Drive west of JCPenney and terminating at 11416 Grigsby Chapel Road (Fulghum, MacIndoe and Associates, Applicant)**
- 4. Discussion and public hearing on a re-subdivision plat for the property located at 204 Boring Lane, Zoned R-1, 7.57 Acres (Benjamin Moorman, Applicant)**
- 5. Discussion and public hearing on a rezoning of the property at 933 McFee Road from Agricultural (A) to Open Space Residential Overlay (R-1/OSR), 7 Acres (Rackley Engineering, Applicant)**
- 6. Discussion and public hearing on an amendment to the Farragut Municipal Code, Appendix A., Zoning, Chapter 4., Section XXIX, - Grand Opening Special Events Permit, to provide for different sign related provisions (Town of Farragut, Applicant)**
- 7. Discussion on a request to amend Appendix A – Zoning, Chapter 3., Specific District Regulations, Section XII., General Commercial District (C-1), B., 3., as it relates to the outdoor display and or storage of general farm implements and lawn care equipment, riding lawn mowers, and related accessories (Farragut Lawn and Tractor, Applicant)**
- 8. Approval of utilities**
- 9. Citizen Forum**

11408 MUNICIPAL CENTER DRIVE | FARRAGUT, TN 37934 | 865.966.7057

WWW.TOWNOFFARRAGUT.ORG

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the Civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting.

Planning Commission Meeting Public Comment Protocol

The Planning Commission welcomes and invites Farragut residents to participate in public meetings.

At the end of each business meeting, there will be time reserved for public comment under the Citizen Forum agenda item. If you are interested in speaking, please fill out a blue comment card and turn it in to the Planning Director or other designated staff member. **For virtual meetings, comments may be emailed to comments@townoffarragut.org and must be received by 12:00 p.m. on the date of the meeting to be included in the record of the meeting. Anyone that wishes to provide comments must include their name and address.** This time is set aside specifically for comments on items that are not on the Planning Commission regular agenda for the meeting. Each speaker will be given five (5) minutes to speak on his/her topic.

During the regular agenda portion of the meeting there may be an allowance for public comment for each agenda item. The Chairman may recognize individuals for public comment based on the following guidelines.

1. The Chairman shall maintain and control the meeting to provide a professional and objective environment;
2. Any Farragut resident, property owner, or business owner interested in speaking should fill out a blue comment card stating which agenda item they would like to comment on and turn in to the Planning Director or other designated staff member;
3. Speakers shall come to the podium and identify themselves by name and street address;
4. Public comment shall be limited to five (5) minutes per individual. Time for public comment may be amended at the discretion of the Chairman. Time is not transferable to other speakers;
5. Speakers should strive to avoid redundancy; each speaker should have their own original viewpoint;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose issues or measures, but the motives of those with differing views shall not be questioned or attacked;
8. Personal attacks and malicious comments shall not be tolerated;
9. An applicant, and/or their representative(s), for an item on the regular agenda shall be afforded the time necessary to present their request and respond to questions. The five (5) minute limitation shall not apply. However, the Chairman may ask an applicant to stay on point in order to facilitate the efficiency of the meeting.

Each speaker will be asked if they can agree to abide by the Comment Protocol. If so, please be prepared to speak when your name is called.



**MINUTES
FARRAGUT MUNICIPAL PLANNING COMMISSION**

September 17, 2020

MEMBERS PRESENT

Rita Holladay, Chairman
Ed St. Clair, Vice-Chairman
Ron Williams, Mayor
Louise Povlin
Scott Russ
Jon Greene
Betty Dick
Noah Myers
Michael Bellamy

MEMBERS ABSENT

Staff Representatives: Mark Shipley, Community Development Director
David Smoak, Town Administrator

This meeting was conducted through a remote Webex session due to Governor Lee's orders and the Knox County Health Department's orders regarding the COVID-19 pandemic.

Chairman Holladay called the meeting to order at 7 p.m. and provided background on why the meeting was being conducted through Webex and where it may be viewed.

1. Approval of agenda

Staff recommended approval of the agenda as submitted.

A motion was made by Mayor Williams to approve the agenda as presented. Motion was seconded by Commissioner Povlin and motion passed 9-0 through a roll call vote.

2. Approval of minutes – August 20, 2020

Staff recommended approval of the minutes as submitted.

A motion was made by Commissioner Povlin to approve the minutes as submitted. Motion was seconded by Commissioner St. Clair and motion passed 8-0-1 through a roll call vote with Chairman Holladay abstaining due to being absent at the August 20 meeting.

3. Discussion and public hearing on a re-subdivision plat for Lots 17-19 in Unit 2 of the Split Rail Subdivision, Zoned R-1/OSR (Adam Schmeing Land Surveying, Applicant)

Staff reviewed this item and recommended approval subject to obtaining required signatures.

A motion was made by Commissioner St. Clair to follow the staffs' recommendation. Motion was seconded by Commissioner Povlin and motion passed 9-0 through a roll call vote.

4. Discussion and public hearing on a rezoning of the property at 1013 McFee Road from Agricultural (A) to Open Space Residential Overlay (R-1/OSR), 24.85 Acres (Rackley Engineering, Applicant)

Staff reviewed this item and recommended approval of Resolution PC-20-12 which recommends approval of Ordinance 20-18.

A motion was made by Commissioner St. Clair to follow staffs' recommendation. Motion was seconded by Commissioner Povlin and motion passed 9-0 through a roll call vote.

5. Discussion and public hearing on a preliminary plat for the Brookmere Subdivision, Phase 2, 52 Lots, Zoned R-1/OSR, 87.34 Acres (Lose Design, Applicant)

Staff reviewed this item and noted that the applicant had requested a variance to lower the design speed at the intersections to 25 MPH and to lower the design speed of Reverence Run Lane to 25 MPH. Separate action would be needed on each variance.

In terms of the variance to lower the design speed at the intersections to 25 MPH, a motion was made by Mayor Williams to approve the variance. Motion was seconded by Commissioner Povlin and motion passed 9-0 through a roll call vote.

In terms of the variance to lower the design speed of Reverence Run Lane to 25 MPH, a motion was made by Commissioner St. Clair to approve the variance. Motion was seconded by Commissioner Povlin and motion passed 9-0 through a roll call vote.

In terms of the preliminary plat for Phase 2, staff recommended approval subject to the following:

- 1) Please revise the title to note that this is Phase 2 not Phase 3;
- 2) FUD will need to sign off on the water and sewer plans;
- 3) No disturbance shall be permitted within tree covered areas of the 25-foot buffer strip around the periphery. The placement of tree protection fencing shall be coordinated in the field with the Town staff prior to the issuance of a grading permit to ensure that this requirement is satisfied;
- 4) Please submit drainage permit fee payment of \$1,600;
- 5) Please provide an erosion control letter of credit for this phase based on a dollar amount to be determined by the Town Engineer;
- 6) Some trees are shown to be removed that are outside the limits of disturbance. Please clarify. Are these dead, hazardous, or invasive exotic trees or is this an error on the plans?
- 7) Please label the 25-foot buffer on the tree preservation sheets to demonstrate that no trees are being removed from the buffer area(s); and
- 8) Please provide 12x18 no parking on pavement fire lane signs on both sides of streets less than 26 feet in width, as described in the 2018 IFC, Section D103.6. This includes Boyd Chase Boulevard, the public connector street and cul-de-sac access. Please confirm exact wording with the Town Engineer.

A motion was made by Commissioner Povlin to follow staffs' recommendation. Motion was seconded by Mayor Williams and motion passed 9-0 through a roll call vote.

6. Discussion and public hearing on a preliminary plat for Goin Property Subdivision, 11 Lots, Zoned R-1 (current) with R-2 (pending), 7.09 Acres (Rackley Engineering, Applicant)

Staff reviewed this item and noted that the applicant had requested a variance from the maximum permitted length of a cul-de-sac and from the requirement for more than one public street vehicular access into and out of the development. Separate action would be needed on each request prior to taking action on the plat itself.

In terms of the variance from the maximum permitted length of the cul-de-sac, the applicant is proposing a cul-de-sac that is 743 feet in length – the maximum permitted is 500 feet. Staff recommended approval of this variance due to the size of the subdivision, the width of the property, and the fact that the abutting properties have been developed or are undevelopable.

A motion was made by Commissioner St. Clair to follow staffs' recommendation. Motion was seconded by Commissioner Povlin and motion passed 9-0 through a roll call vote.

In terms of the variance from the requirement for more than one public street vehicular access into and out of the development, staff recommended approval since the abutting properties have been developed or are undevelopable and the subdivision is small and contains only ten house lots.

A motion was made by Commissioner Povlin to follow staffs' recommendation. Motion was seconded by Mayor Williams and motion passed 9-0 through a roll call vote.

In terms of the preliminary plat, staff recommended approval subject to the following:

- 1) Rezoning must be approved by the Board of Mayor and Aldermen;
- 2) Please show the additional acreage needed to access Turkey Creek Road on the location map;
- 3) Please provide an erosion control letter of credit for \$46,000;
- 4) Please submit a drainage permit fee payment of \$400;
- 5) FUD will need to sign off on the water and sewer plans;
- 6) Please outline the extent of the tree covered areas on the entire development and identify the predominant size and species within each tree covered area;
- 7) Please label the streetlight locations;
- 8) Please include the landscape entrance and accent landscaping and street trees in the revised streetscape plan. This plan should also address where the replacement trees will be planted. This plan sheet is to be prepared by a landscape professional or landscape architect; and
- 9) Per the Subdivision Regulations, a streetscape plan shall specifically address how the subdivision will provide visual enhancements along and/or within the street corridors throughout the development. The plan shall include at least one visual enhancement element that is prominent and that creates an identifiable character for the subdivision. This may include, but not necessarily be limited to, a street tree planting plan, bioswales, rain gardens, landscaped boulevards and landscaped islands, village greens, etc.

A motion was made by Commissioner Povlin to follow staffs' recommendation. Motion was seconded by Mayor Williams and motion passed 9-0 though a roll call vote.

7. Discussion and public hearing on an amendment to the Farragut Municipal Code, Appendix A., Zoning, Chapter 4., Section XXIV. – Special Events Permit, to allow for food trucks for special events sponsored by a homeowner's association (Town of Farragut, Applicant)

Staff reviewed this item and recommended approval of Resolution PC-20-13 which recommends approval of Ordinance 20-19.

Commissioner Dick asked about the language dealing with the duration of a special event and staff indicated that they would look at the language to see if some clarification was needed. With this recommendation noted, a motion was made by Commissioner Myers to approve Resolution PC-20-13 which recommends approval of Ordinance 20-19. Motion was seconded by Commissioner Povlin and motion passed 9-0 through a roll call vote.

8. Discussion and public hearing on amendments to the text of Comprehensive Land Use Plan Update as it relates to the Mixed-Use Town Center land use descriptions (Town of Farragut, Applicant)

Staff reviewed this item and recommended approval of Resolution PC-20-14 which recommends approval of Ordinance 20-20.

A short discussion ensued. Commissioner Povlin suggested some amendments to the language proposed by staff. The amended language is included as an exhibit to the minutes. After some additional discussion, a motion was made by Commissioner Povlin to approve Resolution PC-20-14 subject to the suggested amendments. Motion was seconded by Commissioner St. Clair and motion passed 9-0 through a roll call vote.

9. Discussion on an amendment to the Farragut Municipal Code, Appendix A., Zoning, Chapter 4., Section XXIX, - Grand Opening Special Events Permit, to provide for different sign related provisions (Town of Farragut, Applicant)

For discussion purposes only.

10. Discussion and public hearing on Public Comment Protocol for Planning Commission meetings

Staff reviewed this item and recommended approval of the updated Public Comment Protocol for the Planning Commission.

Commissioners recommended that the first part of guideline item 2. be amended to state that "any Farragut resident, *property owner, or business owner* interested in speaking....."

With this amendment noted, a motion was made by Mayor Williams to approve the updated Public Comment Protocol for the Planning Commission. Motion was seconded by Commissioner Povlin and motion passed 9-0 through a roll call vote.

11. Approval of utilities

12. Citizen Forum

Staff read into the record citizen comments that were submitted for items that were not on the agenda.

The meeting was adjourned at 10:05 p.m.

Scott Russ, Secretary

CLUP Text Amendment Minutes Exhibit

Intent

- Provide for the creation of a unique town center for Farragut with a variety of shops, restaurants, businesses, offices, and residences, in a pedestrian-oriented setting
- Create a sense of community identity with a mixture of well-connected public gathering spaces and entertainment venues framed by an iconic architecture and streetscape
- Provide for a built environment that prioritizes walkability and pedestrian activity but still acknowledges, though to a lesser degree, the role of the automobile in a suburban community

Uses

- Though ultimately driven by form, provide for a mix of uses that complement each other, including employment, commercial, retail, services, offices, civic, and residential
- Retail-oriented uses with smaller, more pedestrian scale, footprints with a high degree of ground floor transparency
- A mix of residential types appropriate to the context and surrounding plan of development
- Residential uses with densities that are consistent with the transition and flex density concepts described in the Comprehensive Land Use Plan Update. Residential density in the Town Center land use area should transition internally so that the density along a common boundary is compatible with the density of the existing abutting residential community
- High density residential should only be permitted as part of a town center development plan
- A town center development plan which includes high density residential is intended to be located only in the area bound by S. Campbell Station Road, Concord Road, and Kingston Pike

Character

- Well-connected internally and externally for bicyclists and pedestrians
- Lively outdoor spaces and storefronts with a high degree of transparency
- Places to gather for a variety of different type of events
- Buildings that engage the street and that are inviting to pedestrians with wide sidewalks, outdoor dining, street trees, benches, planters, and other streetscaping enhancements
- On-street parking and a gridded or semi-gridded street layout system
- Appropriately scaled buildings that reflect an emphasis on form and arrangement that promotes uses consistent with the surrounding context

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Discussion and public hearing on a request for a comcast cable line installation along the south side of Parkside Drive west of JCPenney and terminating at 11416 Grigsby Chapel Road (Fulghum, MacIndoe and Associates, Applicant)

INTRODUCTION AND BACKGROUND: This item involves the installation of approximately 2,250 linear feet of a combination of 2-inch underground conduit and overhead lines to service fiber optics for Comcast. The project will initiate along Parkside Drive at the JCPenney frontage and terminate behind the Encore Medical Building at 11416 Grigsby Chapel Road. The overhead section of the project will extend from a utility pole northwest of the Home Federal Bank over N. Campbell Station Road and along the Grigsby Chapel Road frontage of the Encore Medical Building tract. Most of the underground portion of the project will be within platted utility easements along Parkside Drive with an underground service line extension into the property at 11416 Grigsby Chapel Road.

RECOMMENDATION: Included in your packet is the applicant's revised plan set. All underground conduit will be bored to a minimum depth of 36 inches so no review in relation to the Tree Protection Ordinance will be required. Staff will make a recommendation at the meeting.

FULGHUM
FM
MACINDOE
I ASSOCIATES, INC.

10330 HARDIN VALLEY ROAD
SUITE 201
CNOXSVILLE, TN 37932
OFFICE: 865.690.6419
FAX: 865.690.6448
www.fulghummacindoe.com



**COMMUNICATIONS
INSTALLATION**
111416 GRIGSBY CHAPEL ROAD
KNOXVILLE, TENNESSEE 37934

COMCAST
5729 ASHEVILLE HIGHWAY
KNOXVILLE, TN 37924-2701
CONTACT: MICHAEL BAILEY
TELEPHONE NO.: 865.320.2675
EMAIL: MICHAEL_BAILEY2@COMCAST.COM

COVER SHEET

Project 6.0.039	Sheet	<table border="1"> <tr> <td>PROJ. MGR.</td> <td>HAD</td> <td>DESIGNED BY</td> <td>HAD</td> <td>DRAWN BY</td> <td>HAD</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="3">Date 08/17/20</td> <td colspan="3">REV. PER TOWN OF FARRAGUT COMMENTS ISSUED FOR PERMITTING</td> </tr> <tr> <td colspan="3">Scale N.T.S.</td> <td colspan="3"> <table border="1"> <tr> <td>DATE</td> <td>BY</td> <td>REVISION</td> </tr> <tr> <td>08/11/20</td> <td></td> <td></td> </tr> </table> </td> </tr> </table>	PROJ. MGR.	HAD	DESIGNED BY	HAD	DRAWN BY	HAD							Date 08/17/20			REV. PER TOWN OF FARRAGUT COMMENTS ISSUED FOR PERMITTING			Scale N.T.S.			<table border="1"> <tr> <td>DATE</td> <td>BY</td> <td>REVISION</td> </tr> <tr> <td>08/11/20</td> <td></td> <td></td> </tr> </table>			DATE	BY	REVISION	08/11/20		
PROJ. MGR.	HAD	DESIGNED BY	HAD	DRAWN BY	HAD																											
Date 08/17/20			REV. PER TOWN OF FARRAGUT COMMENTS ISSUED FOR PERMITTING																													
Scale N.T.S.			<table border="1"> <tr> <td>DATE</td> <td>BY</td> <td>REVISION</td> </tr> <tr> <td>08/11/20</td> <td></td> <td></td> </tr> </table>			DATE	BY	REVISION	08/11/20																							
DATE	BY	REVISION																														
08/11/20																																

A map of the project area. The project route is highlighted in black. The map shows the intersection of Campbell Lakes Dr and Parkside Drive. Grimsby Chapel Rd is shown at the bottom. Interstate 75/40 is shown at the top. A north arrow is in the top left corner.

<u>SHEET NO.</u>	<u>REV. NO.</u>	<u>ISSUE DATE</u>	<u>TITLE</u>
C1	1	10/02/20	COVER SHEET
C2	1	10/02/20	GENERAL NOTES, LEGEND, AND DETAILS
C3	1	10/02/20	CONDUIT PLAN
C4	1	10/02/20	CONDUIT PLAN
C5	1	10/02/20	CONDUIT PLAN
C6	1	10/02/20	CONDUIT PLAN



FULGHUM, MACINDOE, & ASSOCIATES, INC.
CONTACT: H. ADAM DUNCAN, P.E.
10330 HARDIN VALLEY ROAD, SUITE 201
KNOXVILLE, TENNESSEE 37932
TELEPHONE: 865.690.6419
FAX: 865.690.6448

[illegible]

2" HDPE	PROPOSED UNDERGROUND CONDUIT
OH	PROPOSED AERIAL UTILITIES
C	PROPOSED COMMUNICATIONS ENCLOSURE
C	EXISTING COMMUNICATIONS ENCLOSURE
---	PROPERTY/RIGHT-OF-WAY
---	EXISTING EASEMENT
W	EXISTING WATER LINE
SS	EXISTING SANITARY SEWER LINE
G	EXISTING NATURAL GAS LINE
OH	EXISTING AERIAL UTILITIES
E	EXISTING UNDERGROUND ELECTRIC LINE
C	EXISTING UNDERGROUND COMMUNICATIONS
SD	EXISTING STORM DRAIN
W	EXISTING WATER VALVE
M	EXISTING WATER METER
W	EXISTING WATER LINE HYDRANT
W	EXISTING SANITARY SEWER MANHOLE
M	EXISTING NATURAL GAS VALVE
C	EXISTING UTILITY POLE
S	EXISTING SIGNAL POLE
←	EXISTING UTILITY POLE CUY/ANCHOR
E	EXISTING LIGHT POLE
E	EXISTING ELECTRICAL TRANSFORMER
SD	EXISTING STORM SEWER MANHOLE
B	EXISTING CATCH BASIN
---	EXISTING SIGN
12/34	ADDRESS NUMBER
1/22	DETAIL REF. (DETAIL NO./SHEET NO.)
HDPE	HIGH-DENSITY POLYETHYLENE
LF	LINEAR FEET
MIN.	MINIMUM
TYP.	TYPICAL
U&D	UTILITY AND DRAINAGE

WATER & SEWER
FIRST UTILITY DISTRICT (RUD)
122 DUMFRIES ROAD
KNOXVILLE, TENNESSEE 37922
CONTACT: MR. EDWIN WATKINS
OFFICE PHONE: (865) 594-8377

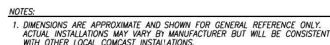
ELECTRIC
LENOIR CITY UTILITIES BOARD (LCUB)
200 DEPOT STREET
KNOXVILLE, TENNESSEE 37711
CONTACT: MR. JAY HINES
OFFICE PHONE: (865) 986-6591, EXT. 1730

GAS
KNOXVILLE UTILITIES BOARD (KUB)
1000 BROADVIEW PARK
P.O. BOX 50017
KNOXVILLE, TENNESSEE 37901-0017
CONTACT: MR. DICK MORGAN
OFFICE PHONE: (865) 595-2123

COMMUNICATIONS
181
307 DR. MARTIN LUTHER KING JR. PARKWAY
KNOXVILLE, TENNESSEE 37919
CONTACT: MR. SAM TRENN
OFFICE PHONE: (423) 517-8804

COMMUNICATIONS
182
10115 SHERIDAN DRIVE
KNOXVILLE, TENNESSEE 37932
CONTACT: MS. ROCHELLE JUSTI
OFFICE PHONE: (865) 415-1200

COMMUNICATIONS
183
MC/VERIZON
623 WAREHOUSE PARK LANE
KNOXVILLE, TENNESSEE 37932
CONTACT: MR. STANLEY HERRI MUKA
OFFICE PHONE: (865) 428-6443



COMMUNICATIONS
INSTALLATION

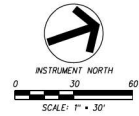
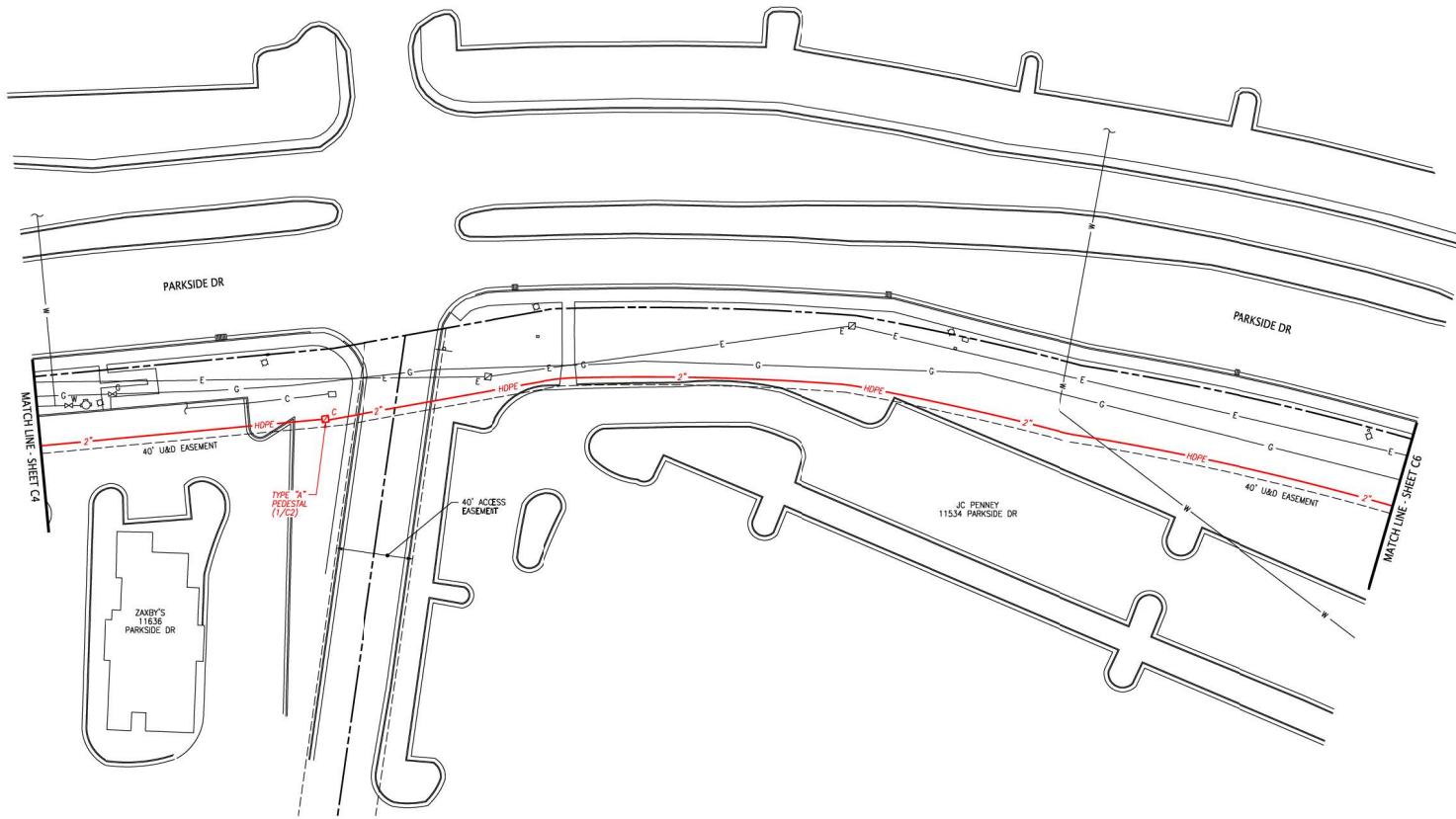
COMCAST
5729 ASHEVILLE HIGHWAY
KNOXVILLE, TN 37924-2701
CONTACT: MICHAEL BAILEY
TELEPHONE NO.: 865.320.2675
EMAIL: MICHAEL_BAILEY2@COMCAST.COM

GENERAL NOTES,
LEGEND, AND
DETAILS

Project 6.0.039	PROJ. MGR.	HAD	DESIGNED BY	HAD	DRAWN BY	HAD
Date 08/17/20						
Score N.T.S.						
Sheet C2			REV. PER TOWN OF FARRAGUT COMMENTS ISSUED FOR PERMITTING			
			10/02/20			
			08/17/20			

C:\Users\j\Documents\1003000000\1003000000.dwg
Plot Date: 10/17/2020

©2019 FULGHUM MACINDOE & ASSOCIATES, INC. THIS DOCUMENT SHALL NOT BE LOANED, COPIED, REPRODUCED, TRANSFERRED TO ANOTHER PERSON OR SOLD AND IS INTENDED AS AN INSTRUMENT OF SERVICE AND SHALL REMAIN THE PROPERTY OF FULGHUM MACINDOE & ASSOCIATES, INC. ANY REPRODUCTION WITHOUT THE COMPANY'S WRITTEN PERMISSION IS PROHIBITED.



- NOTES:
1. REFERENCE SHEET C2 FOR GENERAL NOTES AND LEGEND.

FULGHUM MACINDOE & ASSOCIATES, INC. 10330 HARDEN VALLEY ROAD SUITE 201 KNOXVILLE, TN 37932 PHONE: 865.690.6419 FAX: 865.690.6449 www.fulghummacindoe.com	
COMMUNICATIONS INSTALLATION 11416 GREGSBY CHAPEL ROAD KNOXVILLE, TENNESSEE 37934	
COMCAST 5729 ASHVILLE HIGHWAY KNOXVILLE, TN 37924-2701 CONTACT: MICHAEL BAILEY TELEPHONE NO.: 865.320.2675 EMAIL: MICHAEL_BAILEY2@COMCAST.COM	
CONDUIT PLAN	
PROJECT NO.	570.039
DATE	08/17/20
SCALE	1"=30'
PROJECT	Sheet
C5	
NO.	1
REVISION/ISSUE	Date
DESIGNED BY	DATE
CHECKED BY	DATE
DRAWN BY	DATE

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Discussion and public hearing on a re-subdivision plat for the property located at 204 Boring Lane, Zoned R-1, 7.57 Acres (Benjamin Moorman, Applicant)

INTRODUCTION AND BACKGROUND: This item involves the re-subdivision of 7.57 acres into two lots. An existing house is situated on Lot 1 and is accessed from Boring Lane. Lot 2 is vacant and would serve as a house lot fronting along Boring Road.

DISCUSSION: This item is being presented to the Planning Commission because the applicant has requested a variance from the requirement to construct a pedestrian facility along Boring Road. Boring Road is classified as a collector street on the Major Road Plan and the Subdivision Regulations require a pedestrian facility to be constructed along a collector street frontage as part of the subdivision approval process.

RECOMMENDATION: Separate action will be needed for the variance and the plat. Given the minor nature of the subdivision being presented at this time and consistent with other similar plats that have come before the Planning Commission, staff will be recommending approval of the variance. Staff would note, however, that any further re-division of either tract would require a re-evaluation from the Planning Commission in terms of constructing a pedestrian facility along Boring Road.

CERTIFICATE OF COMPLETION AND GENERAL INFORMATION

I (we) hereby certify that I am (we are) the owner (s) of the property shown and described herein as evidenced in deed book 1256, page 997 of Knox County Register's Office and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines and dedicate all streets, alleys, walks, parks, and other open space to public or private use as noted.

Van Boring
Executor of Estate

Signature _____ Date _____

CERTIFICATION OF CLASS AND ACCURACY OF SURVEY

I hereby certify that the plan shown and described herein is a true and correct survey to the accuracy required by the Farragut Municipal Planning Commission and that the monuments have been placed as shown herein, in the specifications of the Subdivision Regulations. This is a Category I Land Survey and the ratio of precision of the unadjusted survey is equal to or greater than 1:10,000 as shown herein, and that this survey was done in compliance with the current Minimum Standards of Practice for the State of Tennessee.

Signature _____ Date _____

Tennessee Certificate No. 1501

CERTIFICATE OF ELECTRIC, GAS, AND TELEPHONE AVAILABILITY

This is to certify that every lot within this subdivision has available to it a source for the service identified by signature(s) below which service source is adequate to accommodate needs of such lot as to such service within each subdivision.

Date: _____ Gas - Name, Title, and Agency of Authorized Approving Agent _____

Date: _____ Electric - Name, Title, and Agency of Authorized Approving Agent _____

Date: _____ Telephone - Name, Title, and Agency of Authorized Approving Agent _____

CERTIFICATION OF APPROVAL OF WATER SYSTEM

I hereby certify that it has been certified to us that the water system outlined or indicated on the final subdivision plat entitled Final Plat of Subdivision of the Ben A Boring & Patricia Ann Boring Estate Property have been installed in accordance with current local and state government requirements.

Date: _____ Name, Title, and Agency of Authorized Approving Agent _____

CERTIFICATION OF APPROVAL OF PRIVATE SUBSURFACE SEWAGE DISPOSAL

General approval is hereby granted for lots proposed herein as being suitable for subsurface sewage disposal with the listed and/or attached restrictions.

Before the initiation of construction, the location of the house or other structures and plans for the subsurface sewage disposal system shall be approved by the local health authority.

Date: _____ Local Authority _____

CERTIFICATE OF APPROVAL OF STREET NAMES

This is to certify that the subdivision shown herein has been reviewed for compliance with the Knox County Uniform Street Naming and Addressing System Ordinance, and the road names are hereby approved for recording.

Date: _____ Knox County Addressing Division _____

CERTIFICATE FOR STREET APPROVAL

I certify that streets, sidewalks and other required improvements have been installed in an acceptable manner and according to Town Specifications, or that a security bond in the amount of \$_____ has been posted with the Planning Commission to ensure completion of all required improvements in case of default. Streets (are) (are not) public streets maintained at public expense.

Date: _____ Town Engineer _____

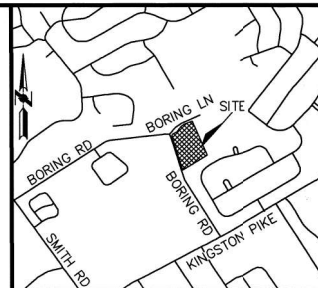
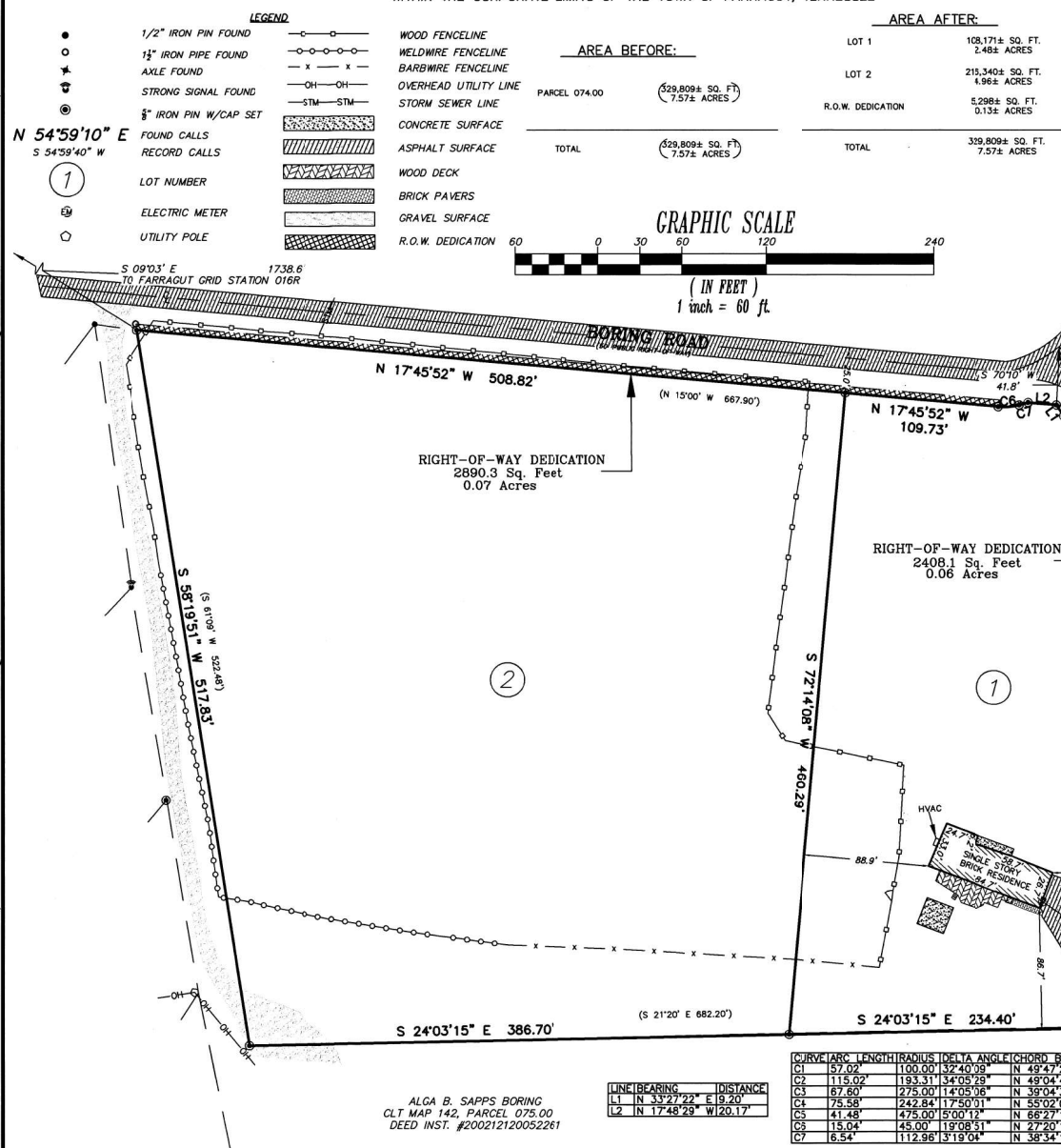
CERTIFICATE OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown herein has been found to comply with the subdivision regulations for Farragut, Tennessee, with the exception of such variances, if any, as are noted in the minutes of the Planning Commission and that it has been approved for recording in the Office of the County Register of Deeds.

Date: _____ Secretary, Planning Commission _____

Final Plat of Subdivision of BEN A BORING & PATRICIA ANN BORING ESTATE PROPERTY

BEING LOCATED ON CLT MAP 142 AND REPRESENTED AS PARCEL 074.00
SITUATED WITHIN THE SIXTH CIVIL DISTRICT OF KNOX COUNTY, TENNESSEE
WITHIN THE CORPORATE LIMITS OF THE TOWN OF FARRAGUT, TENNESSEE



NOTES

- CURRENT PROPERTY RECORD INFORMATION AS FOLLOWS:
PARCEL 074.00 STANDS IN THE NAME OF BEN A BORING & PATRICIA ANN BORING AND IS OF RECORD IN DEED BOOK 1256, PAGE 997, OF THE REGISTER'S OFFICE KNOX COUNTY, TENNESSEE.
- THE PURPOSE OF THIS PLAT IS TO DIVIDE THIS PARCEL INTO TWO SEPARATE LOTS.
- "TENNESSEE STATE PLANE" NORTH BASED ON TDOT REFERENCE STATION TN1A, BEARING COORDINATES OF N 292,902,529 ± 2,511,086 ± 0.02 DISTANCES HAVE NOT BEEN REDUCED TO GRID DISTANCES.
- GPS EQUIPMENT WAS USED TO DETERMINE THE POSITION OF CONTROL POINTS ON THE SURVEYED PROPERTY IN ORDER TO ESTABLISH THE BEARING BASE FOR THIS SURVEY. RTK POSITIONAL DATA WAS OBSERVED ON 26 AUGUST 2020 UTILIZING A LEICA GS16 MULTI-FREQUENCY RECEIVER. NORTH BASED ON TDOT REFERENCE STATION TN1A WITH A COMBINED SCALED FACTOR OF 0.9999999, REFERENCED TO NAD83 (2011) (EPOCH 2010), GEOID MODEL SOUTH G3. POSITIONAL QUALITY OF OBSERVED DATA DOES NOT EXCEED COMBINED H (0.09') & V (0.13').
- PROPERTY IS SUBJECT TO ANY FINDINGS OF AN ACCURATE TITLE SEARCH. NO TITLE WORK FURNISHED TO SURVEYOR PRIOR TO SURVEY.
- THE SURVEYOR IS NOT RESPONSIBLE FOR ANY DETERMINATION OR LOCATION OF ANY UNDERGROUND CONDITIONS NOT VISIBLE AND INCLUDING BUT NOT LIMITED TO, SOILS, GEOLOGICAL CONDITIONS, PHYSICAL DEVICES AND PIPELINES OR BURIED CABLES AND SHALL NOT BE RESPONSIBLE FOR ANY LIABILITY THAT MAY ARISE OUT OF THE MAKING OF OR FAILURE TO MAKE SUCH DETERMINATION OR LOCATION OF ANY SUBSURFACE CONDITION FOR UNDERGROUND UTILITY LOCATION CALL 1-800-351-1111 (IN ONE CALL).
- IRON PIN CORNER MARKERS AT ALL LOT CORNERS, UNLESS DESIGNATED OTHERWISE.
- SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE "X" BEING OUTSIDE THE AREA DESIGNATED AS HAVING A 1% ANNUAL CHANCE OF FLOODING, PER THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 47033C02436, LAST REVISED ON AUGUST 5, 2015.
- A FIVE (5) FOOT UTILITY DRAINAGE, AND CONSTRUCTION EASEMENT ON EACH SIDE OF INTERIOR LOT LINES, A TEN (10) FOOT UTILITY DRAINAGE, AND CONSTRUCTION EASEMENT ON INSIDE OF ROAD RIGHTS-OF-WAY AND EXTERIOR LOT LINES.
- PROPERTY IS ZONED "R1" REQUIRING THE FOLLOWING SETBACKS:
Front Yard - All buildings and structures, excluding signs, shall be set back from the nearest point of any right-of-way no less than 50 feet. For the purposes of this ordinance, the interstate highway right-of-way shall be considered a side or rear lot line. Side and Rear Yards - a) All buildings shall be set back a minimum of 50 feet. Setbacks shall be measured from the nearest point of any property line; and b) All necessary structures, excluding signs and fences, shall be set back a minimum of 30 feet. Setbacks shall be measured from the nearest point of any property line.

OWNERS
BEN A & PATRICIA ANN BORING ESTATE
EXECUTOR VAN BORING
204 BORING LANE FARRAGUT, TN 37934

© 2020 BENCHMARK ASSOCIATES, INC. THIS DOCUMENT SHALL NOT BE LOANED, COPIED, REPRODUCED, TRANSFERRED TO MAGNETIC MEDIA OR SOLD AND IS MAINTAINED AS AN INSTRUMENT OF SERVICE AND SHALL RETAIN ALL COMMON LAW, STATUTORY AND OTHER RESERVED RIGHTS, INCLUDING THE COPYRIGHT.

BENCHMARK ASSOCIATES, INC.

Land Planners ♦ Land Surveyors

10308 Hardin Valley Road
Knoxville, Tennessee 37932

Phone: (865) 692-4090
Facsimile: (865) 692-4091

**FINAL PLAT of SUBDIVISION of the
BEN A & PATRICIA ANN BORING ESTATE PROPERTY**

SITE ADDRESS:
BORING LANE
KNOXVILLE, TENNESSEE 37934

FINAL PLAT

DATE: 09/30/2020
SCALE: 1"=60'
DRAWN BY: BMM
FILE NAME: 20222
BM PROJECT NO.: 20222-RESUB

1 of 1

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Discussion and public hearing on a rezoning of the property at 933 McFee Road from Agricultural (A) to Open Space Residential Overlay (R-1/OSR), 7 Acres (Rackley Engineering, Applicant)

INTRODUCTION AND BACKGROUND: This rezoning request involves a seven-acre portion of the original Velma Seal property that is immediately south of McFee Park along McFee Road. The Seal estate has been divided into three tracts each greater than five acres. The southernmost tract (Tract II on the boundary survey that is included in the packet) is the subject of this rezoning request. A small unoccupied house is currently situated on Tract II.

DISCUSSION: The applicant also recently requested a rezoning of the Gibson Farm that is south of the Seal property. Both the Gibson and the Seal properties are zoned Agricultural (A) and the requested zoning district is Open Space Residential Overlay (R-1/OSR). The rezoning for the Gibson property was unanimously supported by the Planning Commission and will be heard at first reading at the October 8 Board of Mayor and Aldermen meeting. The seven-acre tract being considered for rezoning at this time will be combined with the 25-acre Gibson tract.

RECOMMENDATION: Since the requested zoning district is consistent with the Future Land Use Map for the property, staff will be recommending approval of Resolution PC-20-15 which recommends approval of Ordinance 20-22.

VICINITY MAP

CERTIFICATE OF SURVEY ACCURACY

I hereby certify that to the best of my knowledge and belief this is a true and accurate survey of the property shown herein, that this is a Class I Boundary Land Survey as defined in Title 62, Chapter 18, Tennessee Code Annotated, and that the ratio of precision is greater than or equal to 1:10,000.

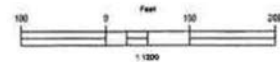
John Scott Stanley 13 July 2020
REGISTERED LAND SURVEYOR
TENNESSEE NO. 2807

Nick McBride
REGISTER OF DEEDS
KNOX COUNTY

Barcode: 202007140003801
Knox County, TN Page: 1 of 1
REC'D FOR REC 7/14/2020 15:52 PM
RECORD FILE: \$37.00
TAX: \$0.00 T. TAX: \$0.00

CORRECTED BOUNDARY SURVEY OF VELMA D. SEALS PROPERTY

SIXTH CIVIL DISTRICT OF KNOX COUNTY
13 JULY 2020
SCALE 1" = 100'



Symbol	Description
●	MONUMENTS (FOUND)
○	MONUMENTS (SET)
○	UTILITY POLE
○	TREE
□	BUILDING
---	BOUNDARY LINE
---	CENTER LINE CREEK
---	CENTER LINE ROAD
---	ADJOINING LOT LINES
---	BARBIRE FENCE
---	WOODEN FENCE

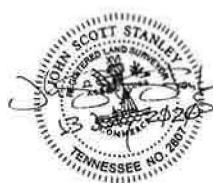
Notes:

- Property Address: 627 Smith Road
- Owners: Velma D. Seal
- Deed: 20050720-0006182
- Area: 1,087,849 SqFt / 24.97 Acres
- Single story home
- Right of Way Acquisition was obtained by the Town of Farragut and is listed in instrument 200507200000612
- 25' Access easement centered on gravel driveway for Tracks 1&2
- This survey was done in accordance to the State of Tennessee Minimum Standards of Practice.

OWNER
Seal, Velma D.
Velma D. Seal
627 Smith Road
Knoxville, TN 37934
(865) 671-3962

LAND SURVEYOR
John Scott Stanley
License No. 2807
619 Glen Willow Drive
Knoxville TN, 37934
(865) 675-0175

FILE NAME: Z:\Surveyjobs\2019\McFeeRd\VS20191026-3L-COR.dwg



CERTIFICATE OF EXEMPT PLAT

I hereby certify that on this drawing all lots are greater than 5 Acres, have more than 25 feet of road frontage on a public access street, there is no new street construction, no new utilities are required, no new dedication is required and is an exempt plat as prescribed by the Knoxville-Knox County Subdivision Regulations.

Registered Land Surveyor
Tennessee License No. 2807
Date: 13 July 2020
John Scott Stanley

RESOLUTION PC-20-15

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE FARRAGUT ZONING MAP, ORDINANCE 86-16, TO RECOMMEND THE APPROVAL OF THE REZONING OF THE PROPERTY AT 933 MCFEE ROAD, FROM AGRICULTURAL (A) TO OPEN SPACE RESIDENTIAL OVERLAY (R-1/OSR)

WHEREAS, the Tennessee Code Annotated, Section 13-4-201et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development, and

WHEREAS, a public hearing was held on this request on October 15, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval of Ordinance 20-22 to the Farragut Board of Mayor and Aldermen, an ordinance amending the Farragut Zoning Ordinance and Map, Ordinance 86-16, by rezoning the above noted property.

ADOPTED this 15th day of October 2020.

Rita Holladay, Chairman

Scott Russ, Secretary

ORDINANCE:	20-22
PREPARED BY:	Shipley
REQUESTED BY:	Town of Farragut
CERTIFIED BY FMPC:	October 15, 2020
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO SECTION 13-4-201, TENNESSEE CODE ANNOTATED.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended as follows:

SECTION 1.

The Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended by rezoning the property located at 933 McFee Road and including approximately 7 acres, from Agricultural (A) to Open Space Residential Overlay (R-1/OSR (See Exhibit A).

SECTION 2.

This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2020,
with approval recommended by the Farragut Municipal Planning Commission (FMPC).

Rita Holladay, Chairman

Scott Russ, Secretary



**Exhibit A
Ordinance 20-22**

**Rezone
Parcel 14.04
Tax Map 162
933 McFee Road**

From
A (Agricultural)

to

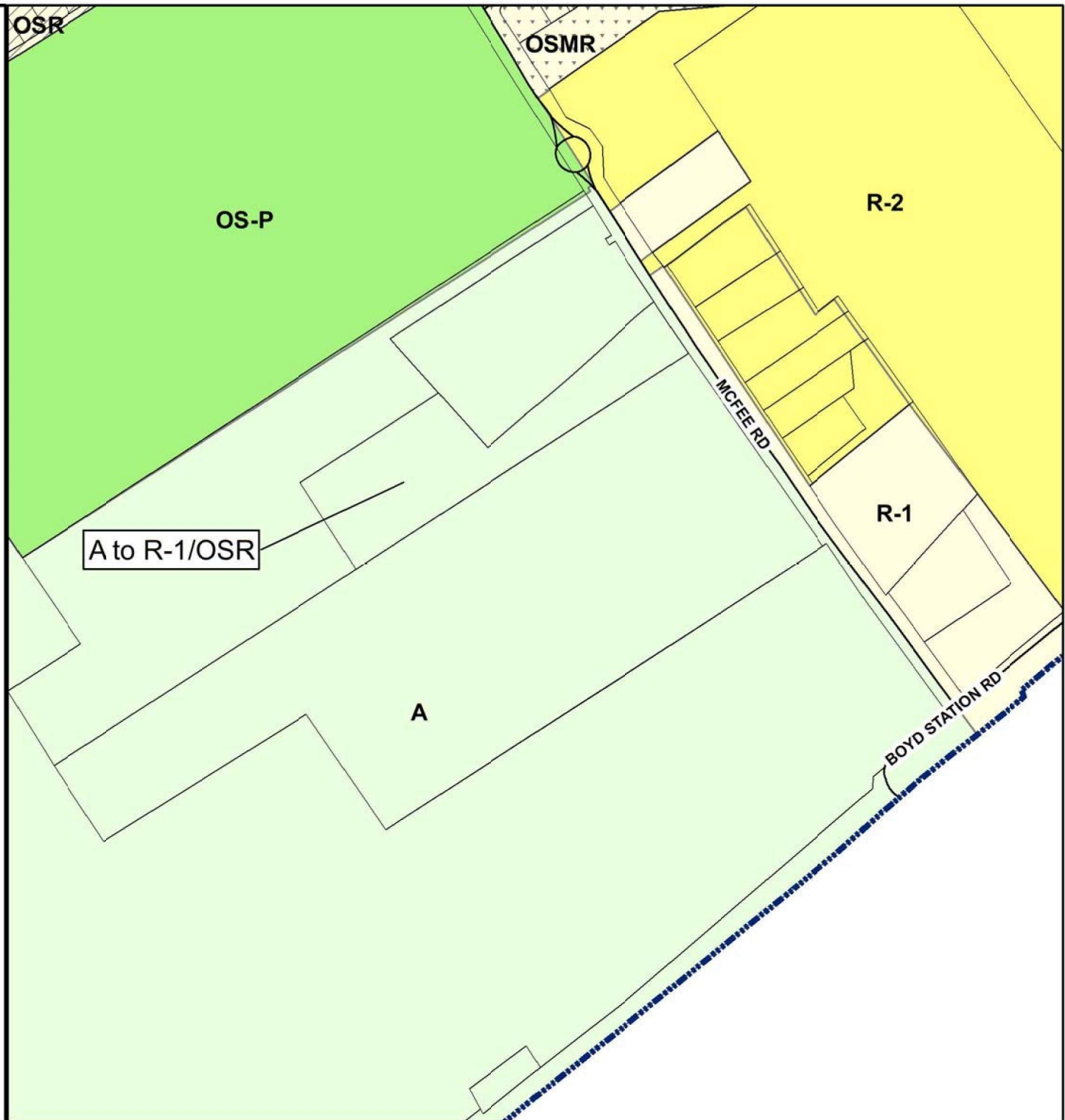
R-1/OSR (Rural Single-Family
Residential/Open Space
Residential Overlay)

Legend

-  Town Limit
-  Streets
-  Parcels
-  A, Agricultural
-  OS-P, Open Space/Park
-  R-1, Rural Single-Family Residential
-  R-2, General Single-Family Residential
-  R-1/OSR, Open Space Residential Overlay
-  R-1/OSMR, Open Space Mixed Residential Overlay



1 in = 400 ft



REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Discussion and public hearing on an amendment to the Farragut Municipal Code, Appendix A., Zoning, Chapter 4., Section XXIX, - Grand Opening Special Events Permit, to provide for different sign related provisions (Town of Farragut, Applicant)

INTRODUCTION AND BACKGROUND: This agenda item has been discussed at the previous two Planning Commission meetings. Staff noted that amendments to the existing Grand Opening Special Events Permit section of the Farragut Zoning Ordinance were being considered to address the following objectives:

- 1) Clarifying the intent of the grand opening permit.
- 2) Improving the appearance of grand opening signs.
- 3) Applying updated provisions in the Farragut Sign Ordinance to grand opening special events signs.
- 4) Allowing grand opening special events signs to be an “extra” temporary parcel sign (not charged to their other permitted signs during a calendar year).
- 5) Continuing to allow these signs to be in place for up to 20 days.
- 6) Omitting a filing fee or deposit for these grand opening signs.

Based on feedback received by the Planning Commission, staff is proposing in Ordinance-20-23 amendments to the Grand Opening Special Events Permit section of the Zoning Ordinance. This will include retaining, for branding and business relations purposes, the Town’s role (likely through the Farragut Business Alliance) in owning and administering grand opening special events signs.

RECOMMENDATION: Staff recommends approval of Resolution PC-20-16 which recommends approval of Ordinance 20-23.

RESOLUTION PC-20-16

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING THE FARRAGUT MUNICIPAL CODE, APPENDIX A., ZONING, CHAPTER 4., SECTION XXIX. – GRAND OPENING SPECIAL EVENTS PERMIT, TO REPLACE IT IN ITS ENTIRETY

WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on October 15, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of an ordinance, amending Ordinance 86-16, of the Farragut Zoning Ordinance, by adding Ordinance 20-23.

ADOPTED this 15th day of October 2020.

Rita Holladay, Chairman

Scott Russ, Secretary

ORDINANCE:
PREPARED BY:
REQUESTED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

20-23
Shipley
Staff

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING THE FARRAGUT MUNICIPAL CODE, APPENDIX A., ZONING, CHAPTER 4., SECTION XXIX. – GRAND OPENING SPECIAL EVENTS PERMIT, TO REPLACE IT IN ITS ENTIRETY

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 4., Section XXIX. – Grand Opening Special Events Permit, of the Farragut Zoning Ordinance, Ordinance 86-16,

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance is hereby amended as follows:

SECTION 1.

Sec. XXIX. - Grand opening special events permit.

It is the intent of this section to establish the permitting process and the requirements for grand opening special events held by commercial, office, and service entities within the Town of Farragut. The purpose of this grand opening special events permit is to help give new businesses, offices, and service providers additional publicity as they initiate their activities within the Town.

A. General Requirements.

1. Commercial, office, and service entities are eligible for one grand opening special events permit when such entity is opening for the first time at a particular location.
2. The duration of each grand opening special event shall not exceed 20 calendar days.

B. Sign Requirements.

1. In order to brand the grand opening events and establish a consistent and identifiable sign for such events, grand opening special events signs shall be owned by and administered through the Town. Sign provisions shall be in accordance with the applicable sections of the Farragut Sign Ordinance. Grand opening special events permit signs shall be considered temporary parcel signs but shall not be counted toward the 40 calendar days per year within which a temporary parcel sign may be permitted. A temporary parcel sign where a commercial, office, or service entity is

opening for the first time at a particular location shall be an extra sign allowed for such entity and may be in place for up to 20 calendar days. Such sign shall be exempt from the application filing fee.

2. Signs shall not be posted until the commercial, office, or service entity has obtained a Farragut Business License and Certificate of Occupancy.
 3. All signs and any associated support posts shall be removed at the end of the grand opening special event and the return of the sign and support posts coordinated with the Town.
 4. An additional temporary parcel sign may also be permitted during the grand opening event subject to compliance with the provisions for Special Events Permits, as provided for in the Farragut Zoning Ordinance, and the application submittal requirements for temporary parcel signs, as provided for in the Farragut Sign Ordinance.
- C. *Permitting Process.* A grand opening special events permit application shall be submitted to and approved by the Town prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding the event.

All grand opening special event permit applications shall include the following information:

1. Applicant's name, street address, telephone number, fax number, and e-mail address.
2. Name, street address, telephone number, fax number, e-mail address, and signature of the individual identified who assumes the responsibility of meeting the conditions of the permit.
3. Copy of Farragut Business License and Certificate of Occupancy.
4. Location of event. If having a tent(s), food trucks, or any other outdoor activities, a site plan is required to show the locations for such activities. A separate tent permit may be needed per fire safety requirements.
5. If having a food truck(s), a list and full contact information is required for each of the vendors along with a filing fee for each non-Town based food truck vendor.
6. Date range of event.
7. Whether a grand opening sign is desired and the proposed location for the sign with installation and removal dates.
8. A written acknowledgment that that applicant will return the grand opening sign and support posts to the Town in good condition or payment will be required to replace the sign and/or support posts.

SECTION 2.

This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2020,
with approval recommended.

Rita Holladay, Chairman

Scott Russ, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

NOTE: Version Presented at October 15, 2020 Planning Commission meeting

Sec. XXIX. - Grand opening special events permit.

It is the intent of this section to establish the permitting process and the requirements for grand opening special events held by commercial, **office, and service** entities within the Town of Farragut. The purpose of this grand opening special events permit is to help give new businesses, **offices, and service providers** additional publicity **as they initiate their activities within the Town.** ~~so that they have greater opportunity to showcase their business and customer service, which in turn will bring back repeat customers to their business.~~

A. *General Requirements.*

- ~~1. —Each individual permanent commercial entity located within the General Commercial District (C-1), the Regional Commercial District (C-2), or the Planned Commercial Development District (PCD) is eligible for a grand opening special events permit.~~
1. **A commercial entity** **Commercial, office, and service entities are** is eligible for one grand opening special events permit when such entity is opening ~~for business~~ for the first time at a particular location.
2. The duration of each grand opening special event shall not exceed 20 calendar days.

B. *Sign Requirements.*

1. **In order to brand the grand opening events and establish a consistent and identifiable sign for such events, grand opening events signs shall be owned by and administered through the Town. Sign provisions shall be in accordance with the applicable sections of the Farragut Sign Ordinance. Grand opening special events permit signs shall be considered temporary parcel signs but shall not be counted toward the 40 calendar days per year within which a temporary parcel sign may be permitted. A temporary parcel sign where a commercial, office, or service entity is opening for the first time at a particular location shall be an extra sign allowed for such entity and may be in place for up to 20 calendar days. Such sign shall be exempt from the application filing fee.**

~~In order to brand the grand opening events and to increase the recognizability of grand opening signs, all grand opening signs shall be town owned.~~

- ~~2. —Upon payment of a security/damage deposit, the Town of Farragut shall provide grand opening sign(s) to the applicant. The town's grand opening signs shall be dark blue with white letters, shall be 32 square feet, and shall be a minimum ten millimeter corrugated plastic. The corner of the sign will remain blank so that users can personalize the sign with additional information.~~
- ~~3. —There shall be a maximum of one grand opening sign per each street on which the lot, parcel, or tract fronts. When more than one grand opening sign is permitted, such signs shall be a minimum of 150 feet apart.~~

- ~~4. In addition to the grand opening sign, the commercial entity may also have a 20 square foot special event sign. Such special event sign shall comply with the sign requirements established in Chapter 4, Section XXIV, Special Events Permit, of this ordinance.~~
 - ~~5. For ground-mounted signs, the maximum sign height shall be six feet.~~
 - ~~6. Signs shall be set back a minimum of 20 feet from the street edge of pavement as measured from the farthest most protrusion of the sign to the nearest point of the street edge of pavement. Signs shall be set back a minimum of ten feet from all entrance driveways.~~
 - ~~7. Ground-mounted signs shall be affixed to studded T-posts and affixed in such a manner that they do not move in the wind.~~
 2. Signs shall not be posted until the commercial, **office, or service entity is open for business has obtained a Farragut Business License and Certificate of Occupancy.**
 3. All signs and any associated support posts shall be removed at the end of the grand opening special event **and the return of the sign and support posts coordinated with the Town.** If the permitted time frame is exceeded, the commercial entity shall lose their deposit and lose a special event permit for the calendar year.
 4. **An additional temporary parcel sign may also be permitted subject to compliance with the provisions for Special Events Permits, as provided for in the Farragut Zoning Ordinance, and the application submittal requirements for temporary parcel signs, as provided for in the Farragut Sign Ordinance.**
- C. *Permitting Process.* A grand opening special events permit application ~~and filing fee and security/damage deposit~~ shall be submitted **to and approved by the Town** ~~to the Town Hall~~ prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding the event.

All grand opening special event permit applications shall include the following information:

1. Applicant's name, street address, telephone number, fax number, and e-mail address.
2. Name, street address, telephone number, fax number, e-mail address, and signature of **the** individual identified who assumes the responsibility of meeting the conditions of the permit.
3. **Copy of Farragut Business License and Certificate of Occupancy.**
4. **Location of event. If having a tent(s), food trucks, or any other outdoor activities, a site plan is required to show the locations for such activities. A separate tent permit may be needed per fire safety requirements.**
5. **If having a food truck(s), a list and full contact information is required for each of the vendors along with a filing fee for each non-Town based food truck vendor.**
6. Date range of event.

7. Whether a grand opening sign is desired and the proposed location for the sign with installation and removal dates.
8. A written acknowledgment that that applicant will return the grand opening sign and support posts to the Town in good condition or payment will be required to replace the sign and/or support posts. ~~If applicable, a drawing of the separate special event sign which includes dimensions that show the length and width of the sign, the height and width of all letters and figures, and the overall height of the sign.~~

REPORT TO THE FARRAGUT MUNICIPAL PLANNING COMMISSION

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Discussion on a request to amend Appendix A – Zoning, Chapter 3., Specific District Regulations, Section XII., General Commercial District (C-1), B., 3., as it relates to the outdoor display and or storage of general farm implements and lawn care equipment, riding lawn mowers, and related accessories (Farragut Lawn and Tractor, Applicant)

INTRODUCTION AND BACKGROUND: This item was postponed earlier in the summer at the request of the applicant. As background, when the current building was constructed for the Farragut Lawn and Tractor business at 13131 Kingston Pike, the Town worked with the property owner, Wayne Davis, to develop language in the Zoning Ordinance that would address the unique display and storage needs for retail outlets that sell general farm implements and lawn care equipment. This language was included under the “Permitted principal and accessory uses and structures (Non-Mixed-Use Town Center)” section of the General Commercial District (C-1). The specific language is as follows:

3. Retail outlets for the sale of general farm implements and lawn care equipment such as tractors (less than 10,000 pounds), riding lawn mowers, and related accessories.
 - a. The outdoor display and/or storage of such implements and equipment shall be permitted provided the following development criteria are met:
 - (1) The outdoor storage and/or display of the implements and/or equipment shall lie behind a straight line running from side lot line to side lot line that coincides with the rear wall of the principal building located on the property;
 - (2) The equipment and/or implements to be stored and/or displayed outdoors must be removed from the crate or cartons and displayed and/or stored in such a way as to allow for viewing and inspection, but so as not to prevent passage on sidewalks, walkways, or other vehicle ways;
 - (3) Such businesses necessarily involve the use of outdoor areas on the premises for the unloading, uncrating, positioning and repositioning of items that are often larger and more cumbersome than most retailers handle. The temporary use of outdoor areas of the premises for such purposes during hours of operation shall not be a violation of this ordinance; and
 - (4) Such businesses necessarily utilize packaging that is to be destroyed or reused. Such packaging materials shall be stored in areas on the premises to which access shall be restricted by means of a physical barrier such as an opaque fence or similar to a dumpster enclosure and shall comply with Chapter 4, Section I.B. of this ordinance.
 - b. The outdoor display of merchandise, except as provided for above, is permitted provided such merchandise is displayed in a permanent, covered porch. Such covered porch shall be

attached to the principal building and shall meet all setback requirements of the principal building.

DISCUSSION: Though this language was developed in consultation with the applicant, the issue has been that, for some time, the applicant has not complied with the adopted requirements. The photographs included with this item demonstrate how merchandise is being displayed frequently in areas that are not permitted for such use. The only area where display is permitted in front of the rear wall of the principal building is the covered display portion of the building that extends toward Kingston Pike in front of the main portion of the building. This portion of the building was specifically constructed for display.

In response to the unapproved storage and display, staff sent the applicant a violation notice and asked that this be discontinued or a citation to municipal court would be issued. The applicant did not address this request and a citation to municipal court was issued for both a violation of the zoning ordinance, as it applies to storage and display, and the sign ordinance. As noted in the previous Planning Commission reports, the applicant has been placing a sign in the back of a gator and parking it along Kingston Pike for advertising purposes. This is not permitted in the sign ordinance. Staff has encouraged the applicant to apply for a compliant ground mounted sign and/or wall mounted sign but this has not yet occurred.

At this time, the applicant is requesting to amend some of the language that is currently in place in the zoning ordinance so that display may occur in front of the rear wall of the principal building. The applicant is also asking that the temporary use of the premises for unloading, uncrating, positioning and repositioning, demonstrating and displaying equipment larger and more cumbersome than most retailers handle not be a violation of the ordinance.

RECOMMENDATION: Though staff is open to assessing storage and display options, staff does not support the applicant's requested amendment as it would appear to support the status quo. A long-standing aspect of the Town's Zoning Ordinance has been to ensure that outdoor storage/display is contained in an approved area so that it is not randomly scattered over the premises. When Gander Mountain was located on Parkside Drive, their outdoor storage/display was in an area designed and approved for such use.

The applicant claims that some of the storage is incidental to unloading and unpackaging products. While there may be a transitional element to the placement of the equipment, it is very clear that products are being used for advertising purposes and display and are completely uncontrolled in terms of placement. The applicant also asserted at court that equipment was being stored outside to provide for better social distancing and more open space within the building. The storage and display the applicant was cited for has been an issue that pre-dates the COVID pandemic. The sign in the back of the gator is also a lingering issue that has not been addressed and that pre-dates the COVID pandemic.

It is important to note that this business is located at a gateway area to the Town. The current storage and display and use of vehicular signage at this location creates a cluttered effect as you enter or exit the Town.

Farragut
Zoning/Municipal Code Text Amendments
2020-81-CT

Submitted by Wayne Davis
JDVOL1@TDS.NET
(865) 966-6576

Address of Proposed Work: **13131 KINGSTON PIKE**

City: **KNOXVILLE** State: **TN** Zip: **37934**

Contact Information

Applicant's Contact Information

Title: First Name: **Wayne** Last Name: **Davis** Suffix:
Business Name: **Farragut Lawn and Tractor**
Mailing Address: **13131 KINGSTON PIKE**
City: **KNOXVILLE** State: **TN** Zip: **37934**
Email Address: **JDVOL1@TDS.NET**
Cell Phone: **(865) 414-5313** Work Phone: **(865) 675-6576** Home Phone: **(865) 675-4240**

Owner's Contact Information

Title: First Name: **Wayne** Last Name: **Davis** Suffix:
Business Name: **Farragut Lawn and Tractor**
Mailing Address:
City: State: **TN** Zip:
Email Address: **JDVOL1@TDS.NET**
Cell Phone: Work Phone: Home Phone: **(865) 966-6576**

Application Questionnaire (* denotes required question)

Ordinance Text Amendment

Project Name *

13131 Kingston Pike

CHANGE REQUESTED *

Amend Zoning Ordinance, Sign Ordinance, or Municipal Code text as follows:

3.a.(1) Remove "and/or display" to read: "The outdoor storage of implements and/ or equipment shall ---".

3.a.(3) Change to read: " Such businesses necessarily involve the use of outdoor areas on the premises for the unloading, uncrating, positioning and repositioning, demonstrating and displaying equipment larger and more cumbersome than most retailers handle. The temporary use of outdoor areas of the premises for such purposes shall not be a violation of this ordinance."

Application Acknowledgement *

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS ACCURATE AND COMPLETE AND I AM THE APPLICANT OR THE LEGAL REPRESENTATIVE OF THE APPLICANT FOR THIS PROJECT. enter your full name to acknowledge.

Wayne Davis,
FLTInc. dba Farragut Lawn and Tractor

Proposed Amendment Necessity *

The proposed amendment is necessary due to the following changed or changing conditions: (be specific)

Reflects routine daily activities that are essential to providing safe, effective and responsive support for our customers during business hours: equipment demonstration, evaluation, and test operations; moving tractors/ equipment from and repositioning to storage areas. Removes confusion from terms: "storage (permanent)" and "temporary" activities: demonstration, evaluation, and display".

Documents Uploaded

The following documents are attached to the Application.





DIXIE LEE FIREWORKS

FIREWORKS

FIREWORKS

ACE

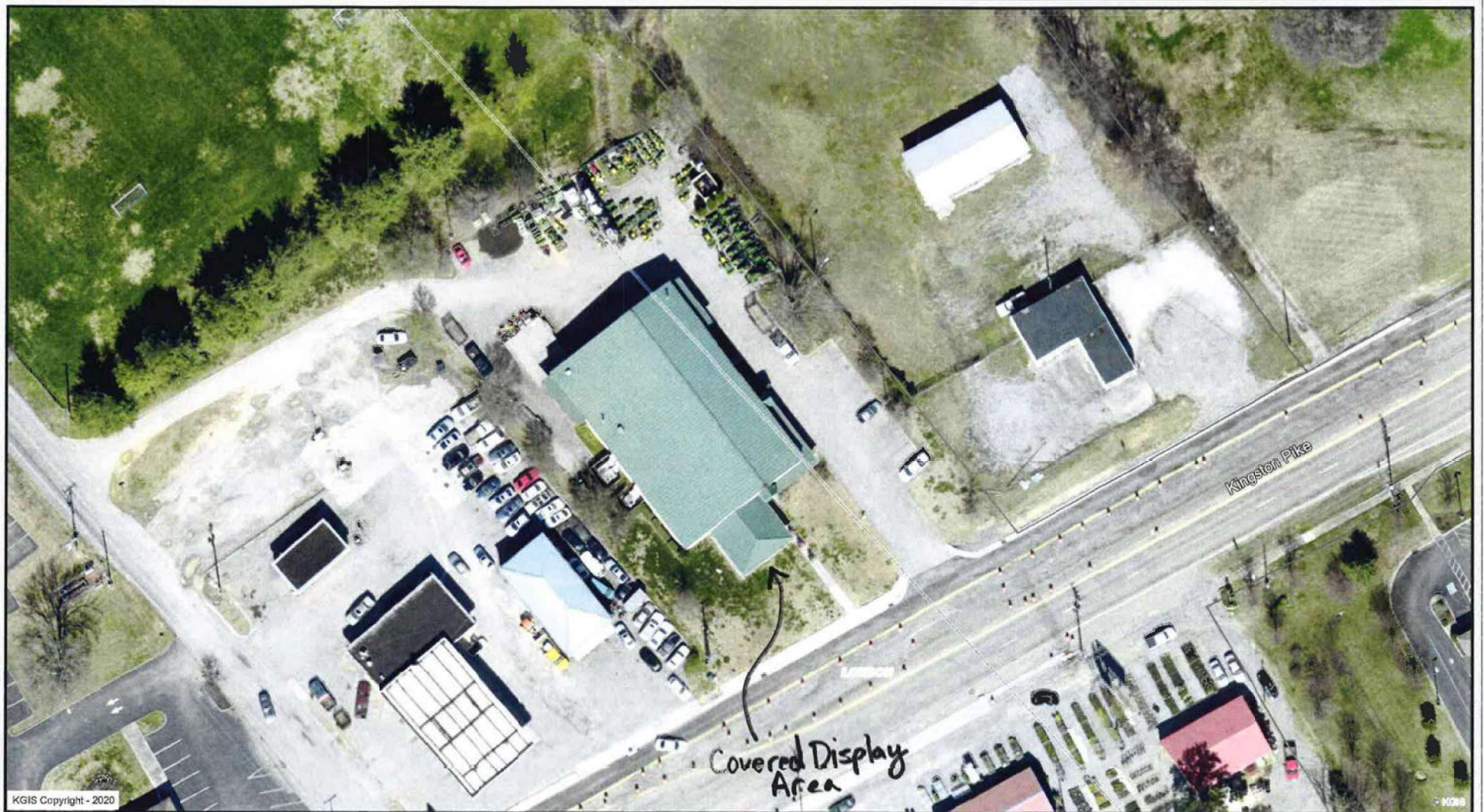
ExtraSpace
Storage

Coca-Cola
Coca-Cola
Coca-Cola

UBWAY

OBJECTS IN MIRROR ARE
CLOSER THAN THEY APPEAR





Farragut Lawn and Tractor

Knoxville - Knox County - KUB Geographic Information System



Printed: 6/10/2020 at 11:07:32 AM



KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.