



**MINUTES
FARRAGUT MUNICIPAL PLANNING COMMISSION**

November 17, 2022

MEMBERS PRESENT

Rita Holladay, Chairman
Ed St. Clair, Vice-Chairman
Scott Russ, Secretary
Ron Williams, Mayor
Louise Povlin, Vice Mayor
Ron Pinchok
Jon Greene
Shannon Preston
Noah Myers
Hayley Sims, Youth Representative

MEMBERS ABSENT

Staff Representative: Mark Shipley, Community Development Director
David Smoak, Town Administrator
Tom Hale, Town Attorney
Bart Hose, Assistant Community Development Director

1. Approval of agenda

Staff recommended approval of the agenda as submitted.

A motion was made by Vice Mayor Povlin to follow staffs' recommendation. Motion was seconded by Commissioner St. Clair and was approved unanimously.

2. Approval of minutes – October 20, 2022

Staff recommended approval of the minutes as submitted.

A motion was made by Vice Mayor Povlin to follow staffs' recommendation. Motion was seconded by Mayor Williams and was approved unanimously except for Commissioner Russ who abstained due to being absent.

3. Discussion and public hearing on a request to amend the Future Land Use Map in the Comprehensive Land Use Plan Update 2012 for 11500 Kingston Pike, 68.31 Acres, from Mixed Use Town Center, Medium Density Residential, Low Density Residential, and Open Space to Commercial, Parks and Recreation, Low Density Residential, and Very Low Density Residential (John Brehm, Hy-Vee, Applicant)

Staff noted that they were informed just prior to the meeting that the applicant would like to postpone action until they could revise their concept. The applicant and their attorney spoke regarding their desire to only discuss their request and take no action. Staff explained that the action to be taken was up to the Planning Commission but the more significant question from staffs' perspective was the fundamental modification that the requested amendment to the Future Land Use Map and Zoning Map could create in relation to the community's past and

current vision of the general area as a desired town center with pedestrian scale buildings and active public and private spaces. The applicant's request would remove provisions tied to the Zoning Ordinance that control the scale of buildings and encourage the character described in the Comprehensive Land Use Plan for this portion of Town. Vice Mayor Povlin expressed agreement with staff and reviewed the Town's history regarding its desire for a town center which included the property in question. Other commissioners expressed a concern over postponing action at this point and indicated that they intended to vote on both the Future Land Use Map and Zoning Map amendment requests. The applicant and their attorney asked to withdraw both amendment requests.

A motion was made by Commissioner Greene to approve the applicant's request to withdraw their Future Land Use Map amendment. Motion was seconded by Commissioner St. Clair and was approved unanimously.

4. Discussion and public hearing on a request to amend the Farragut Zoning Map for 11500 Kingston Pike, 68.31 Acres, from C-1, O-1, B-1, and R-1 to C-1, O-S, R-4, and R-3 (John Brehm, Hy-Vee, Applicant)

As noted in the previous agenda item, the applicant requested to withdraw both their Future Land Use Map and Zoning Map amendments.

A motion was made by Commissioner Myers to approve the applicant's request to withdraw their Zoning Map amendment. Motion was seconded by Vice Mayor Povlin and was approved unanimously.

5. Discussion and public hearing on an ordinance to amend the Farragut Municipal Code, Appendix A., Zoning, Chapter 2., Definitions., to define Ballfield, and Chapter 4., General Provisions and Exceptions, Section XIII., Outdoor Site Lighting, Subsection A., to clarify street lighting provisions, establish where ballfield lighting may be provided, and prohibit lighting that would be a nuisance due to uncontrolled glare on any adjacent properties, rights-of-ways, access easements, or driveways (Farragut Neighborhood Preservation Partnership, Applicant)

Staff reviewed this item and noted that Resolution PC-22-09 recommends approval of Ordinance 22-12. The applicant spoke and indicated that they agreed with the language proposed in Ordinance 22-12. Alderman David White spoke regarding his concerns over the language in Ordinance 22-12.

A motion was made by Vice Mayor Povlin to approve Resolution PC-22-09. Motion was seconded by Commissioner St. Clair and was approved 8-1 with Commissioner Myers voting in opposition.

6. Discussion and public hearing on the installation of new small cell poles in the rights of ways adjacent to 102 Glen Abbey Boulevard, 126 West End Avenue, 100 Smith Road, 11403 Municipal Center Drive, 11509 Parkside Drive, 101 West End Avenue, 100 Brooklawn Street, and 11425 Kingston Pike (TeleCAD Wireless, Applicant)

Staff reviewed this item and noted that there were general comments that would apply to each of the eight poles and, in some cases, pole specific comments. Staff recommended approval and that the general comments be acted on first and then action taken on each pole. The general comments were as follows:

1. A letter of credit will be required to ensure that affected areas are restored to their previous condition. The dollar amount will be determined by the Town Engineer.

2. Why is proposed pole class shown as N/A on the cover sheet?
3. Please provide a document for review by the Town Attorney to cover maintenance, liability, and removal associated with each pole.
4. Please include a reference in the plans regarding compliance with all applicable federal and state health and safety standards.
5. An as-built survey will be required for each pole (fiber and pole locations).
6. A right of way permit will be required for each pole and will need to be coordinated with the Town's Engineering Department.
7. Please provide the RFDS (Radio Frequency Data Sheets) where not currently included.

The applicant spoke and indicated that they were fine with the remaining general comments. A motion was made by Commissioner Myers to require the general comments to be addressed as a condition of approval. Motion was seconded by Vice Mayor Povlin and was approved unanimously.

Staff then reviewed each individual pole and recommended approval as follows:

102 Glen Abbey Boulevard

Staff recommended approval as submitted.

A motion was made Vice Mayor Povlin to follow staffs' recommendation. Motion was seconded by Commissioner St. Clair and was approved unanimously.

126 West End Avenue

1. Please note that the pole owner will be the Town of Farragut.
2. Planning commissioners requested that this pole be painted black and include the decorative light fixture style that has been installed along the recently improved section of Concord Road.
3. Please clarify the differences between antenna 6705 and 1652. No RFDS information was provided with this pole.

A motion was made by Vice Mayor Povlin to follow staffs' recommendations. Motion was seconded by Commissioner Myers and was approved unanimously.

100 Smith Road

Staff recommended approval with the Planning Commission's request for the pole to be painted black to match new traffic signal poles.

A motion was made by Vice Mayor Povlin to follow staffs' recommendation. Motion was seconded by Commissioner St. Clair and was approved unanimously.

11403 Municipal Center Drive

1. Please clarify the differences between the two different antennae proposed. No RFDS were provided.

A motion was made by Commissioner Myers to follow staffs' recommendation. Motion was seconded by Vice Mayor Povlin and was approved unanimously.

11509 Parkside Drive

Staff recommended approval as submitted.

A motion was made by Vice Mayor Povlin to follow staffs' recommendation. Motion was seconded by Commissioner St. Clair and was approved unanimously.

101 West End Avenue

1. Please clarify the differences between the two different antennae proposed. No RFDS were provided.
2. Please include the decorative light fixture style that has been installed along the recently improved section of Concord Road.

A motion was made by Vice Mayor Povlin to follow staffs' recommendation. Motion was seconded by Commissioner St. Clair and was unanimously approved.

100 Brooklawn Street

1. Please clarify the differences between antenna 4408 and 1652. No RFDS were provided.

A motion was made by Commissioner Myers to follow staffs' recommendation. Motion was seconded by Mayor Williams and was approved unanimously.

11425 Kingston Pike

1. Please clarify the differences between antenna 4408 and 1652. No RFDS were provided.

A motion was made by Commissioner Myers to follow staffs' recommendation. Motion was seconded by Commissioner Pinchok and was approved unanimously.

7. Discussion and public hearing on the installation of underground fiber optic cable to service new small cell poles in the rights of ways adjacent to 102 Glen Abbey Boulevard, 126 West End Avenue, 100 Smith Road, 11403 Municipal Center Drive, 11509 Parkside Drive, 101 West End Avenue, 100 Brooklawn Street, and 11425 Kingston Pike (Fiberlink, Applicant)

Staff reviewed this item and recommended approval subject to the following comments being addressed:

1. Please note that the plans for right of way permits must not have blank sheets. Information should be complete for the work proposed in each location.
2. Please ensure that the address on the cover page corresponds to plan sheets included for each location.
3. A letter of credit will be required to ensure that affected areas are restored to their previous condition. The dollar amount will be determined by the Town Engineer.
4. An as-built survey will be required for each pole (fiber and pole locations).
5. A right of way permit will be required for each pole and will need to be coordinated with the Town's Engineering Department.

A motion was made by Vice Mayor Povlin to follow staffs' recommendations. Motion was seconded by Commissioner St. Clair and was approved unanimously.

8. Discussion and public hearing on a site plan for the Farragut Town Center at Biddle Farms Townhouses, Parcel 3.24, Tax Map 143, 47 Units, Zoned PCD (Budd Cullom, Applicant)

Variance Request. Staff provided an overview of the plan. Staff noted that the applicant has requested a variance from the grass strip width for the proposed local streets from six feet to three- and one-half feet. The width is required for street trees and to provide a buffer between the pedestrian and motorist. The applicant's request will need to be evaluated based on the context in relation to the overall PCD development. The applicant is providing street trees on the opposite side of the street where more space is available. On street parking, a raised crosswalk, and street curvature are shown on the plans to slow traffic speeds along the local street around the periphery where the larger grass strip buffer would be most applicable. Staff indicated that this variance would need to be acted on separately.

A motion was made by Vice Mayor Povlin to approve the variance since the street trees would be placed on the opposite side of the street where more space was available and given the proximity of the homes to the street and the desired effect of engaging the dwelling unit with the pedestrian facility. Motion was seconded by Commissioner Russ and was approved unanimously.

Plan Approval. Staff noted that since the site plan (preliminary plat) is consistent with the general layout of the concept plan that was approved for the major amendment to the PCD, staff would recommend approval of the site plan (preliminary plat) with the following comments being addressed:

1. On areas along the main local street where parking is allowed, please show striping for spaces and striping for areas where no parking is permitted. This will also aid in slowing traffic. Please also show correct fire lane markings to be approved by the Fire Marshal.
2. All sidewalks must be at least five feet in width.
3. The streetscape plan will need to be more specific and include required tree specifications. Related to one of the comments below, the trees appear to be on a different property that is within the overall PCD. The Town needs to be clear on how overlapping improvements are to be maintained and who has rights and responsibilities for the different lots that are part of the overall development.
4. Please pay the drainage fee for \$1,880.
5. Please ensure that enough space and, where applicable, easements are platted to provide for maintenance of utilities, including storm sewer. First Utility District will need to sign off on all utility sheets related to this portion of the project since they will also have to sign off on the final plat for any necessary easements and infrastructure availability.
6. Please ensure that any new land disturbing contractors sign onto the NOI.
7. The pavilion in the common area will need to be shifted away from the storm sewer. It is shown as partially over the sewer, and this is not permitted.
8. Please provide color rendering and material details for the waste enclosure. The enclosure must be architecturally compatible with the principal structures.
9. The proposed property lines need to be clearly identified on a preliminary plat (this plan set is really a preliminary plat for infrastructure) and proposed easements should be shown for all utilities, stormwater, and other cross lot elements. There needs to be a clear preliminary plat sheet that identifies everything that is going to be platted for

- this phase of the development and how it relates to what's around it. This includes proposed property lines, required and necessary easements, common areas, etc.
10. Please provide a document with corresponding exhibits to clearly show which improvements are proposed to be publicly vs. privately maintained. This will need to be approved by the Town, recorded, and referenced on the final plat.
 11. On Sheet C4.0, some text is missing on the left side of the page. Also, please correct the notes identified by the stormwater coordinator on Sheet C2.0.
 12. Please provide a long-term stormwater Maintenance and Repair Plan for staff review. The plan must include stormwater detention areas, catch basin water quality devices, biofiltration, etc. as it pertains to this site.
 13. Please provide details for EPSC measures including sediment pond/detention basin, concrete washout, outlet protection, etc.

A motion was made by Vice Mayor Povlin to follow staffs' recommendations. Motion was seconded by Commissioner Myers and was approved unanimously.

9. Discussion and public hearing on approval of a final plat for the Ivey Farms Subdivision, Phases 2 and 3, Parcel 54.01, Tax Map 151, 30.39 Acres, 101 Lots, Zoned R-1/OSR (Goodall Homes, Applicant)

Staff reviewed this item and recommended approval subject to the following comments being addressed:

1. Please complete remaining field items.
2. Please obtain required signatures.
3. Please provide a completion letter of credit for the satisfactory completion of sidewalks, seven traffic calming islands, a raised crosswalk, and pavement markings. The dollar amount will be \$330,000.
4. Please provide a two-year landscape completion and maintenance letter of credit for \$15,000.
5. Please provide a two-year maintenance letter of credit for roadways, sidewalks, walking trails, and one detention basin. The dollar amount will be \$98,000.
6. Please provide a copy of the recorded covenants and restrictions for these two phases.
7. Please provide the following stormwater-related documents for staff review and approval: (1) Maintenance and Repair Plan for permanent stormwater control measures and (2) Maintenance Agreement for permanent stormwater control measures.

A motion was made by Vice Mayor Povlin to follow staffs' recommendations. Motion was seconded by Mayor Williams and was approved unanimously.

10. Discussion and public hearing on approval of a final plat for the Grove at Boyd Station, Phase 1, Unit 2, 27.63 Acres, 66 Lots, Zoned R-1/OSMR (Lynch Surveys, LLC., Applicant)

Staff reviewed this item and recommended approval subject to the following comments being addressed:

1. Please complete remaining field items.
2. Please obtain required signatures.

3. Please provide a completion letter of credit for the satisfactory completion of sidewalks and installation of property pins. The dollar amount will be \$95,000.
4. Please provide a two-year landscape completion and maintenance letter of credit for \$15,000.
5. Please provide a two-year maintenance letter of credit for roadways, sidewalks, walking trails, and one detention basin. The dollar amount will be \$60,000.
6. Please provide a copy of the recorded covenants and restrictions for these two phases.
7. Please provide the following stormwater-related documents for staff review and approval: (1) Maintenance and Repair Plan for permanent stormwater control measures and (2) Maintenance Agreement for permanent stormwater control measures.

A motion was made by Vice Mayor Povlin to follow staffs' recommendations. Motion was seconded by Mayor Williams and was approved unanimously.

11. Discussion and public hearing on a concept plan for the Virtue View Farm Subdivision, Parcels 33.03 and 33.04, Tax Map 152 033.03 and 152 033.04, 44.09 Acres, 13 Lots, Zoned R-1 (Steve Williams, Applicant)

Staff reviewed this item and the requested variances. Staff noted that, as presented, staff would recommend denial since some of the requested variances would not be supported by staff. A discussion ensued with Planning Commissioners expressing support for most of the variances. The two variances that were not supported were the private road with a gated entry and the request for no walking trail or sidewalk connections to any adjoining property. Some options for pedestrian facilities were discussed and the applicant asked for a postponement on any action taken related to the concept plan so that the pedestrian facility options could be further evaluated.

A motion was made by Commissioner Myers to postpone action on this item per the applicant's request. Motion was seconded by Vice Mayor Povlin and was approved unanimously.

12. Discussion on updates to the Farragut Sign Ordinance (Town of Farragut, Applicant)

Bart Hose reviewed this item and Planning Commissioners expressed support for the proposed amendments. Staff will incorporate into an ordinance and present for the Planning Commission's recommendation to the Board of Mayor and Aldermen.

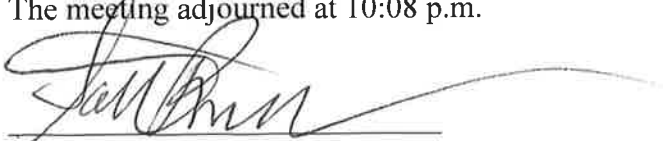
13. Approval of utilities

None.

14. Citizen forum

John Holztrager spoke over procedural matters regarding zoning or future land use map amendments that may adversely affect citizen participation. Mr. Holztrager commended the Commission for acting on the requested map amendments reflected in Agenda Items 3 and 4.

The meeting adjourned at 10:08 p.m.



Scott Russ, Secretary