



**MINUTES
FARRAGUT MUNICIPAL PLANNING COMMISSION**

August 17, 2023

MEMBERS PRESENT

Scott Russ, Chairman
Ed St. Clair, Vice Chairman
Shannon Preston, Secretary
Ron Williams, Mayor
Louise Povlin, Vice Mayor
Jon Greene
Noah Myers
Ron Pinchok
Leo Davis, Youth Representative

MEMBERS ABSENT

Staff Representative: Mark Shipley, Community Development Director

1. Approval of agenda

The staff noted that Agenda Item # 7 is requested for removal from the agenda. With that amendment, the staff recommended approval of the agenda.

A motion was made by Vice Mayor Povlin to follow the staff's recommendation. The motion was seconded by Commissioner Myers and was approved unanimously.

2. Approval of minutes – July 20, 2023

The staff recommended approval of the minutes as submitted.

A motion was made by Commissioner Myers to follow the staff's recommendation. The motion was seconded by Vice Mayor Povlin and was approved unanimously with the exception of Commissioners Pinchok and Preston abstaining due to being absent from the July meeting.

3. Approval for a request to install new fiber optic lines for Charter Spectrum along St. John Court, Prince George Parish Drive, and Cotton Blossom Lane (Global Communications, Applicant)

The staff reviewed this item and recommended approval subject to the following conditions:

1. Obtaining a right of way permit through the Town's Engineering Department. This will include a stamped approved set of plans, pre-construction meeting to review the project, and post construction inspection to make sure all affected areas are restored to their previous condition.
2. Notifying all affected property owners prior to work being initiated.
3. Ensuring that traffic control measures are in place prior to and during work being conducted.

A resident from Prestwick Place spoke and was asking if the fiber will be extended to additional streets. No one was present representing Global Communications, but the plans appeared to

show additional fiber in a future phase that will have to come back to the Planning Commission.

A motion was made by Commissioner Myers to follow the staff's recommendation. The motion was seconded by Vice Mayor Povlin and was approved unanimously.

4. Discussion and public hearing on a final plat of Parcels 032, 033, 072, 073, 074, and 076, Tax Map 151, 13111 Kingston Pike, Zoned C-1, 12.78 Acres (BHNP, Applicant)

The staff reviewed this item and recommended approval subject to the following conditions:

1. Obtaining all signatures.
2. The Certificate of the Accuracy of Survey needs to meet or exceed the Town's minimum standards for all final plats (Category 1; 1' in 10,000'). Please clearly note/certify as such.
3. Setbacks for all improvements, including signage, shall be measured from required rights of ways. This plat does not show dedication of required right of way but, consistent with requirements in the Zoning Ordinance, future improvements are to be measured from required rights of ways (130 feet from the centerline of both N. Watt Road and Kingston Pike as the starting point for measurement). This should be clarified in Note #4.
4. Please include in Note #7 that Lot 3 will also need to access a permanent access easement. Lot 3 (proposed) does not have sufficient frontage along either N. Watt Road or Kingston Pike to directly access those streets. Vehicular access will have to be internal to the larger development, through Lot 1 and, for improved traffic circulation, the easement across Lot 2. Please add a note clearly restricting (prohibiting) Lot 3's direct access to N. Watt Road and Kingston Pike. Please also add easements to Lot 1 to clearly provide Lot 3 with permanent ingress/egress, access to Kingston Pike and N. Watt Road, and associated traffic circulation across Lot 1 and the easement (for same) on Lot 2.
5. The proposed strip of land for Lot 1 to access N. Watt Road currently serves as a reserve strip blocking Lot 3's access to the driveway easement to N. Watt Road. Other access provisions will need to be made for Lot 3.
6. Though the specific location would likely need to be addressed with a future plat as development proceeds, this plat should note that, if the residential property to the north of the Rural Metro is rezoned to commercial, access to this property is to ultimately be through the permanent access easement being platted at this time on Lot 2. This will reduce the number of curb cuts along N. Watt Road.
7. If the proposed strip of land for Lot 1 at N. Watt Road is for a ground-mounted sign, please ensure that the area accounts for the space needed to meet required setbacks. It would not appear to be large enough.

Rodney Phillips and Grant Berry were present representing the applicant. Mr. Phillips asked that staff approval condition #6 be omitted. A motion was made by Commissioner St. Clair to initiate discussion on this item. The motion was seconded by Commissioner Myers. During discussion, it was suggested by Vice Mayor Povlin that approval condition #6 be re-worded to make this more of a suggestion with the word "may" used as shown in red as follows:

6. Though the specific location ~~would~~ **may** likely need to be addressed with a future plat as development proceeds, this plat should note that, if the residential property to the north of the Rural Metro is rezoned to commercial, access to this property ~~is to~~ **may**

ultimately be through the permanent access easement being platted at this time on Lot 2. This will reduce the number of curb cuts along N. Watt Road.

Commissioner St. Clair amended his motion to include the proposed wording for approval condition #6 and to otherwise follow the staff's recommendation. The motion was seconded by Commissioner Myers and was approved unanimously.

5. Discussion and public hearing on a site plan for a grocery store and shops for a portion of Parcel 32 and Parcels 33, 72-74, and 76, Tax Map 151, northwest intersection of N. Watt Road and Kingston Pike, Zoned C-1, 10.3 Acres (Schaad Companies, Applicant)

The staff reviewed this item and noted that the proposed accesses onto Kingston Pike would require a variance approval prior to acting on the site plan.

Access Variances:

The staff noted that the eastern access is a right in right out access that is 270 feet from the intersection of N. Watt Road. This results in a variance request of 130 feet (the minimum required distance is 400 feet). Staff indicated that the applicant's rationale for this variance was that the proposed access is restricted to only right in right out and provides more efficient traffic flow within the development and the general area. The access is also near a signalized condition where traffic flow and speeds are more controlled. The staff indicated that the Town Engineer was in support of the variance, provided the plans are updated to show a more pronounced barrier to more effectively lessen the likelihood of someone trying to turn left onto Kingston Pike.

A motion was made by Vice Mayor Povlin to approve the variance for the right in right out access request for the reasons noted by the applicant and subject to the plans showing a more pronounced barrier to lessen the likelihood of someone trying to turn left onto Kingston Pike. The motion was seconded by Commissioner Myers and was approved unanimously.

The staff noted that the western access is a proposed full access that will line up with the access on the south side of Kingston Pike at the Y-12 Federal Credit Union, which also serves as the Kingston Pike access for the PCD development at the southwest corner of S. Watt Road and Kingston Pike. This access is 200 feet from the right in right out access and 170 feet from the Ag Pro equipment storage lot access to the west. Thus, this access would require a variance of 200 feet from the right in right out access and 230 feet from the Ag Pro access to the west. The staff indicated that the Town Engineer was in support of these variances since the proposed access will line up with the access on the south side of Kingston Pike and the Ag Pro site has very limited use given its configuration.

Staff noted that a consideration in relation to this access is that a traffic signal will likely be warranted in the future (likely when the grocery store and the outparcel develop along with development on the south side of Kingston Pike). To cover this condition, the staff recommended that the Planning Commission consider requiring a letter of credit for half of the cost of a traffic signal in the amount of \$287,000 (this amount is based on a new traffic signal cost of \$450,000, expanded by 5% per year (compounded) over five years: $225,000 \times 1.05^5 = \$287,000$) be provided.

A discussion ensued and there were concerns over requiring the letter of credit at this time since the Traffic Impact Study did not indicate that a signal was currently warranted. A motion

was made by Vice Mayor Povlin to support the variances for the full access since it would line up with the access on the south side of Kingston Pike that will serve as the Kingston Pike access for the Kingston Pike Villages PCD project and to not require a letter of credit at this time for a traffic signal. The traffic signal letter of credit was not a condition of approval of the variance request. The motion was seconded by Mayor Williams and was approved unanimously.

Site Plan:

The staff then reviewed the site plan and noted that there were several remaining comments and some that would warrant additional discussion and input. A motion was made by Vice Mayor Povlin to initiate discussion. The motion was seconded by Mayor Williams. Rodney Phillips then spoke on behalf of the applicant and reviewed the remaining comments that they were concerned about. One of the comments was #11 which dealt with grading and improvements shown in the 35-foot buffer strip associated with the portion of the development that abutted the property that is currently zoned residential in the northeast portion of the project. Some discussion ensued among commissioners. It was noted that the Planning Commission did not have the authority to modify the requirement that no grading or improvements are permitted within the required buffer strip. The staff also noted that this would not be a matter that would meet the thresholds needed for a variance approval from the Board of Zoning Appeals. An option that was mentioned by Vice Mayor Povlin was that the applicant may consider requesting a text amendment with the buffer strip requirements modified where an abutting property zoned residential was shown on the Future Land Use Map as non-residential. Other commissioners expressed support for this concept and that staff comment #11 on the site plan would need to be modified to reflect this possibility.

Two other comments that the applicant wanted to discuss were #'s 12 and 15. Grant Berry, the project engineer, spoke on behalf of these comments. The staff noted that low impact development measures are a requirement, and the plan would need to provide for that. Some options were discussed with the Planning Commission and the applicant indicated that they would re-visit this aspect of the plan and address them on resubmittal. Mr. Berry also spoke regarding comment #15 and indicated that it was likely that TDOT would follow the recommendations of the Traffic Impact Study that the plan reflects but would make sure that any modifications recommended by TDOT were included on resubmittal. The only other staff comment that the applicant asked to be re-visited was #17. Based on the discussion that occurred under Agenda Item #4, commissioners were in support of the word "should" being changed to "may."

Based on the comments received during discussion, Vice Mayor Povlin re-stated her motion and recommended approval of the site plan subject to the following comments, as modified:

- 1. Please number the complete set Sheet 1 of ..., 2 of ..., etc.,*
- 2. There is no tree preservation and protection plan included in the plan set.*
- 3. Please submit a concise site lighting plan that meets the Town's requirements and includes all applicable information. The plans that were submitted do not include cut sheets for only the specific fixtures proposed, no diagram of pole heights and fixture orientation, no indication of wall mounted light mounting height and orientation, no reference to Kelvin temperatures, and several places along the property lines exceed the maximum footcandles permitted. The maximum permitted abutting residential is .5 and 3.0 for commercial. Lighting plans are typically only a couple of pages and include*

one table that summarizes the fixtures, locations, numbers, and required information and ties them to the plan sheet.

- 4. Please provide NOC.*
- 5. Please provide a copy of TDOT permit for working on ROW and entrances onto State route.*
- 6. FUD must approve the water and sewer plan sheets.*
- 7. Please submit Erosion Control Letter of Credit for \$105,000.*
- 8. Drainage Fee is based upon area of impervious surface, at \$0.03 per square foot. What is this area?*
- 9. On Sheet C3.0, the outlet labeled F0 must be ten feet from the property line and the series of storm sewer from C0 to C4 must be RCP and not HDPE. Please ensure that grading is out of the dripline of trees abutting the Park.*
- 10. On Sheet C3.0, Note #6 should state 2.5:1 rather than 2:1.*
- 11. Grading and improvements are located within the required 35' buffer strip, and this is not permitted. The resubmitted plans will need to show that this comment is pending as the applicant will be submitting a text amendment to try to address this issue.*
- 12. The plan does not include any required low impact development measures. Please revise the plan to ensure compliance with this requirement. Staff would suggest using permeable pavers in lieu of all or at least some of the underground detention as a means of achieving compliance.*
- 13. On Sheet C4.0, please show planned driveways on the south side of Kingston Pike.*
- 14. New sidewalk that is not along a deceleration lane must be at least 8 feet from the street curb along Kingston Pike since it is a major arterial.*
- 15. The TDOT Traffic Office has some significantly greater storage and taper lanes recommended along Kingston Pike than shown on the plans. Please coordinate with TDOT and revise the plans accordingly. Additional review from the Planning Commission will be required if significant deviations occur in relation to what is shown currently on the plans.*
- 16. Additional sidewalk will be required when the outparcel develops to tie together the overall pedestrian network. A crosswalk in different locations will be needed into the grocery and retail development from the outparcel.*
- 17. If the residential property to the north is rezoned, access may be planned to that property in the area west of the revised Rural Metro tract. This would help consolidate access along N. Watt Road.*
- 18. Please include a detail showing that all interior islands are at least 7.5 feet in width from inside of curb to inside of curb.*
- 19. Please include a walking trail connection to the walking trail in Mayor Bob Leonard Park on the revised site plan. Two options were presented. Staff preferred Option A, which included a separate path shared with the property owner to the west. If the property owner to the west is not cooperative, Option B, which would create a route through the grocery store site would need to be shown.*
- 20. Note: a separate landscape plan will need to be submitted, reviewed, and approved by staff and the VRRB. Please consider all landscaping requirements with respect to this proposed site plan. Also, all signage must be reviewed and approved separately.*
- 21. The proposed lot coverage is very close to the maximum permitted. This leaves little opportunity to add outdoor seating (for the retail space), a trail connection through areas that are currently shown as vegetation (if the trail is connected through the grocery store site), or additional cart rack storage (which probably is needed).*

22. *On Sheet C8.2, please check structure elevations with drainage calculations. Also, on the same sheet, please correct the project information reference that references Athens, Tennessee.*
23. *Please revise the formatting on Sheets C8.3, 8.4, and 8.5 to remove the blue lines.*
24. *The site plan must specifically address the requirement that HVAC units shall not be visible from adjacent properties or rights of ways.*

The motion was seconded by Mayor Williams and was approved unanimously.

6. **Discussion on a request to amend the Farragut Zoning Map for Parcel 069, Tax Map 142, from R-1 and R-2 to R-3 and S-1, 41 Acres (Horne Properties, Inc., Applicant)**
For discussion purposes only.
7. **REMOVED FROM AGENDA - Discussion on a request to close and eventually re-plat right of way that was associated with Old Snyder Road, Parcels 122, 123.01, 123.02, and 183, Tax Map 130, 1.3 Acres, Zoned C-2 (Land Development Solutions, Applicant)**
8. **Approval of utilities**
None.
9. **Citizen forum**
None.

The meeting was adjourned at 9:05 p.m.


Shannon Preston, Secretary