



MINUTES
FARRAGUT MUNICIPAL PLANNING COMMISSION

July 15, 2021

MEMBERS PRESENT

Rita Holladay, Chairman
Ed St. Clair, Vice-Chairman
Ron Williams, Mayor
Louise Povlin, Vice Mayor
Michael Bellamy
Scott Russ
Jon Greene
Noah Myers
Shannon Preston
Hank Standaert, Youth Representative

MEMBERS ABSENT

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

Staff noted that this is the first Planning Commission meeting for a new Commissioner, Shannon Preston, and a new Youth Representative, Hank Standaert.

1. Election of Officers

Staff noted that the existing officers are as follows:

Rita Holladay – Chairman
Ed St. Clair – Vice-Chairman
Scott Russ – Secretary

A motion was made by Commissioner Myers to retain Commissioner Holladay as Chairman. Motion was seconded by Vice-Mayor Povlin, and motion passed unanimously. A motion was made by Vice-Mayor Povlin to retain Commissioner St. Clair as Vice-Chairman. Motion was seconded by Mayor Williams and motion passed unanimously. A motion was made by Vice-Mayor Povlin to retain Commissioner Russ as Secretary. Motion was seconded by Commissioner Myers and motion passed unanimously.

2. Approval of agenda

Staff recommended that Agenda Item #9 be moved to follow Agenda Item #5 since they each involve the same property.

A motion was made by Vice-Mayor Povlin to follow staffs' recommendation. Motion was seconded by Mayor Williams and motion passed unanimously.

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3. Approval of minutes – June 17, 2021

Staff recommended approval.

A motion was made by Mayor Williams to follow staffs' recommendation. Motion was seconded by Vice-Mayor Povlin and motion passed 8-0.

4. Discussion and public hearing on a re-subdivision plat for a portion of the William Coker property, Parcels 034 and 031.05, Tax Map 153, 713 Concord Road, 3.81 Acres, 3 Lots, Zoned R-2 (Benchmark Associates, Inc., Applicant)

Staff noted that this item will first need action to be taken on a variance request to not provide the 10% open space required in the Subdivision Regulations. Staff recommended approval of the variance due to the number of lots involved, the size of the lots (each lot is greater than one acre), and the fact that no new public improvements are proposed.

Benny Moorman spoke on behalf of the applicant. A motion was then made by Vice-Mayor Povlin to follow staffs' recommendation. Motion was seconded Commissioner Myers and motion passed unanimously.

Staff then recommended approval of the plat subject to the following:

1. The side setbacks note will need to clarify that the setbacks are 30 feet combined with a minimum of 10 feet on any one side.
2. Signing and sealing the final revised plat.
3. Obtaining the required signatures.

A motion was made by Commissioner St. Clair to follow staffs' recommendation. Motion was seconded by Mayor Williams and motion passed unanimously.

5. Discussion and public hearing on a preliminary plat for the Keeney Property Subdivision, Parcels 142.036, 142.03602, 142.03603, 142.03604, Tax Map 142, 12422 Union Road, 25.74 Acres, 6 Lots, Zoned R-2 (Urban Engineering, Applicant)

Staff reviewed this item and noted that it included the following variance requests related to the Subdivision Regulations that will each need to be voted on separately:

1. Reduction in right of way width for a local street from 50 feet to 30 feet.
2. Installation of a rural cross section street which would involve a pavement width of 18-20 feet and an open ditch drainage system.
3. The omission of a pedestrian facility along the Union Road frontage and within the subdivision.
4. A waiver of the 10% open space required in association with a subdivision.
5. A variance to the length of the cul-de-sac.
6. The omission of the requirement for a vehicular connection to abutting properties.

Staffs' recommendations on the variances were as follows:

1. Reduction in right of way width. The question is whether 30 feet provides enough physical publicly owned space for any envisioned utilities and for maintenance duties related to public improvements (in this case, the public street). On a subsequent variance request, the applicant is proposing a public street width of mostly 20 feet with a small section of 18 feet to work around an existing spring house. If approved, this would provide generally 5 feet on each side of the street for workspace and additional utilities. The applicant has noted in their justification for the variance that the utilities are mostly existing except for

service lines and a new water line that would be within the proposed right of way and easements that will be platted with this development. Staff would prefer a right of way of 40 feet to lessen any future issues related to infrastructure maintenance. If gas or a pedestrian facility is to be provided at some point in the future, it would need to be within either the right of way or an easement. The subdivision will have the required minimum ten-foot drainage and utility easement along the right of way. If a variance is granted to accept a 30 foot right of way, staff recommended that a larger standard easement that would also provide for a pedestrian facility (should that be in the future) be provided on the final plat along each side of the right of way. This easement should be at least 15 feet rather than 10 feet in width. The benefit of the easement is that it would be on private property and would not affect building setbacks to the extent that a public right of way would.

A motion was made by Commissioner Myers to grant a variance to permit a 30 foot right of way due to the number and size of lots involved in the subdivision and the fact that most utilities are already installed. The variance would also be subject to the final plat including a 15-foot-wide drainage, utility, and construction easement along the rights of ways. Motion was seconded by Vice-Mayor Povlin and motion passed unanimously.

2. Reduction in street width and omission of curb and gutter. In terms of the rural cross section with the reduced street width and the open ditch drainage, staff recommended approval with the understanding that this is conditioned on the lots not being further subdivided. This reduced width and natural drainage system would help retain the rural character of the existing driveway and open space and preserve the spring house and some notable trees that would otherwise be impacted.

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

3. Omission of pedestrian facilities. In terms of the omission of a pedestrian facility along the Union Road frontage and within the subdivision, staff recommended approval with the understanding that this is conditioned on the lots not being further subdivided. As noted, there are currently no pedestrian facilities abutting or on any portion of this section of Union Road. However, for purposes of planning for the future, staff recommended that a pedestrian facility easement be included on the final plat along Union Road to accommodate a walking trail (should that be desired in the future) as well as the grass strip separation required for a collector street. This easement would need to be 20 feet in width like the easement approved recently for a re-subdivision plat along Boring Road.

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

4. Open space requirement. In terms of the waiver of the 10% open space requirement, staff recommended approval given the rural, generally large lot nature of the subdivision where ample private open space is provided along with proposed water quality easements for the two drainages that run through different portions of the property.

A motion was made by Vice-Mayor Povlin to follow staffs' recommendation. Motion was seconded by Mayor Williams and motion passed unanimously.

5. Cul-de-sac length. In terms of the variance from the 500-foot length limitation for cul-de-sacs, staff recommended approval. The proposed street would be roughly 935 feet but would only serve six lots. Additional streets or connections to abutting properties are further limited due to the presence of drainageways that exist on each side of the cul-de-

sac and the lack of an opportunity to extend a through street to abutting properties. Most of the abutting properties include house lots of less than one acre or are part of the existing developed property.

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

6. Vehicular connection to abutting properties. In terms of a variance from the requirement to connect both vehicular and pedestrian facilities to abutting properties, staff recommended approval. The rationale was that the surrounding properties are developed, the presence of drainageways on the north and south portion of the property, and the number of lots proposed in this development and the fact that they will be restricted to prohibit further subdivision.

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

Staff then noted that, in terms of the plat, staff recommended approval subject to the following comments being satisfactorily addressed:

1. Please provide EPSC plan and SWPPP. You will need to show TDEC-required construction buffers on the stream as well.
2. Please submit irrevocable letter of credit for erosion control for \$6,000.
3. Please show a 20-foot walking trail easement along the Union Road frontage and a 15-foot drainage, utility, pedestrian facility easement along each side of the right of way and amend Note #5 on Sheet C-1 accordingly.
4. Please remove all reference to a 25-foot permanent ingress/egress easement as this is no longer relevant.
5. On Sheet 6, please ensure that the water line easement is ultimately reflected on the final plat if it is outside the standard easements along the right of way.
6. Please address how further subdivision within this development will be prevented given the variances being requested from the standard requirements.
7. The post-Planning Commission preliminary plat will need to reflect and note the action taken regarding the requested variances from the Subdivision Regulations.
8. Please revise the zoning and setback notes on the plat to reflect the existing zoning and the zoning proposed for Lots 1-3.
9. Please number the lots 1-6.

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

6. Discussion and public hearing on a final plat for the Preserve at Turkey Creek, Parcels 02103 and 02101, Tax Map 153, 13 Lots, Zoned R-2, 10.23 Acres (Lynch Surveys, LLC., Applicant)

Staff reviewed this item and recommended postponement due to the lack of stabilization in the form of a uniform, evenly distributed stand of grass, at this time. Staff noted that approving a plat well before the completion of required field items places the Town's staff in an awkward position of not being able to sign the plat even though it has been approved conditionally by the Planning Commission. Staff noted that they are applying the standards and expectations associated with the level of field completion needed for final plat approval.

Russ Rackley spoke on behalf of the applicant and noted that the site has been recently hydroseeded and grass was beginning to appear consistent with the standard required by the Town. A long discussion ensued. Commissioners discussed requiring a letter of credit specifically for ensuring that stabilization is provided to the standard required by the Town. Staff also noted that the proposed subdivision entrance sign is requested to be within the right of way due to the lack of space created by topography and existing utility easements in the area where an entrance sign would be appropriate. Per the Sign Ordinance, signs proposed within public rights of ways as part of a streetscape plan must be reviewed by the Planning Commission for a recommendation to the Board of Mayor and Aldermen. Commissioners were okay with the sign location provided there would be no utility conflicts and the covenants and restrictions were clear that maintenance and liability would be the responsibility of the developer and homeowners association.

Staff noted that the remaining plat related comments that will need to be satisfactorily addressed prior to the Town signing off on the final plat were as follows:

1. The grading/drainage plan in the preliminary plat set shows an improved swale in the area north of Lot 4. An easement needs to be platted for this if it exceeds the width of the standard easements along property lines.
2. Please number the open space lot at the end of Painted Turtle Lane and list the square footages of the two open space lots under the open space calculations summary.
3. Please explain in a plat note what restrictions are associated with the sight distance easements.
4. Please ensure that the stormwater pipe and outfall on the east side of Painted Turtle Lane near Turkey Creek Road is shown, included any associated easement.
5. Note #8 does not match the language of the Subdivision Regulations, please correct.
6. Please get with Town staff on the language for plat note #9. Staff met with FUD and the language needs to be modified.
7. Please complete all items on staffs' field related punchlist.
8. Please provide an irrevocable letter of credit for \$15,000 for the maintenance of streets, pedestrian facilities, and drainage.
9. Please provide an irrevocable letter of credit for \$10,000 for the completion of landscaping associated with the approved streetscape plan.
10. Please provide an irrevocable letter of credit for sidewalk completion.

A motion was made by Vice-Mayor Povlin to approve the plat subject to the remaining staff comments and a letter of credit being provided for stabilization and a plat note added that would clarify that the Town would not be responsible for maintenance and liability associated with the subdivision entrance sign being situated within the public right of way. Motion was seconded by Commissioner St. Clair and motion passed unanimously.

7. Discussion and public hearing on a site plan for Moses Watersports, Parcel 176.02, Tax Map 130, 11470 Outlet Drive, Zoned OD-RE/E, 6.8 Acres (Urban Engineering, Inc., Applicant)

Staff reviewed this item and noted that it would first need action to be taken on a variance from the distance between driveways requirement for arterial streets, as provided for in the Driveways and Other Access Ways Ordinance. The required separation is 400 feet. The requested variance would permit the project's entrance to be 72 feet from the nearest access along Outlet Drive. Staff indicated that the Town Engineer has reviewed this request and the justification provided by the project engineer and recommends to the Board of Mayor and

Aldermen approval of the variance. The justification being topography, limited space for lining up accesses, a conflict with an existing utility pole, and the lack of a conflict for the center turn lane with the access proposed.

Chris Sharp spoke on behalf of the applicant. A short discussion on the variance ensued. A motion was made by Commissioner St. Clair to recommend approval of the variance for the reasons noted by staff. Motion was seconded by Commissioner Myers and motion passed unanimously.

Staff then noted that that the remaining staff comments on the site plan that will need to be satisfactorily addressed are as follows:

1. Please submit Drainage Fee of \$2,660.
2. Please submit NOC.
3. Please submit irrevocable Letter of Credit for Erosion Control for \$24,000.
4. The architectural sheets must be signed and sealed.
5. Has the developer considered ground signage and its location? It should be coordinated with the overall landscaping plan for the site.
6. A post-construction SWPPP will be required for this site. TOF staff to provide required form, which must be submitted prior to issuance of CO. A long-term stormwater maintenance agreement will be required, for catch basin inserts and enhanced swales, prior to issuance of the CO.
7. Screening will need to be evaluated in terms of whether it is needed in the back of the property to ensure that the outdoor storage will not be visible from the interstate right of way.
8. There will need to be some sort of easement established for the potential future connection and future traffic circulation.
9. Note #18 will need to be strengthened to include language that no clearing in the sinkhole lip elevation areas on any portion of the property is permitted. These areas are to be completely undisturbed as part of this development and in the future.
10. Screening of storage areas will need to be taller since boats will be on trailers. Four feet would not appear to be sufficient.
11. Please document the square footage of the foundation planting areas shown on Sheet C-1 and coordinate with the required landscape plan for VRRB approval.
12. Please provide a detail for the screening required in association with outdoor storage and sales, as stipulated in this zoning district.
13. Is Detail 11 on Sheet C-7 needed if using a street-type entrance? Consider Dwg. MM-CR-5 for curb ramps.
14. In terms of the Fire Flow Note on Sheet C-9, please refer to IFC B104. Three fire hydrants spaced a maximum of 450 feet apart and 250 feet from the road frontage are required.
15. Please provide a cut sheet detail for the proposed wall mounted lights.
16. Sheet L100 appears to show proposed landscaping in addition to tree removal/preservation. A separate landscape plan will be required and will have to be reviewed by the Visual Resources Review Board.
17. Saved trees can only be credited if they are within 25 feet of an approved area of disturbance. The design professional appears to be counting trees beyond that limit and has not documented any qualifying clusters that they may want to count.
18. Please ensure that this plan sheet includes the information required in Section 113-61 (a)(1) of the Tree Protection Ordinance. Some information appears to be missing.

Staff also mentioned that the Commission may want to discuss whether an iconic element has been provided and if the plans properly address the requirement for a defined cap along the top of the building.

A discussion ensued mostly regarding the screening required for the outdoor storage and sales. Some commissioners questioned whether the proposed four-foot-tall fence would be high enough to screen the boats and trailers. The applicant noted that there was a significant grade change that should aid in screening the storage area from Outlet Drive. The applicant stated that they could prepare a sight line diagram to show the storage area as viewed from different locations along the Outlet Drive frontage. This could then be presented to the Commission for their consideration at the August meeting.

With regards to the iconic element and the defined cap, the project architect, Stacy Cox, reviewed what was proposed. Commissioners were satisfied that this had been addressed.

A motion was made by Vice-Mayor Povlin to approve the site plan subject to the remaining staff comments with the exception of Comment #10 being modified to indicate that the height of the screening would be reviewed at the August Planning Commission meeting based on line of sight diagrams provided by the applicant. Motion was seconded by Commissioner St. Clair and motion passed unanimously.

8. Discussion on a request to consider the site related elements of expanding the dining room by approximately 500 square feet at the Big Kahuna Wings, 12828 Kingston Pike (Big Kahuna Wings, Applicant)

For discussion purposes only.

9. Discussion and public hearing on a zoning map amendment for Lots 1-3, as shown on the preliminary plat for a portion of the Keeney Property Subdivision, 12422 Union Road, 15.5 Acres, to change the zoning from R-2 (General Single-Family Residential) to R-1 (Rural Residential) (Urban Engineering, Inc., Applicant)

Staff reviewed this item and recommended approval of Resolution PC-21-09 which recommends approval of Ordinance 20-14.

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

10. Discussion and public hearing on a future land use map amendment request for a portion of the property referenced as Parcel 069, Tax Map 142 (north of old Ingles building), 20 Acres, to change the future land use map from Medium Density Residential to High Density Residential (Horne Properties, Inc., Applicant)

Staff reviewed this item and noted that, based on current land use designations in the area around the property and developed and planned density, zoning, and infrastructure in the surrounding area, staff did not support Resolution PC-21-11, which would amend the future land use map for a 20-acre portion of the property referenced as Parcel 069, Tax Map 142 from Medium Density Residential to High Density Residential.

A discussion ensued. Michael Patterson and John Wright spoke on behalf of the applicant. Citizen comments were also provided.

A motion was made by Vice-Mayor Povlin to follow staffs' recommendation to deny Resolution PC-21-11. Motion was seconded by Commissioner St. Clair and motion passed 8-1, with Commissioner Myers voting in support of Resolution PC-21-11.

11. Discussion and public hearing on a zoning map amendment request for a portion of the property referenced as Parcel 069, Tax Map 142 (north of old Ingles building), 20 Acres, to change the zoning from R-1 (Rural Single-Family Residential) and R-2 (General Single-Family Residential) to R-6 (Multi-Family Residential) (Horne Properties, Inc., Applicant)

Staff reviewed this item and noted that, based on current land use designations in the area around the property and developed and planned density, zoning, and infrastructure in the surrounding area, staff did not support Resolution PC-21-10, which would amend the zoning map for a 20-acre portion of the property referenced as Parcel 069, Tax Map 142 from R-1 and R-2 to R-6.

A motion was made by Vice-Mayor Povlin to not support Resolution PC-21-10 due to inconsistency with the future land use map. Motion was seconded by Commissioner St. Clair and motion passed 8-1, with Commissioner Myers voting in support of Resolution PC-21-10.

12. Approval of utilities

None.

13. Citizen Forum

None.

The meeting adjourned at 10:09 p.m.



Scott Russ, Secretary