



**MINUTES
FARRAGUT MUNICIPAL PLANNING COMMISSION**

July 20, 2023

MEMBERS PRESENT

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

MEMBERS ABSENT

Shannon Preston, Secretary
Ron Pinchok

Staff Representative: Mark Shipley, Community Development Director

1. Election of Officers

Vice Chairman, Ed St. Clair, called the meeting to order and noted that with the retirement of Rita Holladay, a new chairman would need to be elected as part of the annual election of officers.

A motion was made by Commissioner Greene to nominate Scott Russ for Chairman. The motion was seconded by Mayor Williams and was approved unanimously except for Commissioner Russ abstaining.

For the position of Vice Chairman, a motion was made by Mayor Williams to nominate Ed St. Clair. The motion was seconded by Vice Mayor Povlin and was approved unanimously.

For the position of Secretary, a motion was made by Vice Mayor Povlin to nominate Shannon Preston. The motion was seconded by Mayor Williams and was approved unanimously.

2. Approval of agenda

Chairman Russ reviewed some meeting procedures and protocol and then introduced the approval of agenda. The staff noted that Agenda Item #'s 4, 7, 8, and 9 were requested for removal from the agenda. The staff also noted that the applicant for Agenda Item #6 has requested to be moved to the end of the agenda. The staff recommended approval of the agenda with these modifications.

A motion was made by Commissioner St. Clair to follow the staff's recommendation. The motion was seconded by Mayor Williams and was approved unanimously.

3. Approval of minutes – June 15, 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 Commissioner St. Clair and was approved unanimously.

- 4. Discussion and public hearing on exterior renovations associated with the conversion of the Comfort Inn to a La Quinta Inn at 805 N. Campbell Station Road, Zoned C-2 (Oysk3 Architects, Applicant)**

Removed from agenda.

- 5. Discussion and public hearing on the LCUB fiber grid modernization project to install fiber optic cable throughout the Town (FiberRise, Applicant)**

The staff reviewed this item and recommended approval subject to the applicant obtaining right of way permits for each permit section. This will include pre-construction meetings to review the specifics of each permit section, erosion control and site restoration, traffic control, and property owner notifications specific to each permit section.

After a citizen spoke in support of the project, Jeremy Walden with LCUB reviewed the project. There were some questions from commissioners. A motion was made by Mayor Williams to approve the Town-wide fiber optic cable installation. The motion was seconded by Commissioner Myers and was approved unanimously.

- 6. Discussion and public hearing on adding the requirement for a concept plan in association with a rezoning to the S-1, Community Service Zoning District**

The staff reviewed this item and recommended approval of Resolution PC-23-10 which recommends approval of Ordinance 23-11 to the Board of Mayor and Aldermen.

*A short discussion ensued, and a motion was made by Vice Mayor Povlin to follow the staff's recommendation. The motion was seconded by Commissioner St. Clair. During further discussion, Commissioner St. Clair asked if, under the proposed Section C., 2., language could be added to clarify that the site plan review process is with the Planning Commission. Staff proposed the following with the proposed language highlighted: "Major changes, as identified during the site plan review process **with the Planning Commission**, shall require a re-review and approval from the Board of Mayor and Aldermen..."*

Vice Mayor Povlin amended her motion to include the language proposed by the staff. The amended motion was seconded by Commissioner St. Clair and was approved unanimously.

- 7. 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)**

Removed from agenda.

- 8. 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)**

Removed from agenda.

- 9. 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)**

Removed from the agenda.

10. Discussion and public hearing on a request for approval of a proposed 160-foot-tall macro cellular tower to be situated in the northeast corner of the West End Center at 156 West End Avenue, Zoned C-1 (Vogue Towers Partners VII., LLC., Applicant)

The staff reviewed this item and noted that, as discussed during the workshop session at the May 18 Planning Commission meeting, the Planning Commission has the authority to consider waivers to different requirements in the Farragut Zoning Ordinance that apply to macro cellular towers. These waivers are to be requested by the applicant and reviewed based on the circumstances or conditions specific to a request. The staff noted that, in their application, the applicant has requested certain waivers and that, prior to acting on the proposed tower, separate action will be needed on each requested waiver.

The Planning Commission then reviewed the requested waivers individually. The first was a waiver from the provision in Section III., F., 3., j) that towers shall not be permitted in the area identified as Mixed-Use Town Center (MUTC).

The staff recommended approval of this waiver based on the following:

- a) The proposed tower is at the edge of the MUTC in a discrete location surrounded by existing development that is generally not consistent with a layout indicative of a Town Center.
- b) Cellular service is deficient in this general area and there is a need for improved service particularly given the nearby Farragut Intermediate, Middle, and High Schools. Other locations in the general area where improved service is needed would either be in more visible or developed areas or closer to residential properties.

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

The second waiver was from the provision in Section III., F., 3., c) that all towers that are proposed on property that is not zoned residential and do not abut property that is zoned residential shall be set back a minimum of one-half of a foot for each one foot of tower and antenna height or 50 feet, whichever is greater.

The staff noted that the proposed tower is 165 feet in height counting the five-foot antenna. This would result in a setback of 82.5 feet. The proposed tower is 65 feet from the property to the east that is zoned General Commercial (C-1). This results in a waiver request of 17.5 feet.

The staff recommended approval of this waiver based on the following:

- a) The proposed tower is in a discrete location that is over 1,000 feet from the nearest home.
- b) The tower fall zone is 64 feet. The entire fall zone is on the property being leased and moving the tower would either place it closer to existing buildings, residences, or create a situation where the fall zone is partly on an adjacent property.
- c) Cellular service is deficient in this general area and there is a need for improved service particularly given the nearby Farragut Intermediate, Middle, and High Schools. Other locations in the general area where improved service is needed would either be in more visible or developed areas or closer to residential properties.

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

The third waiver was from the provision in Section III., F., 3., d) that all towers that are proposed on property that is zoned residential or towers that are proposed on property that is not zoned residential but abuts property that is zoned residential shall be set back a minimum of one foot for each one foot of tower and antenna height.

The staff noted that the proposed tower is 165 feet in height counting the five-foot antenna. This would result in a setback of 165 feet. The proposed tower is 65 feet from the property to the north (the school property) that is zoned General Single-Family Residential (R-2). This results in a waiver request of 100 feet.

The staff recommended approval of this waiver based on the following:

- a) The additional setback provision from residential properties is intended to protect residential uses. Though zoned residential, the property to the north includes three large public schools. The proposed tower is in a discrete location that is over 1,000 feet from the nearest home.
- b) The tower fall zone is 64 feet. The entire fall zone is on the property being leased and moving the tower would either place it closer to existing buildings, residences, or create a situation where the fall zone is partly on an adjacent property.
- c) Cellular service is deficient in this general area and there is a need for improved service particularly given the nearby Farragut Intermediate, Middle, and High Schools. Other locations in the general area where improved service is needed would either be in more visible or developed areas or closer to residential properties.

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

The fourth and final requested waiver was from the provision in Section III., F., 3., e) that all equipment shelters, cabinets, fencing, and all other structures accessory to a tower shall be set back a minimum of 50 feet on property that is not zoned residential and that does not abut property that is zoned residential. All equipment shelters, cabinets, fencing, and all other structures accessory to a tower shall be set back a minimum of 60 feet on property that is zoned residential or property that is not zoned residential but abuts property that is zoned residential. all towers that are proposed on property that is zoned residential or towers that are proposed on property that is not zoned residential but abuts property that is zoned residential shall be set back a minimum of one foot for each one foot of tower and antenna height.

The staff noted that the proposed tower equipment compound is 17 feet from the non-residential zoned property to the east resulting in a waiver of 33 feet (50 feet minus 17 feet). The proposed tower equipment compound is 21 feet from the property to the north (the school property) that is zoned residential resulting in a waiver of 39 feet (60 feet minus 21 feet).

The staff recommended approval of these waivers associated with the equipment compound based on the following:

- a) The tower equipment compound location is tied to the tower placement and is over 1,000 feet from the nearest home.
- b) The tower equipment compound is in a discrete location and moving it would result in impacts to existing tree cover or would place the compound closer to existing buildings or residences.

- c) Cellular service is deficient in this general area and there is a need for improved service particularly given the nearby Farragut Intermediate, Middle, and High Schools. Other locations in the general area where improved service is needed would either be in more visible or developed areas or closer to residential properties.

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

With the requested waivers being approved, the staff recommended approval of the tower and tower compound site plan subject to the following conditions:

1. Providing an erosion control and stormwater basin maintenance letter of credit in a dollar amount to be determined by the Town Engineer.
2. Providing, as applicable, all structural and civil engineering documentation related to the as-constructed tower and modified stormwater detention basin elements of the project prior to the issuance of a Certificate of Completion.
3. Ensuring that no accessory building or structure for the tower exceeds 15 feet in height.
4. Ensuring that large trees along the periphery of the compound are protected with tree protection fencing. The tree protection and soil erosion control measures shall be inspected and approved prior to the issuance of a grading permit. The staff may require an arborist review if there is a concern over the protection of or health associated with certain trees.
5. Other than the items waived by the Planning Commission, all aspects of the tower project shall follow Chapter 4., Section III., F., 3., of the Farragut Zoning Ordinance.

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

11. Approval of utilities

None.

12. Citizen forum

Taylor Forrester spoke under citizen forum on development of a property off Snyder Road.

The meeting was adjourned at 9:02 p.m.



Shannon Preston, Secretary

