



FARRAGUT BOARD OF MAYOR AND ALDERMEN
Farragut Town Hall
11408 Municipal Center Drive

AGENDA
November 9, 2023

BMA MEETING
6:00 PM

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. October 26, 2023**
- IV. Mayor's Report**
- V. Ordinances**
 - A. First Reading**
 - 1. Ordinance 23-16, an ordinance to amend the Farragut Zoning Ordinance to address buffer strip requirements where an adjacent property is shown as non-residential on the Future Land Use Map**
- VI. Business Items**
 - A. Approval speed cushions for traffic calming on St. John Court in Prestwick Place Subdivision**
- VII. Citizens Forum**
- VIII. Town Administrator's Report**
- IX. Town Attorney's Report**

This meeting can be viewed live on the Farragut YouTube Channel and the Town of Farragut website www.townoffarragut.org/livestream.
The meeting will be held at the Farragut Town Hall, 11408 Municipal Center Drive

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, natural origin, gender, gender identity, sexual orientation, age, religion, disability or veteran status 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

The Board of Mayor and Aldermen 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 Town Recorder or staff member. This time is set aside specifically for comments on items that are not on the Board of Mayor and Aldermen 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 Mayor may recognize individuals for public comment based on the following guidelines.

1. The Mayor shall maintain and control the meeting to provide a professional and objective environment;
2. Any Farragut resident 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 Town Recorder or a 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 Mayor. 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 Mayor 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.

BMA MEETING MINUTES

October 26, 2023

Roll Call

Mayor Williams called the meeting to order at 6:00 PM. Roll Call for attendance: Alderman Burnette, yes; Alderman Meyer, yes; Vice-Mayor Povlin, yes; Alderman White, yes; Mayor Williams, yes; In addition to staff and member of the press.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Vice-Mayor Povlin, seconded by Alderman Burnette; voting yes, Mayor Williams, Vice-Mayor Povlin, Aldermen Burnette, Meyer and White; no nays; motion passed.

Approval of Minutes

Motion was made to approve the amend minutes of October 12, 2023. Moved by Alderman Meyer, seconded by Vice-Mayor Povlin; voting yes, Mayor Williams, Vice-Mayor Povlin, Aldermen Burnette, Meyer and White; no nays; motion passed.

Mayor's Report

Mayor Williams thanked everyone for their kind words this past week.

Alderman White commented on the citizen meeting to discuss the McFee land purchase. Mr. White did not feel that adequate notice was given to the public to attend and participate.

Alderman Burnette stated that the meeting info was on social media and feels confident about the McFee land purchase.

Ordinances

Public Hearing and Second Reading

Ordinance 23-15, Ordinance to amend the Equipment Fund Budget for Fiscal Year 2023-2024, passed by Ordinance 23-07

Motion was made to approve Ordinance 23-15 on second and final reading. Moved by Alderman Meyer, seconded by Alderman White; Roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Vice-Mayor Povlin, yes; Alderman White, yes; Mayor Williams, yes; motion passed.

Business Items

Approval of a 2024 GMC Sierra 4-wheel drive crew cab

Motion was made to utilize Tennessee Statewide Contract #209, for the purchase of a 2024 GMC Sierra 1500 4-WD from Wilson County Motors in the amount of \$43,164.10. Moved by Alderman Meyer, seconded by Vice-Mayor Povlin; voting yes, Mayor Williams, Vice-Mayor Povlin, Aldermen Burnette, Meyer and White; no nays; motion passed.

Approval of Special Event Application the Farragut High School Christmas Parade

Motion was made to approve the Farragut Christmas Parade Event involving the use of the Town's public rights of ways and pedestrian facilities for the Farragut Christmas Parade on December 10, 2023. Moved by Vice-Mayor Povlin, seconded by Alderman Burnette; voting yes, Mayor Williams, Vice-Mayor Povlin, Aldermen Burnette, Meyer and White; no nays; motion passed.

Approval of (i) Ratification of the Real Estate Purchase and Donation Agreement that was executed by the Mayor as previously authorized by the Farragut Board of Mayor and Alderman on June 22, 2023 between the Town of Farragut and Timothy and Todd Scott for the purchase/donation of a total of 70 acres of land located off McFee Road and being a portion of Knox County Tax Map 162, parcels 24.02 and 24.03, (ii) affirm the Town moving forward with the transaction with knowledge of the information gathered during the due diligence period, and (iii) authorize the Mayor, Town Administrator and Town Attorney to negotiate and execute the final closing documents necessary, in their discretion and judgment, to close the transaction in accordance with the terms and conditions set forth in the Real Estate Purchase and Donation Agreement

Alderman White asked for a point of order as the contract has already been ratified. Alderman White moved to remove agenda VI.C. from the agenda and moved forward with the closing. The motion died for lack of a second.

Motion was made (i) To approve ratification of the Real Estate Purchase and Donation Agreement that was executed by the Mayor as previously authorized by the Farragut Board of Mayor and Alderman on June 22, 2023 between the Town of Farragut and Timothy and Todd Scott for the purchase/donation of a total of 70 acres of land located off McFee Road and being a portion of Knox County Tax Map 162, parcels 24.02 and 24.03, (ii) affirm the Town moving forward with the transaction with knowledge of the information gathered during the due diligence period, and (iii) authorize the Mayor, Town Administrator and Town Attorney to negotiate and execute the final closing documents necessary, in their discretion and judgment, to close the transaction in accordance with the terms and conditions set forth in the Real Estate Purchase and Donation Agreement. Moved by Alderman Burnette, seconded by Alderman Meyer.

The following citizens spoke concerning this agenda item:

Mili Bass, 13016 Allen Kirby Road
Mike Mitchell, 716 Brixworth
Kimberlie Parks, Farragut Hills Blvd
Michael Wilson, 412 Eisenhower Street
Pam Stevens, 200 Battery Hill Circle
Tim Scott, 9536 Turnbridge Lane
Jeanne Brykalski, Bellaire Drive
Tom Hale, Town Attorney also had comments concerning this agenda item.

After much discussion from the Board members and citizens a roll call vote was taken on the motion: Alderman Burnette, yes; Alderman Meyer, yes; Vice-Mayor Povlin, yes; Alderman White, no; Mayor Williams, yes; motion passed.

Vice-Mayor Povlin requested feedback from the Board to gauge support for a text amendment to the R-6 Multifamily zoning district to address the medium density residential land use designation in the land use plan that would allow for 3 story large footprint multifamily buildings.

Citizens Forum

Kimberlie Parks, Farragut Hills Blvd. addressed the board concerning social media.

Town Administrator's Report

David Smoak, Town Administrator, announced the following:

- Freak Friday, Mayor Bob Leonard Park, October 27 from 5-7 PM
- Intro to Farragut Graduation November 8th at the Community Center

Town Attorney's Report

Tom Hale, Town Attorney thanked the Boar members for all the endure.

The meeting adjourned at 7:44 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Mark Shipley, Community Development Director**SUBJECT:** Ordinance 23-16, an ordinance on first reading to amend the Farragut Zoning Ordinance to address buffer strip requirements where an adjacent property is shown as non-residential on the Future Land Use Map (Schaad Companies, Applicant)

INTRODUCTION AND BACKGROUND: During discussion with the Planning Commission, it was noted that this involves a request to amend the buffer strip requirements in the General Commercial District (C-1) to provide the Planning Commission with the ability to evaluate the buffer strip requirements based on whether a property currently zoned residential or agricultural is shown as a non-residential land use on the adopted Future Land Use Map. In this case, the Planning Commission may consider a modification to the buffer strip requirements based on the surrounding built environment and context. This may include whether the property is adjacent to a major arterial street or surrounded by non-residential development.

DISCUSSION: At the workshop session with the Planning Commission in September, the staff presented some discussion language that was favorably received, and direction was given for the staff to prepare an ordinance that included the staff's proposed language. As proposed and included in Ordinance 23-16, the language does not waive the buffer requirement. It provides the Planning Commission with the opportunity to consider the surrounding context and a property's Future Land Use Map designation to evaluate whether and to what extent a buffer may be appropriate.

RECOMMENDATION: At the October 19, 2023, Planning Commission meeting, Ordinance 23-16 was unanimously recommended for approval. Community Development Director, Mark Shipley, also recommends approval of Ordinance 23-16 on first reading.

BOARD ACTION:**MOTION BY:** _____ **SECONDED BY:** _____

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MEYER</u>	<u>WHITE</u>	<u>POVLIN</u>	<u>BURNETTE</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE:	23-16
PREPARED BY:	Shipley
REQUESTED BY:	Town of Farragut
CERTIFIED BY FMPC:	October 19, 2023
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

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 3., SECTION XII., GENERAL COMMERCIAL DISTRICT (C-1), C. AREA REGULATIONS, 5. BUFFER STRIPS, B., TO ADDRESS BUFFER STRIP REQUIREMENTS WHERE AN ADJACENT PROPERTY IS SHOWN AS NON-RESIDENTIAL ON THE FUTURE LAND USE MAP

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3., Section XII., General Commercial District (C-1), Subsection C. Area Regulations, 5. Buffer strips, b. 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.

5. Buffer strips.

- b. There shall be a buffer strip a minimum of 35 feet in width on all side and rear property lines when the abutting property is zoned residential or agricultural unless such property is shown as a non-residential land use on the adopted Future Land Use Map. In this case, the Planning Commission may consider a modification to the buffer strip based on the surrounding built environment and context. This may include whether the property is adjacent to a major arterial street or surrounded by non-residential development.

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 _____, 2023,
with approval recommended.

Scott Russ, Chairman

Shannon Preston, Secretary

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- c. All structures developed as an integral part of a recreational facility/use are set back a minimum of 40 feet in the front yard and ten feet in the side and rear yards. Setbacks shall be measured from the nearest point of any property line.
25. Utility uses.
- C. *Area regulations.* The purpose of these setback regulations is to create a flexible building envelope that will enable the creative possibilities for development of a parcel to be maximized and to allow consideration of the natural features of a parcel as it is being developed. Please refer to Illustrations 6, 7 and 8 (see Chapter 1). These illustrations depict the intent of the following regulations. Setbacks shall be measured from the nearest point of any property line and all structures shall comply with the following setback requirements:
1. *Front Yards.*
- a. Where a parking lot is situated in the front yard between a building and an abutting street, all buildings shall be set back from the nearest point of any right-of-way a minimum of 80 feet;
- b. Where only a driveway aisle is situated in the front yard between a building and an abutting street, all buildings shall be set back from the nearest point of any right-of-way a minimum of 60 feet; or
- c. Where neither a parking lot nor a driveway aisle is situated in the front yard between a building and an abutting street, all buildings shall be set back from the nearest point of any right-of-way a minimum of 20 feet.
- d. All accessory structures, excluding signage (which would be subject to the provisions in the sign ordinance), detention basin structures (if associated with a low impact development measure), and/or non-roofed structures that provide for pedestrian engagement with the public street (such as outdoor patios, pedestrian facilities, sitting areas, public art), shall be set back from the nearest point of any right-of-way a minimum of 20 feet, except as provided for elsewhere in this ordinance or the [Farragut] Municipal Code.
- With the exception of linear pedestrian facilities that connect to similar facilities in the right-of-way, no structures shall encroach into the public right of way and/or platted utility easements. Detention basin structures that are not associated with a low impact development measure shall be set back from the nearest point of any right-of-way a minimum of ten feet. Electrical substations, utility offices, or any other utility building shall meet the front yard building setback requirements.
- Service areas and their associated structures (e.g., dumpsters, loading areas, utility building) shall be located to the side or rear of a building so as to minimize visual impacts from the street and foster a more pedestrian friendly streetscape.
2. *Side yards.* All buildings shall be set back a combined total of at least 60 feet on the two sides, but not less than 20 feet on any one side.
3. *Side and rear yards.* All accessory structures shall be set back a minimum of ten feet, except as provided for elsewhere in this ordinance or the [Farragut] Municipal Code.
4. *Rear yards.* All buildings shall be set back a minimum of 30 feet.
5. *Buffer strips.*
- a. There shall be a buffer strip a minimum of 35 feet in width on all front property lines when the street adjacent to that front property line is classified as a collector or local street on the Major Road Plan and the property on the opposite side of the street is zoned residential or agricultural;

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- b. There shall be a buffer strip a minimum of 35 feet in width on all side and rear property lines when the abutting property is zoned residential or agriculture ~~agriculture~~ **agricultural unless such property is shown as a non-residential land use on the adopted Future Land Use Map. In this case, the Planning Commission may consider a modification to the buffer strip based on the surrounding built environment and context. This may include whether the property is adjacent to a major arterial street or surrounded by non-residential development.**
 - c. Existing, mature vegetation shall be preserved and incorporated into the buffer strip; and
 - d. Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.
 - 6. *Maximum lot coverage.* Total lot coverage: 70 percent.
 - 7. *Land area.* Minimum lot size of one acre.
 - D. *Height regulations.* No structure shall exceed 2½ stories, or 35 feet in height, except as provided for elsewhere in this ordinance.
 - E. *Parking.* As regulated in Chapter 4.

In order to minimize the visual impact of surface parking, where parking is situated between a building and a street or is parallel with a building along a street, a berm shall be constructed or landscaping shall be planted so as to limit the viewability of the parking lot from the street. A minimum of 60 percent of the total parking lot length adjacent to the front property line shall be screened from view with a berm or landscaping.
 - F. *Mixed Use Town Center.*
 - 1. *General Description and Purpose.*

In the Town's adopted Comprehensive Land Use Plan (CLUP), Strategy 1 describes the community's desire to Bring About a Downtown. Also included in the CLUP are land use descriptions related to the intent, uses, and character of what is described as a Mixed Use Town Center (MUTC). The CLUP also includes a future land use map which identifies locations for a MUTC.

The purpose of this section is to ensure that properties zoned C-1 that are within (i.e., at least half of the existing parcel) the area shown as Mixed Use Town Center are developed and redeveloped in a manner that is consistent with the CLUP.

Where a property is zoned C-1 and is shown to be within the area identified as MUTC on the Future Land Use Map, the following provisions shall apply.
 - 2. *Permitted Principal and Accessory Uses and Structures.* (If a use is not listed below it shall not be permitted unless it is approved by the Board of Zoning Appeals as a Special Exception and the proposed use is consistent with the CLUP as it relates to the MUTC.)
 - a. Generally recognized retail sales. This excludes all outdoor sales or storage (unless part of an approved Farmers Market or similar seasonal pedestrian oriented use) and any "big box" entities where the total gross square footage exceeds 25,000 square feet.
 - b. Restaurants, tea rooms, cafes, coffee houses, bistros, or other similar establishments serving food or beverage that is primarily consumed within the principal building or in designated outdoor seating areas associated with the principal building. A drive-through lane may be permitted provided the following criteria are satisfied:
 - 1. The property is a minimum of two acres and is a lot of record that has existing frontage on a street classified as a major arterial on the Major Road Plan;

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Eric Schindler, Assistant Town Engineer**SUBJECT:** Approval of Speed Cushions for Traffic Calming on St. John Court in Prestwick Place Subdivision.**INTRODUCTION:** The purpose of this item is approval of the proposed Traffic Calming on St. John Court in Prestwick Place Subdivision.**BACKGROUND:**Application Summary and Review:

This agenda item involves the proposed installation of three (3) sets of speed cushions on St. John Court. On January 29, 2021, the Town of Farragut received a Traffic Calming Application from residents located along St. John Court in the Prestwick Place subdivision. In accordance with the Town's Traffic Calming Policy (available at www.townoffarragut.org), the Town's Engineering Department conducted a series of speed studies within the speed zone. The study results indicated excessive speeding in one of the three locations where traffic speed data was collected. Excessive speeding is defined by an 85th percentile speed greater than 10 mph over the posted speed limit.

The speed limit on St. John Court is 25 mph.

Table 1. Results of Prestwick Place Speed Studies

Approximate Location	<u>85th Percentile Speed</u>
638 St. John Court	39.9 mph
710 St. John Court	32.5 mph
St. John Court at Oconnell	27.6 mph

Public Notification:

A public meeting was held August 9, 2023, to gauge support and obtain resident feedback. Those in attendance were supportive of implementing traffic calming measures in the area.

Vote Tabulation/Determination:

The Traffic Calming Policy requires that greater than 50% of the returned ballots from the Speed Zone be in favor of traffic calming devices. 13 ballots were mailed out and a total of 11 votes were received, with 11 (100%) of those votes being in favor of traffic calming devices.

St. John Court Traffic Calming Vote Tabulation				
# OF YES VOTES	# OF NO VOTES	Total <u>Received</u> Ballots	Total <u>Mailed</u> Ballots	% of Total Mailed Ballots Received
11	0	11	13	85%
100.0%	0.0%			

Presentation to and Recommendation by Farragut Municipal Planning Commission:

On October 19, 2023, this was presented to the FMPC for a recommendation to the Board. The FMPC unanimously voted to recommend approval of installing the speed cushions at all three proposed locations.

Proposed Traffic Calming:

The Traffic Team proposes installation of speed cushions at the approximate location of 614 St. John Court (location 1), 632 St. John Court (location 2), and 704 St. John Court (location 3).



A total of four (4) speed cushions will be installed at each location due to the existence of a center turn lane. An approximate plan view drawing of the layout for each set of speed cushions, an aerial image of the speed cushions at Midhurst Road, example photos of other installed speed cushions, and the speed cushion detail sheet can be found in the additional information below.

- Plan:

Three (3) locations for speed cushions
- Schedule:

Work to be performed by the Town’s On-Call Speed Cushion Installation Contractor as their schedule permits.

RECOMMENDATION BY: Eric Schindler, Assistant Town Engineer for approval.

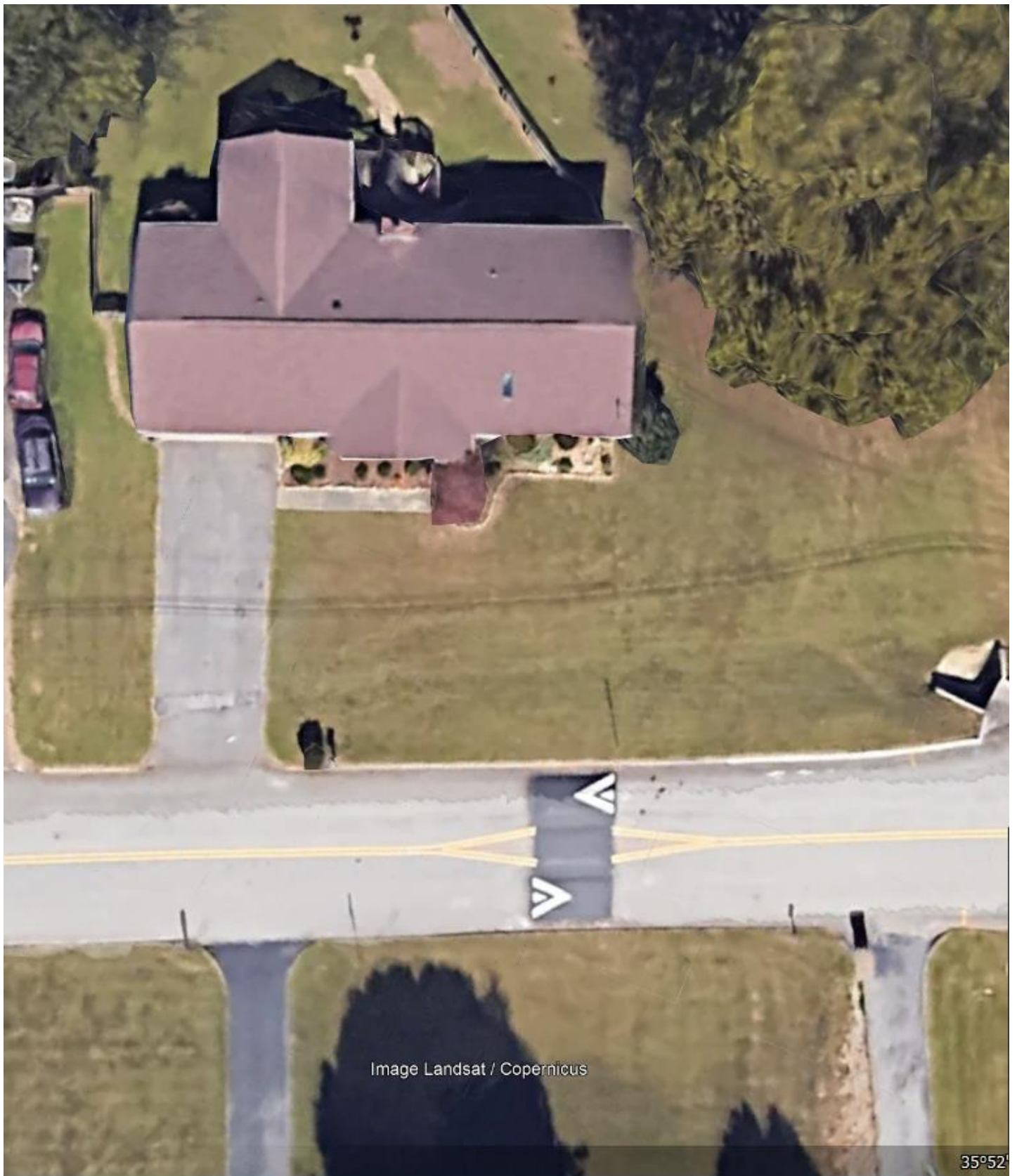
PROPOSED MOTION: Approval of Speed Cushions for Traffic Calming on St. John Court in Prestwick Place Subdivision.

BOARD ACTION:

MOTION BY:_____ **SECONDED BY:**_____

<u>VOTE/TOTAL</u>	<u>BURNETTE</u>	<u>MEYER</u>	<u>POVLIN</u>	<u>WHITE</u>	<u>WILLIAMS</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

Additional Information:



Midhurst Road Speed Cushions installed in 2022

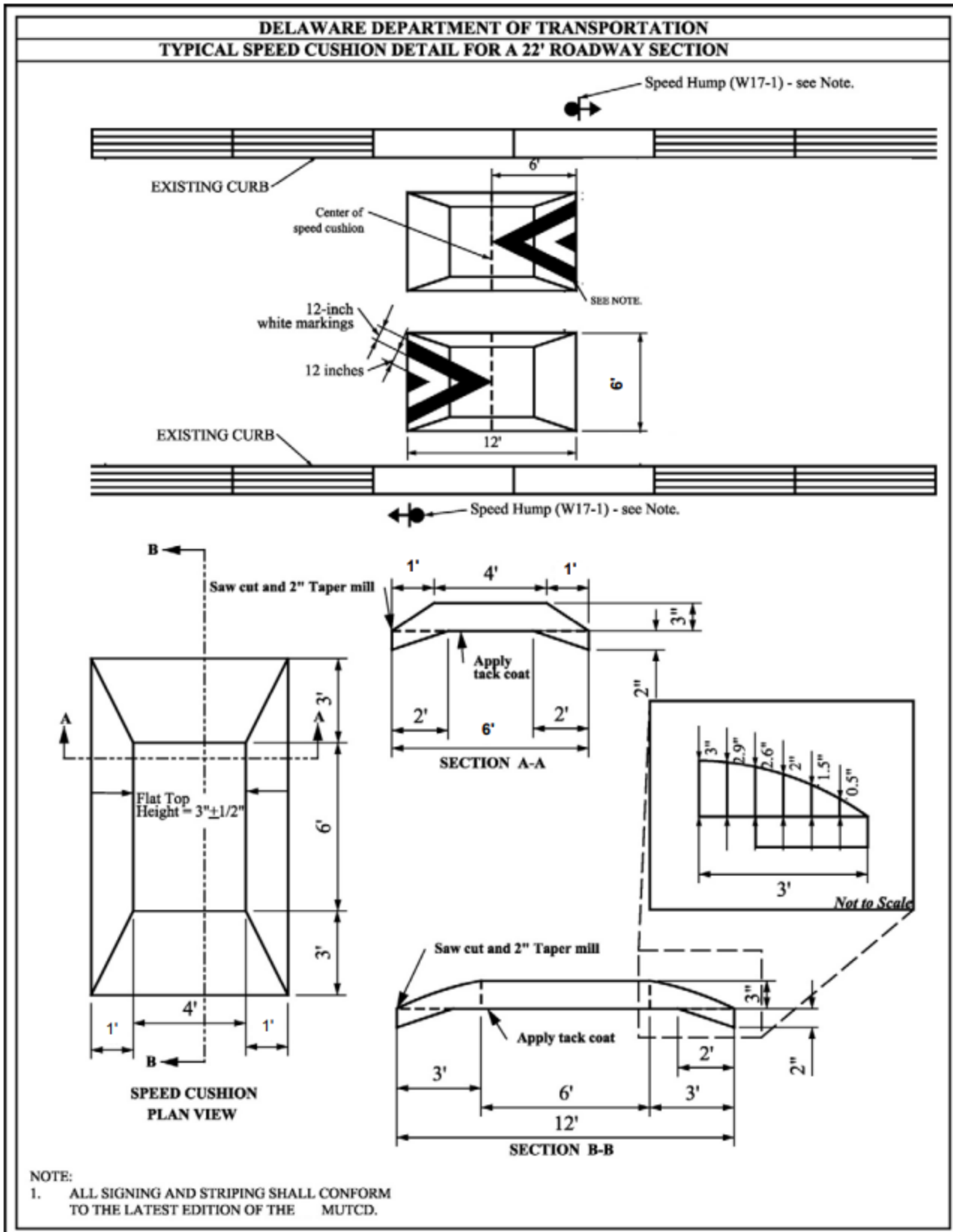


National Association of City Transportation Officials (NACTO.org)



Federal Highway Administrations Traffic Calming ePrimer (safety.fhwa.dot.gov/speedmgt)

Additional examples of speed cushions that have been implemented (stock photos, not in Town of Farragut)



Speed Hump Detail Sheet