

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN

February 14, 2013

BMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. January 24, 2013
- VI. Business Items**
 - A. Approval of request for access to Smith Road, classified as a major collector on the Major Road Plan, Farragut Municipal Code, Title 16, Chapter 4, Driveways and Other Accessways, Section 16-405. Permit Approval, and Section 16-406. (1) Distance Requirements, (a) Distance from intersections, and (b) Distance between driveways, variances for driveways access to 531 Smith Road, Zoned R-1/R-2 (Don and Angelia Dickey, Applicant)
- VII. Ordinances**
 - A. First Reading
 - 1. Ordinance 13-02, an ordinance to amend Title 9, Business, Peddlers, Solicitors, etc., Chapter 4, Sign Ordinance, of the Farragut Municipal Code, Section 9-406. Sign Regulations by Land use and/or Zoning Districts. (4) (o) Wall Signs, to allow signage on a wall to exceed a 1:1 ratio
- VIII. Town Administrator's Report**
- IX. Attorney's Report**

MINUTES

FARRAGUT BOARD OF MAYOR AND ALDERMEN

January 24, 2013

BMA WORKSHOP

Land Use Plan

6:00 PM

BEER BOARD MEETING

6:30 PM

BMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call
- II. Approval of Agenda
- III. Mayor's Report
- IV. Citizens Forum
- V. Approval of Minutes
 - A. January 10, 2013
- VI. Business Items
 - A. Approval of TDOT Contract for Kingston Pike Greenway/Sidewalk Improvements 1200' East of Old Stage Road to Virtue Road
- VII. Ordinances
 - A. Public Hearing & Second Reading
 1. Ordinance 12-19, ordinance to amend the Farragut Zoning Ordinance, Chapter 4. General Provisions and Exceptions, by adding Section XXIX. Grand Opening Special Events Permit
 2. Ordinance 12-20, ordinance to amend the Farragut Zoning Ordinance, Chapter 4. General Provisions and Exceptions, Section XIII. Outdoor Site Lighting, to establish wall mounted light heights and required glare shields
 3. Ordinance 12-21, ordinance to amend the Farragut Zoning Ordinance, Chapter 4. General Provisions and Exceptions, Section I. Accessory structures, to require HVAC screening to be architecturally compatible and to rename section to Accessory Structures and Uses
 4. Ordinance 12-22, ordinance to amend the Farragut Zoning Ordinance, Chapter 3. Specific District Regulations, Section XVI. Reserved for Future Use, to create a new commercial zoning district entitled Business District, Four Story (BD-4)
 5. Ordinance 12-23, ordinance to rezone Parcel 63, Tax Map 151, located on the southwest corner of Kingston Pike and Way Station Trail, part of the Renaissance development, approximately 2.5 Acre, from C-1 General Commercial District to BD-4 Business District, Four-Story (Myers Bros. Holding, Applicant)

VIII. Town Administrator's Report

IX. Attorney's Report

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, January 24, 2013 at 7:00 p.m.

Members present were Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

Mayor's Report

Mayor McGill announced that members of the Board would be attending the Tennessee Municipal League meeting in March and the National League of Cities meeting in May.

Alderman Elliott thanked the public works department for monitoring the streets during the recent snow event.

Citizens Forum

Mul Wyman, 528 Wyndam Hall Lane, addressed the board concerning the Land Use Plan adoption by the Board of Mayor and Aldermen.

Louise Povlin, 12830 Stahl Drive, requested the board consider adding a greenway connection near Fox Run and to make sure Everett Road is widened with the development of a new neighborhood.

Approval of Minutes

Motion was made to approve the minutes of January 10, 2013 as presented. Moved by Alderman Elliott, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Elliott, Honken and Markli; Alderman LaMarche abstained; no nays; motion passed.

Business Items

Approval of TDOT Contract for Kingston Pike Greenway/Sidewalk Improvements 1200' East of Old Stage Road to Virtue Road

Motion was made to approve the TDOT Contract for Kingston Pike Greenway/Sidewalk Improvements 1200' East of Old Stage Road to Virtue Road. Moved by Alderman Honken, seconded by Alderman Elliott; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

Ordinances

Public Hearing & Second Reading

Ordinance 12-19, ordinance to amend the Farragut Zoning Ordinance, Chapter 4. General Provisions and Exceptions, by adding Section XXIX. Grand Opening Special Events Permit

Motion was made to approve Ordinance 12-19 on second and final reading. Moved by Alderman Honken, seconded by Alderman Elliott; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

Ordinance 12-20, ordinance to amend the Farragut Zoning Ordinance, Chapter 4. General Provisions and Exceptions, Section XIII. Outdoor Site Lighting, to establish wall mounted light heights and required glare shields

Motion was made to approve Ordinance 12-20 on second and final reading. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

Ordinance 12-21, ordinance to amend the Farragut Zoning Ordinance, Chapter 4. General Provisions and Exceptions, Section I. Accessory structures, to require HVAC screening to be architecturally compatible and to rename section to Accessory Structures and Uses

Motion was made to approve Ordinance 12-21 on second and final reading. Moved by Alderman LaMarche, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

Ordinance 12-22, ordinance to amend the Farragut Zoning Ordinance, Chapter 3. Specific District Regulations, Section XVI. Reserved for Future Use, to create a new commercial zoning district entitled Business District, Four Story (BD-4)

Motion was made to approve Ordinance 12-22 on second and final reading. Moved by Alderman Honken, seconded by Alderman Elliott; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

Ordinance 12-23, ordinance to rezone Parcel 63, Tax Map 151, located on the southwest corner of Kingston Pike and Way Station Trail, part of the Renaissance development, approximately 2.5 Acre, from C-1 General Commercial District to BD-4 Business District, Four-Story (Myers Bros. Holding, Applicant)

Motion was made to approve Ordinance 12-23 on second and final reading. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

Meeting adjourned at 8:05 PM.

Ralph McGill, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER V I . A .

MEETING DATE February 14, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Public hearing on a request for access to Smith Road, Classified as a Major Collector on the Major Road Plan, Farragut Municipal Code, Title 16, Chapter 4, Driveways and Other Accessways, Section 16-405. Permit approval, and Section 16-406. (1) Distance requirements, (a) Distance from intersections, and (b) Distance between driveways, variances for driveways access to 531 Smith Road, Zoned R-1/R-2 (Don and Angelia Dickey, Applicant)

INTRODUCTION: 531 Smith Road is located on the south side of Smith Road across from Hickory Woods and Andover subdivisions. The parcel is 2.3 acres. Per Section 16-405. Permit Approval, the planning commission and board of mayor and aldermen must review application for access for all drives onto non-local streets. Smith Road is classified as a Major Collector on the Major Road Plan. Per Section 16-406, new driveways must also meet minimum distances from intersections and between driveways.

DISCUSSION: On September 20, 2012, the planning commission reviewed the subdivision plat which created this parcel. The Dickey's purchased some additional land from their eastern neighbors, Robert & Barbara Seaton. At that time the applicant was told the driveway would need to be located at the far eastern property line and to line up with the driveway on the north side of Smith Road.

Smith Road is classified as a Major Collector. Per Section 16-406. (1), driveways are to be located a minimum of 200 feet from intersections and 200 feet from other driveways.

The applicant is requesting that the driveway be centered on the property and located 175' from the Smith Road/Andover Boulevard intersection and 85' from the driveway located on the north side of Smith Road. Attached please find an aerial photo of the general area with the requested driveway location identified and the distances indicated. Also attached, please find a survey with the requested driveway location identified and the distances indicated.

Staff is recommending that the proposed driveway be located at the eastern property line. Such location would minimize the needed variances. That location is approximately 250' east of the intersection of Smith Road/Andover Boulevard and 70' west of an existing driveway located on the north side of Smith Road. Because the driveway would line up with another existing driveway, that location is optimal. Attached please find an aerial photo of the general area with the recommended driveway location identified and the distances indicated. Also attached, please find a survey with the recommended driveway located identified.

RECOMMENDATION BY: Community Development Director, Ruth Hawk, recommends the driveway be located at the eastern property line as shown on second aerial photo and a variance of 130' to east because the driveway would line up with an existing driveway and would exceed the minimum required distance from the intersection.

PLANNING COMMISSION RECOMMENDATION: On January 17, 2013, in a unanimous vote, the Farragut Municipal Planning Commission recommended a 25' variance to the west for a 175' separation from Andover Boulevard and a 115' variance to the east for an 85' separation from the existing driveway.

PROPOSED MOTION: Move to approve driveway access at eastern property line and a 130' variance to the east for a 70' separation from an existing driveway.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

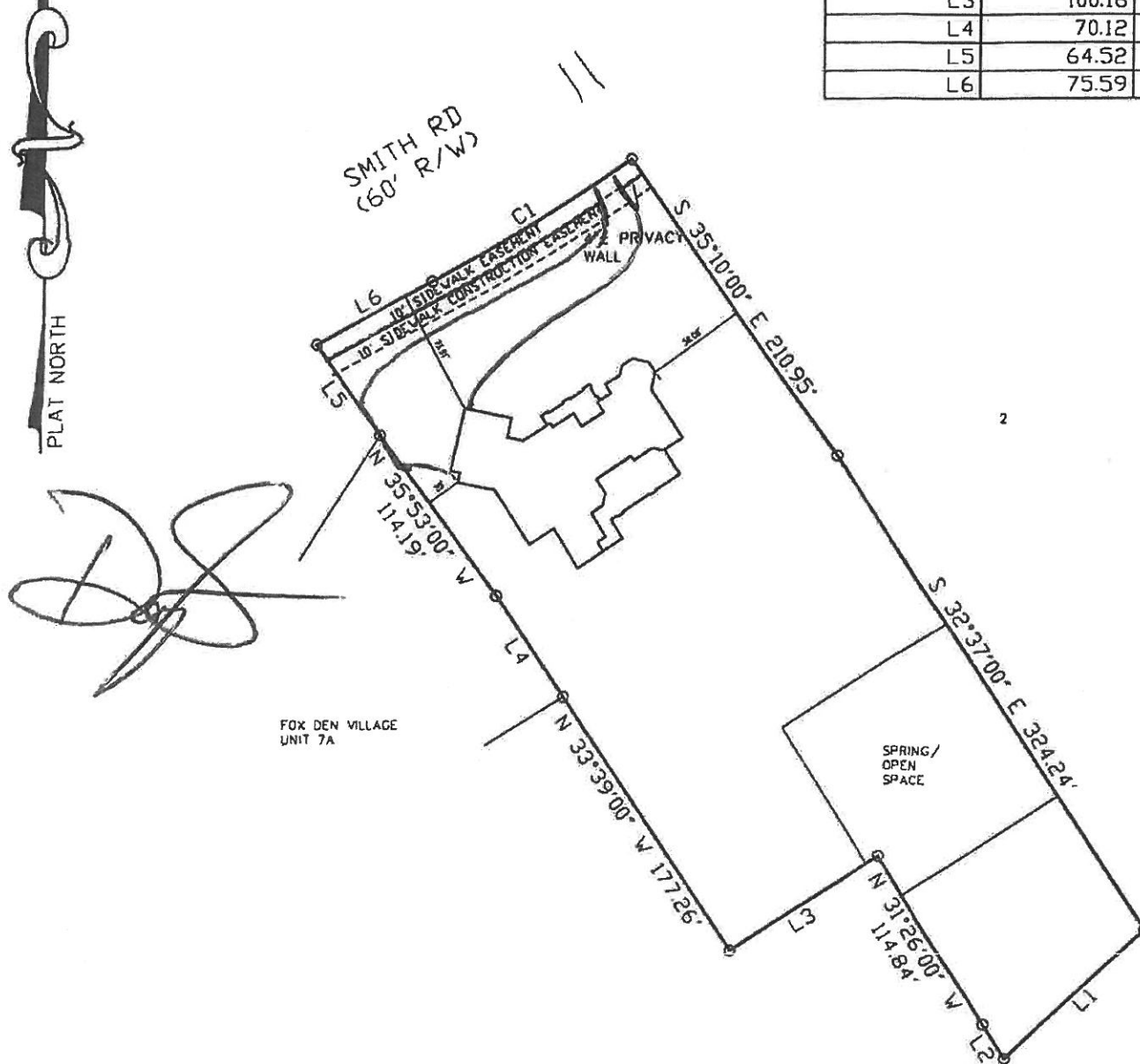
BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>HONKEN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____



CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARING	CHORD
C1	133.53	1530.00	N58°50'00"E	133.49

LINE TABLE		
LINE	LENGTH	BEARING
L1	108.00	S46°20'00"W
L2	23.28	N32°33'00"W
L3	100.16	S57°37'00"W
L4	70.12	N33°35'00"W
L5	64.52	N35°48'50"W
L6	75.59	N61°20'00"E



5' UTILITY & DRAINAGE EASEMENT EACH
SIDE ALL INTERIOR LOT LINES, 10' INSIDE
ALL EXTERIOR LOT LINES.

"SITE PLAN"

Certification of Category and Accuracy of Survey
I hereby certify that this is a category 1 survey and the ratio
of precision of the unadjusted survey is
1:10,000 as shown hereon.



531 Smith Road

ANDOVER BLVD

ROYAL BIRKDALE RD



1 inch = 130 feet



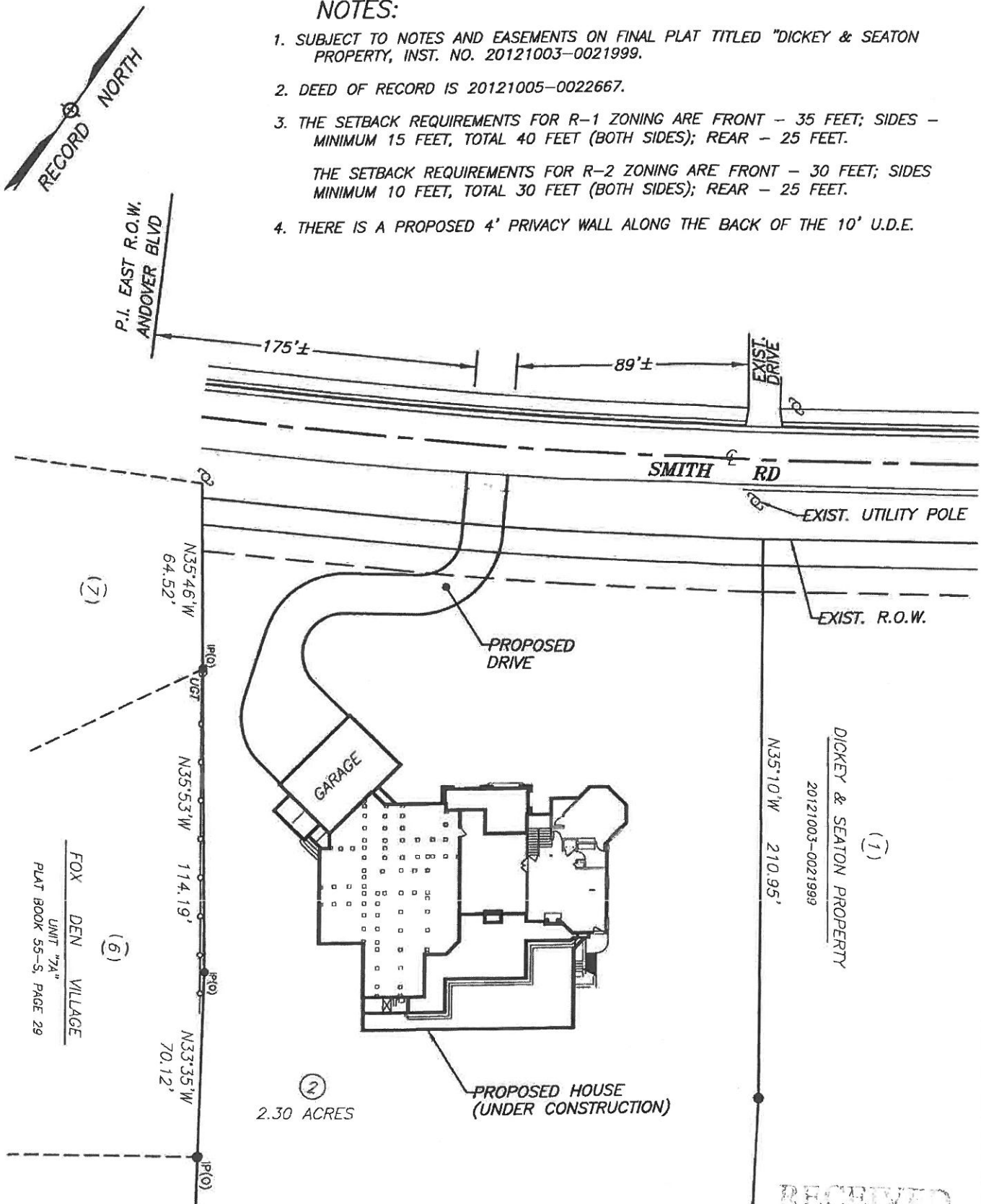
Proposed Driveway



Parcel

NOTES:

1. SUBJECT TO NOTES AND EASEMENTS ON FINAL PLAT TITLED "DICKEY & SEATON PROPERTY, INST. NO. 20121003-0021999.
2. DEED OF RECORD IS 20121005-0022667.
3. THE SETBACK REQUIREMENTS FOR R-1 ZONING ARE FRONT - 35 FEET; SIDES - MINIMUM 15 FEET, TOTAL 40 FEET (BOTH SIDES); REAR - 25 FEET.
THE SETBACK REQUIREMENTS FOR R-2 ZONING ARE FRONT - 30 FEET; SIDES - MINIMUM 10 FEET, TOTAL 30 FEET (BOTH SIDES); REAR - 25 FEET.
4. THERE IS A PROPOSED 4' PRIVACY WALL ALONG THE BACK OF THE 10' U.D.E.



~ DRIVEWAY SITE PLAN ~
LOT 2
DICKEY & SEATON PROPERTY

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-02, ordinance on 1st reading to amend the text of the Farragut Municipal Code, Title 9, Chapter 4. Sign Ordinance, Section 9-406., to allow signage on a wall to exceed a 1:1 ratio (Costco Wholesale Corporation, Applicant)

INTRODUCTION: This item involves a request to amend Section 9-406 of the *Farragut Sign Ordinance*. Since the adoption of the town's first sign ordinance, we have required that wall mounted signage be proportional with the wall on which the sign is mounted. The ratio that has always been used for calculating wall signage has been a 1:1 ratio. For every linear foot of wall length, there can be one square foot of sign area. For example, a 100 foot long wall could have a 100 square foot sign.

DISCUSSION: This item involves a text amendment request from Costco that is related to how square footage for wall signage is determined. Specifically the main public entrance to the new Costco building is along an angled portion of the building that is roughly 50 feet in length. The Town's sign ordinance allows one (1) square foot of sign area for each linear foot of building length on which the sign is mounted. This 1 to 1 ratio has been a long-standing provision of the Town's sign ordinance and has worked very well to ensure that the scale of signage looks proportional to the building elevation on which the sign is mounted.

Since the angled portion of the Costco building is 48 feet, the sign that was approved for this portion of the building elevation was 48 square feet. Costco is requesting that the manner of determining wall signage be changed so that they can have a 125 square foot wall sign where the existing 48 square foot sign is currently situated.

The staff cannot support the request for the following reasons:

1. This amendment would represent a very significant variation from Town practice. The 1:1 ratio would be modified to a ratio of over 2 ½:1. Such a ratio would greatly compromise the proportionality component of the Town's sign ordinance.
2. Costco has the opportunity for a much larger wall sign facing Lovell Road. In lieu of a sign on the angled building elevation, a sign of nearly 280 square feet on the building elevation that is parallel with Lovell Road could be approved.
3. Related to this, in terms of identifying the Costco for someone traveling southbound on Lovell Road, a monument sign which would double as a gas price sign (like the Kroger and Ingles) would be the most effective wayfinding because such a sign could be seen as you approach the Costco development going south along Lovell Road. Due to grade difference and the distance

of the Costco building from Lovell Road, the Costco building is not very visible from Lovell Road. A monument sign would be much more effective for identification purposes than a larger sign on the angled portion of the building that doesn't directly face either Lovell Road or Kingston Pike. In addition, there is a vacant out parcel between the Costco building and Lovell Road. Once this parcel is developed, the Costco building entrance (angled portion of the wall) will not be visible at all from Lovell Road.

4. From the Kingston Pike frontage, the 276 square foot wall mounted sign on the west portion of the building elevation that faces Kingston Pike is the primary building identifier and it is very visible from Kingston Pike. Similar to Lovell Road, a larger wall sign above the canopy would add very little in terms of wayfinding due to its orientation and the fact that the existing wall sign that faces Kingston Pike is so visible. Due to the fact that the angled portion of the building does not directly face Lovell Road or Kingston Pike, this sign essentially functions as an entrance identifier for the benefit of patrons that are already in the parking lot and are looking for the main entrance. In this regard, the sign, as approved, more than serves its purpose.

The VRRB recommended denial of the request. They concurred with staff in that they felt that a monument sign along Lovell Road would be the most effective for Costco. They also expressed concern about broadly altering the 1:1 ratio in such a manner that would provide for a 125 square foot sign on a 48 foot section of building elevation. The VRRB did, however, suggest that if the planning commission desired, a different option be considered. This option would provide for a larger sign than would be permitted from a 1:1 ratio only where a large building has a smaller angled elevation where a sign is desired in lieu of a sign on a longer adjacent building elevation. They felt that some parameters would need to be established for the width of the angled portion and the length of the longer building elevation and perhaps a percentage of the total width of the angled portion of the building and the longer building elevation would be applied to the size of the wall sign on the angled portion of the building.

Staff nor the planning commission supported this alternative option. Modifying the ordinance to further expand signage options for big box businesses, which already are permitted much larger signs than other businesses, would be inequitable. Like the request that we reviewed several months ago for the additional wall signage on the 5-story office building, Costco has other signage options available to them in our ordinance.

Ultimately the purpose of signage is wayfinding and it is very clear that our ordinance accomplishes that purpose. In addition, this request is not consistent with the Town's adopted *Strategic Plan*. Per the *Strategic Plan*, Goal 4, Objective 6 provides for "more beautiful corridors and development – signs, storefronts, and landscaping." Lessening visual clutter and keeping sign size proportional in size to the wall on which they are mounted, would seem to be consistent with this objective.

Attached please a copy of the applicant's request. Also attached please find a copy of Ordinance 13-02. I have also included a copy of the ordinance amendment with the added new wording in red.

PROFESSIONAL RECOMMENDATION: Community Development Director, Ruth Hawk, recommends denial of Ordinance 13-02 for the following reasons:

1. This amendment would represent a very significant variation from Town practice;
2. Costco has the opportunity for a much larger wall sign facing Lovell Road;
3. A monument sign at the Lovell Road entrance would be the most effective wayfinding sign;
4. The angled wall is primarily only visible from the parking lot and the sign essentially functions as an entrance identifier for the benefit of patrons that are already in the parking;
5. The request is not consistent with the Town's adopted *Strategic Plan*, Goal 4, Objective 6; and
6. Ultimately the purpose of signage is wayfinding and it is very clear that our ordinance accomplishes that purpose.

VISUAL RESOURCES REVIEW BOARD RECOMMENDATION: On November 27, 2012, in a unanimous vote, the Visual Resources Review Board recommended denial of the request.

PLANNING COMMISSION RECOMMENDATION: On January 17, 2013, in a unanimous vote, the Farragut Municipal Planning Commission recommended denial of Ordinance 13-02.

PROPOSED MOTION: Because a motion is to be made in the positive, the motion would be "To approve Ordinance 13-02" as attached. A failure of the motion would be a denial of Ordinance 13-02.

BOARD ACTION:

MOTION BY: _____ **SECONDED**

BY: _____

<u>VOTE/TOTAL</u>	<u>ELLIOTT</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>WILLIAMS</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

Farragut Municipal Code, Title 9, Business, Peddlers, Solicitors, Etc., Chapter 4, Sign Ordinance, Section 9-406. Sign regulations by land use and/or zoning districts. (4) (o) Wall signs.

- (o) *Wall signs.* Each separate use within a building which has its own separate and exclusive exterior public entrance to the building shall be allowed one (1) wall sign. Such wall signs are permitted a total area of one (1) square foot per each linear foot of building wall of lease space upon which the sign is mounted, not to exceed three hundred and fifty (350) square feet, unless otherwise provided for in this section. **If a building wall is angled more than ninety degrees from the two adjacent walls, such angled wall shall be allowed a sign with a total area of 2.7 square feet per each linear foot of angled building wall length.** Such wall signs shall be limited to the side of a building which fronts upon a public street, faces upon a customer parking area, faces upon a pedestrian mall, or is the point of the principal public access into the establishment, unless otherwise provided for in this section.

RECEIVED APPLICATION TO AMEND ORDINANCE TEXT
TOWN OF FARRAGUT, TENNESSEE

NOV 5 2012

TOWN OF FARRAGUT

FOR OFFICE USE ONLY
Fee Paid: \$250.00

APPLICANT NAME: Costco Wholesale Corporation

Address: 45940 Horseshoe Drive, Suite 150 City/State/Zip: Sterling, VA 20166

Phone Number: 703.406.6862

Fax Number: 703.406.6835

E-mail: JRutter@Costco.com

CHANGE REQUESTED

Amend Zoning Ordinance or Sign Ordinance text as follows:

Allow for signage on a wall to exceed a 1:1 ratio of square foot size to lineal length of wall. Allow for an angled wall to be considered part of one of the adjacent walls for calculating allowable square footage of signage.

The proposed amendment is necessary due to the following changed or changing conditions (be specific):

The Sign Ordinance as is creates a small sign on a tall wall. We would like to go from a 48 square foot sign to a 125 square foot sign.

APPLICANT SIGNATURE

10/31/12
DATE

JEFFREY R. RUTTER
DIRECTOR OF REAL ESTATE DEVELOPMENT OR

I HEREBY CERTIFY THAT I AM THE LEGAL REPRESENTATIVE FOR THE APPLICANT INVOLVED IN THIS REQUEST.

NAME (SIGNATURE)

DATE

Street Address

City/State/Zip

Telephone Number

Denied FMPC 1/17/13

ORDINANCE: 13-02
PREPARED BY: Hawk
REQUESTED BY: Costco Wholesale Corporation, Applicant
CERTIFIED BY FMPC: January 17, 2013
PUBLIC HEARING: _____
PUBLISHED IN: _____
DATE: _____
1ST READING: _____
2ND READING: _____
PUBLISHED IN: _____
DATE: _____

AN ORDINANCE TO AMEND TITLE 9, BUSINESS, PEDDLERS, SOLICITORS, ETC., CHAPTER 4, SIGN ORDINANCE, OF THE FARRAGUT MUNICIPAL CODE, SECTION 9-406. SIGN REGULATIONS BY LAND USE AND/OR ZONING DISTRICTS. (4) (o) WALL SIGNS, TO ALLOW SIGNAGE ON A WALL TO EXCEED A 1:1 RATIO

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Title 9, Chapter 4, Sign Ordinance, of the Farragut Municipal Code,

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Municipal Code is hereby amended as follows:

SECTION 1.

The Farragut Municipal Code, Title 9, Business, Peddlers, Solicitors, Etc., Chapter 4, Sign Ordinance, Section 9-406. Sign regulations by land use and/or zoning districts. (4) (o) Wall signs, is amended by deleting the first paragraph in its entirety and substituting in lieu thereof the following:

- (o) *Wall signs.* Each separate use within a building which has its own separate and exclusive exterior public entrance to the building shall be allowed one (1) wall sign. Such wall signs are permitted a total area of one (1) square foot per each linear foot of building wall of lease space upon which the sign is mounted, not to exceed three hundred and fifty (350) square feet, unless otherwise provided for in this section. If a building wall is angled more than ninety degrees from the two adjacent walls, such angled wall shall be allowed a sign with a total area of 2.7 square feet per each linear foot of angled building wall length. Such wall signs shall be limited to the side of a building which fronts upon a public street, faces upon a customer parking area, faces upon a pedestrian mall, or is the point of the principal public access into the establishment, unless otherwise provided for in this section.

ORDINANCE 13-02

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SECTION 2.

This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2013, with approval recommended.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION