

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN

May 9, 2013

EQUIPMENT REPLACEMENT WORKSHOP

6:30 PM

BEER BOARD

6:55 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. April 25, 2013
- VI. Business Items**
 - A. Approval of Contract 2014-07, HVAC Maintenance
 - B. Approval of Contract 2014-08, Street Sweeping
- VII. Ordinances**
 - A. First Reading
 - 1. Ordinance 13-15, to amend the text of the Farragut Zoning Ordinance, Chapter 4., Section XIII. Outdoor Site Lighting, A., 5., to add back decorative wall light requirements
 - 2. Ordinance 13-16, to rezone a portion of Parcel 14, Tax Map 151EA, 109 Way Station Trail, Old Stage Hills subdivision, from R-2 to B-1 (Stephen Prince, Applicant)
- VIII. Town Administrator's Report**
- IX. Attorney's Report**

A G E N D A

FARRAGUT BOARD OF MAYOR AND ALDERMEN

April 25, 2013

HOTEL/MOTEL TAX WORKSHOP

5:00 PM

CIP WORKSHOP

5:30 PM

GRANT WORKSHOP

6:00 PM

BMA MEETING

7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. Arbor Day Poster Contest Winner
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. March 28, 2013
 - B. April 11, 2013
- VI. Business Items**
 - A. Approval of Bids for Contract 2013-05, Resurfacing
- VII. Ordinances**
 - A. Public Hearing & Second Reading
 1. **ORDINANCE 13-03**, to amend TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 1. INTERNATIONAL BUILDING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL BUILDING CODE, 2012 EDITION
 2. **ORDINANCE 13-04**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 2. INTERNATIONAL PLUMBING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2012 EDITION
 3. **ORDINANCE 13-05**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 3, ELECTRICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE NFPA ELECTRICAL CODE, 2011 EDITION
 4. **ORDINANCE 13-06**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 4. INTERNATIONAL FUEL GAS CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2012 EDITION

5. **ORDINANCE 13-07**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 5. INTERNATIONAL PROPERTY MAINTENANCE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION
6. **ORDINANCE 13-08**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 6. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION
7. **ORDINANCE 13-09**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 8. SWIMMING POOL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2012 EDITION
8. **ORDINANCE 13-10**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 9. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE ACCESSIBLE AND USABLE BUILDING AND FACILITIES ICC A117.1-2009
9. **ORDINANCE 13-11**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 10. 2006 INTERNATIONAL MECHANICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION
10. **ORDINANCE 13-12**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC., CODES, CHAPTER 11. INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION
11. **ORDINANCE 13-13**, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 12. PLUMBING AND GAS/MECHANICAL LICENSING REQUIREMENTS, OF THE FARRAGUT MUNICIPAL CODE, SECTION 12-1208. LICENSES FOR PLUMBING AND GAS/MECHANICAL CONTRACTORS, TO REFERENCE FEE RESOLUTION ADOPTION
12. **ORDINANCE 13-14**, TO AMEND TITLE 7, FIRE PROTECTION AND FIREWORKS, CHAPTER 1. FIRE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FIRE CODE, 2012 EDITION AND THE NFPA 101 LIFE SAFETY CODE, 2012 EDITION

B. First Reading

1. Ordinance 13-17, to amend Title 5, Municipal Finance and Taxation, of the Farragut Municipal Code, by adding Chapter 4, Hotel/Motel Tax

VIII. Town Administrator's Report

IX. Attorney's Report

Approval of Agenda

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

Mayor's Report

Mayor McGill presented Kevin Wang as the Arbor Day Poster Contest Winner.

Mayor McGill addressed the question of a recent newspaper article concerning a law that would require all Town residence to own a gun. He polled the audience and the board voted to direct staff to form an ordinance requiring guns in every household. Roll call vote: Alderman Elliott, no; Alderman Honken, no; Alderman LaMarche, no; Alderman Markli, yes; Mayor McGill, no; question failed.

Approval of Minutes

Motion was made to approve the minutes of March 28, 2013 as presented. Moved by Alderman LaMarche, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen LaMarche and Markli; Aldermen Elliott and Honken abstained; no nays; motion passed.

Motion was made to approve the minutes of April 11, 2013 as presented. Moved by Alderman Honken, seconded by Alderman Markli; voting yes, Aldermen Elliott, Honken and Markli; Mayor McGill and Alderman LaMarche abstained; no nays; motion passed.

Business Items

Approval of Bids for Contract 2013-05, Resurfacing

Motion was made to award Contract 2013-05 to Rogers Group, Inc. in the amount of \$410,477.17. 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 13-03, to amend TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 1. INTERNATIONAL BUILDING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL BUILDING CODE, 2012 EDITION

Motion was made to approve Ordinance 13-03 on second and final reading. Moved by Alderman Elliott, seconded by Alderman Honken; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

ORDINANCE 13-04, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 2. INTERNATIONAL PLUMBING CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2012 EDITION

Motion was made to approve Ordinance 13-04 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 13-05, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 3, ELECTRICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE NFPA ELECTRICAL CODE, 2011 EDITION

Motion was made to approve Ordinance 13-05 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 13-06, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 4. INTERNATIONAL FUEL GAS CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2012 EDITION

Motion was made to approve Ordinance 13-06 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.

ORDINANCE 13-07, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 5. INTERNATIONAL PROPERTY MAINTENANCE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION

Motion was made to approve Ordinance 13-07 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 13-08, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 6. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION

Motion was made to approve Ordinance 13-08 on second and final reading. Moved by Alderman LaMarche, seconded by Alderman Honken; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

ORDINANCE 13-09, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 8. SWIMMING POOL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2012 EDITION

Motion was made to approve Ordinance 13-09 on second and final reading. Moved by Alderman Markli, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

ORDINANCE 13-10, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 9. RESERVED, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE ACCESSIBLE AND USABLE BUILDING AND FACILITIES ICC A117.1-2009

Motion was made to approve Ordinance 13-10 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.

ORDINANCE 13-11, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 10. 2006 INTERNATIONAL MECHANICAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION

Motion was made to approve Ordinance 13-11 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 13-12, TO AMEND TITLE 12, BUILDING, UTILITY, ETC., CODES, CHAPTER 11. INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION

Motion was made to approve Ordinance 13-12 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 13-13, TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 12. PLUMBING AND GAS/MECHANICAL LICENSING REQUIREMENTS, OF THE FARRAGUT MUNICIPAL CODE,

SECTION 12-1208. LICENSES FOR PLUMBING AND GAS/MECHANICAL CONTRACTORS, TO
REFERENCE FEE RESOLUTION ADOPTION

Motion was made to approve Ordinance 13-13 on second and final reading. Moved by Alderman Markli, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

ORDINANCE 13-14, TO AMEND TITLE 7, FIRE PROTECTION AND FIREWORKS, CHAPTER 1. FIRE CODE, OF THE FARRAGUT MUNICIPAL CODE, TO ADOPT THE INTERNATIONAL FIRE CODE, 2012 EDITION AND THE NFPA 101 LIFE SAFETY CODE, 2012 EDITION

Motion was made to approve Ordinance 13-14 on second and final reading. Moved by Alderman LaMarche, seconded by Alderman Honken; voting yes, Mayor McGill, Aldermen Elliott, Honken, LaMarche and Markli; no nays; motion passed.

First Reading

Ordinance 13-17, to amend Title 5, Municipal Finance and Taxation, of the Farragut Municipal Code, by adding Chapter 4, Hotel/Motel Tax

Motion was made to approve Ordinance 13-17 on first reading. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Elliott, Honken and LaMarche; voting no, Alderman Markli; motion passed 4-1.

Town Administrator's Report

David Smoak, Town Administrator, announced the following events:

- Thursday, May 2, community forum at Town Hall
- Art in the Park art sale Monday April 29 at Renaissance Farragut art gallery from 6-9

Meeting adjourned at 7:35 PM.

Ralph McGill, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER VI. A. MEETING DATE May 9, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Bud McKelvey, Public Works Director

SUBJECT: Approval of Bids for Contract 2014-07, HVAC Maintenance Contract

INTRODUCTION: The purpose of this agenda item is to consider bids and award our HVAC Maintenance Contract to the chosen contractor.

BACKGROUND: We are approaching the end of a three year contract for HVAC maintenance. We have rebid this proposal as another multiyear contract, as we have found this saves the Town money in the long run. We recommend awarding to a contractor based upon their yearly prices, as well as their responsiveness (if they've completed this contract in the past) and their ability to perform the required work. We received bids from eight contractors on April 30, 2013 and I've attached a tabulation of the yearly prices provided by Interstate Mechanical Contractors, Inc., Archer Air Conditioning Service Co. Inc., Del Air Mechanical, J & F Mechanical, Cook's Mechanical Services, Rocky Top Air, Four Seasons, and Volunteer Mechanical. Based upon their yearly prices, as well as their performance over the past three years, staff recommends award to Interstate Mechanical Contractors, Inc.

FINANCIAL SECTION:

Project:

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$8,700.00	\$8,700.00	\$0

Approved

By: 

RECOMMENDATION BY: Bud McKelvey, Public Works Director

PROPOSED MOTION: Approval of bids and award of Contract 2014-07 to Interstate Mechanical Contractors, Inc.

BOARD ACTION:

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

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

BID TAB FOR 2014-07 - HVAC MAINTENANCE CONTRACT

Bidder	Bid Prices
Interstate Mechanical Contractors, Inc.	1 st yr <u>\$8,700.00</u> 2 nd yr <u>\$9,157.00</u> 3 rd yr <u>\$9,614.00</u> 36 Mos <u>\$27,471.00</u>
Archer Air Conditioning Service Co. Inc.	1 st yr <u>\$9,468.00</u> 2 nd yr <u>\$9,468.00</u> 3 rd yr <u>\$9,468.00</u> 36 Mos <u>\$28,404.00</u>
Del Air Mechanical	1 st yr <u>\$13,956.00</u> 2 nd yr <u>\$14,100.00</u> 3 rd yr <u>\$14,244.00</u> 36 Mos <u>\$42,300.00</u>
J & F Mechanical	1 st yr <u>\$13,956.00</u> 2 nd yr <u>\$14,100.00</u> 3 rd yr <u>\$14,244.00</u> 36 Mos <u>\$44,135.00</u>
Cooks Mechanical Services	1 st yr <u>\$15,200.00</u> 2 nd yr <u>\$15,960.00</u> 3 rd yr <u>\$16,760.00</u> 36 Mos <u>\$47,920.00</u>
Rocky Top Air	1 st yr <u>\$20,000.00</u> 2 nd yr <u>\$21,000.00</u> 3 rd yr <u>\$22,000.00</u> 36 Mos <u>\$63,000.00</u>

Bidder	Bid Prices
Four Seasons	1 st yr <u>\$23,328.00</u> 2 nd yr <u>\$25,192.00</u> 3 rd yr <u>\$27,210.00</u> 36 Mos <u>\$75,330.00</u>
Volunteer Mechanical	1 st yr <u>\$38,400.00</u> 2 nd yr <u>\$38,400.00</u> 3 rd yr <u>\$38,400.00</u> 36 Mos <u>\$115,200.00</u>

AGENDA NUMBER V1. B. MEETING DATE May 09, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Bud McKelvey, Public Works Director

SUBJECT: Approval of Bids for Contract 2014-08, Street Sweeping Contract

INTRODUCTION: The purpose of this agenda item is to consider bids and award our Street Sweeping Contract to the chosen contractor.

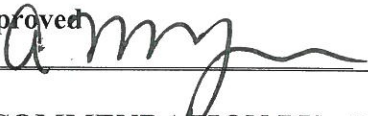
BACKGROUND: We are approaching the end of a three year contract for street sweeping. We have rebid this proposal as another multiyear contract, as we have found this saves the Town money in the long run. We recommend awarding to a contractor based upon their yearly prices, as well as their responsiveness (if they've completed this contract in the past) and their ability to perform the required work. We received one bid from Huskey Vac of Kodak on April 30, 2013 and I've attached a tabulation of the yearly prices provided by the contractor. Based upon their yearly prices, as well as their performance over the past 10 years, staff recommends award to Huskey Vac of Kodak.

FINANCIAL SECTION:

Project:

<u>Total Budget</u>	<u>Contract Amount</u>	<u>Remaining Amount</u>
\$25,000	\$21,800	\$3,200

Approved

By: 

RECOMMENDATION BY: Bud McKelvey, Public Works Director

PROPOSED MOTION: Approval of bids and award of Contract 2014-08 to Huskey Vac of Kodak.

BOARD ACTION:

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

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

BID TAB FOR 2014-08 – STREET SWEEPING CONTRACT

Bidder	Bid Prices
Huskey Vac of Kodak	1 st yr <u>\$21,800.00</u> 2 nd yr <u>\$21,800.00</u> 3 rd yr <u>\$21,800.00</u> 36 Mos <u>\$65,400.00</u> With a \$75.00 Hourly "As Needed" Cost

AGENDA NUMBER VII. A 1

MEETING DATE May 9, 2013

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-15, ordinance on 1st reading to amend the Farragut Zoning Ordinance, Chapter 4. General Provisions and Exceptions, Section XIII. Outdoor Site Lighting, A., 5., to add back the decorative wall light requirements

INTRODUCTION: This amendment is needed in order to add back the decorative wall light requirements which were inadvertently eliminated in the passing of Ordinance 12-20.

DISCUSSION: In January the Board approved Ordinance 12-20, which established wall mounted light heights and required glare shields on pole lights. Section 2. of Ordinance 12-20 read as follows:

Chapter 4. General Provisions and Exceptions, Section XIII. Outdoor Site Lighting, 5., is amended by deleting it in its entirety and substituting in lieu thereof the following:

The intent was only to delete the first paragraph in its entirety, not the entire subsection. At this time we are recommending to add back the second paragraph of A. 5. I have added one minor change, and that is to clarify that a standard 50 watt bulb is comparable to a 12 watt compact florescent bulb.

Attached please find a copy of Farragut Zoning Ordinance, Chapter 4. Section XIII. Outdoor Site Lighting, A., prior to the adoption of Ordinance 12-20. I have highlighted in red the second paragraph that we are adding back at this time. Also attached please find a copy of Ordinance 13-15.

PROFESSIONAL RECOMMENDATION: Community Development Director, Ruth Hawk, recommends approval of Ordinance 13-15.

PLANNING COMMISSION RECOMMENDATION: On April 18, 2013, in a unanimous vote, the Farragut Municipal Planning Commission recommended approval of Ordinance 13-15.

PROPOSED MOTION: To approve Ordinance 13-15 as attached.

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	_____	_____	_____	_____	_____

XIII. - Outdoor site lighting.

It is the intent of this section to establish outdoor lighting requirements that reduce the negative effects of lighting, but at the same time address the need for adequate lighting for safety and visibility concerns. The following requirements shall apply to all developments and/or facilities, excluding single-family and two-family dwellings and street lighting. In no case, however, shall any light shine or glare so as to create a traffic safety hazard on any adjacent properties, rights-of-way, access easements, or driveways.

A. *Performance standards and criteria.*

1. No lights shall shine or glare directly onto adjacent properties, right-of-ways, access easements, or driveways. For the purposes of this ordinance, glare shall be defined as any brightness within the field of vision of such a character as to cause annoyance, discomfort, interference with vision, or loss in visual performance and visibility.
2. The maximum number of footcandles at a property line that is adjacent to non-commercial or non-office zoned land shall be 0.5 footcandles. The maximum number of footcandles at a street right-of-way or a property line that is adjacent to commercial or office zoned land shall be 3.0 footcandles.
3. Light poles, including any supporting base, shall not exceed twenty-eight (28) feet in height. The height shall be measured from the ground to the top of the pole.

If an existing development is expanding, existing light poles are taller than twenty-eight (28) feet, and new light poles are to be added as part of the expansion to the project, the planning commission may approve a light pole taller than twenty-eight (28) feet so as to match the existing light poles if it can be shown that the taller light pole will not create any negative effects on any adjacent properties, right-of-ways, access easements, or driveways. In no case shall new light poles exceed the height of the existing light poles or forty (40) feet in height, whichever is less.

4. All pole lights shall be directed toward the ground. No portion of the bulb or the globe/glass/plastic surrounding the bulb shall protrude from the light box/housing. The shoebox style fixture shall be used unless it can be shown that a different style would be equivalent to or better than these requirements.

5. Unless specified elsewhere in this ordinance, all wall lights shall be directed toward the ground. No portion of the bulb or the globe/glass/plastic surrounding the

bulb shall protrude from the light box/housing. The wedge style fixture shall be used unless it can be shown that a different style would be equivalent to or better than these requirements.

Decorative wall mounted lights may be used in lieu of a wedge style or comparable fixture provided they are located at public entrance ways into the building, the globe/glass/plastic are frosted/milky/white acrylic, the bulbs are frosted or yellow, the bulbs do not protrude from the globe/glass/plastic, and the maximum total wattage shall be fifty (50) watts (standard bulb).

6. All ground-mounted lights, whether used to illuminate a building or a sign, shall be designed to minimize light that does not illuminate the target area. Blinders, or some other type of protectors, may be required to be placed on the lights so as to direct the beam away from adjacent properties, rights-of-way, access easements, or driveways.

7. Lights located under gasoline service station canopies, canopies for bank automatic teller machines, and other such similar canopies shall be recessed into the structure ceiling and shall use light shields so as to prevent glare. No portion of the bulb or the glass/plastic surrounding the bulb shall protrude from the structure ceiling unless it can be shown that a different style would be equivalent to or better than these requirements.

8. All electrical lines servicing all lights shall be underground.

ORDINANCE:	13-15
PREPARED BY:	Hawk
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	April 18, 2013
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE ZONING ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 86-16, AS AMENDED, BY AMENDING CHAPTER 4., SECTION XIII. OUTDOOR SITE LIGHTING, A., 5., TO ADD BACK THE DECORATIVE WALL LIGHT REQUIREMENTS, AS AUTHORIZED PURSUANT TO SECTION 13-4-201, TENNESSEE CODE ANNOTATED.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended as follows:

SECTION 1.

Chapter 4. General Provisions and Exceptions, Section XIII. Outdoor Site Lighting, A., 5., is amended by adding the following paragraph:

Decorative wall mounted lights may be used in lieu of a wedge style or comparable fixture provided they are located at public entrance ways into the building, the globe/glass/plastic are frosted/milky/white acrylic, the bulbs are frosted or yellow, the bulbs do not protrude from the globe/glass/plastic, and the maximum total wattage shall be 50 watts (standard bulb) / 12 watts (compact florescent).

SECTION 2.

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

ORDINANCE 13-15

Page 2

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

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ruth Viergutz Hawk, Community Development Director

SUBJECT: Ordinance 13-16, ordinance on 1st reading on a request to rezone a portion of Parcel 14, Tax Map 151EA, 109 Way Station Trail, Old Stage Hills subdivision, from General Single-Family Residential District R-2 to Buffer District B-1 (Stephen Prince, Applicant)

INTRODUCTION: This parcel is located on Way Station Trail in the Old Stage Hills subdivision and is currently zoned R-2 General Single-Family Residential. The large detention basin in the Renaissance Development lies immediately to the west of this parcel and the recently rezoned Business District, Four-Story (BD-4) parcel lies immediately to the north and northwest of this parcel.

DISCUSSION: There is a single-family house located on the southern half of this property and an un-named stream runs through the northern portion of the property. The un-named stream and the area immediately surrounding the stream is heavily treed.

The applicant is associated with the recently rezoned BD-4 tract and purchased this house on February 22, 2013. The house was listed for sale prior to the BD-4 rezoning occurring. The applicant does not plan to live in this house, but to use it as a rental house. Per the site plan that was submitted for the proposed four-story building in the BD-4 district, the building is pushed back from Kingston Pike with the parking lot located in front of the building. As a result, the proposed bank/office building does not meet the minimum 100' building setback requirement from adjacent residentially zoned property. Per the current zoning, the building is located 82' from the adjacent residentially zoned property. Also, no 35' buffer strip adjacent to the neighborhood is being provided on the BD-4 zoned land. The parking lot is located within 19' of the residential property line.

In order for the submitted site plan to meet the BD-4 minimum setback requirements from the neighborhood, a portion of the residential property must be rezoned. A redesign of the site would meet current requirements.

As you recall from the discussions creating the new Business District, Four-Story (BD-4) zoning district, the intent of this new zone was to de-emphasize parking lots and to provide for the construction of taller buildings closer to the street. The intent was also to protect adjoining neighborhoods to the greatest extent possible.

ISSUES: The primary question before you is whether you feel it is appropriate to rezone a portion of a single-family parcel so that the adjoining BD-4 zoned property can be developed with the building and parking lot being constructed closer to this house and to the rest of the Old Stage Hills neighborhood. The stated intent of the BD-4 district is as follows: "These office and commercial uses are intended to

be designed to minimize negative impacts on nearby residential uses and to strengthen our sense of community.”

Attached please find an aerial photo of the general area, copies of the B-1 and BD-4 districts, and Ordinance 13-16.

PROFESSIONAL RECOMMENDATION: The primary question before the Board of Mayor and Aldermen is whether you feel it is appropriate to rezone a portion of a single-family parcel at the entrance to a neighborhood so that the adjoining commercially zoned property can be developed with the building being constructed closer to the residential neighborhood. Staff has no recommendation.

PLANNING COMMISSION RECOMMENDATION: On April 18, 2013, in a vote of 6-1-1, the Farragut Municipal Planning Commission recommended approval of Ordinance 13-16.

PROPOSED MOTION: All motions are to be made in the positive.

Move to approve Ordinance 13-16 as attached.

An “aye” vote would be in favor of the rezoning request.

A “nay” vote would be against the rezoning request.

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	_____	_____	_____	_____	_____

Town of Farragut

Legend

 Parcels

 Proposed Re-Zoning
From R-2, General
Single-Family
to
B-1, Buffer



1 in = 100 ft



Chapter 3. Farragut Zoning Ordinance

3.II.1

II. BUFFER DISTRICT (B-1)

A. General Description

It is the intent of this zone to provide for a higher intensity land use to occur adjacent to a lower intensity land use while at the same time protecting the lower intensity land use from the negative impacts of the higher intensity land use. The land zoned Buffer District is to serve as a cushion or shield between these conflicting land uses. These areas should be retained in their natural state and should be supplemented with additional landscaping so as to provide a visual and aesthetic separation between the conflicting land uses.

B. Permitted Uses & Structures

1. Signs per the Farragut Municipal Code.
2. Fences and decorative brick or rock walls, provided they are set back a minimum of ten (10) feet from all property lines.
3. Utility structures, provided all landscaping requirements can be met.

C. Landscaping

Each one hundred (100) linear feet of area zoned Buffer District of width fifty (50) feet or greater shall be landscaped per the fifty (50) foot wide buffer strip provisions established in this ordinance. Existing, mature vegetation shall be preserved and incorporated into the landscape plan.

Chapter 3. Farragut Zoning Ordinance

3.XVI.1

XVI. BUSINESS DISTRICT, FOUR STORY (BD-4)

A. General description

This district provides space for general office and limited commercial uses. The office uses will provide regional employment opportunities and the commercial uses will primarily serve the residents of the Town of Farragut and immediate surrounds. These office and commercial uses are intended to be designed to minimize negative impacts on nearby residential uses and to strengthen our sense of community.

B. Permitted Principal and Accessory Uses and Structures

1. Generally recognized retail sales. This excludes all outdoor sales or storage.
2. Retail sale of alcoholic beverages, as provided for in the Farragut Municipal Code.
3. Financial and real estate services.
4. Professional, personal, and business services.
5. Restaurants, tea rooms, cafes, coffee houses, 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. This excludes drive-through service lanes and windows.
6. Public, governmental, and general offices.
7. Medical, dental, and veterinary facilities.
8. Medical spas.
9. Adult education and training facilities, indoors only.
10. Theaters, indoors only.
11. Indoor recreational facilities.
12. Cultural activities.

C. Building Façade Requirements

Building construction shall comply with Title 14, Chapter 3, Section 14-305. and Section 14-306. (1) and (2), of the Farragut Municipal Code.

D. Low Impact Development Requirements

The development shall incorporate a minimum of one of the following Low Impact Development (LID) practices into the design:

1. Twenty-five percent (25%) of the parking lot being constructed with permeable pavers;
2. Stormwater runoff draining to rain gardens;
3. The building being constructed with a vegetated roof, commonly referred to as a green roof;
4. Stormwater draining to bioswales/bioretention facilities; or
5. Rainwater being harvested for irrigation or gray water uses.

E. Area Regulations

1. Front Yards

- a. Building setbacks shall be determined based on the building height and the location of the street edge of pavement. Anticipated roadway improvements such as additional travel lanes, turn lanes, and bikes lanes shall be taken into consideration in determining the location of the street edge of pavement. The building setback shall be calculated as follows:

Building setback = (equals) total building height / (divided by) 1.618

The setback shall be measured from the street edge of pavement. At a minimum, all buildings shall be set back a minimum of twenty (20) feet from all front property lines and access easements.

- b. All accessory structures, excluding detention basin structures, shall be set back from the nearest point of any right-of-way a minimum of forty (40) feet, except as provided for elsewhere in this ordinance or the Municipal Code. Detention basins, measured from the exterior toe-of-slope, and all associated structures shall be set back from the nearest point of any right-of-way a minimum of ten (10) feet.

2. Side and Rear Yards

- a. All buildings shall be set back a minimum of twenty (20) feet. When the abutting property is zoned residential or agricultural, buildings shall be set back a minimum of one hundred (100) feet. When the abutting property is zoned buffer district and the property immediately adjacent to such buffer

district is zoned residential or agricultural, buildings shall be set back a minimum of one hundred (100) feet from the residentially or agriculturally zoned land. All buildings shall be set back a minimum of twenty (20) feet from all access easements.

- b. All accessory structures shall be set back a minimum of ten (10) feet, except as provided for elsewhere in this ordinance or the Municipal Code.

3. Buffer Strips

- a. There shall be a buffer strip a minimum of thirty-five (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;
- b. There shall be a buffer strip a minimum of thirty-five (35) feet in width on all side and rear property lines when the abutting property is zoned residential or agricultural;
- c. Existing, mature vegetation shall be preserved and incorporated into the buffer strip; and
- d. Detention basins, measured from the exterior toe-of-slope, and all associated structures shall not be located within any buffer strips.

4. Maximum Lot Coverage

Total lot coverage – sixty percent (60%)

5. Land Area

Minimum lot size of one (1) acre

6. Height Regulations

No building shall exceed four stories, or seventy (70) feet in height. All buildings shall be a minimum of two stories. Except as provided for elsewhere in this ordinance or the Municipal Code, no accessory structure shall exceed ten (10) feet in height.

7. Parking

As regulated in Chapter 4.

When a parking lot is constructed adjacent to a front property line, 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 sixty percent (60%) of the total parking lot length adjacent to the front property line shall be screened from view with a berm or landscaping.

ORDINANCE:	13-16
PREPARED BY:	Hawk
REQUESTED BY:	Stephen Prince, Applicant
CERTIFIED BY FMPC:	April 18, 2013
PUBLIC HEARING:	
PUBLISHED IN:	
DATE:	
1ST READING:	
2ND READING:	
PUBLISHED IN:	
DATE:	

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended as follows:

SECTION 1.

The Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended by rezoning a portion of Parcel 14, Tax Map 151EA, 109 Way Station Trail, Old Stage Hills subdivision, from R-2 General Single-Family Residential District to B-1 Buffer District, approximately 60' x 145' (8,700 sq.ft) (Exhibits A & B)

SECTION 2.

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

Dr. Ralph McGill, Mayor

ORDINANCE 13-16

Page 2

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