

**FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA
August 13, 2015**

**RIBBON CUTTING
MAYOR BOB LEONARD PARK PLAYGROUND
6:00 PM**

**BEER BOARD MEETING
6:55 PM**

**BMA MEETING
7:00 PM**

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. Farragut High School 2014-2015 "Reward School" Proclamation
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. July 23, 2015
- VI. Business Items**
 - A. Approval of Request for Utility Easement at the Turkey Creek Greenway, Briarstone Subdivision
 - B. Approval of Proposal from Cannon & Cannon, Inc. for Engineering Services for Design of Traffic Signal – Kingston Pike at Virtue Road
 - C. Approval of Resolution R-2015-05, Declaring Certain Town Property to be Surplus Property
 - D. Approval of Bids for new 2016 Two-Wheel Drive Pick-up Truck
 - E. Approval of Bids for new 2015 Two-Wheel Drive Mower
- VII. Ordinances**
 - A. First Reading
 - 1. Ordinance 15-09, 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 Chapter 3. Specific District Regulations, Section XXVII., Town Center District (TCD), Subsection F. 1., Parking Space Requirements, Number of Parking Spaces Required, to change the parking space requirements for non-ground floors

2. Ordinance 15-10, An Ordinance to amend the text of the Farragut Municipal Code, Title 14, Land Use Controls, Chapter 3, Town Center District Requirements, by amending Section 14-304. Signs. To provide for new requirements.
3. Ordinance 15-11, an Ordinance amending the Mixed Use Town Center, as shown on the Future Land Use Map in the Comprehensive Land Use Plan of the Town of Farragut, Tennessee, Ordinance 14-22, as amended, pursuant to Section 13-4-202, Tennessee Code Annotated.

VIII. Town Administrator's Report

IX. Town Attorney's Report

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability 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.

FARRAGUT BEER BOARD

August 13, 2015

6:55 PM

I. Approval of Minutes

A. July 23, 2015

II. Beer Permit Approval

A. Approval of Class 1, On-Premise permit for the following:

i. Hana Sushi & Hibachi, 11145 Kingston Pike

B. Special Event Permit

i. Oktoberfest, Restaurant Linderhof, 12700 Kingston

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability 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.

FARRAGUT BEER BOARD

July 23, 2015

Ron Honken, Chairman, called the beer board meeting to order at 6:45 PM. Elected officials present were Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent.

Approval of Minutes

Motion was made to approve the minutes June 25, 2015 as presented. Moved by Alderman LaMarche, seconded by Mayor McGill; Voting yes, Mayor McGill, Aldermen Honken and LaMarche; Alderman Pinchok abstained; Alderman Markli was absent; no nays; motion passed.

Hearing to address Meksiko, 120 West End Ave., beer permit violation(s) of Town of Farragut Code of Ordinances § 8-201 et seq

Due to a representative from Meksiko failing to be present for the second hearing, a motion was made to suspend the beer permit for Meksiki, 120 West End Ave., for a period of sixty (60) days, beginning July 25, 2015. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent; no nays; motion passed.

Beer Board meeting adjourned at 6:50 PM.

Ron Honken, Chairman

Allison Myers, Town Recorder

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REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of a Class 1, On-Premise Beer Permit for Hana Sushi & Hibachi, 11145 Kingston Pike

DISCUSSION:

The purpose of this agenda item is the approval of a class 1, on-premise beer permit for Hana Sushi & Hibachi, 11145 Kingston Pike (former Mother Earth Meat's location).

The applications and information are in order.

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

To approve a Class 1, On-Premise Beer Permit for Hana Sushi & Hibachi, 11145 Kingston Pike, subject to obtaining a certificate of occupancy.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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

APPLICATION FOR BEER PERMIT

STATE OF TENNESSEE

TOWN OF FARRAGUT

Pd
250.00
8-3-15

Aug. 13
@ 6:55

I hereby make application for a permit to sell, store, manufacture, or distribute Beer under the provisions of Tennessee Code Annotated Section 57-5-101 et seq. and base my application upon the answers to the following questions:

1. Reason for application: New Business ☒ New Ownership _____ Name Change _____ Other _____
2. Type of permit requested, please circle all that apply:

Class 1 On-Premise

Class 2 On-Premise, Other

Class 3 On-Premise, Hotel/Motel

Class 4 On-Premise, Tavern

Class 5 Off-Premise

Class 6, Special Occasion

3. Name of Applicant(s) (Owner(s) of Business) Hana Sushi & Hibachi
Emily Chen

4. Type of applicant (check one):
Person ☒ Firm _____ Corporation _____ Joint-Stock Company _____ Syndicate _____ Other _____
5. List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business:

6. Applicant's present home address: 9710 Grove Lake Way Apt 105 Knoxville, TN 37932
7. Date of Birth 10/13/1973 Home Telephone Number 908-397-6830*
Business Telephone Number _____ Social Security Number _____
8. Representative Email Address: emily20140308@gmail.com
9. Under what name will the business operate?
10. Business address 1145 Kingston Pike Knoxville, TN 37934
Business Telephone number _____

11. Specify the identity, email and physical address of the person to receive annual privilege tax notices and any other communication from the Town:
emily20140308@gmail.com
9716 Grove Lake Way Apt 105 Knoxville, TN 37922
12. Information of any manager, other than the applicant:
Name: _____ Birth Date: _____
Address: _____
Phone Number: _____
13. Has any person having at least a 5% ownership interest, any of the managers, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime within the last ten (10) years: ___ Yes ☒ No. If yes, give particulars of each charge, court, and date convicted.

14. Have you or your organization ever had a Beer Permit revoked, suspended, or denied in the State of Tennessee? No If so, specify, where, when, and why:

15. Name and address of property owner, if other than the business owner:

16. What is the name and address of the Church (or other place of worship) nearest to your business?
Concord Methodist Church, 11020 Roane Dr
17. What is the name and address of the school nearest to your business?
Farragut Schools 200 West End Ave
18. Special Occasion Event Name: _____
Location of the special occasion event: _____
Event Date & Times: _____
Representative name & phone number: _____
Have you received a special event permit to hold the event in the Town of Farragut? _____
19. Tennessee Sales Tax Number: 106804899
20. Town of Farragut Business License Number ~~0307393~~ 2743

I certify that I am knowledgeable of the laws prohibiting the sale of beer to minors and that this application contains true information to the best of my knowledge and belief.

I understand that this application is subject to the Tennessee Public Records Act and shall be open for inspection and reproduction by any citizen. Tennessee Code Annotated 10-7-503.

I understand that by submitting this application, a background investigation shall be conducted and any and any and all documents related to my request shall become public records.

I understand that the applicant or representative must be present at the beer board meeting in which the permit will be discussed.

Chih yun Chen

Signature of Applicant/Owner (or authorized Corporate Official)

Sworn to and subscribed before me this 27 day of July

Allison M. Myers

Notary Public

My Commission Expires: _____

My Commission Expires May 07, 2017



Notice: A non-refundable \$250 fee must accompany this application. Any applicant making false statement in this application shall forfeit his/her permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

FOR OFFICE USE ONLY

Application is hereby: Approved _____ Denied _____

On this date: _____, 20__

Beer Board Chairman

Town Recorder

REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Consider Approval of a special event beer permit for Oktoberfest, Restaurant Linderhof, 12700 Kingston Pike

INTRODUCTION:

The purpose of this agenda item is to consider a special occasion beer permit for "Linderhof Presents Oktoberfest".

DISCUSSION:

Restaurant Linderhof is planning an Oktoberfest at Renaissance Farragut on October 15-17, 2015. Restaurant Linderhof is requesting a special event beer permit for the event. The restaurant currently holds an on-premise beer permit for its location at 12700 Kingston Pike.

In Section 8-206 of the Town's ordinance the "premises" at which beer may be served includes *property owned, leased, or controlled by the permittee and so connected with the beer business in which the permittee is engaged as to form a component or integral part of it, including, but not limited to, the building and the parking areas surrounding it. Premise includes all decks, patios and other well-defined outdoor serving and consuming areas that are contiguous to the exterior of the building in which the business is located and that are operated by the business identified in the permit. A permit shall be valid for all decks, patios and other well-defined outdoor serving areas that are contiguous to the exterior of the building in which the business is located, that are operated by the business and only for a business operating under the name identified in the permit.* Due to the event being held at a different location than the restaurant a special occasion beer permit is necessary.

According to the Attorney General's opinion dated January 2008, the *"local beer board has the authority to issue a beer permit to an applicant that seeks a permit for an outdoor event that is not held contiguous to the applicant's business building."*

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

Consider Approval of a special occasion beer permit for "Linderhof Presents Oktoberfest", subject to the approval of the special events permit.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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

SPECIAL EVENT INVOLVING THE OUTDOOR RETAIL SALE OF BEER

This application shall be completed and submitted no later than thirty (30) days prior to the Special Event

Applicant Name and Establishment Name: Haron Schmishgauter/Restaurant Linderhof

Event Address: 12700 Kingston Pike

Advertised Name of the Event: "Linderhof Presents Oktoberfest"

Sponsors (other than the establishment) and Sponsor Products: NA

Primary/Emergency Contact Phone #'s: 865-209-4794

Email: engle@comcast.net

Proposed Date(s) of the Event: October 15, 16, and 17

Duration of the Event(s): Thursday 5pm-11pm Friday 3pm-11pm
Saturday 12pm-11pm

In what areas of your event will alcohol be consumed?
In a designated, roped off on lawn

Detailed Description of the Proposed Event:
Beers, Brandy, Food and Fun! Everything
typical of a traditional Oktoberfest

FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
July 23, 2015

BEER BOARD MEETING
6:45 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. June 25, 2015
- VI. Business Items**
 - A. Approval of Special Event Signage for the News Sentinel Open Golf Tournament
 - B. Approval to Elect Voting Delegate (1) and Alternate Voting Delegates (2) to the National League of Cities Conference
 - C. Approval of Change Order #1 to Contract 2015-11, Mayor Bob Leonard Park Playground Installation
 - D. Approval of the Town of Farragut Supplemental Retirement Plan Funding Policy
 - E. Approval of the sale and transfer of approximately 1,200 square feet of vacant Town property Parcel ID: 142-13716 located approximately 500' south of the southeast corner of Kingston Pike and Campbell Station Road, to, the adjacent northern property Parcel ID: 142-13711 Address 102 Campbell Station Road (Aubrey's Restaurant)
- VII. Town Administrator's Report**
- VIII. Town Attorney's Report**

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability 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 Farragut Board of Mayor and Aldermen met in a regular session on Thursday, July 23, 2015 at 7:00 p.m. Members present were Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent.

Approval of Agenda

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

Mayor's Report

Alderman LaMarche thanked the town for allowing her to attend the Small Cities Council in Laramie, WY.

Approval of Minutes

Motion was made to approve the minutes of June 25, 2015, with one minor date change. Moved by Alderman Honken, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent; no nays; motion passed.

Business Items

Approval of Special Event Signage for the News Sentinel Open Golf Tournament

Motion was made to approve the proposed placement of the directional signage within the Town of Farragut's right-of-way for the News Sentinel Open. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent; no nays; motion passed.

Approval to Elect Voting Delegate (1) and Alternate Voting Delegates (2) to the National League of Cities Conference

Alderman LaMarche made a motion to nominate Mayor McGill as the voting delegate, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent; no nays; motion passed.

Alderman Honken made a motion to nominate Aldermen LaMarche and Pinchok as the Alternate voting delegates, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent; no nays; motion passed.

Approval of Change Order #1 to Contract 2015-11, Mayor Bob Leonard Park Playground Installation

Motion was made to approve Change Order #1 for Game Time in the amount of \$3,100. Moved by Alderman LaMarche, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent; no nays; motion passed.

Approval of the Town of Farragut Supplemental Retirement Plan Funding Policy

Motion was made to approve the Town of Farragut Supplemental Retirement Plan Funding Policy. Moved by Alderman Honken, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent; no nays; motion passed.

Approval of the sale and transfer of approximately 1,200 square feet of vacant Town property Parcel ID: 142-13716 located approximately 500' south of the southeast corner of Kingston Pike and Campbell Station Road, to, the adjacent northern property Parcel ID: 142-13711 Address 102 Campbell Station Road (Aubrey's Restaurant)

Motion was made to authorize the Town Attorney to negotiate the fee simple transfer of property between the Town of Farragut and Aubrey's/its agents and that all fees arising from this action are paid by Aubrey's. Moved by Alderman Honken, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen Honken, LaMarche and Pinchok; Alderman Markli was absent; no nays; motion passed.

Meeting adjourned at 7:15 PM

Ralph McGill, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER V1. A. MEETING DATE August 13, 2015

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Request for Utility Easement at Turkey Creek Greenway, Briarstone Subdivision

INTRODUCTION: The purpose of this agenda item is to consider approval of a request from First Utility District for an easement across Town-owned property near Turkey Creek Road.

BACKGROUND: First Utility District has requested this easement in order to extend an underground sewer under the Town's greenway between Briarstone Phase 2 and Inverness Subdivision (see attached location map). The sanitary sewer line will serve the properties within the Briarstone development.

Tom Hale is finalizing the contract and will email when complete.

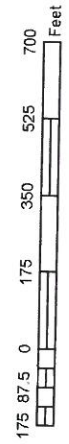
RECOMMENDATION BY: Darryl Smith, Town Engineer, for approval.

PROPOSED MOTION: Approval of request for utility easement on the Town's property at Turkey Creek Road.

BOARD ACTION:

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

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



- Briarstone Subdivision Phase II
- Greenways and Trails
- Parcels
- FUD Existing Sewer Pipes

First Utility District of Knox County, TN
Permanent 15' Sanitary Sewer Easement
Town of Farragut

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Proposal from Cannon & Cannon, Inc. for Engineering Services for Design of Traffic Signal – Kingston Pike at Virtue Road

INTRODUCTION: The purpose of this item is the approval of a proposal for design of a traffic signal at the intersection of Kingston Pike at Virtue Road.

BACKGROUND: For several years, the Town staff has observed traffic operations at the intersection of Kingston Pike with Virtue Road. In the early 2000's, the Town hired consultants to perform a warrant analysis of this intersection to determine if a traffic signal was warranted. While the location met at least one of the warrants outlined in the Manual on Uniform Traffic Control Devices (MUTCD), the Tennessee Department of Transportation (TDOT) Traffic Office was of the opinion that the warrant was not a strong enough argument to allow the installation. Our request for permission to install a signal was turned down at that time.

Earlier this year, we again requested a warrant analysis for this intersection, and traffic has now increased to the point that the signal met at least three warrants, and TDOT has confirmed that we will now be allowed to proceed with installation of a traffic signal at this location.

Attached is a proposal from Cannon & Cannon, Inc. for design of construction plans and initial timing for this traffic signal. The proposal includes a lump sum fee of \$13,500.

FINANCIAL SECTION:

<u>Project Budget</u>	<u>Requested Amount</u>	<u>Contracted Amount</u>	<u>Remaining Amount</u>
\$210,000	\$13,500	\$0	\$196,500
Approved By: <u>A Myers</u>			

RECOMMENDATION BY: Darryl Smith, Town Engineer, for approval.

PROPOSED MOTION: Approval of proposal from Cannon & Cannon, Inc. for design of a traffic signal at the intersection of Kingston Pike at Virtue Road.

BOARD ACTION:

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

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

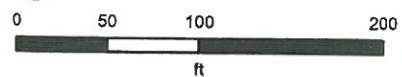


Kingston Pike at Virtue Road

Knoxville - Knox County - KUB Geographic Information System



Printed: 8/5/2015 at 5:34:32 PM



KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

August 4, 2015

Mr. Darryl W. Smith, P.E.
Town Engineer
Town of Farragut
11408 Municipal Center Drive
Farragut, Tennessee 37934

**RE: Scope of Services and Fee Proposal
Kingston Pike at Virtue Road Traffic Signal Design**

Dear Mr. Smith:

Cannon & Cannon, Inc. (CCI) is pleased to submit this Scope and Fee Proposal for professional engineering services associated with the Kingston Pike at Virtue Road Traffic Signal Design project. The services to be provided by CCI include the preparation of a complete design plan for the construction of a traffic signal at the referenced intersection. This signal plan is to be prepared in a format suitable for approval by the Tennessee Department of Transportation (TDOT) and will include all elements required for a contractor to purchase and install the required signal equipment. The following is a summary of the tasks that will be performed by CCI in this effort:

1. Conduct a field survey of the intersection in order to obtain a base drawing for the signal design.
2. Prepare a complete traffic signal design plan, utilizing the base drawing prepared in Task 1.
3. Provide a developed plan to TDOT for review and approval.
4. Prepare traffic signal timing for initial implementation.
5. Incorporate TDOT and Town of Farragut comments into the signal plan as appropriate.
6. Provide final plan to the Town of Farragut for implementation.
7. Prepare pay items and quantities of the traffic signal design for use in the bidding documents.
8. Conduct a field inspection of the traffic signal once it has been constructed and is operational.

Based on our understanding of this project, our proposed budget and fee for the services described above is \$13,500. We will invoice this on a lump sum basis, with monthly invoices to be issued in accordance with monthly estimates of the percent completion of the total project. Regarding the project schedule, we will begin work immediately upon receipt of your authorization to proceed, with anticipated completion of the design plans for TDOT review within six weeks.

TEL 865.670.8555
WWW.CANNON-CANNON.COM

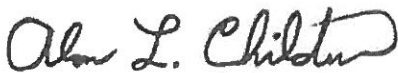
KNOXVILLE OFFICE
8550 Kingston Pike
Knoxville, TN 37919
FAX 865.670.8866

August 4, 2015
Page 2 of 2

If the terms of this proposal are acceptable, please sign in the space provided below and return one copy for our records. Reference is made to the attached Terms and Conditions, which will be applicable for this project.

We look forward to working with you and the Town of Farragut on this project. Please do not hesitate to contact me with any questions or concerns regarding this proposal.

Sincerely,



Alan L. Childers, P.E.
Vice President

Attachment

AUTHORIZATION TO PROCEED:

By: _____

Date: _____



STANDARD TERMS AND CONDITIONS

PROJECT: Kingston Pike (SR 1 – US 11/70) at Virtue Road
Traffic Signal Design

CLIENT: Town of Farragut
11,408 Municipal Center Drive
Farragut, TN 37934

1. ACCESS TO THE SITE / JOBSITE SAFETY:

Unless otherwise stated, CANNON & CANNON, INCORPORATED, hereinafter referred to as the CONSULTANT will have access to the site for activities necessary for the performance of the services. The CONSULTANT will take precautions to minimize damage resulting from these activities, but has not included in the project fee the cost of restoration of any damage.

The CLIENT understands that the CONSULTANT has not been retained and is not responsible, in any way, for the means, methods, sequence, procedures, techniques, scheduling of construction related activities, nor jobsite safety. The CONSULTANT will not be responsible for any losses or injuries that occur at the Project site.

2. INDEMNIFICATIONS:

[Intentionally Deleted]

3. INSURANCE:

The CONSULTANT shall secure and endeavor to maintain such insurance as will protect the CONSULTANT from claims of negligence, bodily injury, death, or property damage which may arise from the performance of services under this Agreement.

4. RISK ALLOCATION / LIMITATION OF LIABILITY:

In recognition of the relative risks, rewards and benefits of the project to both the CLIENT and the CONSULTANT, the risks have been allocated such that the CLIENT agrees that, to the fullest extent permitted by law, the CONSULTANT'S total liability to the CLIENT for any and all injuries, claims, losses, expenses, damages, or claim expenses arising out of this agreement from cause or causes, shall not exceed the amount of the CONSULTANT'S fee or One Hundred Thousand (\$100,000) dollars, whichever is greater. This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

5. OWNERSHIP AND REUSE OF DOCUMENTS:

All drawings, specifications (i.e., the Contract Documents) and other work products of the CONSULTANT pursuant to this Agreement shall remain property of the CONSULTANT and are instruments of service in respect to the Project only. They are not intended or represented to be suitable for reuse by the CLIENT or others on extensions of the Project or on any other project. Any reuse without written verification or adaptation by the CONSULTANT for the specific purpose intended will be at the CLIENT'S sole risk and without liability or legal exposure to the CONSULTANT. Any such verification or adaptation will entitle the CONSULTANT to further compensation.

6. OPINIONS OF CONSTRUCTION COST:

Any opinion of probable construction cost prepared by the CONSULTANT represents the CONSULTANT'S judgment as design professionals and is supplied for general guidance of the CLIENT. Since the CONSULTANT has no control over the construction marketplace, the CONSULTANT does not guarantee the accuracy of such opinions as compared to contractor bids or actual cost to the CLIENT.

7. DESIGN WITHOUT CONSTRUCTION PHASE SERVICES:

Where it is understood and agreed to that said Agreement does not include project observation or the review of the Contractor's performance or any construction phase services, the CLIENT shall be responsible at their sole discretion for such services. Further, the CLIENT assumes all responsibility for interpretation of the Contract Documents and for construction observation and/or supervision and waives any claims against the CONSULTANT that may be in any way connected thereto.

If the CLIENT requests in writing that the CONSULTANT provide any specific construction phase services and if the CONSULTANT agrees in writing to provide such services, then the CONSULTANT shall be compensated for these services as provided for in the Agreement.

8. OTHER CONDITIONS:

Not Applicable

9. TERMINATION:

The obligation to provide further services under this Agreement may be terminated without cause by either party upon seven (7) days written notice. On termination by either the CLIENT or the CONSULTANT, the CLIENT shall pay the CONSULTANT with respect to any services performed to the date of termination (including all reimbursable expenses incurred).

10. DISPUTES RESOLUTION:

It is agreed by both parties that all unsettled claims, counterclaims, disputes or other matters in question arising out of or related to this Agreement shall first be attempted to be resolved by mediation. This provision can be waived by the mutual consent of the parties, or by either party if its rights would be irrevocably prejudiced by a delay in initiating arbitration or the right to file a lawsuit.

11. GOVERNING LAW:

Unless otherwise specified within this Agreement, this Agreement shall be governed by the Law of the State of Tennessee.

END OF TERMS AND CONDITIONS

AGENDA NUMBER V1.C.

MEETING DATE August 13, 2015

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Resolution R-2015-05, Declaring Certain Town Property to be Surplus Property

DISCUSSION:

The following items are all in working order and have a value greater than \$100. Therefore the items meet the criteria to be surplus items. The Town will be advertising the items on Govdeals.com, an online government surplus auction site.

- 2006 Chevy Colorado 4X2
- New Holland Right-of-Way Tractor
- John Deere 997 Mower
- X-Mark Walk Behind Mower
- 2006 Chevy C8500 Dump Truck, #7

This resolution approval will allow for the removal of the items from the fixed asset list and advertise the sale of the items on the govdeals website.

RECOMMENDATION BY:

Allison Myers, Town Recorder

PROPOSED MOTION:

To approve Resolution R-2015-05, a resolution declaring certain town property to be surplus property.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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



TOWN OF FARRAGUT

RESOLUTION R-2015-04

A Resolution Declaring Certain Town Property to be Surplus Property.

WHEREAS, it has been determined that the Town has no further use of certain item(s); and

WHEREAS, the Board of Mayor and Aldermen may determine that these items are surplus property; and

WHEREAS, the value, if any, is determined for the surplus property and its disposal will be for the common benefit; and

WHEREAS, at time of sale of surplus item(s), moneys, if any, will be allocated back to the appropriate department;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE, does hereby surplus the following items(s):

- 2006 Chevy Colorado 4X2
- New Holland Right-of-Way Tractor
- John Deere 997 Mower
- X-Mark Walk Behind Mower
- 2006 Chevy C8500 Dump Truck, #7

This Resolution is duly adopted by the Board of Mayor and Aldermen of the Town of Farragut on this 13th day of August 2015.

Ralph McGill, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER: VI. D.

MEETING DATE: August 13, 2015

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: William E. McKelvey, Public Works Director

SUBJECT: Approval of Bids for new 2016 Two-Wheel Drive Pick-up Truck

INTRODUCTION: The purpose of this agenda item is to approve the purchase of a new 2016 Two-Wheel Drive Half-Ton Pick-up Truck.

BACKGROUND: The truck will replace a 2006 Chevrolet Colorado 4x2 in the Parks and Leisure Department. This vehicle is 10 years old and will have around 175,000 miles when the new vehicle arrives. The vehicle is also requiring more maintenance due to mileage and age.

DISCUSSION: Attached are four bids which were received on August 04, 2015. The vehicle bid was presented in two parts. The first was a 2016 model truck, the alternate was bid for a new truck that met specs and that's on the dealer's lot. Out of the four bids, only one truck is in-stock. Due to the 2015 in-stock model truck being more expensive than a 2016 model, staff recommends award of the contract to the lowest bidder for the 2016 model truck. The low bidder is Ted Russell Ford in the amount of \$19,720.00 for a 2016 Ford F-150 2-Wheel Drive Pick-up Truck.

FINANCIAL SECTION:

Account Number: 314-43949-949

<u>Total Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Remaining Amount</u>
\$140,500	\$19,720	\$5,557	\$115,223

Approved By: A. Myers

RECOMMENDATION BY: Bud McKelvey, Public Works Director, for approval.

PROPOSED MOTION: Approval of bids for the purchase of a 2016 Ford F-150 2-Wheel Drive Pick-up to Ted Russell Ford in the amount of \$19,720.00.

BOARD ACTION:

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

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

BID TAB FOR 2016 2-WHEEL DRIVE PICK-UP TRUCK

Bidder	Bid Prices
CDJR of Columbia	2016 Ram 1500- \$22,864.00
Landers Ford	2016 Ford F150- \$21,868.00 2015 Ford F150- \$22,673.00 (In-stock Truck)
Beaty Chevrolet	2016 Chevy Colorado Ext. Cab- \$22,617.08
Ted Russell Ford	2016 Ford F150- \$19,720.00

AGENDA NUMBER: VIE.

MEETING DATE: August 13, 2015

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: William E. McKelvey, Public Works Director

SUBJECT: Approval of Bids for new 2015 Two-Wheel Drive Mower

INTRODUCTION: The purpose of this agenda item is to approve the purchase of a new 2015 Two-Wheel Drive Mower.

BACKGROUND: The mower will replace a five year old John Deere 997, two-wheel drive mower.

DISCUSSION: Attached are 3 bids which were received on August 04, 2015. Staff recommends award of the contract to the lowest bidder. The low bidder is Farragut Lawn and Tractor in the amount of \$16,250.00 for a 2015 John Deere 997, two-wheel drive mower.

FINANCIAL SECTION:

Account Number: 314-43949-949

<u>Total Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Remaining Amount</u>
\$140,500	\$16,250	\$25,277	\$98,973

Approved By: A. Myers

RECOMMENDATION BY: Bud McKelvey, Public Works Director, for approval.

PROPOSED MOTION: Approval of bids for the purchase of a 2015 John Deere 997, two-wheel drive mower to Farragut Lawn and Tractor in the amount of \$16,250.00.

BOARD ACTION:

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

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

BID TAB FOR NEW 2015 TWO-WHEEL DRIVE MOWER

Bidder	Bid Prices
Farragut Lawn and Tractor	\$16,250.00 John Deere Z997R
Ritchie Tractor	\$16,982.67 John Deere Z997R
Ritchie Tractor	\$22,041.36 John Deere 1570 TerrainCut Tier 4

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 15-09, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXVII., Town Center District (TCD), Subsection F. 1., Parking Space Requirements, Number of Parking Spaces Required, to provide for new requirements (Craig Allen, Applicant)

BACKGROUND: This amendment was discussed at three planning commission meetings. The applicant is planning to develop a mixed use town center but, prior to applying for the rezoning, asked that certain aspects of the Town Center Zoning District (TCD) be revisited. One of those provisions was parking space requirements for non-ground floors. The current TCD provisions are based on gross floor area and provide for one parking space per 500 square feet of gross floor area on the second floor and one parking space per 750 square feet of gross floor area on the third or fourth floors. Since a vast majority of the non-ground floor space would likely be residential, the applicant requested that a parking space ratio be provided for units designed, constructed, and used for residential occupancy. The basic thought was that the existing parking space allocations would require more parking than would be necessary for residential use. Thus, the applicant's request would result in a net reduction in parking.

DISCUSSION: In addressing the applicant's request, the staff proposed, as provided for in Ordinance 15-09, parking space allocations that would specifically address units that have been designed, constructed, and used for residential occupancy. To help guide the staff toward an appropriate parking space allocation, the staff reviewed the recently modified provisions for the Multi-Family Residential (R-6) Zoning District. This ratio is 1.75 parking spaces per unit. The staffs' proposed ratio for the TCD is 1.5 parking spaces per unit. The rationale behind this slight reduction is that in the Town Center, unlike a traditional multi-family project, parking spaces will also be provided for non-residential ground floor spaces and there will be more opportunity for sharing parking. It is also likely that, in the Town Center, there would be more one bedroom and studio units where the parking space ratios would need to be lower.

As part of Ordinance 15-09, the staff has also added some language related to shared parking. Though it may not apply in this case, having more options for shared parking in the Town Center District could be helpful in the future and in other locations. This language is also consistent with shared parking language that was adopted a few months ago as part of amendments to the C-1 Zoning District for properties within the Mixed Use Town Center.

RECOMMENDATION BY: Ordinance 15-09 is consistent with both the CLUP and the Strategic Plan. In terms of the CLUP, Ordinance 15-09 would directly promote Strategy 1 – Bringing About a Downtown, and Strategy 3 – Encouraging Greater Housing Choice. In terms of the Strategic Plan, Ordinance 15-09 would promote Goal 2 – Strengthen the Local Economy and Goal 4, Objectives 5 and 6, which encourage consistency with Town plans and more beautiful corridors and development.

At their meeting on July 16, 2015, the Farragut Municipal Planning Commission, through Resolution PC-15-07, unanimously recommended approval of the requested text amendment as reflected in Ordinance 15-09. Along with Ordinance 15-09, included in your packet is a copy of the existing provisions and the proposed provisions for comparison purposes. The staff recommends approval of Ordinance 15-09.

PROPOSED MOTION: To approve Ordinance 15-09, on first reading, to amend the text of the Farragut Zoning Ordinance, Chapter 3., Section XXVII., Town Center District (TCD), Subsection F. 1., Parking Space Requirements, Number of Parking Spaces Required, to provide for new requirements.

BOARD ACTION:

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

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

RESOLUTION PC-15-07

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION 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 CHAPTER 3. SPECIFIC DISTRICT REGULATIONS, SECTION XXVII., TOWN CENTER DISTRICT (TCD), SUBSECTION F. 1., PARKING SPACE REQUIREMENTS, NUMBER OF PARKING SPACES REQUIRED, TO CHANGE THE PARKING SPACE REQUIREMENTS FOR NON-GROUND FLOORS

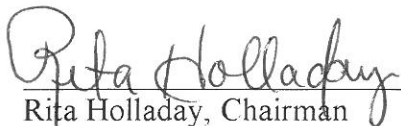
WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

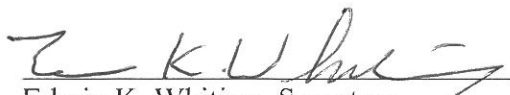
WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on July 16, 2015;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of an ordinance, amending Ordinance 86-16, of the Farragut Zoning Ordinance, by adding Ordinance 15-09.

ADOPTED this 16th day of July, 2015.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

ORDINANCE:	15-09
PREPARED BY:	Shipley
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	July 16, 2015
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 CHAPTER 3. SPECIFIC DISTRICT REGULATIONS, SECTION XXVII., TOWN CENTER DISTRICT (TCD), SUBSECTION F. 1., PARKING SPACE REQUIREMENTS, NUMBER OF PARKING SPACES REQUIRED, TO CHANGE THE PARKING SPACE REQUIREMENTS FOR NON-GROUND FLOORS

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3, Section XXVII., Town Center District (TCD), Subsection F. 1., Parking Space Requirements, Number of Parking Spaces Required, 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.

The Farragut Zoning Ordinance, Chapter 3, Specific District Regulations, Section XXVII., Town Center District (TCD), Subsection F. 1., Parking Space Requirements, Number of Parking Spaces Required, is amended by deleting it in its entirety and substituting in lieu thereof the following:

SECTION 2.

F. Parking space requirements.

1. Minimum number of parking spaces required

One (1) parking space per two hundred and fifty (250) square feet of gross floor area for the first floor;

One (1) parking space per five hundred (500) square feet of gross floor area for the second floor for space not designed, constructed, and used for residential occupancy; and

One (1) parking space per seven hundred and fifty (750) square feet of gross floor area for the third and fourth floors for space not designed, constructed, and used for residential occupancy;

One and a half (1.5) parking spaces per unit designed, constructed, and used for residential occupancy;

Shared parking throughout the Town Center District shall be encouraged. Required parking spaces may be reduced when two or more establishments share the same parking area, whether on the same lot or on abutting lots, subject to the following conditions:

- a. That some portion of the shared off-street parking area lies within 500 feet of an entrance, regularly used by patrons, into the buildings served by the shared parking facilities.
- b. That access and parking easements must be identified as part of the site plan review and a plat prepared and recorded which memorializes such easements prior to the issuance of a building permit.

Off-street and on-street parking shall count toward meeting minimum parking requirements within the TCD development. Basement parking and parking garages are encouraged and such spaces shall also count toward meeting minimum parking requirements.

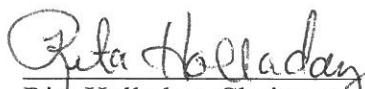
SECTION 3.

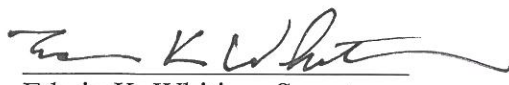
This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2015,
with approval recommended.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

Existing language related to TCD parking requirements:

Farragut Zoning Ordinance, Chapter 3, Section XXVII., Town Center District (TCD), Subsection F:

F. Parking space requirements.

1. Number of parking spaces required.

One (1) parking space per two hundred and fifty (250) square feet of gross floor area for the first [ground] floor;

One (1) parking space per five hundred (500) square feet of gross floor area for the second floor; and

One (1) parking space per seven hundred and fifty (750) square feet of gross floor area for the third and fourth floors.

Off-street and on-street parking shall count toward meeting minimum parking requirements within the TCD development. Basement parking and parking garages are encouraged and such spaces shall also count toward meeting minimum parking requirements.

2. Required bicycle parking. One (1) bicycle space per five thousand (5,000) square feet of gross floor area.

Bicycle racks shall be provided in desirable locations and shall be conveniently located at each building. The rack placement should not impede pedestrian movement and should not cause conflicts between bicycles and pedestrians.

Proposed TCD parking amendment:

Chapter 3, Section XVII. Town Center District (TCD), Subsection F.1., as follows:

F. Parking space requirements.

1. Minimum number of parking spaces required

One (1) parking space per two hundred and fifty (250) square feet of gross floor area for the first floor;

One (1) parking space per five hundred (500) square feet of gross floor area for the second floor **for space not designed, constructed, and used for residential occupancy**; and

One (1) parking space per seven hundred and fifty (750) square feet of gross floor area for the third and fourth floors **for space not designed, constructed, and used for residential occupancy**;

One and a half (1.5) parking spaces per unit designed, constructed, and used for residential occupancy;

Shared parking throughout the Town Center District shall be encouraged. Required parking spaces may be reduced when two or more establishments share the same parking area, whether on the same lot or on abutting lots, subject to the following conditions:

- a. That some portion of the shared off-street parking area lies within 500 feet of an entrance, regularly used by patrons, into the buildings served by the shared parking facilities.
- b. That access and parking easements must be identified as part of the site plan review and a plat prepared and recorded which memorializes such easements prior to the issuance of a building permit.

Off-street and on-street parking shall count toward meeting minimum parking requirements within the TCD development. Basement parking and parking garages are encouraged and such spaces shall also count toward meeting minimum parking requirements.

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 15-10, on first reading, to amend the text of the Farragut Municipal Code, Title 14, Chapter 3., Town Center District Design Requirements, Section 14-304., 1., Signs, to provide for new requirements (Craig Allen, Applicant)

BACKGROUND: Similar to the previous request, this proposed amendment was discussed at three planning commission meetings. The applicant requested some modifications that would basically provide for more sign area for entities occupying ground floor space in the Town Center District (TCD). In addition to certain smaller signs, the requirements for the first story tenant spaces currently provide for either a twelve (12) square foot perpendicular wall sign or a twelve (12) square foot regular building mounted wall sign, but not both. The applicant has asked for the opportunity to have both and for the building mounted wall sign to be larger than the twelve (12) square feet currently permitted. The sign area that is generally applicable to most commercial buildings/spaces in Town is based on a 1:1 ratio of sign area to the width of the building or lease space on which the sign is to be mounted. A tenant space with 25 feet of width, for example, could have a wall sign of up to 25 square feet across their frontage.

DISCUSSION: The staff supports increasing the signage allocations in the TCD but would consider the 1:1 ratio as too high and inappropriate for a pedestrian oriented development like a town center. Moreover, with a greater building mounted wall sign allocation and the ability to have both a building mounted wall sign and a perpendicular wall sign, the staff also noted that, with regards to the perpendicular wall sign, the twelve (12) square feet currently permitted would be larger than necessary.

In Ordinance 15-10 the staff has made modifications to permit both the perpendicular and building mounted wall signs. The perpendicular wall sign area has been lowered from 12 to 9 square feet. The 12 square foot limitation on the building mounted wall sign has been removed and replaced with a sign area allocation based on a .75:1 ratio of sign area to lease space frontage on which the sign is to be mounted.

Also as part of Ordinance 15-10, the staff has added some language to require architectural design and illumination to be consistent with the Architectural Design Standards (ADS). Currently, the TCD does not permit signs to be illuminated. The ADS allow for illumination from an external light source only. As requested by the planning commission at their meeting on June 18, the staff discussed illumination in the TCD with the Visual Resources Review Board (VRRB) and they felt strongly that only traditional external illumination should be permitted in this district. They did not consider halo lit lighting to be external illumination.

RECOMMENDATION BY: Ordinance 15-10 is consistent with both the CLUP and the Strategic Plan. In terms of the CLUP, Ordinance 15-10 would directly promote Strategy 1 – Bringing About a Downtown. In terms of the Strategic Plan, Ordinance 15-10 would promote Goal 2 – Strengthen the Local Economy, and Goal 4, Objectives 5 and 6, which encourage consistency with Town plans and more beautiful corridors and development.

At their meeting on July 16, 2015, the Farragut Municipal Planning Commission, through Resolution PC-15-08, unanimously recommended approval of the requested text amendment as reflected in Ordinance 15-10. Along with Ordinance 15-10, included in your packet is a copy of the existing provisions and the proposed provisions for comparison purposes. The staff recommends approval of Ordinance 15-10.

PROPOSED MOTION: To approve Ordinance 15-10, on first reading, to amend the text of the Farragut Municipal Code, Title 14, Chapter 3., Town Center District Design Requirements, Section 14-304., 1., Signs, to provide for new requirements.

BOARD ACTION:

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

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

Existing language related to TCD signage:

Sec. 14-304. - Signs.

Signs shall not be required to have a uniformity of appearance. The most important issue in sign design in the TCD district is how an individual sign relates to the building on which it is placed.

- (1) The following signs are permitted for each first (ground) story tenant space:
 - (a) General occupant sign. Any number of wall signs per entrance to the premises, not to exceed a cumulative total of six (6) square feet in size and eight (8) feet in height;
 - (b) One (1) address sign per building entrance, not to exceed two (2) square feet;
 - (c) Temporary window signs, not to exceed twenty-five (25) percent of total window area, or ten (10) square feet, whichever is less;
 - (d) Real estate sign. One (1) sign provided it is posted within the window and does not exceed six (6) square feet;
 - (e) Perpendicular wall sign. Allowed only if there is no wall sign or permanent window sign. One (1) sign which shall be hung perpendicular to the building, shall not exceed twelve (12) square feet, and shall have a minimum clearance of nine (9) feet to grade;
 - (f) Wall sign. Allowed only if no perpendicular wall sign or permanent window sign. One (1) sign not to exceed twelve (12) square feet, provided it is integrated with the building architecture; and
 - (g) Permanent window sign. Allowed only if no perpendicular wall sign or wall sign. One (1) sign which shall not to exceed twelve (12) square feet or twenty-five (25) percent of the total window area, whichever is less. Sign shall be permanently adhered to the window.

No sign shall be internally or externally illuminated.

Proposed TCD signage amendments:

Section 14-304. Signs., Subsection (1) as follows:

Signs shall not be required to have a uniformity of appearance. The most important issue in sign design in the TCD district is how an individual sign relates to the building on which it is placed.

- (1) The following signs are permitted for each first (ground) story tenant space:
 - (a) General occupant sign. Any number of wall signs per entrance to the premises, not to exceed a cumulative total of six (6) square feet in size and eight (8) feet in height;
 - (b) One (1) address sign per building entrance, not to exceed two (2) square feet;
 - (c) Temporary window signs, not to exceed twenty-five (25) percent of total window area, or ten (10) square feet, whichever is less;
 - (d) Real estate sign. One (1) sign provided it is posted within the window and does not exceed six (6) square feet;

- (e) Perpendicular wall sign. One (1) sign which shall be hung perpendicular to the building, shall not exceed **nine (9) square feet**, and shall maintain a clearance of nine (9) feet to grade;
- (f) Wall sign. **One (1) sign not to exceed a ratio of 0.75 square feet per linear feet of exterior tenant space on which the sign is to be mounted**, provided it is integrated with the building architecture;
- (g) Permanent window sign. Allowed only if no wall sign is used. One (1) sign which shall not to exceed twelve (12) square feet or twenty-five (25) percent of the total window area, whichever is less. Sign shall be permanently adhered to the window;
- (h) **Architectural design and illumination. Architectural design and illumination shall be in compliance with the Town's adopted Architectural Design Standards for Signs in the Town Center.**

RESOLUTION PC-15-08

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO AMEND THE TEXT OF THE FARRAGUT MUNICIPAL CODE, TITLE 14, LAND USE CONTROLS, CHAPTER 3, TOWN CENTER DISTRICT REQUIREMENTS, BY AMENDING SECTION 14-304. SIGNS. TO PROVIDE FOR NEW REQUIREMENTS

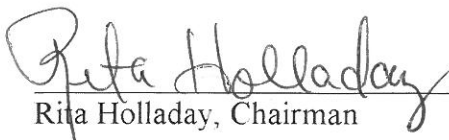
WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

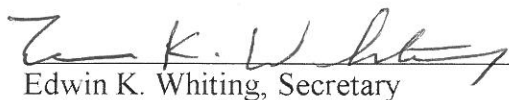
WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on July 16, 2015;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of an ordinance, amending the text of the Farragut Municipal Code, Title 14, Land Use Controls, Chapter 3, Town Center District Requirements, Section 14-304., Signs., by adding Ordinance 15-10.

ADOPTED this 16th day of July, 2015.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

ORDINANCE:	15-10
PREPARED BY:	Shipley
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	July 18, 2015
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT MUNICIPAL CODE, TITLE 14, LAND USE CONTROLS, CHAPTER 3, TOWN CENTER DISTRICT REQUIREMENTS, BY AMENDING SECTION 14-304. SIGNS. TO PROVIDE FOR NEW REQUIREMENTS

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Title 14, Chapter 3, Town Center District Requirements, 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 14, Land Use Controls, Chapter 3, Town Center District Requirements, Section 14-304. Signs., is amended by deleting it in its entirety and substituting in lieu thereof the following:

SECTION 2.

Section 14-304. Signs.

Signs shall not be required to have a uniformity of appearance. The most important issue in sign design in the TCD district is how an individual sign relates to the building on which it is placed.

- (1) The following signs are permitted for each first (ground) story tenant space:
 - (a) General occupant sign. Any number of wall signs per entrance to the premises, not to exceed a cumulative total of six (6) square feet in size and eight (8) feet in height;
 - (b) One (1) address sign per building entrance, not to exceed two (2) square feet;
 - (c) Temporary window signs, not to exceed twenty-five (25) percent of total window area, or ten (10) square feet, whichever is less;

- (d) Real estate sign. One (1) sign provided it is posted within the window and does not exceed six (6) square feet;
- (e) Perpendicular wall sign. One (1) sign which shall be hung perpendicular to the building, shall not exceed nine (9) square feet, and shall maintain a clearance of nine (9) feet to grade;
- (f) Wall sign. One (1) sign not to exceed a ratio of 0.75 square feet per linear feet of exterior tenant space on which the sign is to be mounted, provided it is integrated with the building architecture;
- (g) Permanent window sign. Allowed only if no wall sign is used. One (1) sign which shall not to exceed twelve (12) square feet or twenty-five (25) percent of the total window area, whichever is less. Sign shall be permanently adhered to the window;
- (h) Architectural design and illumination. Architectural design and illumination shall be in compliance with the Town's adopted Architectural Design Standards for Signs in the Town Center.

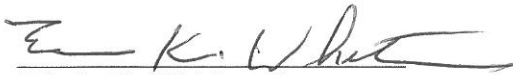
This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2015, with approval recommended.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 15-11, on first reading, to amend the 2012 Comprehensive Land Use Plan Update for the property located to the west of Village Veterinary and to the east of the former Phillips 66 on Kingston Pike, 16.23 Acres, from Office/Light Industrial to Mixed Use Town Center (Craig Allen, Applicant)

BACKGROUND AND DISCUSSION: This request involves an amendment to the Future Land Use Map in the Comprehensive Land Use Plan Update (CLUP) for the portion of the Craig Allen property currently designated as Office/Light Industrial to Mixed Use Town Center (MUTC). Normally amendments to the CLUP are handled solely by the planning commission since this document was only adopted by resolution. However, a few months ago in an effort to implement Strategy 1 of the CLUP – Bringing About a Downtown, the board of mayor and aldermen adopted by ordinance the area identified on the future land use map as a preferred location for a MUTC. Consequently, any modifications to the future land use map that affects the MUTC must be approved by ordinance through the board of mayor and aldermen.

The specific request before you would expand the MUTC and has been discussed by the planning commission for the past few months. At all of the meetings, commissioners seemed favorable in terms of amending the CLUP to show the Office/Light Industrial portion of the property in question as a preferred location for a MUTC. The floodplain portion of the property would remain as open space since it would not be developed with the MUTC.

RECOMMENDATION BY: Approval of Ordinance 15-11 would expand the MUTC and could be the first significant step toward implementing Strategy 1 in the CLUP - Bringing About a Downtown. In addition the request is consistent with the Strategic Plan in that it advances Goal 2, Strengthen the Local Economy, and Goal 4, Objectives 5 and 6, which encourage consistency with Town plans and more beautiful corridors and development.

At their meeting on July 16, 2015, the Farragut Municipal Planning Commission, through Resolution PC-15-09, unanimously recommended approval of the requested text amendment as reflected in Ordinance 15-11. The staff recommends approval of Ordinance 15-11.

PROPOSED MOTION: To approve Ordinance 15-11, on first reading, to amend the 2012 Comprehensive Land Use Plan Update by reclassifying the portion of Parcel 131, Tax Map 142 shown as Office/Light Industrial to Mixed Use Town Center.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>PINCHOK</u>	<u>HONKEN</u>	<u>LAMARCHE</u>	<u>MARKLI</u>
YES					

RESOLUTION PC-15-09

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE MIXED USE TOWN CENTER, AS SHOWN ON THE FUTURE LAND USE MAP IN THE COMPREHENSIVE LAND USE PLAN UPDATE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 14-22, TO RECOMMEND THE APPROVAL OF RECLASSIFYING THE PORTION OF PARCEL 131, TAX MAP 142 DESIGNATED AS OFFICE/LIGHT INDUSTRIAL, LOCATED TO THE WEST OF VILLAGE VETERINARY AND TO THE EAST OF THE FORMER PHILLIPS 66 ON KINGSTON PIKE, APPROXIMATELY 16.23 ACRES, FROM OFFICE/LIGHT INDUSTRIAL TO MIXED USE TOWN CENTER

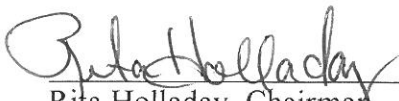
WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

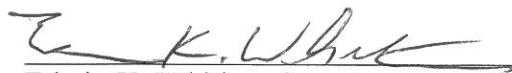
WHEREAS, the Farragut Municipal Planning Commission has adopted various elements of a zoning plan as an element of the general plan for physical development; and

WHEREAS, a public hearing was held on this request on July 16, 2015;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of an ordinance, amending Ordinance 14-22, of the Farragut Comprehensive Land Use Plan Update, by adding Ordinance 15-11.

ADOPTED this 16th day of July, 2015.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

ORDINANCE:	15-11
PREPARED BY:	Shipley
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	July 16, 2015
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE AMENDING THE MIXED USE TOWN CENTER, AS SHOWN ON THE FUTURE LAND USE MAP IN THE COMPREHENSIVE LAND USE PLAN UPDATE OF THE TOWN OF FARRAGUT, TENNESSEE, ORDINANCE 14-22, AS AMENDED, PURSUANT TO SECTION 13-4-202, TENNESSEE CODE ANNOTATED.

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, through the Farragut Municipal Planning Commission, created and adopted the Farragut Comprehensive Land Use Plan Update and Future Land Use Map; and,

WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

WHEREAS, the Farragut Municipal Planning Commission adopted the Farragut Comprehensive Land Use Plan Update and Future Land Use Map by Resolution PC-12-18 on December 20, 2012; and

WHEREAS, the Tennessee Code Annotated, Section 13-4-202 et seq, provides that the Municipal Planning Commission and the chief legislative body may adopt parts of the Comprehensive Land Use Plan Update that correspond generally with one (1) or more of the functional subdivisions of the subject matter of the plan; and

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut adopted the area and text identified as Mixed Use Town Center in the Comprehensive Land Use Plan Update by Ordinance 14-22 on January 22, 2015;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, that the area of the Mixed Use Town Center in the Comprehensive Land Use Plan Update, Ordinance 14-22, is hereby amended as follows:

SECTION 1.

The Farragut Comprehensive Land Use Plan Update, the area identified on the Farragut

Future Land Use Map as Mixed Use Town Center, is hereby amended by reclassifying the Office/Light Industrial land use portion of Parcel 131, Tax Map 142, located to the west of Village Veterinary and to the east of the former Phillips 66 on Kingston Pike, approximately 16.23 acres, from Office/Light Industrial to Mixed Use Town Center (Exhibit A)

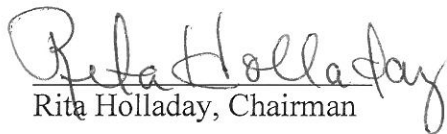
SECTION 2.

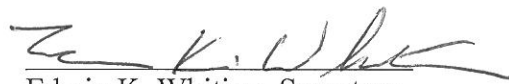
This ordinance shall take effect from and after its final passage and publication, the public welfare requiring it.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2015,
with approval recommended.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION



Exhibit A

Future Land Use Map
Amendment
Parcel 131, Tax Map 142

From
Office/Light Industrial
to
Mixed Use Town Center

Legend

- Streets
- Parcels
- Civic/Institutional
- Office/Light Industrial
- LU Industrial
- Commercial
- Regional Commercial
- Open Space
- Parks and Rec
- Open Space Cluster Residential
- Rural Residential (> 1 Acre lots)
- Very Low Density Residential (2-4 DUs / Acre)
- Low Density Residential (3-6 DUs / Acre)
- Med Density Residential (6-12 DUs / Acre)
- Mixed Use Neighborhood (6-10 DUs / Acre)
- Mixed Use Town Center (8-15 DUs / Acre)



1 in = 200 ft

