



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
OCTOBER 13, 2016**

RIBBON CUTTING
Turf Field @ Mayor Bob Leonard Park
6:15 PM

BMA MEETING
7:00 PM

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. Fire Prevention Week Proclamation
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. September 22, 2016
- VI. Business Items**
 - A. Approval of the Hot to Trot Race 5K/10K and Fun Run
- VII. Ordinance**
 - A. Public Hearing and Second Reading
 1. Ordinance 16-22, an ordinance to amend Title 12, Building, Utility, Etc., Codes, Chapter 11. International Residential Code, Section 12-1102 (9) and (10) of the Farragut Municipal Code
 - B. First Reading
 1. Ordinance 16-24, an ordinance to amend Title 12, Building, Utility, Etc., Codes, Chapter 1. International Building Code, Section 12-102 (5) of the Farragut Municipal Code

11408 MUNICIPAL CENTER DRIVE | FARRAGUT, TN 37934 | 865.966.7057
WWW.TOWNOFFARRAGUT.ORG

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, 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.

- VIII. Town Administrator's Report**
- IX. Town Attorney's Report**

Vice-Mayor Pinchok called the meeting to order at 7:00 PM. Members present were Aldermen Markli, Pinchok, Povlin and Williams.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Povlin, seconded by Alderman Williams; voting yes, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Approval of Minutes

Motion was made to approve the minutes of September 22, 2016 as presented. Moved by Alderman Markli, seconded by Alderman Williams; voting yes, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Business Items

Approval of the Hot to Trot Race 5K/10K and Fun Run

Motion was made to approve the lane closures for the Hot to Trot. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Ordinance

Public Hearing and Second Reading

Ordinance 16-22, an ordinance to amend Title 12, Building, Utility, Etc., Codes, Chapter 11, International Residential Code, Section 12-1102 (9) and (10) of the Farragut Municipal Code

Motion was made to approve Ordinance 16-22 on second and final reading. Moved by Alderman Markli, seconded by Alderman Povlin; voting yes, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

First Reading

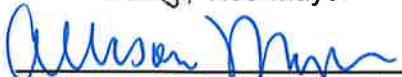
Ordinance 16-24, an ordinance to amend Title 12, Building, Utility, Etc., Codes, Chapter 1, International Building Code, Section 12-102 (5) of the Farragut Municipal Code

After much discussion a motion was made to postpone Ordinance 16-24. Moved by Alderman Markli, seconded by Alderman Williams; voting yes, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Meeting adjourned at 7:45 PM.



Ron Pinchok, Vice-Mayor



Allison Myers, Town Recorder



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA
OCTOBER 13, 2016**

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VIII. Town Administrator's Report

IX. Town Attorney's Report



Town of Farragut Proclamation

WHEREAS, the Town of Farragut, TN is committed to ensuring the safety and security of all those living in and visiting Farragut; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk from fire; and

WHEREAS, U.S. fire departments responded to 369,500 home fires in 2014, according to the National Fire Protection Association (NFPA); and

WHEREAS, U.S. home fires resulted in 2,745 civilian deaths in 2014, representing the majority (84 percent) of all U.S. fire deaths;

WHEREAS, in one-fifth of all homes with smoke alarms, the smoke alarms are not working; and

WHEREAS, three out of five home fire deaths result from fires in properties without smoke alarms (38 percent) or with no working smoke alarms (21 percent); and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, many Americans don't know how old the smoke alarms in their homes are, or how often they need to be replaced; and

WHEREAS, all smoke alarms should be replaced at least once every ten years; and

WHEREAS, the age of a smoke alarm can be determined by the date of its manufacture, which is marked on the back of the smoke alarm;

WHEREAS, Farragut's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Farragut's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2016 Fire Prevention Week theme, "Don't Wait – Check the Date! Replace Smoke Alarms Every 10 Years" effectively serves to educate the public about the vital importance of replacing the smoke alarms in their homes at least every ten years, and to determine the age of their smoke alarms by checking the date of manufacture on the back of the alarms.

NOW, THEREFORE, I Ralph McGill Mayor of Farragut do hereby proclaim October 9-15, 2016, as

Fire Prevention Week

throughout this town. I urge all the people of Farragut to find out how old the smoke alarms in their homes are, to replace them if they're more than 10 years old, and to participate in the many public safety activities and efforts of Farragut fire and emergency services during Fire Prevention Week 2016.

Ralph McGill, Mayor



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
SEPTEMBER 22, 2016**

**WORKSHOP
DISCUSSION of MOBILE FOOD VENDING TRUCKS
6:15 PM**

**BEER BOARD
See Beer Board agenda
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. Constitution Week daughters of the American Revolution Day Proclamation
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. September 8, 2016
- VI. Business Items**
 - A. Approval of Interlocal Agreement for the Great Smoky Mountains Regional Greenway Council
 - B. Approval of Bids for Contract 2016-14, Farragut Town Hall HVAC Equipment Replacement
 - C. Approval of Professional Services Contract with Urban Engineering – Construction Drawings for MBLP Restroom, Parking and Athletic Field Conversion
 - D. Approval of Professional Services Contract with Ross/Fowler – Master Plan Update for McFee Park

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- E. Approval of Resolution R-2016-11, Declaring Certain Town Property to be Surplus Property.

VII. Ordinance

A. First Reading

- 1. Ordinance 16-22, an ordinance to amend Title 12, Building, Utility, Etc., Codes, Chapter 11. International Residential Code, Section 12-1102 (9) and (10) of the Farragut Municipal Code

VIII. Town Administrator's Report

IX. Town Attorney's Report

Mayor McGill called the meeting to order at 7:00 PM. Members present were Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams.

Approval of Agenda

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

Mayor's Report

Members of the local DAR received the Constitution Week and Daughters of the American Revolution Day Proclamation.

Approval of Minutes

Motion was made to approve the minutes of September 8, 2016 as presented. Moved by Alderman Markli, seconded by Alderman Williams; voting yes, Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Business Items

Approval of Interlocal Agreement for the Great Smoky Mountains Regional Greenway Council

Motion was made to approve the Interlocal Agreement for the Great Smoky Mountains Regional Greenway Council. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Approval of Bids for Contract 2016-14, Farragut Town Hall HVAC Equipment Replacement

Motion was made to award the bid to Volunteer Mechanical in the amount of \$56,472. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Approval of Professional Services Contract with Urban Engineering – Construction Drawings for MBLP Restroom, Parking and Athletic Field Conversion

Motion was made to the professional services contract with Urban Engineering – Construction Drawings for MBLP Restroom, Parking and Athletic Field Conversion, in the amount of \$46,935. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Approval of Professional Services Contract with Ross/Fowler – Master Plan Update for McFee Park

Motion was made to approve the professional services contract with Ross/Fowler for the master plan update for McFee Park in the amount of \$39,500 plus \$2,250 for reimbursable expenses. Moved by Alderman Pinchok, seconded by Alderman Williams; voting yes, Mayor McGill, Aldermen Pinchok, Povlin and Williams; voting no, Alderman Markli; motion passed.

Approval of Resolution R-2016-11, Declaring Certain Town Property to be Surplus Property.

Motion was made to approve Resolution R-2016-11. Moved by Alderman Povlin, seconded by Alderman Williams; voting yes, Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Ordinance

First Reading

Ordinance 16-22, an ordinance to amend Title 12, Building, Utility, Etc., Codes, Chapter 11. International Residential Code, Section 12-1102 (9) and (10) of the Farragut Municipal Code

Motion was made to approve Ordinance 16-22 on first reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes, Mayor McGill, Aldermen Markli, Pinchok, Povlin and Williams; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that the employee picnic would be Friday, September 23 and the ribbon cutting for the new turf field at Mayor Bob Leonard Park would be held Thursday, October 13.

Meeting adjourned at 7:45 PM.

Ralph McGill, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Ashley Miller, Assistant Community Development Director

SUBJECT: Approval of the Hot to Trot Race 5K/10K and Fun Run

INTRODUCTION: This item involves a request for approval of a special event application related to the Hot to Trot 5K/10K and Fun Run to be held along portions of Parkside Drive on Thanksgiving morning, November 24, 2016.

DISCUSSION: This will be the eighth year for the Hot to Trot running events that are sponsored by Fleet Feet Knoxville Running Club. Proceeds for the events will help raise money for A Hand Up for Women. As shown in the race information packet, the events will start and end at the Fleet Feet store in the Parkside Station shopping center west of Lakesedge Drive. Each event will feature a loop (2 loops for the 10K) along portions of Parkside Drive. There will be some short term road/lane closures within the affected portion of Parkside Drive. Setup time will begin at 5:30 a.m., with road/lane closures beginning at 6:00 a.m. and all roads/lanes and clean-up will be complete by 10:00 a.m.

As in previous years, the organizers of the event have been working with the affected entities to make them aware of this ahead of time. Major retailers (Wal-Mart and Target), Regal Cinema, nearby hotels, and Tennova Healthcare have already given their approval. Event organizers have been careful to minimize any impact to the vehicular traffic and access.

The Parkside Station shopping center will be used for all staging facilities, including portable restrooms. Most of the parking will be provided on adjoining properties, including JCPenney and, if necessary, the primary school property on the west side of N. Campbell Station Road. The event is anticipated to have as many as 3,200 participants. Traffic control from parking areas and along the route itself will be addressed with Knox County and the City of Knoxville police staff. EMS personnel from Rural Metro will also be on hand. Fleet Feet volunteers will provide clean-up for the event.

RECOMMENDATION: Staff recommends approval provided that representatives from the affected subdivision (the Cove at Turkey Creek) be notified of the event ahead of time. The staff would also recommend that the sponsors ensure that, upon the event's conclusion, the entire course is free of any litter.

PROPOSED MOTION: Motion to approve the Hot to Trot 5K/10K and Fun Run road closures on Parkside Drive on November 24, 2016, from 6:00 to 10:00 a.m.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MARKLI</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

From: noreply@civicplus.com
Sent: Wednesday, September 28, 2016 1:31 PM
To: Karen Richards; Mark Shipley; Ashley Miller; Alexis Crawford; Allison Myers
Subject: Online Form Submittal: Town of Farragut Event Application

Town of Farragut Event Application

General Information

Please review all sections of this application. If you have any questions during the application process, contact the Farragut Town Hall at 865-675-2384 or you can email events@townoffarragut.org

Event applications will be reviewed by the Town of Farragut's Event Committee

** Event Meetings are held on the first Monday of each month at 2:00 p.m. in the Farragut Town Hall Board Room. Attendance is required for most events.*

** There is a non-refundable permit fee of \$25.00. For the Convenience of this online transaction, there will be a fee of \$1.05 for a total transaction fee of \$26.05. Other fees may apply for additional required permits.*

** Events requiring use of public infrastructure (greenways, roads, closures, etc.) and/or are requesting a beer, liquor or wine permit must file at least 180 days prior to the event but not more than 365 days prior to the event. Events held on public property and are not requesting a beer, liquor or wine permit must file at least 60 days in advance and prior to the event committee meeting the month preceding the event. Applicants requesting only sidewalk sales or tent sales are required to file at least 10 days prior to their event in order to obtain all necessary permits and have questions answered by staff.*

** Events that involve mobile vending shall meet fire suppression standards outlined by the Town of Farragut. Contact the Farragut Fire Marshal for more information.*

** Prior to advertising and accepting registration entries for the event, all applicable Town approvals shall be obtained.*

Organization Information

Type of Organization: Non-Profit

If Other Please Specify: *Field not completed.*

Name of Organization: Fleet Feet Knoxville Running Club

Organization Address: 11619 Parkside Dr

City: Knoxville

State:	TN
Zip Code:	37934
Primary Contact Person:	Shahin Hadian
Email:	hottotrot16@fleetfeetknoxville.com
Address:	11619 Parkside Dr
City:	Knoxville
State:	TN
Zip Code:	37934
Work Phone Number:	865-675-3338
Cell Phone Number:	<i>Field not completed.</i>
Is your organization / business authorized to do business in Tennessee?	Yes
Tax ID (if applicable):	26-1907253
Farragut Business License Number:	<i>Field not completed.</i>
Event Information	
Event Name:	Hot to Trot 5K/10K & Fun Run
Event Address	11619 Parkside Dr
Owner of Event Property:	Hatcher Hill Properties, care of Mary Katherine
Phone Number:	865-332-7822
Event Date(s):	11/24/2016
Time of Event (Start to Finish):	6:30 am - 10:00 am
Set-Up Date and Time:	11/24/2016 5:30 AM
Tear-Down Date and Time:	11/24/2016 10:00 AM
Type of Event (check all that apply):	Race - Includes Closure or Delay of Public Streets and/or Greenways (See Notes Below)
If Other was checked above, please specify:	<i>Field not completed.</i>

Please Note:

A Community Event is a Town sponsored or co-sponsored event that benefits and/or promotes the community.

A Special Event is an event held on public or private property that is NOT sponsored by the Town. Such an event is distinguished from a temporary sign permit by the inclusion of event-related amenities such as tent(s), vendor(s), display(s), pavilion(s), any outdoor activity, etc. Applicants shall be limited to a maximum of four events annually, this includes Temporary Sign Permits.

**During Race Events there shall be no markings placed on any street, sidewalk, greenway or pedestrian facility. Race events shall submit the finalized route and directional signage plan(s) with this application (attach below). Applicant shall pay a deposit of \$500.00 for race events that utilize public infrastructure, which is refundable if not damage occurs to the public infrastructure (deposit shall be paid at the Farragut Town Hall)*

** If only a temporary permit is needed, please complete the Temporary Sign Permit application found on the Town of Farragut website. This application is not valid for temporary sign permits not accompanying an event.*

** If requesting park use at Founders Park at Campbell Station, please complete the Special Event Application - Founder Park at Campbell Station on the Town of Farragut website.*

Description of Event:	A road race (5K and 10K) and fun run (1 mile) along Parkside drive (1 loop is 5K) in Turkey Creek on Thanksgiving Day. Participants pay an entry fee for entering the race.
Purpose of Event:	Road running race with a portion of the proceeds being donated to A Hand Up for Women
First Time Event:	No
If no, then please describe past events:	We have hosted this race every Thanksgiving since 2009
What is the estimated attendance for the event:	3,000 - 3,200
Will your organization charge admission?	Yes
Will your organization accept donations?	Yes
Will the event be open to the public?	No
Outline plans for trash removal including the date and hour it will be removed from the event site:	The day of the event (11/24), Fleet Feet Sports volunteers will ensure that all trash from the course (cups, etc.) is removed promptly by the course closure at 10 am on race day. The volunteers will then ensure that the staging area in Parkside Station parking lot is cleaned of all trash by 12 pm.

Will your organization have a marketing / publishing plan?

Yes

If yes, briefly describe:

We are marketing via online (website/social media, email) methods and word of mouth. We have posted race information on our website, facebook page, newsletter and on the registration site, active.com. We also market the race in-store, via word of mouth and will be sending out a press release.

Event and Permit Checklists

Event Checklist

Please select any of the following that apply to your event:

Amplification - Sound/Speaker System, Emergency Services/First Aid, Portable Restrooms, Tent(s), Traffic Control, Volunteers

Please provide details for all above selections. For example: list hours of use, type of system/games/rides/service, how animals will be secured, type/quantity of animals and inflatables, describe type of emergency service and outline your emergency services plan, describe cleanup plan, list staff/volunteer qualifications if applicable, etc. Please attach any applicable site plans or documents below.

We will have DJs (the Party Boys company) do announcements over a sound system and play some music by the finish line. Emergency Services will be provided by Knoxville Fire Department or Rural Metro, depending on who is available. We have worked with both in the past. 20 portable restrooms will be located in the northeast corner of the Parkside Station shopping area parking lot. We will have some small pop-up tents in the parking lot for shelter. Traffic Control - 1. Town of Farragut – we will work closely with the town to ensure access to local residence and businesses. 2. Knox County Sherrif and KPD Departments – We are working closely with both departments (Randy Errington KCSO/Sgt Evans KPD) to ensure runner safety and providing access to the local establishments, as the course runs thru both the town and the city. 3. City of Knoxville: use of approximately 300-350 cones to mark off the course and barricades and signage for the staging area.

File Upload

Field not completed.

File Upload

Field not completed.

File Upload

Field not completed.

Permit Checklist

Please select any of the following that apply to your event?

Public Road / Greenway Closure (Parade/Race/Etc.)

Please Note:

** For Alcohol / Wine complete the State of TN Special Occasion Alcohol / Wine License Application (attach below or drop off at the Farragut Town Hall)*

** For Beer complete the Town of Farragut Beer Permit or provide a copy of current Town of Farragut Beer Permit*

** For Public Road / Greenway Closure attach parade plan or race plan*

** For Tents or Air Inflated Structures you will need to obtain a Town of Farragut Tent Permit. Call 865-966-7057 and ask for permitting*

Permit(s) / License(s) / Plan(s)	Field not completed.
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Permit(s) / License(s) / Plan(s)	Field not completed.
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Permit(s) / License(s) / Plan(s)	Field not completed.
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Specific Parameters Related to Special Event

Signage Requirements

Parameters Applicable to Signage for Commercial / Office / Schools / Non-Profit / Church / Other Place of Worship

Sign

a) Only one sign is permitted and it shall not exceed six feet in overall height and 16 square feet in overall size. A white background is required

b) The only material permitted for a special even sign is a minimum 10 millimeter thick corrugated plastic. No banners, streamers, balloons, flags on a rope, and/or other types of wind activated signs and/or portable or sandwich board signs are permitted

c) If a sign is ground mounted, the sign shall be firmly affixed to studded T-posts so that it is not wind activated. Such sign shall be set back, in its entirety, at least 20 feet from the street edge of the nearest public street pavement and 10 feet from all entrance driveways. Please coordinate location with Town staff. Sign posts shall be removed completely at the end of the special event

d) A drawing of the sign which shows dimensions, letter sizes, and appearance is required

Upload version or versions of the sign

Please upload the required version of the sign below for the Town's staff review and approval as part of the application approval process.

Draft visual of the sign	Field not completed.
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Other draft visual	Field not completed.
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Other draft visual	Field not completed.
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Site

If the event involves anything exterior to the applicant's space (no sales from trucks are permitted), please include a site plan which demonstrates that vehicular and pedestrian circulation will not be affected by the proposed event. No event is permitted on vacant or vacated property. On-site entities must sponsor any off-site not-for-profit or non-profit event. If a tent is involved, please include dimensions and proposed location. A separate tent permit may be required from the Fire Marshal.

By submitting this form, you are acknowledging that all information included with this application is accurate and that you have read, understand, and will follow all parameters/conditions listed on this application.

Parameters Related to Grand Opening

** Business must have Certificate of Occupancy or approved Re-Occupancy per Code / Fire Inspector*

** Applicant shall pay a deposit to use Town's "Grand Opening" sign (refundable if no damage)*

** Approximately 15% of the "Grand Opening" sign can be used to personalize with user's information (must stay within perimeter of sign)*

** If a sign is ground mounted, the sign shall be firmly affixed to studded T-posts (Town provides) so that it is not wind activated. Such sign shall be set back, in its entirety, at least 20 feet from the street edge of the nearest public street pavement and 10 feet from all entrance driveways. The maximum sign height shall be six (6) feet. Please coordinate location with Town staff*

** One "Grand Opening" sign per street on which the lot, parcel or tract fronts. When more than one "Grand Opening" sign is allowed, they shall be a minimum of 150 feet apart*

** The business is also allowed to use a 20 sq. ft. "Special Event" sign along with the "Grand Opening" sign that could be used for future "Special Events". The "Special Event" sign shall comply with all "Special Event" sign requirements*

** Twenty (20) day maximum for posting sign (deposit and one Special Event will be forfeited for exceeding time frame). The T-posts and "Grand Opening" sign shall be returned to the Town Hall*

Supplemental Information:

** A sketch plan of your event must be included with this application. Please include: vehicular and pedestrian circulation, staging areas, locations of tents, entertainment stages, portable restrooms, dumpsters, fencing, food and beverages booths, and all sponsor and vendor booths. Also indicate where streets will be blocked and what will be used to block the streets. This application will not be processed without a completed site map.*

** Applicants must provide the Town with an original copy of their insurance certificate of general liability insurance naming the "Town of Farragut, its employees, and agents" as additionally insured. This policy must have a minimum coverage of one million dollars (\$1,000,000.00). If it is determined that security is required for your event, certified, uniformed Knox County Sheriff's Deputies must be hired to provide this service. Applicants hiring off duty Sheriff's Deputies must include the Knox County Sheriff's Office as additionally insured.*

** Applicants must abide by all Rural Metro Fire & Rescue rules and regulations. This information can be obtained by contacting the Fire Marshal at Town Hall (865-966-7057).*

** Applicants requesting to serve alcohol at their event must submit an application to the Farragut Beer Board. This can be done by contacting the Town Administration Office at 865-966-7057, not less than sixty (60) days prior to the proposed event.*

** If applicable, a clean up/damage deposit in the form of check or money order in the amount determined by the Town must be submitted upon approval of this application. This deposit will be returned upon inspection of the event site at the conclusion of your event.*

Sketch Plan of Event	2016 Hot To Trot Race Info.pdf
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Additional Sketch Plan of Event	<i>Field not completed.</i>
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Additional Sketch Plan of Event	<i>Field not completed.</i>
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All authorized events occurring within the Town limits shall be individually and severally responsible to the Town for any loss, bodily or personal injury, deaths, and/or property damage that may occur as a result of the event representative/organizer's negligence or that of its agents and employees. All event organizers/representatives hereby agree to indemnify and save the Town, its officers, employees, and agents harmless from any loss, cost, damages and other expenses including attorney's fees, suffered or incurred by the Town by reason of the event representative/organizers negligence or that of its agents and employees; provided that the event representative/organizer shall not a responsible nor required to indemnify the Town for negligence of the Town, its officers, employees, or agents. Furthermore, I fully understand and agree to comply with the terms and conditions as stated in this application. All information provided in this application is correct and accurate to the best of my knowledge.

By submitting this application, I acknowledge that all information with this application is accurate and that I have read and understand, and will follow all parameters / conditions listed on this application.

Email not displaying correctly? [View it in your browser.](#)



Hot to Trot 2016

5K - 10K - Fun Run

Race Information

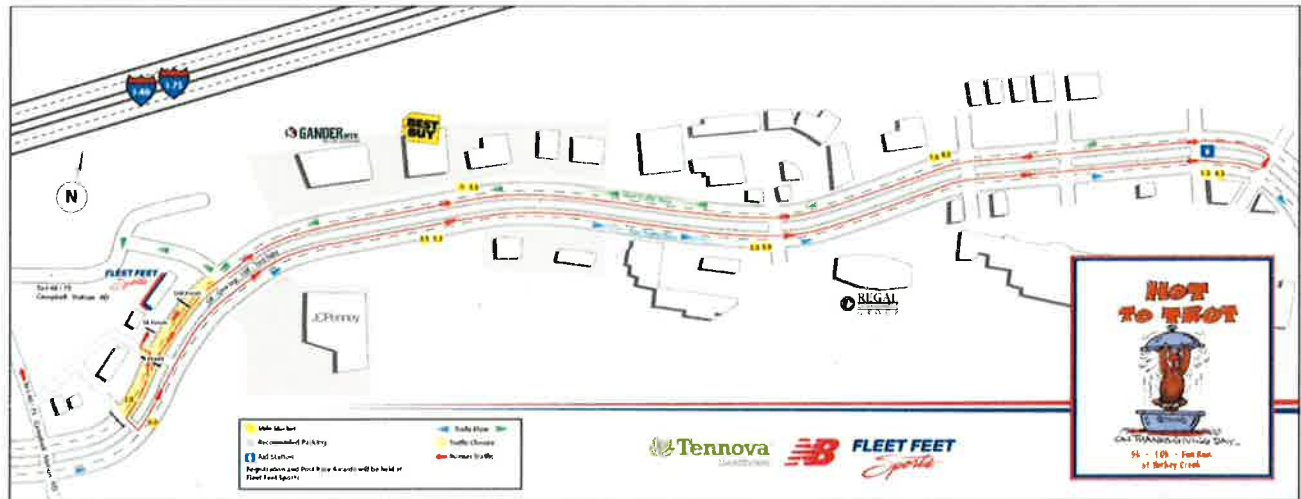
Focus for 2016:

In order to reduce congestion on race course and improve safety of runners, we would like to continue with the following arrangements:

- Both Westbound traffic lanes on Parkside Dr from start until Turkey Cove Lane will be closed for around 15 minutes or until last 5K runner passes, whichever is sooner. After last 5K runner, runner traffic is directed into inside lane, allowing westbound vehicular traffic on the outside lane.
- We will employ a wave start to better manage runner traffic through inside lanes.

All pertinent road Closure info is included in Road Closure section. All pertinent access info is included in Access Plan section.

Course Description



5K course

The course starts on the Westbound side of Parkside Drive in front of Parkside Station shopping area (in front of the Fleet Feet Sports store, 11619 Parkside Dr.). The course travels East until the light at Snow Goose Dr. The course goes around the island and returns West on Parkside Dr. The course turns, finishing in the Parkside Station shopping area. (See photo right).

The 5k race will be certified and timed.



10K course

The course is the same as the 5k course but covered twice and with a different finish. Once the 10K runners complete the first 5k, they are kept to the right as they continue through the area for a 2nd loop. The rest of the course is the same except the entire 2nd half of the 10K is run on the inside lanes. It finishes on the outside lane Westbound side of Parkside in front of the Fleet Feet Sports store.

The 10k race will be certified and timed.

Fun Run course

The fun run course will start at the same location as 5K & 10K. Although both lanes will be used at the start of the fun run, the runners/walkers are quickly directed to the inside lane traveling Eastbound by the time they cross the light at Campbell Lakes Dr. The course turns around the island before Turkey Cove Lane and returns back. The course turns around the island again and finishes in front of the Parkside Station shopping area. The course is around 1 mile, and will not be certified or timed.

Safety and Accessibility Plan

Course Monitoring Plan

We will use a combination of law enforcement officers, volunteers, and road closure signage to control and monitor the traffic flow. We will work closely with the Sheriff /KPD to have the right permits and number of officers on the course as dictated by their evaluation of our race course. Additionally, we are planning on having volunteers at every major parking lots entrances the have alternate entrance points. Finally, for low risk areas, we plan on having road closure signage (cone + signs). Additional volunteers may be required upon the law enforcement's evaluation of our plan.

Road Closure

- | | |
|--------------|---|
| 6:30 - 10:00 | The westbound lanes of Parkside Dr, between Campbell Lakes Dr & rd next to First Tennessee will be closed and will serve as start/finish area for all races (5K, 10K, and fun run). |
| 7:30 – 7:15 | Both Westbound lanes of Parkside Dr from Campbell Lakes Dr to Turkey Cove Lane will be closed during the first 15 minutes of the race. The course closures changes to one lane after the last runner. |
| 7:30 – 9:00 | The inside lanes of both eastbound and westbound Parkside Dr from rd next to First Tennessee and Snow Goose Dr. will be closed. |
| 9:30 | All cones and signage are removed. Inside lanes of Parkside Dr will reopen West of Turkey Cove Lane. |
| 10:00 | Start/Finish area is broken down. Remaining parts of Parkside Dr reopens. |

We plan to work with the following entities to ensure safety on the course:

- Knoxville Police Department – Although most of our course is in the town of Farragut, our course enters Knoxville City limit once it crosses the light at Pinnacle (at around 1M). It continues approximately ½ mile and then returns back into the Town of Farragut.
- Town of Farragut – as most of with most of the course is in the Town of Farragut, we will work closely with the town to ensure access to local residence and businesses.
- Knox County Sheriff Department – We are anticipating close working relation with the Knox County Sheriff Department to ensure runner safety and providing access to the local establishments.
- Knox County – we will use approximately 200-250 cones to mark of the Knox County side of the course
- City of Knoxville – we will use approximately 300-350 cones to mark off the City of Knoxville side of the course. In addition we will use additional barricades and signage for the staging area.

Access Plan

Given that the course is primarily in a shopping area, the day before the Black Friday, we anticipate a light traffic load. However, the course presents special access needs as it passes Regal Movie Theaters, Wal-Mart, and several hotel accommodations on Turkey Dr. The following access plan has been devised to provide access to the local establishments:

1. Tennifer Hospital – From the East, direct entrance from first light after Lovell Rd.
2. Businesses on the Southern side of Parkside Dr East of Turkey Cove Lane (e.g. Regal Movie Theaters, Wal-Mart) – From the East, access is available via the southern parking lots or from the West, access is available via the outside Eastbound lane of Parkside Dr.

3. Businesses on the Northern side of Parkside Dr West of Turkey Cove Lane (e.g. Best Buy, Gander Mtn, Panera, Pinnacle Station) – From the West, access is available from Campbell Lakes Dr to the northern parking lots. Once the roads have been reopened, access is also available via the outside Westbound lane of Parkside Dr.
4. Businesses on the Northern side of Parkside Dr East of Turkey Cove Lane (e.g. Mimi's, all of the Hotels, Earth Fare) – From the East, access is available thru the traffic light at Turkey Dr.
5. JC Penny – open for select hours in the afternoon. Access is available only from the outside eastbound lane of Parkside Dr. JC Penny parking area will be open for race parking and no exit is available. Once eastbound lane is reopened, traffic can exit and travel towards Lovell Rd.
6. Car Maxx – during road closure, there will be no access. Business closed during those hours.
7. Medical complex Southbound – during road closure, there will be no access. Business closed during those hours.
8. The Cove neighborhood. Access will be available similar to businesses on the Southern side (see item #2).

Race Staging & Parking area

We are planning to use the front & back parking lots for the Parkside Station as the staging area for the race. We are planning to use the JC parking lot for most of our parking needs, with additional parking available across Campbell station and the nearby Farragut Primary school. Additional parking will be available in Southern and Northern parking lots accessible from both East and West.

Turkey Creek Retailers

We are planning to work closely with the following entities to ensure that our event is approved and supported by all involved entities:

- Turkey Creek Land Partners – Patrick Ham or Jim Nixon
- Holrob - manages Parkside Station Shopping Area
- Skip Murray - manages the adjoining shopping area West of Parkside Station.
- Additionally, we will try to contact other retailers and managing landlords along our course to solicit support and/or participation.

Town of Farragut Addendum

In partnering with the Town of Farragut, we are hopeful that events like our Hot to Trot create a good sense of "community", bring people out of their homes, and instill pride in our Town and its businesses.

Contact:

Gary Palmer
Assistant Town Administrator
Town of Farragut
11408 Municipal Center Drive
Farragut, TN 37934
865.966.7057 (office)
865.388.5246 (mobile)

We will have an application on file for holding this event. In addition to the material provided in this document, there are few additional details that apply to the Town, making the process even more streamlined:

1. Certificate of Insurance

- a. Will have the following language inserted (similar to what you have in the sample for the City of Knoxville): "The Town of Farragut, its agents and employees, are additionally insured under this policy"
- b. The Town will be a certificate holder
- c. The Certificate of Insurance will be forwarded to the Town as soon as it is received.

2. Public Notice - We will ensure adequate public notice is given about this event and its impact on the local area.

- a. This event is the start to the Buy In Farragut campaign to promote more businesses in the Turkey Creek shopping area.
- b. A press release will be published in collaboration with town's Media Relations Coordinator (Chelsey Riemann) to ensure proper representation of the Town and this event.
- c. A short public notice will be forwarded to MRC for possible posting on town's public forums (facebook/twitter)
- d. The public press release will be forwarded to the local newspapers such as Farragut Press; There may be more publicity if they decide to do an interview with the event and provide greater coverage in the public eye.
- e. Farragut.

3. Corporate Filings

- a. Fleet Feet Knoxville Running Club (Tax Id 26-1907253) a non-profit running club associated with Fleet Feet Sports is the filing entity for this event.
- b. The registered agent listed on those corporate filings of the primary sponsor/organizer corporation, Shahin or Cheryl Hadian, are on the board of the event and will be the signatory authority for this application.

4. Food Preparation

We will only have food as part of the event that will be given to the race participants.

- a. The food indicated on the application is only food provided as part of the event and will be for the use of the race participants or volunteers. At this time there is no plan for preparation or distribution of any other food to be sold or given to the public.
- b. We understand that if in future we decide to provide food to the public, we may need additional approvals from the Knox County Health Dept at <http://www.knoxcounty.org/health/index.php>.

5. Emergency Services

- a. The following are the point of contacts for KPD, KCSO, and Rural Metro in case the Town needs to directly collaborate with them:

- i. KCSO – Randy Errington (randy.errington@knoxsheriff.org)
 - ii. KPD – Sgt Brian Evans (bevans@cityofknoxville.org)
 - iii. Rural Metro – Kim Sepesi (kim_sepesi@rmetro.com)
 - b. We will review the layout and emergency staging with Fire Marshal for final approval; this information is part of the race information that will be communicated to all agencies.
- 6. Fire Marshal Review/Approval**
- a. Tent Inspection: No tent permits has been required for our 2 10x10 pop-up tents without any side panels. These are used for protection against inclement weather.
 - b. As the race is held entirely in the parking lot of the Parkside Station, there have been no issues raised to date by Fire Marshal Dan Johnson.
 - c. If anything changes, we will directly forward to the FM to make sure there are no pending issues.

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Dan Johnson, Fire Marshal

SUBJECT: Approval on second and final reading of Ordinance 16-22, an ordinance to amend Title 12, Building, Utility, Etc., Codes, Chapter 11. International Residential Code, Section 12-1102 (9) and (10) of the Farragut Municipal Code.

BACKGROUND: The Town of Farragut is required to maintain building codes that are consistent with the State of Tennessee in order to maintain our exempt status. Due to recent changes in the State legislature, modifications to our local ordinances are required.

DISCUSSION: Sections of the 2012 International Residential Code, which is currently adopted by the Town, require slight modifications to comply with the requirements of Chapter 0780-02-23 of the Rules of Departments of Commerce and Insurance Division of Fire Prevention: One and Two Family Dwellings and Townhouses. These changes minimally affect the construction of these type of occupancies as we currently require the separations noted. However, it was suggested that we modify our ordinance to align with that of the State. These modifications will bring the Town into compliance with the latest changes made to the rules and noted in an audit letter sent to the town on July 1, 2016. Once these corrections are made and adopted by the Board of Mayor and Alderman, a certified copy will be forwarded to the Tennessee Department of Commerce and Insurance for filing.

RECOMMENDATION: The staff recommends approval of Ordinance 16-22 on second and final reading.

PROPOSED MOTION: To approve Ordinance 16-22 on second and final reading.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MARKLI</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE: 16-22
PREPARED BY: Shipley
1ST READING: _____
2ND READING: _____
PUBLISHED IN: _____
DATE: _____

AN ORDINANCE TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 11, INTERNATIONAL RESIDENTIAL CODE, OF THE FARRAGUT MUNICIPAL CODE, TO REFLECT THE STATE LAW RELATED TO AUTOMATIC SPRINKLER SYSTEMS IN CERTAIN RESIDENTIAL STRUCTURES

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Title 12, Building, Utility, Etc., Codes, Chapter 11. International Residential Code, Section 12-1102 (9) and (10) 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 12, Building, Utility, Etc., Codes, Chapter 11. International Residential Code, Section 12-1102 (9) is amended by deleting it in its entirety and substituting in lieu thereof the following:

- (9) Section R313.1 Townhouse automatic fire sprinkler systems, of the International Residential Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

An automatic residential fire sprinkler system shall not be required if a 2 hour fire separation resistance wall exists between units, if such walls do not contain plumbing and/or mechanical equipment, ducts, or vents in the common wall.

SECTION 2.

The Farragut Municipal Code, Title 12, Building, Utility, Etc., Codes, Chapter 11. International Residential Code, Section 12-1102 (10) is amended by deleting it in its entirety and substituting in lieu thereof the following:

- (10) Section R313.2 One and Two-Family dwelling automatic fire systems, of the International Residential Code, is amended by deleting it in its entirety and substituting in lieu thereof the following:

An automatic residential fire sprinkler system shall not be required if a 2 hour fire separation resistance wall exists between units, if such walls do not contain

plumbing and/or mechanical equipment, ducts, or vents in the common wall.

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 _____, 2016,
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, Dan Johnson, Fire Marshal, John Householder, Building Official

SUBJECT: Ordinance 16-24, an ordinance to amend Title 12, Building, Utility, Etc., Codes, Chapter 1. International Building Code, Section 12-102 (5) of the Farragut Municipal Code

BACKGROUND: As part of the Town's adoption process related to the 2012 International Building Code (IBC), the Board of Mayor and Aldermen of the Town of Farragut unanimously adopted in April of 2013 certain modifications that would provide for standards of construction that would be in excess of the minimum standards provided in the IBC. One of the modifications was to require buildings in excess of 7,000 gross square feet or two or more stories to be constructed of Type I, II, III, or IV Construction. The 7,000 square foot provision and the construction types are provided for in the IBC and are industry recognized applications.

In general, the lower the number in terms of construction type, the greater the level of protection: Types I and II are those types of construction in which the building elements are constructed of noncombustible materials; Type III is the type of construction in which the exterior walls are of noncombustible materials and the interior building elements are of any material permitted in the code, ex., fire-retardant-treated wood; Type IV is a unique construction type that utilizes oversized wood members to provide fire protection; Type V is the type of construction in which the structural elements, exterior walls and interior walls are of any materials permitted by the code. Thus a building with a Type I Construction has the highest level of protection and would be the likely construction type for most hospitals. The building code, without this locally tailored modification, would allow for certain buildings in excess of 7,000 gross square feet or two or more stories to be built with a Type V Construction which is basically a wood framed building.

After reviewing this matter, the Board adopted the above referenced modification and excluded Type V as an option for buildings in excess of 7,000 gross square feet or two or more stories for a number of reasons including the following:

- a) To ensure that larger and taller buildings are constructed with materials that would provide for greater protection of the occupants, the structures, and adjacent structures. Essentially, requiring materials that would better enhance the life/safety characteristics of these larger buildings. Type I through IV structures have less combustible material and thus create a lower fuel source compared to a Type V Construction (irrespective of the sprinkler system used);
- b) The Town wanted to improve its Insurance Service Office (ISO) rating so that the businesses in the Town would have the lowest possible insurance premiums. Requiring buildings to be constructed to a higher standard, as reflected in a recognized improved construction type, is something that an ISO audit reviewer looks at when considering a community's rating. In part, due to its efforts to go above the minimum code requirements, the Town of Farragut is one of only 11 communities in the state with an ISO rating of 3. This is an excellent rating and greatly benefits the residents and businesses of the Town. Without this modification, the rating could be compromised (www.isomitigation.com/about-us/about-iso.html);
- c) To provide for buildings that would have more longevity and flexibility. The higher the construction standard the more adaptable a building is to changing conditions and uses. This is one of the reasons the 4-story SouthEast Bank building in front of the Renaissance Farragut was constructed with a Type II all noncombustible construction. The owners wanted to construct something that would have lasting value

and that could be used a number of ways should conditions change in the future. This would be particularly important if a building were to be considered for mixed use occupancy which is becoming a desirable land use practice in many communities;

- d) To simplify the construction requirements for larger and taller buildings and avoid the creation of the much more complicated fire district that many communities, such as Knoxville and Oak Ridge, have adopted. These fire districts essentially require Construction Type's I-IV but with much more complexity. The Marble Alley apartment buildings that have recently been constructed behind the General Mast Store building in Knoxville are in a fire district and were constructed with a construction type that would comply with the Town's adopted modification. The Town's current provisions would provide for the same quality but with a simpler application;
- e) To be consistent with the Town's long-standing objectives of promoting high standards. The Town is known for its high standards in zoning, signage, landscaping, parks, greenways, and architectural design. These in turn help protect property values and market the community as a great place to live, work, and recreate. The application of the building and fire code was seen as equally important and should also reflect these higher standards. Consequently, the Town is known in the area as a leader in building and fire codes. This, in turn, is a major reason it has a low ISO rating;

DISCUSSION: A request has been submitted (Exhibit A) and is reflected in Ordinance 16-24 to amend the Town's adopted modification in Section 12-102(5). This request would tie building construction to how a property is zoned and would provide for the ability to construct buildings that are in excess of 7,000 gross square feet or three stories out of Type V Construction (wood framed).

After modifications were made to the zoning ordinance, one of which was the creation of the R-6/Open Space Multi-Family Residential Overlay (OSMFR), and a rezoning was approved, the original site plan for the Farragut apartments (now called the Overlook at Campbell Station) north of the Holiday Inn Express on N. Campbell Station Road was submitted and conditionally approved by the Planning Commission. The plan was later amended in terms of building configuration and conditionally approved by the Planning Commission on June 18, 2015 and again on January 21, 2016. Though independent of the zoning related aspects of the site plan approval, the applicant was asked early in the process (Exhibit B) to consult with the Town's codes staff in terms of building and fire code related requirements. In fact, the latest conditionally approved site plan indicated that the buildings greater than 7,000 gross square feet or two stories would be constructed of Type III-B Construction and thus comply with the Town's existing requirements.

Since that time, the current owner has asked his architect to submit different options that would permit them to construct their buildings with a Type V construction. Staff has met with the architect on a number of instances. The various correspondence on these proposals is included in your packet as Exhibit C. Essentially, the staff has been consistent and has indicated that the only mechanism to vary from the adopted modification, since it involves actual construction types, would be to request a text amendment to the municipal code.

The applicant's requested amendment states that if a structure is located in the R6/OSMFR Zoning District (the district the applicant's property is zoned and the only property currently zoned with this designation) and a building is in excess of 7,000 gross square feet or three stories or more, such structures could be constructed of Type V-A Construction with a fire suppression system meeting Section 903.3.1.1 of the International Fire Code.

RECOMMENDATION: The planning and codes staff have reviewed the applicant's request and would recommend denial of Ordinance 16-24 for the following reasons:

- a) The request is inconsistent with all of the reasons the modification was unanimously adopted by the Board of Mayor and Aldermen in April of 2013. Because a Type V building is made of more materials that are combustible (wood) and has an exterior wall rating that is one hour less than a Type III building, a Type V building does not provide the level of life safety protection that would be found in Type I-IV buildings. The applicant's project is not in a rural setting and less suppression could compromise

adjacent structures both within and outside of the development. In fact, the Holiday Inn Express is only 95 feet from the nearest proposed apartment building and the nearest home in the adjacent mobile home park is only 160 feet from one of the other proposed apartment buildings (Exhibit D);

- b) Approving an amendment that would lower the Town's construction type standards could be seen by an ISO auditor as a lessening of these standards. This in turn could compromise the Town's existing ISO rating and adversely affect Town businesses through increased insurance premiums;
- c) Approval of Ordinance 16-24 would represent an inequitable application of the Town's requirements. Since adoption of the modification, the Staybridge Suites and the SouthEast Bank buildings were constructed and met the Town's current requirements. The assisted care living facilities to be constructed along N. Campbell Station Road/Herron Road on the Horne property off Smith Road will also be complying with the existing construction type requirements. Permitting similar buildings to be constructed to a lesser construction type would be unfair to those that developed the Staybridge Suites and SouthEast Bank projects and those planning to construct buildings that require Type I-IV Construction. The Building Valuation Data provides for nationally averaged cost valuations based on different types of construction (Exhibit E);
- d) Multi-story apartment buildings are potentially the most dangerous commercial structures built since they are rented and do not have management services that could frequently check on how a room is being used and whether any hazardous conditions are present. If anything, the construction type for these type of projects should be strengthened not weakened; and
- e) The request to mix building and fire code requirements with how a property is zoned is very problematic and could establish a precedent. As requested, the applicant is essentially creating through a text amendment a condition where only their project could vary from the Town's currently adopted construction types for certain sized buildings of a certain number of stories. This is tantamount to a use variance which could be legally questionable. As a general practice, building and fire code requirements should not be tied to how a property is zoned. Building and fire codes should address the life safety aspects of the building itself and not be modified for an individual project based on its zoning designation. Zoning ordinances primarily establish use and area regulations for properties, which deal with the overall site and/or aesthetics of a building. Where, building and fire codes establish specific construction methods based on the type of occupancy to address life safety issues. Zoning ordinances and building and fire codes have common goals to protect life, safety and welfare, however they differ in their application of protecting the way a site is designed versus how a building is constructed. Staff's concern is within a specific zone, multiple uses may be permitted which may require a different type of construction based on building and fire codes for the specified uses within the zone. Because of this conflict, staff does not support linking the building and fire codes to zoning provisions.

PROPOSED MOTION: To deny Ordinance 16-24 on first reading.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>WILLIAMS</u>	<u>MARKLI</u>	<u>PINCHOK</u>	<u>POVLIN</u>	<u>MCGILL</u>
YES	_____	_____	_____	_____	_____
NO	_____	_____	_____	_____	_____
ABSTAIN	_____	_____	_____	_____	_____

ORDINANCE: 16-24
PREPARED BY: Shipley
1ST READING: _____
2ND READING: _____
PUBLISHED IN: _____
DATE: _____

AN ORDINANCE TO AMEND TITLE 12, BUILDING, UTILITY, ETC. CODES, CHAPTER 1, INTERNATIONAL BUILDING CODE, SECTION 12-102. MODIFICATIONS. (5) OF THE FARRAGUT MUNICIPAL CODE, TO PROVIDE FOR TYPE VA CONSTRUCTION FOR CERTAIN STRUCTURES CONSTRUCTED IN THE R-6 OSMFR ZONING DISTRICT

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Title 12, Building, Utility, Etc., Codes, Chapter 1. International Building Code, Section 12-102 (5) 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 12, Building, Utility, Etc., Codes, Chapter 1. International Building Code, Section 12-102 (5) is amended by deleting it in its entirety and substituting in lieu thereof the following:

- (5) The International Building Code, is amended by adding the following: Except for Zoning District R6 OSMFR, any structure in excess of 7,000 gross square feet or two or more stories shall be of Type I, II, III, or IV construction.

Any structure located in Zoning District R6 OSMFR in excess of 7,000 gross square feet or three or more stories, as defined in the International Building Code, shall be of Type I, II, III, IV, or VA construction and shall be sprinklered with a fire suppression system meeting 903.3.1.1., the International Fire Code, with the adopted Appendices B, C, D, E, F, and G.

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 _____, 2016,
with approval recommended.

Rita Holladay, Chairman

Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

Exhibit A

RECEIVED
APPLICATION TO AMEND ORDINANCE TEXT
TOWN OF FARRAGUT, TENNESSEE

SEP - 7 2016

TOWN OF FARRAGUT

FOR OFFICE USE ONLY

Fee Paid: \$250

APPLICANT NAME:

Address:

City/State/Zip:

Phone Number:

Fax Number:

E-mail:

DEF FARRAGUT, LLC

5755 NORTHPOINT AVENUE, SUITE 20

ALPHARETTA, GA 30022

770-674-0624

866-614-7535

PAUL.FOLGER@WEATHERWOODCAP.COM

CHANGE REQUESTED

Amend Zoning Ordinance, Sign Ordinance, or Municipal Code text as follows:

SEE ATTACHED CHANGE TO SEC 12-102 (BUILDING, UTILITY, ETC)
CHAPTER 1 - INTERNATIONAL BUILDING CODE
DRAWING 109 MODIFICATIONS

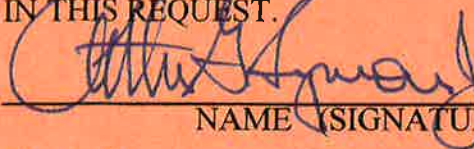
The proposed amendment is necessary due to the following changed or changing conditions: (be specific)

APPLICANT SIGNATURE

DATE

OR

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

 (ARTHUR G. STEWART, JR.)

NAME (SIGNATURE)

9/7/16

DATE

P.O. Box 39, Knoxville, TN 37901

Street Address

City/State/Zip

546-9321

Telephone Number

PDI
Architecture, LLC

multifamily-commercial-retail-light industrial-residential
Designing-planning-rendering-consulting



August 24, 2016

Re: Text Amendment to Town of Farragut Ordinance
Farragut, Tennessee

Regarding the above referenced project, PEF Farragut, LLC request a text amendment to the Town of Farragut's Code of Ordinance, as follows.

Change Requested:

Sec. 12-102.- Modifications.

Item (5) The International Building Code, is amended by adding the following: Any structure in excess of 7,000 gross square feet or two or more stories shall be of Type I, II, III or IV construction,

Change wording as follows:

Item (5) The International Building Code, is amended by adding the following: Except for zoning district R6 or OSMFR, any structure in excess of 7,000 gross square feet or two or more stories shall be of Type I, II, III or IV construction.

Any structure located in Zoning District R6 or OSMFR, in excess of 7,000 gross square feet or three stories or more, as defined by the International Building Code, shall be of Type I, II, III, IV or VA construction and shall be sprinklered with a fire suppression system meeting 903.3.1.1, the International Fire Code with the adopted Appendices B, C, D, E, F and G.

Zoning Chapter 3. - Specific District Regulations.

XI. Multi-Family residential district (R-6)

D. Area regulations

6. Density. Maximum overall density shall not exceed twelve (12) units per acre. This density of twelve (12) units per acre is a maximum number only and is permitted only if all requirements of the Town of Farragut have been met.

Change wording to:

6. Density. Maximum overall density shall not exceed nine (9) units per acre. This density of nine (9) units per acre is a maximum number only and is permitted only if all requirements of the Town of Farragut have been met.

The reasons for the request are listed below:

- The only property zoned R6 - OSMFR, is the property located on Campbell Station Road. This property has lower water volume and fire flow, as stated by First Utility. The modified code requires a standard residential fire suppression system meeting 903.3.1.2 of IFC. Based upon the projected fire flows and to provide greater life safety protection to the residents and the fire department personnel, we are recommending the increased fire suppression system meeting the requirements of 903.3.1.1 of IFC (commercial level) for any proposed development having three floors or greater.
- Having the increased coverage of the commercial sprinkler system, allows for increases in area (increased in Type VA construction from 12,000 s.f. to 24,000 s.f.) and height (increased from three stories to four and 20 feet in height) in the International Building code. While the International Building Code allows both an increase in building area and height, PEF Farragut, LLC is asking to increase the allowable stories from two to three with Type VA construction in order to compensate for having to increase to a commercial fire sprinkler system (903.3.1.1).

PDI
Architecture, LLC

multifamily-commercial-retail-light industrial-residential
Designing-planning-rendering-consulting



August 24, 2016

Re: Text Amendment to Town of Farragut Ordinance
Farragut, Tennessee

Regarding the above referenced project, PEF Farragut, LLC request a text amendment to the Town of Farragut's Code of Ordinance, as follows.

Change Requested:

Sec. 12-102.- Modifications.

Item (5) The International Building Code, is amended by adding the following: Any structure in excess of 7,000 gross square feet or two or more stories shall be of Type I, II, III or IV construction,

Change wording as follows:

Item (5) The International Building Code, is amended by adding the following: Except for zoning district R6 or OSMFR, any structure in excess of 7,000 gross square feet or two or more stories shall be of Type I, II, III or IV construction.

Any structure located in Zoning District R6 or OSMFR, in excess of 7,000 gross square feet or three stories or more, as defined by the International Building Code, shall be of Type I, II, III, IV or VA construction and shall be sprinklered with a fire suppression system meeting 903.3.1.1, the International Fire Code with the adopted Appendices B, C, D, E, F and G.

~~Zoning Chapter 3 - Specific District Regulations,
XI. Multi-Family residential district (R-6)
D. Area regulations~~

~~6. Density. Maximum overall density shall not exceed twelve (12) units per acre. This density of twelve (12) units per acre is a maximum number only and is permitted only if all requirements of the Town of Farragut have been met.~~

~~Change wording to:~~

~~6. Density. Maximum overall density shall not exceed nine (9) units per acre. This density of nine (9) units per acre is a maximum number only and is permitted only if all requirements of the Town of Farragut have been met.~~

The reasons for the request are listed below:

- The only property zoned R6 - OSMFR, is the property located on Campbell Station Road. This property has lower water volume and fire flow, as stated by First Utility. The modified code requires a standard residential fire suppression system meeting 903.3.1.2 of IFC. Based upon the projected fire flows and to provide greater life safety protection to the residents and the fire department personnel, we are recommending the increased fire suppression system meeting the requirements of 903.3.1.1 of IFC (commercial level) for any proposed development having three floors or greater.
- Having the increased coverage of the commercial sprinkler system, allows for increases in area (increased in Type VA construction from 12,000 s.f. to 24,000 s.f.) and height (increased from three stories to four and 20 feet in height) in the International Building code. While the International Building Code allows both an increase in building area and height, PEF Farragut, LLC is asking to increase the allowable stories from two to three with Type VA construction in order to compensate for having to increase to a commercial fire sprinkler system (903.3.1.1).

Ashley Miller

From: Mark Shipley
Sent: Thursday, October 30, 2014 3:10 PM
To: mark@gbs-eng.net; Leon Lawson (leonaia@me.com)
Cc: John Householder; Dan Johnson; Ashley Miller
Subject: FW: Attached Image
Attachments: 0659_001.pdf

This is some applicable building code information to keep in mind regarding the Farragut Apartment development. If you have any specific questions about this please get with John Householder. Thanks.

From: Town of Farragut [mailto:scanned_image@townoffarragut.org]
Sent: Thursday, October 30, 2014 4:03 PM
To: Mark Shipley
Subject: Attached Image

Design professional. The design professional shall be an architect or engineer legally registered under the laws of this state regulating the practice of architecture or engineering and shall affix his/her official seal to said drawings, specifications and accompanying data, for the following:

1. All Group A, E and I occupancies.
2. Buildings and structures three stories or more high.
3. Buildings and structures 5,000 square feet (465 square meters) or more in area.

For all other buildings and structure, the submittal shall bear the certification of the applicant that some specific state law exception permits its preparation by a person not so registered.

Exception. Group R3 buildings, regardless of size, shall require neither a registered architect or engineer nor a certification that an architect or engineer is not required.

(5) The International Building Code, is amended by adding the following: Any structure in excess of 7,000 gross square feet or two or more stories shall be of Type I, II, III or IV construction.

(6) The International Building Code, is amended by adding the following: Any structure in excess of 7,000 gross square feet per story and is two or more stories shall be sprinklered per Section 903.3 of the International Building Code.

(7) The International Building Code, is amended by adding the following: Fire walls shall be of noncombustible construction and shall have no penetrations or openings in Type V construction.

(8) Section 101.1 Title, of the International Building Code, is amended by inserting the phrase "Town of Farragut" for NAME OF JURISDICTION.

(9) The International Building Code, is amended by deleting Section [A] 105.5 Expiration, and substituting in lieu thereof the following:

[A] 105.5 Expiration. Every permit issued for new construction shall be become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work is commenced.

All building permits shall expire according to the following schedule (from the date the permit is issued):

New construction	1 year
Additions	180 days
Accessory structures	180 days
Decks/porches	60 days



LIVE CLOSER • GO FURTHER
farragut

Exhibit C

July 1, 2016

Via E-mail and Regular Mail

Arthur G. Seymour, Jr., Esq.
Frantz, McConnell & Seymour, LLP
550 W. Main Street, Suite 500
Knoxville, TN 37901

RE: Overlook at Campbell Station Road (Project)
Campbell Station Road
Farragut, Tennessee

Dear Arthur:

I am writing to you at Tom Hale's suggestion because we have received so many different communications from so many different people. You seem to be the common denominator.

In a March 3, 2016 letter, which Mr. Perry delivered to Mark Shipley on March 9, 2016, Architect Patrick D. Iannelli stated he was "writing to request a variance to the Farragut Code of Ordinance in order to allow wood framed construction for 3-story with basement buildings." Mr. Iannelli then proceeds to explain how the proposal submitted by the developer of the project was better from a fire safety standpoint than the standards required by the State of Tennessee, not why what was being proposed was equivalent to or better than the standards that have been adopted by the Town of Farragut.

Mark Shipley responded to Mr. Iannelli by an e-mail dated March 22, 2016. On April 13, 2016, your office forwarded to Town Attorney Tom Hale a letter dated April 4, 2015 of Mr. Iannelli that was addressed to Mark Shipley in which he responded to Shipley's email of March 22, 2016. Mr. Hale forwarded Iannelli's letter to Town staff and requested our input concerning the letter. Mr. Hale also wrote to you by letter dated April 15, 2016 confirming receipt of the letter and advising that staff was reviewing it to see if it added anything new to what had been sent earlier.

Mr. Iannelli has stated in his letter:

We propose not using Type-3 construction, but, as an alternate means and methods, we propose (1) adding fire walls to reduce the size of the fire areas, (2) increasing the dwelling unit separation to 1-hour, (3) increasing the fire protection of the structural members to 1-hour and (4) increasing the fire protection system (fire sprinkler system) to a type 13 (commercial system) Note that the commercial, type 13 fire suppression system will, by code, be extended into more areas of the building than a residential, type 13R system would be required to do.

In his letter to you, Mr. Hale inquired if you could find out exactly what material, means or methods would be employed to accomplish "(2) increasing the dwelling unit separation to 1-hour" and "(3) increasing the fire protection of the structural members to 1-hour," as stated in the letter? We were waiting on a response to these questions when we received the letter from Mr. William R. Miller dated May 16, 2016.

I would make one preliminary observation about conclusions reached by Mr. Miller in his letter. While the Town's elected officials undoubtedly adopted modifications to the standard building code in order to accomplish the generalized goals stated by Mark Shipley in his March 22, 2016 e-mail, they sought to accomplish them by the specific provisions adopted that are recognized as a way to improve Life Safety of buildings. To say that some enhancement increases Life Safety or reduces fire loss is not the same thing as saying that the enhancement is equivalent to the construction as required by the Town.

One of the points made by Mr. Miller in his May 16 letter was that in his "opinion, the use of Type III construction doesn't increase the Life Safety of the building beyond the proposed construction type of VA." This leads to the same questions that Mr. Hale asked in his letter of April 15, 2016 – exactly what means and methods does the developer propose to use that will make the Life Safety of the building constructed completely of wood equivalent to ones constructed partly from wood and partly from noncombustible materials? Our perception is that the issue for decision is whether or not your proposed changes make the Type V constructed building as safe as if Type III construction was used.

There are a couple of important comments made by Mr. Miller that appear to be the basis for his opinions that indicate that he is not completely clear concerning the Town's requirements. In his discussion of Town Goal #1 and again in Town Goal #2, he makes the point in discussing Type III construction that "this type construction only requires that exterior bearing walls be 2-hour rated, but does not require the structural frame, the floor construction, interior load bearing walls, or the roof construction to be rated."

One of the modifications that the Town made to its version of the Building Code is at FMC § 12-102(14) and (15), which requires that the structural frame, the floor construction, the load bearing walls and the roof construction be 1-hour rated. Thus, the Town requires the exterior walls to be 2-hour rated and the interior walls, ceilings and floors to be 1-hour rated. We

cannot tell what specific means and/or methods your client is suggesting it would use to supplement the type VA construction that it believes would make the resulting buildings equivalent or better than what the Town's regulations require.

When we boil it all down, it appears that your client's experts are saying that Type V construction is equivalent to Type III construction from a Life Safety standpoint. However, we know this is not true for the simple fact that the IBC allows Type III constructed buildings to consist of larger areas and to have more stories than are allowed for Type V constructed buildings.

Based upon the foregoing assessment of the communications between the parties aided by input from the Town's code enforcement staff, we cannot conclude that the way in which your client proposes to construct the buildings is equivalent from a fire resistance standpoint as would be buildings built in accordance with the building code as adopted by the Town of Farragut.

Yours truly,



David Smoak
Town Administrator

DS/

cc: Thomas M. Hale, Town Attorney

dwell

William R. Miller, AIA
Dwell Design Studio, LLC
3655 Brookside Parkway, #150
Alpharetta, GA. 30022

May 16, 2016

David Smoak
Town Administrator
11408 Municipal Center Drive
Farragut, TN 37934

Dear Mr. Smoak:

Dwell Design Studio has been asked to provide a 3rd party professional architectural opinion regarding the proposed site specific variance request for the Overlook at Campbell Station Road (the Project). As an architectural firm that currently has over 15,700 units built, under construction or in design across the Southeast (including Tennessee) and most of the U.S., we have considerable experience in a variety of project and construction types and have worked with numerous municipalities to offer opinions and resolve code related interpretations.

In order to understand the current variance request, we have reviewed the Project, recent correspondence between the Architect of Record (PDI Architecture, LLC : The Architect), and the Farragut Code of Ordinances, especially Sec. 12-102 that includes the Modifications to the International Building Code. In reading these modifications, we clearly understand that the Town's intent, among other things, was to raise the minimum building code standards in regard to Life Safety. Mr. Mark Shipley stated, in his reply to a March 3, 2016 memo by PDI Architecture, "the Town and its leadership elected to establish modifications that would provide for improved life safety, a reduction in fire loss, and buildings that would have lasting usable life with enhanced flexibility to react to conditions that may change in the future". To that end, based on our review of the existing project drawings, it's our opinion that the requested site specific variance accomplishes these goals without meeting some of the specific language of the ordinance. The points below discuss our opinion in detail and can be used to further the discussion of approval of the proposed variance.

Town Goal #1: Improved Life Safety:

We agree that the goal of improving the life safety performance of the buildings is accomplished by the modifications to the IBC made by the Ordinance, and it is also clear that these modifications were not done arbitrarily. However, our opinion is that the requested construction and upgrades to typical multi-family construction in the requested variance accomplish this goal as well, and in our opinion would be considered as equal.

It is our experience that a great majority of similar multi-family developments are built using Type V construction, many times up to 4 stories with a code defined basement. There are many variables with how the buildings are situated on a plan, or within a certain jurisdiction, but unless the project falls within a dedicated "fire district" is it rare to find a similar building required to be constructed in Type III or any other type of construction other than Type V. The reasons for this are many, but include the fact that as long as fire areas within a building and code specified heights are maintained, the IBC and IFC conclude that Life Safety is maintained for a high number of residents in similar buildings, as well as public servants called on to manage a potential emergency.

Based on our review of the current architectural drawings, and given the project's location outside a dedicated fire district, it appears that the variance request deals mostly with the height of the building when using Type V construction. The buildings are currently shown to be broken down into fire areas that would meet the Town Ordinance 12-102.5, dictating a 7,000 sf max. gross floor area, but would exceed the number of stories allowed (2 per Town Ordinance 12-102.5) by one story. The proposed building is 3 stories with a code defined basement which, per the Ordinance, would be required to be of Type I, II, III or IV construction. Of these Construction Types, only Type III would be usable due to cost of construction for this type of development. However, in our opinion, the use of Type III construction doesn't increase the Life Safety of the buildings beyond the proposed Construction Type of VA. As an example, per the Ordinance, Type IIIB construction would be allowed and the proposed number of stories (3) could be built. This Type of construction only requires that exterior bearing walls be 2hr rated, but does not require the structural frame, the floor construction, interior bearing walls, or the roof construction to be rated. However, if Type VA construction is used, as proposed by the Architect, the exterior bearing walls would be one hour protected, as would the interior bearing walls, structural frame, floor construction and roof, in our opinion giving equal or greater protection of Life Safety than the allowable Type IIIB.

Therefore, our opinion is that if the requested additional story would be approved by the Town Ordinance if using Type IIIB construction, then it should be allowed when using Type VA construction as it accomplishes the Ordinances stated goal of Improved Life Safety.

Town Goal #2: Reduction in Fire Loss:

We again concur that the goal of reducing fire loss is accomplished by the modifications to the IBC made by the Ordinance, but for similar reasons as stated above, our opinion is that the requested Construction Type and upgrades to typical multi-family construction in the requested variance accomplish this goal as well.

Whether Type III construction is used or Type V, the construction is wood frame. The only difference is that in Type III construction, only the exterior bearing walls (not all exterior walls) are 2 hr rated and all other walls and construction is not rated. We are unsure of how allowing this construction type reduces Fire Loss. On the other hand, by choosing Construction Type VA, as proposed by the Architect, the exterior bearing walls would be one hour protected, as would the interior bearing walls, structural frame, floor construction and roof, in our opinion giving equal or greater protection of Life Safety than the allowable Type IIIB.

Therefore, our opinion is that if the requested additional story would be approved by the Town Ordinance if using Type IIIB construction, then it should be allowed when using Type VA construction as it accomplishes the Ordinances stated goal of Reduction in Fire Loss.

Town Goal #3: Usable Life and Flexibility:

Whether Type III construction is used or Type V, the product is going to be a wood framed structure. Many historic and other structures are built with wood framing and become an integral part of a Town's fabric for many years. If well maintained with the use of quality exterior materials, buildings such as these will last for many years. Multifamily developments sometimes get a bad reputation because of the use of poor exterior materials in their development in the 70's and 80' including the use of E.I.F.S. and the water intrusion problems that were found with the early use of that product, as well as the use of wood exterior siding products that were not maintained and deteriorated quickly. However, more recent building products, including cementitious siding and trim, have been developed that have longer useful life and require less constant maintenance to maintain an excellent appearance and extended high quality. Those types of materials are being used in this proposed development.

Concerning the Town's goal of useful life and flexibility, we have been a part of a number of projects similar to this where an existing multi-family development is converted to a for sale product or other housing, like student or affordable housing or senior living. Other

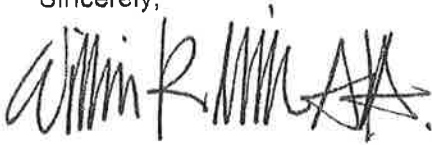
Mr. Smoak
May 16, 2016
Page 4

developments in the nearby area include hotels and strip/convenience retail that despite their construction type can quickly become obsolete and dated much more quickly.

Our opinion is that despite the Type of Construction required, buildings that are well designed and positioned can become a part of a Town's fabric and have a long, useful life. No matter if they are steel frame or wood frame, history shows that buildings that are well designed and well maintained can satisfy this goal.

We hope that our opinions can help to resolve some of the outstanding issues regarding the proposed variance. If we may be of further assistance, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read 'William R. Miller', with a stylized flourish at the end.

William R. Miller, AIA
COO – Principal

cc: Pat Ianelli, PDI Architecture, LLC

KRAMER RAYSON LLP

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R.R. KRAMER (1888-1966)

April 15, 2016

Arthur G. Seymour, Jr., Esq.
Frantz, McConnell & Seymour, LLP
550 W. Main Street, Suite 500
Knoxville, TN 37901

RE: Overlook at Campbell Station Road (Project)
Campbell Station Road
Farragut, Tennessee

Dear Arthur:

This will acknowledge receipt yesterday from your office of the attached letter of Patrick D. Iannelli of PDI Architecture, LLC dated April 4, 2016 addressed to Mark Shipley of the Town of Farragut. The letter concerns the proposed apartment complex known as the Overlook at Campbell Station Road. I interpret this letter as a supplementation of your client's earlier letter of March 3, 2016 (received on March 9, 2016) requesting approval of alternatives pursuant to § 104.11 of the IBC.

I forwarded the letter to Mr. Shipley and he confirmed what you advised me, which is that the letter previously had not been sent directly to Mr. Shipley.

We also wanted you and your client to know that the Town staff is in the process of reviewing this letter in order to determine if it adds any additional components to what has been previously proposed and if what it proposes would meet the equivalency test of § 104.11 of the IBC we have been discussing. We will respond as soon as staff's review and assessment is complete.

In the meantime, I personally had a question about part of the letter which I suspect the staff will have once it completes its initial review. Exactly what material, means or methods

Arthur G. Seymour, Jr.
April 15, 2016
Page 2

would be employed to accomplish "(2) increasing the dwelling unit separation to 1-hour" and
"(3) increasing the fire protection of the structural members to 1-hour," as stated in the letter?

Thanks for your attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Tom", with a horizontal line extending to the left.

Thomas M. Hale

TMH/pcm

cc: Mr. Mark Shipley

PDI
Architecture, LLC

multifamily-commercial-retail-light industrial-residential
Designing-planning-rendering-consulting



April 4, 2016

Attn. Mark Shipley
Farragut Town Hall
11408 Municipal Center Drive
Farragut, TN 37934

Re: Overlook at Campbell Station Road (Project)
Campbell Station Road
Farragut, Tennessee

Dear Mr. Shipley

I received your emailed response (March 22, 2016) to the Variance Request you received on March 9, 2016 regarding the construction type. Below is a response to your comments.

- a) *The State of Tennessee allows for local jurisdictions to adopt building and fire code requirements that are more stringent than the minimum code provisions established in the Tennessee Building Code. When adopting the 2012 IBC, the Town and its leadership elected to establish modifications that would provide for improved life safety, a reduction in fire loss, and buildings that would have lasting usable life with enhanced flexibility to react to conditions that may change in the future. Consequently, the Town stipulated that commercial buildings, which would include R2 Occupancies, greater than 7,000 square feet or 2 stories would have to be constructed using Types I, II, III, or IV Construction. This would apply to all such buildings throughout the Town. The intent was to establish a higher standard for the risk/safety matrix. In simple terms, the larger the building and the higher the risk, the greater the standard applied to the construction.*

What has not been proposed in your summary is that your client could construct buildings with a Type V Construction in accordance with the Town's existing provisions. In order to comply with the Town's ordinances while using Type V Construction you would simply need to modify the square footage and/or the number of stories of the building's in the development. There is a reasonable use of the property without the need for a variance as there is clearly an opportunity to construct the buildings out of the desired construction type.

- The reasoning for the items listed is understood. However, because of the Town of Farragut construction requirements that are above and beyond the State of Tennessee's Building Code, the added burden of using the construction type required by the Town of Farragut's Code of Ordinances limits the viability of the quality and scale of the Project.

- b) *As you note, Type III Construction provides for the opportunity to use fire treated lumber in lieu of non-combustible material. You state that there are "documented reports" of such materials causing structural and health issues. To date we have not received any specific supporting evidence showing a link between fire treated lumber and deterioration and/or health issues. It would seem questionable that such a commonly used product would be provided for in the International Building Code if it were structurally problematic and/or unsafe. As you know, unlike carpet, these materials will actually be encapsulated and therefore inaccessible to the occupant's environment. We do not believe fire treated lumber is an issue. Again, your client has this as an option for their project.*

- The issues concerning Fire Retardant Treatment (FRT) are easily understood by researching the internet. One example is at <http://www.rci-online.org/interface/2001-03-hodgin.pdf>. The problem is deterioration caused from "acid catalyzed dehydration". This causes a brittleness and

reduction in strength. This is especially of concern if the lumber is used in a "closed in" space that is subject to high humidity and cannot be visually examined on an continuous basis. As such, I cannot in good conscience, and as a professional and an Architect, recommend a product that has shown issues such as the deterioration qualities of FRT lumber.

c) *You reference your project as being within a "rural" area that should essentially not be held to the higher construction standards than would apply in an urban area. As noted above, when the Town adopted its modifications, any buildings that met the listed qualifications would need to be build using Type III Construction. This was intended to provide a higher Town-wide standard. The area in question is certainly not rural as it is adjacent to a number of hotels with regional commercial zoning within close proximity to the interchange of I40/75. To vary the standards for this project would represent an inequitable application of the modifications to other projects that would be held to the standards as adopted. There is currently multi-family construction being built within the City of Knoxville using Type III Construction. There is skilled labor available in the area for Type III Construction.*

- The property is "rural" in nature whether it is next to commercial properties or not and is planned to be developed in a "rural" type layout of the buildings. It is on the outermost edge of the Town's jurisdiction and not set amongst commercial developments with off-property buildings all around it. There is a residential development, trailer park, adjacent to the property. At worst case, it is sub-urban.

d) *On the specific "alternate upgrades" you refer to on Page 3, the buildings, as shown on the site plans that have been submitted, would have four levels, independent of how you classify the basement level. Thus, functionally you are requesting four stories. In terms of fire protection, based on data from First Utility District of Knox County, it appears that the proposed construction types will require the utilization of a NFPA 13 sprinkler system as the NFPA 13R design reduction will not reduce your needed fire flow down to that which is available. Without the NFPA 13 system it appears the site cannot meet the minimum fire flow requirement for the largest structure. This is not addressed in your alternate upgrades.*

- It is very important to keep the "classification" of the buildings as 3-story with a basement level. An external view of the basement side looks like a 4-story structure, but it, by Bldg. Code, is not classified as a 4-story structure. The basement levels of this development will meet the definition of a "Basement" and are not planned to meet the definition of "Story Above Grade Plan" criteria in Chapter 2 of the Tennessee Building Code. Again, it is very important to keep this understood. The fire flow is a different conversation and we will have to use what is needed to meet the fire flow concerns, but this is a different conversation and, I don't believe, relevant to the discussion of construction type.

e) *Finally and most importantly, you compare your proposed alternate upgrades with the State adopted IBC rather than to the Farragut adopted Building Code as required by Section 104.11, the section that allows for the possibility of the approval of equivalent materials, design and methods of construction. For example, your letter states that the primary difference in the Type III Construction that Farragut requires and the Type V Construction allowed by the Tennessee adopted IBC, is that on Type III Construction the exterior, load bearing walls have a two (2) hour fire rating while Type V has zero (0) hours fire rating. On Page 3 of your letter you point out that your proposal provides that you would use Type VA Construction in which the exterior walls have a one (1) hour fire rating. This is clearly not equivalent in the words of Section 104.11.*

- Yes, the Town of Farragut's Code of Ordinances is beyond the State's requirements, but my comment was only referencing the State's Code Requirements as a statewide standard reference and that we were proposing to do more than the minimal State of Tennessee Building standard. It was clearly stated as such. It is not equivalent regarding building-to-building protection, but does provide additional safety to the tenants within each of the buildings. The buildings are much more than the minimum allowed between the buildings which does provide safer conditions. This is why I am saying the site is laid out in a rural type layout. If we use the 2-hr exterior wall

construction we can go much closer to each of the buildings. In smaller properties with heavier density, usually in more rural conditions, allowances, the Type-3 construction makes more sense than in this development.

The same fatal flaw of comparing your proposals with the State's requirements rather than with Farragut's requirements continues throughout Items 2, 3, and 4 on Page 3 of your letter.

- As noted above, yes, the Town of Farragut's Code of Ordinances is beyond the State's requirements, but my comment was only referencing the State's Code Requirements as a statewide standard reference and that we were proposing to do more than the minimal State of Tennessee Building standard. It was clearly stated as such.

As was explained in the original request in March, we are proposing alternatives to the Type-3B construction. Type-3B construction requires a 2-hour fire rated, non-combustible exterior walls (or fire treated framing members) and a type 13R (residential) fire suppression system would be required. However, it does NOT require fire walls, a 30-minute rated separation between dwelling units, fire protection of the structural members, or a type 13 (commercial) fire suppression system.

We propose not using Type-3 construction, but, as an alternate means and methods, we propose (1) adding fire walls to reduce the size of the fire areas, (2) increasing the dwelling unit separation to 1-hour, (3) increasing the fire protection of the structural members to 1-hour and (4) increasing the fire protection system (fire sprinkler system) to a type 13 (commercial) system. Note that the commercial, type 13 fire suppression system will, by code, be extended into more areas of the building than a residential, type 13R system would be required to do.

With the noted alternates, if a fire does jump from another structure the increased fire suppression system would be more efficient at extinguishing the flames. Additionally, if a fire does start within the buildings, the added fire rated separation between dwelling units and the fire walls would increase the protection and decrease the possibility of the fire spreading from dwelling unit to dwelling unit and through the entire building. However, the increased fire suppression system will also be even more likely to extinguish the fire before it gets to the dwelling unit separation walls or fire walls. Finally, the additional fire protection of the structural members of the building would allow more time for the flames to be extinguished in order to better protect the building and, therefore, the occupants and the first responders.

In addition to the above alternatives, we have designed the development such that the distance between buildings is, at a minimum, thirty feet apart, which is well outside the minimum distance we would be allowed to separate the buildings. With all the above reasoning, in my professional opinion, the proposed alternatives would provide an equivalent, or increased, condition for (1) for the life safety and protection of the occupants of the buildings, (2) provide a safer environment for the first responders in an emergency situation within the a building, and (3) be more likely to extinguish a fire before it has a chance to spread to another building.

I hope this helps explain the development teams proposal. Thank you for your consideration.

Sincerely,



Patrick D. Iannelli, AIA
President

Attachments:

1. None

WHERE IS
ALL OF THIS
IN THE ORIGINAL
PROPOSAL?
HARD TO THINK
THINKS THAT
BEING PROTECT
GET
PLAN...

CG FARRAGUT, LLC.,

615.400.1078
[perrygroup.inc@
gmail.com](mailto:perrygroup.inc@gmail.com)

7320 McGinnis Ferry Road
Suwanee, GA 30024
Phone: (678) 672-6240 Fax:
(770) 622-4997

January 9, 15

Mark Shipley and Ashely Short

The Township of Farragut

11408 Municipal Center Drive, Farragut, TN 37934

(865) 966-7057

Dear Mr. Shipley and Mrs. Short,

Over the past year our company has worked with your team to reclassify the multi-family zoning for the Town of Farragut. Over the past several month, our attention has been drawn to the fact that the Town of Farragut will not allow any structure over 7,000 square feet to be built using the International Building Code Type IV or V. Our dilemma exists as the following: Our buildings would normally be required to be built using type VB construction with a residential sprinkler (13r) system.

Our request would be to allow for the following: multi-family projects to be designed to Type VA construction with an NFPA 13r system. This Type VA allows us to build it with non-treated wood studs with a 1-hour protection of all structural components.

The International Building Code Council allows each building type a similar gross building area. A building of Type IIIB construction and NFPA 13r sprinkler system = 64,000 gross square feet. A building with Type VA construction and NFPA 13r sprinkler system = 48,000 gross square feet. Our buildings are significantly under these square footage numbers and have a ¾ split level that is a safer configuration than the direct 4 story design that would be allowed.

We are also concerned about the long term durability of the fire treated wood that is required for the Type IIIB construction. The major change between the two configurations is that the exterior, load bearing walls of a Type IIIB building must use fire treated wood. Our concern is this structural system adds cost, but does not add quality. In fact it adds uncertainty to the project because in the future the chemicals required to treat the wood may cause premature deterioration and possibly an environmental hazard. These products currently are not believed to have these issues, but previous fire treated lumber has had considerable problems over long spans of time. We are expressing this concern because we hope these buildings will be an enduring asset to Farragut and its community.

We believe the International Building Code Council expresses its trust in the safety of a building's construction by allowing more square feet in safer buildings. Since the two building configurations have very similar square footage allowances it is our opinion that we can build these buildings with an essentially equal level of safety as currently required without the concern of using untested products in the structural system by using construction Type VA with a 13r system. We believe this construction method is a more sustainable solution for this development and the Town of Farragut.

Typically, I would have made this request during our zoning hearings, but unfortunately my team and I over looked the construction aspect of Farragut's zoning. It was our initial understanding that this Type IIIB construction was for commercial products such as hotels and restaurants, not multi-family. Multi-family does not generate the types of per square foot rents to absorb this extra cost to the construction budget. Our contractor estimates it to be about \$250,000 per building. We have nine buildings for a total of \$2,250,000 in extra costs. I wish we could garner the rents that other retail and hotel charge, but that is just not the case.

Our hope is to continue the project under the terms we have stated. Our goal is to design a project which the people of the Town of Farragut can be proud of, and that stands the test of time. Thank you for your time and attention in this matter.

Sincerely yours,



Jason Perry



S37°30'35"W
MARK P & JUNE C DINGHAM
TAX MAP 80, PARCEL 124
DEED BOOK 2280, PAGE 180
MAP# 0-245-C
FARRAGUT ZONING D-1

S8 84°18' PATEL
TAX MAP 80, PARCEL 123
INSTRUMENT #200072006010
MAP DISTRICT #20007210037518
FARRAGUT ZONING C-2

Scale 1"=100'

Holiday Inn

170'

115'

95'

Building Valuation Data – June 2016

The International Code Council is pleased to provide the following Building Valuation Data (BVD) for its members. Please be advised that the BVD is normally updated at six-month intervals, but the BVD normally provided in February was delayed. The next BVD will be issued in August, per our normal schedule. ICC strongly recommends that all jurisdictions and other interested parties actively evaluate and assess the impact of this BVD table before utilizing it in their current code enforcement related activities.

The BVD table provides the "average" construction costs per square foot, which can be used in determining permit fees for a jurisdiction. Permit fee schedules are addressed in Section 109.2 of the 2015 *International Building Code* (IBC) whereas Section 109.3 addresses building permit valuations. The permit fees can be established by using the BVD table and a Permit Fee Multiplier, which is based on the total construction value within the jurisdiction for the past year. The Square Foot Construction Cost table presents factors that reflect relative value of one construction classification/occupancy group to another so that more expensive construction is assessed greater permit fees than less expensive construction.

ICC has developed this data to aid jurisdictions in determining permit fees. It is important to note that while this BVD table does determine an estimated value of a building (i.e., Gross Area x Square Foot Construction Cost), this data is only intended to assist jurisdictions in determining their permit fees. This data table is not intended to be used as an estimating guide because the data only reflects average costs and is not representative of specific construction.

This degree of precision is sufficient for the intended purpose, which is to help establish permit fees so as to fund code compliance activities. This BVD table provides jurisdictions with a simplified way to determine the estimated value of a building that does not rely on the permit applicant to determine the cost of construction. Therefore, the bidding process for a particular job and other associated factors do not affect the value of a building for determining the permit fee. Whether a specific project is bid at a cost above or below the computed value of construction does not affect the permit fee because the cost of related code enforcement activities is not directly affected by the bid process and results.

Building Valuation

The following building valuation data represents average valuations for most buildings. In conjunction with IBC Section 109.3, this data is offered as an aid for the building official to determine if the permit valuation is underestimated. Again it should be noted that, when using this data, these are "average" costs based on typical construction methods for

each occupancy group and type of construction. The average costs include foundation work, structural and nonstructural building components, electrical, plumbing, mechanical and interior finish material. The data is a national average and does not take into account any regional cost differences. As such, the use of Regional Cost Modifiers is subject to the authority having jurisdiction.

Permit Fee Multiplier

Determine the Permit Fee Multiplier:

1. Based on historical records, determine the total annual construction value which has occurred within the jurisdiction for the past year.
2. Determine the percentage (%) of the building department budget expected to be provided by building permit revenue.
- 3.

$$\text{Permit Fee Multiplier} = \frac{\text{Bldg. Dept. Budget} \times (\%)}{\text{Total Annual Construction Value}}$$

Example

The building department operates on a \$300,000 budget, and it expects to cover 75 percent of that from building permit fees. The total annual construction value which occurred within the jurisdiction in the previous year is \$30,000,000.

$$\text{Permit Fee Multiplier} = \frac{\$300,000 \times 75\%}{\$30,000,000} = 0.0075$$

Permit Fee

The permit fee is determined using the building gross area, the Square Foot Construction Cost and the Permit Fee Multiplier.

$$\text{Permit Fee} = \text{Gross Area} \times \text{Square Foot Construction Cost} \times \text{Permit Fee Multiplier}$$

Example

Type of Construction: IIB
 Area: 1st story = 8,000 sq. ft.
 2nd story = 8,000 sq. ft.
 Height: 2 stories
 Permit Fee Multiplier = 0.0075
 Use Group: B

1. Gross area:
 Business = 2 stories x 8,000 sq. ft. = 16,000 sq. ft.
2. Square Foot Construction Cost:
 B/IIB = \$160.26/sq. ft. Permit Fee:
 Business = 16,000 sq. ft. x \$160.26/sq. ft x 0.0075
 = \$16,022.4

Important Points

- The BVD is not intended to apply to alterations or repairs to existing buildings. Because the scope of alterations or repairs to an existing building varies so greatly, the Square Foot Construction Costs table does not reflect accurate values for that purpose. However, the Square Foot Construction Costs table can be used to determine the cost of an addition that is basically a stand-alone building which happens to be attached to an existing building. In the case of such additions, the only alterations to the existing building would involve the attachment of the addition to the existing building and the openings between the addition and the existing building.
- For purposes of establishing the Permit Fee Multiplier, the estimated total annual construction value for a given time period (1 year) is the sum of each building's value (Gross Area x Square Foot Construction Cost) for that time period (e.g., 1 year).
- The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

Square Foot Construction Costs ^{a, b, c, d}

Group (2015 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	226.92	219.10	213.80	205.04	192.95	187.36	198.56	176.18	169.73
A-1 Assembly, theaters, without stage	207.97	200.15	194.85	186.09	174.15	168.55	179.61	157.38	150.92
A-2 Assembly, nightclubs	177.89	172.85	168.07	161.49	151.98	147.78	155.80	137.68	132.99
A-2 Assembly, restaurants, bars, banquet halls	176.89	171.85	166.07	160.49	149.98	146.78	154.80	135.68	131.99
A-3 Assembly, churches	209.94	202.13	196.83	188.07	176.32	170.72	181.59	159.54	153.09
A-3 Assembly, general, community halls, libraries, museums	175.12	167.31	161.01	153.25	140.50	135.90	146.77	123.72	118.27
A-4 Assembly, arenas	206.97	199.15	192.85	185.09	172.15	167.55	178.61	155.38	149.92
B Business	181.12	174.43	168.67	160.26	146.18	140.70	153.97	128.34	122.72
E Educational	192.29	185.47	180.15	172.12	160.72	152.55	166.18	140.46	136.18
F-1 Factory and industrial, moderate hazard	108.98	103.99	97.83	94.17	84.37	80.56	90.16	69.50	65.44
F-2 Factory and industrial, low hazard	107.98	102.99	97.83	93.17	84.37	79.56	89.16	69.50	64.44
H-1 High Hazard, explosives	102.01	97.02	91.86	87.20	78.60	73.79	83.19	63.73	N.P.
H234 High Hazard	102.01	97.02	91.86	87.20	78.60	73.79	83.19	63.73	58.67
H-5 HPM	181.12	174.43	168.67	160.26	146.18	140.70	153.97	128.34	122.72
I-1 Institutional, supervised environment	180.72	174.14	169.28	161.12	149.06	145.04	161.12	133.69	129.43
I-2 Institutional, hospitals	304.80	298.11	292.36	283.95	268.92	N.P.	277.65	251.09	N.P.
I-2 Institutional, nursing homes	211.20	204.51	198.75	190.34	177.26	N.P.	184.05	159.42	N.P.
I-3 Institutional, restrained	206.08	199.38	193.63	185.22	172.62	166.14	178.93	154.78	147.16
I-4 Institutional, day care facilities	180.72	174.14	169.28	161.12	149.06	145.04	161.12	133.69	129.43
M Mercantile	132.61	127.57	121.79	116.21	106.35	103.15	110.52	92.05	88.36
R-1 Residential, hotels	182.28	175.70	170.83	162.68	150.87	146.84	162.68	135.49	131.23
R-2 Residential, multiple family	152.86	146.27	141.41	133.25	122.04	118.01	133.25	106.66	102.41
R-3 Residential, one- and two-family	143.93	139.97	136.51	132.83	127.95	124.61	130.57	119.73	112.65
R-4 Residential, care/assisted living facilities	180.72	174.14	169.28	161.12	149.06	145.04	161.12	133.69	129.43
S-1 Storage, moderate hazard	101.01	96.02	89.86	86.20	76.60	72.79	82.19	61.73	57.67
S-2 Storage, low hazard	100.01	95.02	89.86	85.20	76.60	71.79	81.19	61.73	56.67
U Utility, miscellaneous	77.82	73.48	69.04	65.52	59.23	55.31	62.58	46.83	44.63

- a. Private Garages use Utility, miscellaneous
b. Unfinished basements (all use group) = \$15.00 per sq. ft.
c. For shell only buildings deduct 20 percent
d. N.P. = not permitted

11.35 more to go
from VA to III-B just
using the code value before
they make their modifications