



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA**

October 8, 2020

**BMA WORKSHOP
6:00 PM
McFee Park Improvement Project**

**BMA MEETING
7:00 PM**

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. September 24, 2020
- IV. Mayor's Report**
 - A. Extra Mile Day Proclamation
- V. Ordinances**
 - A. Public Hearing & Second Reading
 - 1. Ordinance 20-19, an Ordinance Amending the General Fund and State Street Aid Fund for the Fiscal Year 2020-2021 Budget, Passed by Ordinance 20-07
 - B. First Reading
 - 1. Ordinance 20-17, an Ordinance to amend the Farragut Municipal Code, Appendix A., Zoning, Chapter 4., Section XXIV.-Special Event Permit, to update the requirements and allow for food trucks for special events sponsored by a homeowner's association
 - 2. Ordinance 20-18, Ordinance to Rezone the Property at 1013 McFee Road from Agricultural (A) to Open Space Residential Overlay (R-1/OSR). 24.85 Acres (Rackley Engineering, Applicant)
 - 3. Ordinance 20-20, an ordinance to amend the text of the Comprehensive Land Use Plan Update as it relates to the Mixed-Use Town Center land use descriptions

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 contact the ADA Coordinator at jcurry@townoffarragut.org or 865-966-7057 in advance of the meeting.

4. Ordinance 20-21, an Ordinance Amending the General Fund & Insurance Fund for the Fiscal Year 2020-2021 Budget, Passed By Ordinance 20-07

VI. Business Items

- A. Approval of Change Order No. 1 & 2, Contract 2020-12, McFee Park Phase 3.
- B. Approval of Change Order No. 4, Contract 2020-12, McFee Park Phase 3.
- C. Approval of Change Order No. 3, Contract 2020-12, McFee Park Phase 3.
- D. Approval of Supplement Request for Additional Design Services from Ross-Fowler, PC at McFee Park Project.
- E. Approval of Agreement with Fox Den Country Club for Construction of Replacement Waterline at Virtue Road.
- F. Approval of Bids for Contract 2021-06, Virtue Road Improvements

VII. Town Administrator's Report

VIII. Town Attorney's Report

IX. Citizens Forum

This meeting can be viewed live on Charter channel 193 and TDS channel 3. The meeting will be held virtually, authorized by Governor Lee's executive orders regarding the COVID-19 pandemic. Meeting comments, including your name and address, may be emailed to comments@townoffarragut.org and must be received by 12:00pm on October 8 to be included in the record of the meeting.

The Board of Mayor and Aldermen welcomes and invites Farragut residents to participate in public meetings.

At the end of each business meeting, there will be time reserved for public comment under the Citizen Forum agenda item. If you are interested in speaking, please fill out a blue comment card and turn it in to the Town Recorder or staff member. This time is set aside specifically for comments on items that are not on the Board of Mayor and Aldermen regular agenda for the meeting. Each speaker will be given five (5) minutes to speak on his/her topic.

During the regular agenda portion of the meeting there may be an allowance for public comment for each agenda item. The Mayor may recognize individuals for public comment based on the following guidelines.

1. The Mayor shall maintain and control the meeting to provide a professional and objective environment;
2. Any Farragut resident interested in speaking should fill out a blue comment card stating which agenda item they would like to comment on and turn in to the Town Recorder or a staff member;
3. Speakers shall come to the podium and identify themselves by name and street address;
4. Public comment shall be limited to five (5) minutes per individual. Time for public comment may be amended at the discretion of the Mayor. Time is not transferable to other speakers;
5. Speakers should strive to avoid redundancy; each speaker should have their own original viewpoint;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose issues or measures, but the motives of those with differing views shall not be questioned or attacked;
8. Personal attacks and malicious comments shall not be tolerated;
9. An applicant, and/or their representative(s), for an item on the regular agenda shall be afforded the time necessary to present their request and respond to questions. The five (5) minute limitation shall not apply. However, the Mayor may ask an applicant to stay on point in order to facilitate the efficiency of the meeting.

Each speaker will be asked if they can agree to abide by the Comment Protocol. If so, please be prepared to speak when your name is called.

MEETING DATE October 8, 2020

BMA WORKSHOP

PREPARED BY: David Smoak, Town Administrator



SUBJECT: Discussion of Change Orders for the McFee Park Improvement Project

INTRODUCTION: The purpose of this agenda item is to discuss potential change orders to the McFee Park Phase 3 Improvement project that is currently under construction.

DISCUSSION: The Town of Farragut approved a contract with Merit Construction on March 12, 2020 for Phase 3 improvements to McFee Park for a total amount of \$7,385,000. These improvements include a great lawn, four court tennis complex, restroom pavilion, loop road to connect the existing portion of McFee Park and associated parking. Grading of the site is almost complete and there have been some minor change orders that are included on the Board of Mayor and Aldermen's agenda for October 8.

Initial plans for the park also included a basketball court to be included near the tennis complex. Given the large-scale grading that needed to be performed with this project, there was a 5% contingency of \$369,250 for any unforeseen issues that may come up during construction. As most of the major earthwork has been completed without additional work having to be performed, staff feels confident that some of the contingency money could be utilized to provide more amenities to the park if it is the desire of the Board of Mayor and Aldermen.

Staff received additional bids from Merit Construction to add some small fencing areas to the tennis court facilities that will help with playability as well as added concrete pads for additional bench seating around the courts. The contractor has also included bid pricing for adding a basketball court, with different add alternates which include adding an acrylic surface to the court (sport court), fencing the facility and court lighting (see attachment for cost breakdown). By getting bids for each of these items separately, the Board will have the flexibility to select which items are most important to include, while also being mindful that there should be adequate reserves still available for future change orders if needed.

Based on the budget for the project, the current available balance for McFee Park Ph. 3 Improvements is \$366,785.34. If the entire basketball project is approved the balance would be \$27,685. To provide for an adequate reserve through the remainder of construction, I would recommend not lighting the basketball court at this time, which would allow for reserves of \$121,880.34.

After discussion at the workshop, this item will be on the Board of Mayor and Aldermen's agenda for consideration on October 8, 2020.

McFee Park Phase 3

October 8, 2020

Change Order 003**Attachment A**

Re: Cost Proposal Number 8

We are enclosing herewith changes to the subject project. We have reviewed the contractor's proposed changes and find the proposed changes in the Contract Sum and Time to be appropriately documented and reasonable.

The following changes are requested:

CP 008 Basketball Court Addition and Tennis Court Changes

The changes requested by the Town are to make certain changes at the tennis court and to add a basketball court as described below.

The requested changes to the tennis courts include:

- adding an indentation in the fence line at the north and south ends of the tennis courts,
- the addition of four concrete pads for spectator seating between the sidewalk and the tennis courts,
- modifying the shade structures to provide more shade.

The requested addition of the basketball court includes:

- Base price- One asphalt basketball court
- Add #1- Sport court surface
- Add #2- Perimeter fence
- Add #3- Court Lighting

These proposed changes increase the Contract Sum by the following amounts:

Base Bid (Tennis Court Changes and Asphalt Basketball Court)- \$208,405.00

Basketball Court Add #1- \$9,900.00

Basketball Court Add #2- \$19,700.00

Basketball Court Add #3- \$94,286.00

The Contract Time shall be increased by sixty (60) days limited to this scope of work. The date of Substantial Completion is unchanged by this Change Order.



McFee Park Phase 3 Improvements

10/2/2020

Contracts to Date:

Ross Fowler Contract	669,874.00
Survey & Foundation Expenditures	72,155.25
Merit Construction	7,385,000.00

Excluding Contingency

Total Budget 8,650,000.00

Expenditures to Date	2,870,695.60
Contracts Exp. Remaining	5,256,770.06
FFE	100,000.00
Change Order #1 & #2	15,749.00
Change Order #4	40,000.00

Available Balance 366,785.34

Ross Fowler Design Fee Amendment 6,900.00

Change Order #3 Basketball Court & Tennis Facility Changes

Base Bid Pricing	208,405.00
Add Alternate #1-Acrylic Surface	9,900.00
Add Alternate #2-Fencing Enclosure	19,700.00
Add Alternate #3-Court Lighting	94,286.00

Total with Lighting 339,191.00

Total Without Lighting 244,905.00

Change Order #1 & #2-Power service & storm drain
Change Order #3-Basketball Court & Tennis Facility
Change Order #4 Utility Relocation

Board of Mayor and Aldermen September 24, 2020 Minutes

Mayor Williams called the meeting to order at 7:00 PM.

Roll Call

Roll Call for attendance: Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; Aldermen Burnette, no; in addition to staff and members of the press. The meeting was held via WebEx Governor Lee's orders and the Knox County Health Department's orders regarding the COVID-19 pandemic.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Povlin, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Mayor Williams, yes; no nays; Aldermen Burnette, was absent; motion passed.

Approval of Minutes

Motion was made to approve the minutes of September 10, 2020 as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; Aldermen Burnette, was absent; motion passed.

Ordinances

Public Hearing & Second Reading

Ordinance 20-12, an Ordinance to rezone the property at 11824 Kingston Pike, Parcel 025, Tax Map 152C, Group J., 1.81 Acres from Office (O-1) to General Single-Family Residential (R-2) (Troy and Evangella Stavros, Applicant)

Motion was made to approve Ordinance 20-12 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; Aldermen Burnette, was absent; motion passed.

Ordinance 20-13, an Ordinance to rezone Parcel 021.03 and a portion of Parcel 021.01, Tax Map 153, from Rural Residential (R-1) to General Single-Family Residential (R-2), 7.35 Acres (Rackley Engineering, Applicant)

Motion was made to approve Ordinance 20-13 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; Aldermen Burnette, was absent; motion passed.

Ordinance 20-14, an Ordinance to amendment to the Farragut Municipal Code, Chapter 22., Article 5. – Driveways and Other Access Ways, Section 22-150, Specifications; permanent

access, (2) Access to and from property being developed, as it relates to circular drives on corner lots with more than 350 feet of total street frontage (Town of Farragut, Applicant)

Motion was made to approve Ordinance 20-14 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; Aldermen Burnette, was absent; motion passed.

Ordinance 20-15, an Ordinance to amendment to the Farragut Municipal Code, Chapter 113 – Tree Protection, Section 113-4. – Applicability, as it relates to provisions for utilities (Town of Farragut, Applicant)

Motion was made to approve Ordinance 20-15 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; Aldermen Burnette, was absent; motion passed.

First Reading

Ordinance 20-19, an Ordinance Amending the General Fund and State Street Aid Fund for the Fiscal Year 2020-2021 Budget, Passed By Ordinance 20-07

Motion was made to approve Ordinance 20-19 on first reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; Aldermen Burnette, was absent; motion passed.

Business Items

Approval of Amendments to the Town of Farragut Traffic Calming Policy

After some discussion, Allison Myers, Town Recorder, read a comment from Farragut citizen Rich Crompton, 11118 Farragut Hills Blvd. in support of the traffic calming changes.

Motion was made to approve amendments to the Town of Farragut Traffic Calming Policy. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; Aldermen Burnette, was absent; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced the Farragut Business Alliance Farragut Fall Festival free event Sunday, October 4 from 3:00-8:00 PM.

Citizens Forum

The following citizens submitted comments to be read during the citizen forum:

Rich Crompton, 11118 Farragut Hills Blvd.

Patrick Lee, 405 Ensign Lane

Lori Moczaslo, 11422 Hawkstowe Lane

Blake Ford, 11037 Crosswind Dr

Hayden Oakley, 11103 Crown Point

Hal Aikens, 10901 Lookout Point

Mike Mitchell, 716 Brixworth Blvd

Nicole Barbee, 406 Monitor Lane

Al & Connie Fanjoy

Mike & Mary Sneed, 11130 Crown Point Dr

Rich Hoffman, 403 Ensign Lane

Dustin Mills, 500 Smith Road

Richard Croley, 11121 Hughlan Dr

Jay Ferguson, 10840 Farragut Hills Blvd.



Town of Farragut

PROCLAMATION

2020 “EXTRA MILE DAY”

WHEREAS, Farragut, Tennessee, is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, Farragut, Tennessee, is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Farragut, Tennessee, is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, Farragut, Tennessee, acknowledges the mission of Extra Mile America to create 500 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2020.

NOW THEREFORE, I, Ron Williams, Mayor of Farragut, Tennessee, do hereby proclaim November 1, 2020, as:

Extra Mile Day

And urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

Signed this 8th day of October 2020.

Ron Williams, Mayor

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder/Treasurer

SUBJECT: Second Reading of Ordinance 20-19, Ordinance to Amend the General Fund and the State Street Aid for the Fiscal Year 2020-2021 budget, passed by Ordinance 20-07

INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 20-19 on second and final reading to amend the Fiscal Year 2021 General Fund and State Street Aid Fund Budgets.

DISCUSSION:

The **General Fund** will be amended by increasing the appropriated expenditures from \$7,286,228 to \$7,316,228, an increase of \$30,000.

- **Event Decor**

- **\$30,000-** The increase in the expenditures is for the expansion of the Light the Park event towards I-40 and south towards Kingston Pike to allow for a walkable Light the Park experience and for greater social distancing opportunities due to COVID-19 restrictions. The Town will be requesting grant funding from the State of Tennessee for the expansion of the event.

FINANCIAL SECTION:

With the \$30,000 adjustment, the amended fund balance for the General Fund is \$19,711,203.

Account Number: General Fund Budget		
<u>Original FY2021 Budget</u>	<u>Requested Amendment</u>	<u>FY2021 Amended Budget</u>
\$7,286,228	\$30,000	\$7,316,228
Approved By: <u>Allison Myers</u>		

The **State Street Aid Fund** will be amended by increasing the appropriated expenditures from \$1,015,500 to \$1,752,500, an increase of \$737,000.

- **Resurfacing**

- **\$737,000-** For the past few years, in hopes of receiving better bids, the resurfacing contract has provided for a more flexible and longer construction season. Due to this change, the resurfacing of the Town's streets typically spans multiple fiscal years. The resurfacing balance for FY20 was \$1,287,859. The resurfacing budget for FY21 will be amended from \$800,000 to \$1,537,000, an increase of \$737,000. The remaining invoices for the previous year's contract will be paid in the current fiscal year so the balance will be transferred from FY2020 to FY2021.

FINANCIAL SECTION:

Account Number: State Street Aid Fund Budget

Original FY2021 Budget

\$1,015,500

Requested Amendment

\$737,000

FY2021 Amended Budget

\$1,752,500

Approved By: Allison Myers

RECOMMENDATION BY: Allison Myers, Town Recorder/Treasurer, for approval.

PROPOSED MOTION: Motion to approve Ordinance 20-19 on second and final reading.

BOARD ACTION:

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

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

ORDINANCE	20-19
PREPARED BY	Myers
1 ST READING	September 24, 2020
2 nd READING	October 8, 2020
PUBLISHED IN	Shopper News Farragut
DATE	

**AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE
AMENDING THE FISCAL YEAR 2020-2021 BUDGET, PASSED BY ORDINANCE 20-07**

WHEREAS, the Town of Farragut adopted the fiscal year 2020-21 budget by passage of Ordinance Number 20-07 on June 11, 2020; and

WHEREAS, pursuant to the Tennessee State Constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, expenses for the Capital Investment Program and ADA Capital Projects Fund will be greater than budgeted; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2019-2020 BUDGET AS FOLLOWS:

SECTION 1. Ordinance 20-07 is hereby amended by:

- The **General Fund** will be amended by increasing the appropriated expenditures from \$7,286,228 to \$7,316,228, an increase of \$30,000.
- The **State Street Aid Fund** will be amended by increasing the appropriated expenditures from \$1,015,500 to \$1,752,500 an increase of \$737,000.

SECTION 2. The Board of Mayor and Aldermen authorizes the Town Recorder to make said changes in the accounting system.

SECTION 3. This ordinance shall take effect after its final passage and publication, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Mark Shipley, Community Development Director**SUBJECT:** Ordinance 20-17, an ordinance on first reading to amend the Farragut Municipal Code, Appendix A., Zoning, Chapter 4., Section XXIV. – Special Events Permit, to update the requirements and allow for food trucks for special events sponsored by a homeowner’s association

INTRODUCTION AND BACKGROUND: This item reflects an initial objective of revisiting the existing special events permit requirements to provide for food trucks in residential areas if part of an approved special event sponsored or hosted by a homeowner association (HOA).

Currently, food trucks are only permitted for commercial, office, and not for profit/non-profit entities if part of an approved special event. During the COVID pandemic, more people are staying at home and the thought was that food trucks should be permitted as an option for HOA’s, provided a permit and filing fee was secured. This would help to establish a process and parameters for these activities in residential settings.

While addressing this item, staff felt that other language in this section of the Zoning Ordinance should be updated to reflect current practices and the recent changes made to the Town’s sign ordinance with regards to signage permitted for temporary events. Included in your packet is a copy of the existing provisions and the proposed provisions. Staff has simplified the sections into “non-residential uses” and “residential uses.” The new sign ordinance provisions are now cross referenced in the special events permit section and clarification has been added in relation to the permitting process as it applies to events with food trucks and those that may involve or affect public property.

RECOMMENDATION: At their meeting on September 17, the Planning Commission unanimously recommended approval of Ordinance 20-17 with the request that staff re-visit the language addressing the time limit for special events so that it was clear if some distinction would be needed between an event time frame and the time frame when a special events sign could be displayed. Staff reviewed the language in Ordinance 20-17 and concluded that no modifications would be needed. Community Development Director, Mark Shipley, recommends approval of Ordinance 20-17 on first reading.

PROPOSED MOTION: To approve Ordinance 20-17 on first reading.

BOARD ACTION:

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

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

RESOLUTION PC-20-13

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING THE FARRAGUT MUNICIPAL CODE, APPENDIX A., ZONING, CHAPTER 4., SECTION XXIV. – SPECIAL EVENTS PERMIT, TO REPLACE IT IN ITS ENTIRETY

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

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

WHEREAS, a public hearing was held on this request on September 17, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of an ordinance, amending Ordinance 86-16, of the Farragut Zoning Ordinance, by adding Ordinance 20-19.

ADOPTED this 17th day of September 2020.

Rita Holladay, Chairman

Scott Russ, Secretary

ORDINANCE:	20-17
PREPARED BY:	Shipley
REQUESTED BY:	Staff
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING THE FARRAGUT MUNICIPAL CODE, APPENDIX A., ZONING, CHAPTER 4., SECTION XXIV. – SPECIAL EVENTS PERMIT, TO REPLACE IT IN ITS ENTIRETY

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 4., Section XXIV. – Special Events Permit, of the Farragut Zoning Ordinance, Ordinance 86-16,

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

SECTION 1.

The Farragut Municipal Code, Appendix A, Zoning, Chapter 4, Section XXIV. – Special events permit, is amended by replacing it in its entirety with the following:

Sec. XXIV. - Special events permit.

It is the intent of this section to establish the permitting process and the requirements for special events held by private entities within the Town of Farragut. A special event may include a wide range of activities such as, but not limited to, a grand opening, sidewalk sale, fund raiser, yard sale, vacation bible school, holiday pageant or program, etc.

A. *Non-Residential Uses, including Schools and Churches, and Not-For-Profit/Non-Profit Entities.*

1. *General Requirements.*

- a. Each individual permanent non-residential use with a valid Certificate of Occupancy is eligible for a special event. In addition, off-site not-for-profit and non-profit entities are eligible for a special event but shall be sponsored by an on-site commercial, office, or service entity.
- b. There shall be a maximum of four special events permits per entity per year.
- c. The duration of each special event shall not exceed ten calendar days.
- d. No special events are permitted on vacant or vacated properties.

- e. Sales from food trucks are permitted if part of an approved special event and shall be subject to a fee, as provided for in the adopted Town of Farragut Fee Schedule.
 - f. Activities of the special event shall not materially affect the pedestrian or vehicular circulation within the immediate vicinity of the event. The traffic generation of the special event shall not be allowed to create a hazardous condition for traffic in the public rights-of-way.
2. *Sign Requirements.*
- a. Sign provisions shall be in accordance with the applicable sections of the Farragut Sign Ordinance. Special events permit signs shall be considered temporary parcel signs. All signs shall have a white background and signs for commercial uses shall include, on at least 15% of the sign face, the Shop Farragut logo.
 - b. All signs and any supporting posts shall be removed at the end of each approved special event time frame.
3. *Permitting Process.* A special events permit application and filing fee shall be submitted to and approved by the Town prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding an event.
- All special events permit applications shall include the following information:
- a. Applicant's name, street address, telephone number, fax number, and e-mail address.
 - b. Name, street address, telephone number, fax number, e-mail address, and signature of individual identified who assumes the responsibility of meeting the conditions of the permit.
 - c. Applicant status (commercial, office, service, not-for-profit, non-profit, etc.).
 - d. Location of event.
 - e. Nature/name of event.
 - f. Date range of event.
 - g. Previous special events permit(s) approved during the calendar year.
 - h. Where a sign is proposed, the application submittal shall be in accordance with the Farragut Sign Ordinance and the applicable provisions of this chapter. Special events permit signs shall be considered temporary parcel signs.
 - i. If having a tent(s), sidewalk sales, food trucks, or any other outdoor activities, a site plan is required to show the locations for such activities. A separate tent permit may be required per fire safety requirements.
 - j. If having a food truck(s), a list and full contact information is required for each of the vendors along with a filing fee for each non-Town based food truck vendor.

- k. Events on or involving/affecting public property, such as road races, bicycle ride events, concerts, etc., will require additional reviews and information and shall be coordinated with the Town staff. Some events may be subject to approval from the Board of Mayor and Aldermen.

B. *Residential Uses.*

1. *General Requirements.*

- a. Each homeowner association and individual residence is eligible for a special event.
- b. There shall be a maximum of five special events permits per homeowner association and a maximum of two per residence per year.
- c. The duration of each special event shall not exceed three calendar days.
- d. Special events permits can only be applied for and issued to the property owner of record.
- e. No special events are permitted on vacant or vacated properties. Open space owned by a homeowner association may be used for a special event provided the land, without modifications, can accommodate the proposed activity.
- f. Sales from food trucks are permitted if part of an approved special event sponsored or hosted by a homeowner association and shall be subject to a fee, as provided for in the adopted Town of Farragut Fee Schedule, for each non-Town based food truck vendor.

2. *Sign Requirements.*

- a. Sign provisions shall be in accordance with the applicable sections of the Farragut Sign Ordinance. Special events permit signs shall be considered temporary parcel signs.

3. *Permitting Process.* A special events permit application and filing fee shall be submitted to and approved by the Town prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding an event.

All special events permit applications shall include the following information:

- a. Applicant's name, street address, telephone number, fax number, and e-mail address. Where an event is sponsored or hosted by a homeowner association, include the name, street address, telephone number, fax number, e-mail address, and signature of the individual identified who has legal authority and who assumes the responsibility of meeting the conditions of the permit.
- b. Location of event.
- c. Nature/name of event.
- d. Date range of event.
- e. Previous special events permit(s) approved during the calendar year.
- f. If part of an event sponsored or hosted by a homeowner association, and having a tent, food truck, or any other outdoor activities, a site plan is required to show

the locations for such activities. A separate tent permit may be required per fire safety requirements.

- g. If having a food truck(s), a list and full contact information is required for each of the vendors along with a filing fee, as provided for in the adopted Town of Farragut Fee Schedule, for each non-Town based food truck vendor.
- h. Events on or involving/affecting public property, such as road races, street parties, etc., will require additional reviews and information and shall be coordinated with the Town staff. Some events may be subject to approval from the Board of Mayor and Aldermen.

SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this ____ day of _____, 2020, with approval recommended.

Rita Holladay, Chairman

Scott Russ, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

EXISTING LANGUAGE:

Sec. XXIV. - Special events permit.

It is the intent of this section to establish the permitting process and the requirements for special events held by private entities within the Town of Farragut. For a commercial or office entity, a special event may constitute a grand opening, a sidewalk sale, or some other type of activity that is unique to their establishment. For not-for-profit or non-profit entities, a special event may constitute a fund raiser of some sort such as a car wash. For residential uses, a special event may be a neighborhood function on subdivision owned open space or a yard sale or garage sale for an individual residence. For schools and freestanding churches and other places of worship, a special event may be Vacation Bible School, a holiday pageant or program, a child consignment sale, of some other type of activity that is unique to the services offered.

A. *Commercial, Office and Not-For-Profit/Non-Profit Entities.*

1. *General Requirements.*

- a. Each individual permanent commercial and office entity is eligible for a special event. Within the Regional Commercial District, Retail/Warehousing (C-2-R/W) and in the case of a multi-tenant facility, only the multi-tenant facility is eligible for a special event, not each individual tenant/entity. Off-site not-for-profit and non-profit entities are eligible for a special event, but shall be sponsored by an on-site commercial or office entity.
- b. There shall be a maximum of four special event permits per entity per year.
- c. The duration of each special event shall not exceed ten calendar days.
- d. No special events are permitted on vacant or vacated properties.
- e. Sales from food trucks are permitted if part of an approved special event and shall be subject to a fee, as provided for in the adopted Town of Farragut Fee Schedule.
- f. Activities of the special event shall not materially affect the pedestrian or vehicular circulation within the immediate vicinity of the event. The traffic generation of the special event shall not be allowed to create a hazardous condition for traffic in public rights-of-way.

2. *Sign Requirements.*

- a. There shall be a maximum of one sign per event not to exceed 20 square feet. For a two-sided sign, only the area of a single face shall be considered.
- b. For ground-mounted signs, the maximum sign height shall be six feet.
- c. Ground-mounted signs shall be set back a minimum of 20 feet from the street edge of pavement as measured from the farthest most protrusion of the sign to the nearest point of the street edge of pavement. Signs shall be set back a minimum of ten feet from all entrance driveways.
- d. All signs shall be a minimum [of] ten millimeter corrugated plastic. Ground mounted signs shall be affixed to studded T-posts. All signs shall be affixed in such a manner that they do not move in the wind.
- e. All signs shall have a white background.
- f. A minimum of 15 percent of the gross sign area shall include the Shop Farragut logo and website address. The sign shall also include the business name.
- g. Sign letters shall meet the Visual Resources Review Board's adopted legibility requirements.

- h. No banners, streamers, balloons, flags-on-a-rope, other types of wind activated displays, or any sign prohibited in the Farragut Sign Ordinance is permitted.
 - i. All signs and any associated support posts shall be removed at the end of the special event.
3. *Permitting Process.* A special events permit application and filing fee shall be submitted to the Town Hall prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding an event.

All special event permit applications shall include the following information:

- a. Applicant's name, street address, telephone number, fax number, and e-mail address.
- b. Name, street address, telephone number, fax number, e-mail address, and signature of individual identified who assumes the responsibility of meeting the conditions of the permit.
- c. Applicant status (commercial, office, not-for-profit, non-profit).
- d. Location of event.
- e. Nature/name of event.
- f. Date range of event.
- g. Previous special event permits approved during the calendar year.
- h. If applicable, a drawing of the sign which includes dimensions that show the length and width of the sign, the height and width of all letters and figures, and the overall height of the sign.
- i. If having tent(s), sidewalk sales, or any other outdoor activities, include a site plan showing locations for such activities. A separate tent permit may be required per fire safety requirements.

B. *Residential Uses.*

1. *General Requirements.*

- a. Each homeowner association and individual residence is eligible for a special event.
- b. There shall be a maximum of two special event permits per homeowner association and residence per year.
- c. The duration of each special event shall not exceed three calendar days.
- d. Special events permits can only be applied for and issued to the property owner of record.
- e. No special events are permitted on vacant or vacated properties. Open space owned by a homeowner association may be used for a special event provided the land, without modifications, can accommodate the proposed activity.

2. *Sign Requirements.*

- a. There shall be a maximum of one sign per event not to exceed six square feet and four feet in height. For a two-sided sign, only the area of a single face shall be considered.
- b. Ground-mounted signs shall be set back a minimum of 20 feet from the street edge of pavement as measured from the farthest most protrusion of the sign to the nearest point of the street edge of pavement.
- c. No banners, streamers, balloons, flags-on-a-rope, other types of wind activated displays, or any sign prohibited in the Farragut Sign Ordinance is permitted.

- d. All signs and any associated support posts shall be removed at the end of the special event.
- 3. *Permitting Process.* A special events permit application and filing fee shall be submitted to the Town Hall prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding an event.

All special event permit applications shall include the following information:

- a. Applicant's name, street address, telephone number, fax number, and e-mail address. If a homeowner association, name, street address, telephone number, fax number, e-mail address, and signature of individual identified who has legal authority and who assumes the responsibility of meeting the conditions of the permit.
- b. Location of event.
- c. Nature/name of event.
- d. Date range of event.
- e. Previous special event permits approved during the calendar year.
- f. If a homeowner association and having tent(s) or any other outdoor activities, include a site plan showing locations for such activities.

C. *Freestanding Schools, Churches, and Other Places of Worship.*

1. *General Requirements.*

- a. Each freestanding school, church, and other place of worship is eligible for a special event.
- b. There shall be a maximum of four special event permits per entity per year.
- c. The duration of each special event shall not exceed ten calendar days.
- d. No special events are permitted on vacant or vacated properties.
- e. Activities of the special event shall not materially affect the pedestrian or vehicular circulation within the immediate vicinity of the event. The traffic generation of the special event shall not be allowed to create a hazardous condition for traffic in public rights-of-way.

2. *Sign Requirements.*

- a. There shall be a maximum of one sign per event not to exceed 16 square feet. For a two-sided sign, only the area of a single face shall be considered.
- b. For ground-mounted signs, the maximum sign height shall be six feet.
- c. Ground-mounted signs shall be set back a minimum of 20 feet from the street edge of pavement as measured from the farthest most protrusion of the sign to the nearest point of the street edge of pavement. Signs shall be set back a minimum of ten feet from all entrance driveways.
- d. All signs shall be a minimum [of] ten millimeter corrugated plastic. Ground-mounted signs shall be affixed to studded T-posts. All signs shall be affixed in such a manner that they do not move in the wind.
- e. Sign letters shall meet the Visual Resources Review Board's adopted legibility requirements.
- f. No banners, streamers, balloons, flags-on-a-rope, other types of wind activated displays, or any sign prohibited in the Farragut Sign Ordinance is permitted.

- g. All signs and any associated support posts shall be removed at the end of the special event.
- 3. ***Permitting Process.*** A special events permit application and filing fee shall be submitted to the Town Hall prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding an event.

All special event permit applications shall include the following information:

- a. Applicant's name, street address, telephone number, fax number, and e-mail address.
- b. Name, street address, telephone number, fax number, e-mail address, and signature of individual identified who assumes the responsibility of meeting the conditions of the permit.
- c. Location of event.
- d. Nature/name of event.
- e. Date range of event.
- f. Previous special event permits approved during the calendar year.
- g. If applicable, a drawing of the sign which includes dimensions that show the length and width of the sign, the height and width of all letters and figures, and the overall height of the sign.
- h. If having tent(s) or any other outdoor activities, include a site plan showing locations for such activities. A separate tent permit may be required per fire safety requirements.

(Ord. No. 86-16, 4-1986; Ord. of 2-2006; Ord. No. 11-22, § 1, 12-8-2011; Ord. No. 17-06, § 1, 4-27-2017)

PROPOSED LANGUAGE:

Sec. XXIV. - Special events permit.

It is the intent of this section to establish the permitting process and the requirements for special events held by private entities within the Town of Farragut. **A special event may include a wide range of activities such as but not limited to a grand opening, sidewalk sale, fund raiser, yard sale, vacation bible school, holiday pageant or program, etc.** ~~For a commercial or office entity, a special event may constitute a grand opening, a sidewalk sale, or some other type of activity that is unique to their establishment. For not-for-profit or non-profit entities, a special event may constitute a fund raiser of some sort such as a car wash. For residential uses, a special event may be a neighborhood function on subdivision owned open space or a yard sale or garage sale for an individual residence. For schools and freestanding churches and other places of worship, a special event may be Vacation Bible School, a holiday pageant or program, a child consignment sale, of some other type of activity that is unique to the services offered.~~

A. ~~Commercial, Office~~ **Non-Residential Uses, including Schools and Churches, and Not-For-Profit/Non-Profit Entities.**

1. *General Requirements.*

- a. Each individual permanent **non-residential use with a valid Certificate of Occupancy** ~~commercial and office entity is eligible for a special event. Within the Regional Commercial District, Retail/Warehousing (C-2 R/W) and in the case of a multi-tenant facility, only, not each individual tenant/entity.~~ **is eligible for a special event.** **In addition,** off-site not-for-profit and non-profit entities are eligible for a special event but shall be sponsored by an on-site commercial, office, **or service** entity.
- b. There shall be a maximum of four special event permits per entity per year.
- c. The duration of each special event shall not exceed ten calendar days.
- d. No special events are permitted on vacant or vacated properties.
- e. Sales from food trucks are permitted if part of an approved special event and shall be subject to a fee, as provided for in the adopted Town of Farragut Fee Schedule.
- f. Activities of the special event shall not materially affect the pedestrian or vehicular circulation within the immediate vicinity of the event. The traffic generation of the special event shall not be allowed to create a hazardous condition for traffic in public rights-of-way.

2. *Sign Requirements.*

- a. **Sign provisions shall be in accordance with the applicable sections of the Farragut Sign Ordinance. Special events permit signs shall be considered temporary parcel signs. All signs shall have a white background and signs for commercial uses shall include, on at least 15% of the sign face, the Shop Farragut logo.**
- b. **All signs and any supporting posts shall be removed at the end of each approved special event time frame.**

~~There shall be a maximum of one sign per event not to exceed 20 square feet. For a two-sided sign, only the area of a single face shall be considered.~~

~~b. For ground-mounted signs, the maximum sign height shall be six feet.~~

~~c. Ground-mounted signs shall be set back a minimum of 20 feet from the street edge of pavement as measured from the farthest most protrusion of the sign to the nearest point of the street edge of pavement. Signs shall be set back a minimum of ten feet from all entrance driveways.~~

- d. ~~All signs shall be a minimum [of] ten millimeter corrugated plastic. Ground-mounted signs shall be affixed to studded T-posts. All signs shall be affixed in such a manner that they do not move in the wind.~~
 - e. ~~All signs shall have a white background.~~
 - f. ~~A minimum of 15 percent of the gross sign area shall include the Shop Farragut logo and website address. The sign shall also include the business name.~~
 - g. ~~Sign letters shall meet the Visual Resources Review Board's adopted legibility requirements.~~
 - h. ~~No banners, streamers, balloons, flags on a rope, other types of wind-activated displays, or any sign prohibited in the Farragut Sign Ordinance is permitted.~~
 - i. ~~All signs and any associated support posts shall be removed at the end of the special event.~~
3. **Permitting Process.** A special events permit application and filing fee shall be submitted **to and approved by the Town** to the Town Hall prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding an event.

All special event permit applications shall include the following information:

- a. Applicant's name, street address, telephone number, fax number, and e-mail address.
 - b. Name, street address, telephone number, fax number, e-mail address, and signature of individual identified who assumes the responsibility of meeting the conditions of the permit.
 - c. Applicant status (commercial, office, service, not-for-profit, non-profit, **etc.**).
 - d. Location of event.
 - e. Nature/name of event.
 - f. Date range of event.
 - g. Previous special events permit(s) approved during the calendar year.
 - h. **Where a sign is proposed, the application submittal shall be in accordance with the Farragut Sign Ordinance and the applicable provisions of this chapter. Special events permit signs shall be considered temporary parcel signs. —If applicable, a drawing of the sign which includes dimensions that show the length and width of the sign, the height and width of all letters and figures, and the overall height of the sign.**
 - i. **If having tent(s), sidewalk sales, food trucks, or any other outdoor activities, a site plan is required to show the** ~~include a site plan showing~~ locations for such activities. A separate tent permit may be required per fire safety requirements.
 - j. **If having a food truck(s), a list and full contact information is required for each of the vendors along with a filing fee for each non-Town based food truck vendor.**
 - k. **Events on or involving/affecting public property, such as road races, bicycle ride events, concerts, etc., will require additional reviews and information and shall be coordinated with the Town staff. Some events may be subject to approval from the Board of Mayor and Aldermen.**
- B. **Residential Uses.**
1. **General Requirements.**
- a. Each homeowner association and individual residence is eligible for a special event.

- b. There shall be a maximum of ~~two~~ **five** special event permits per homeowner association **and a maximum of two per** residence per year.
- c. The duration of each special event shall not exceed three calendar days.
- d. Special event permits can only be applied for and issued to the property owner of record.
- e. No special events are permitted on vacant or vacated properties. Open space owned by a homeowner association may be used for a special event provided the land, without modifications, can accommodate the proposed activity.
- f. **Sales from food trucks are permitted if part of an approved special event sponsored or hosted by a homeowner association and shall be subject to a fee, as provided for in the adopted Town of Farragut Fee Schedule, for each non-Town based food truck vendor.**

2. *Sign Requirements.*

- a. **Sign provisions shall be in accordance with the applicable sections of the Farragut Sign Ordinance. Special events permit signs shall be considered temporary parcel signs.**

~~There shall be a maximum of one sign per event not to exceed six square feet and four feet in height. For a two-sided sign, only the area of a single face shall be considered.~~

- ~~b. Ground-mounted signs shall be set back a minimum of 20 feet from the street edge of pavement as measured from the farthest most protrusion of the sign to the nearest point of the street edge of pavement.~~
- ~~c. No banners, streamers, balloons, flags on a rope, other types of wind activated displays, or any sign prohibited in the Farragut Sign Ordinance is permitted.~~
- ~~d. All signs and any associated support posts shall be removed at the end of the special event.~~

- 3. *Permitting Process.* A special events permit application and filing fee shall be submitted **to and approved by the Town** ~~to the Town Hall~~ prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding an event.

All special event permit applications shall include the following information:

- a. Applicant's name, street address, telephone number, fax number, and e-mail address. **Where an event is sponsored or hosted by a homeowner association, include the name, street address, telephone number, fax number, e-mail address, and signature of the individual identified who has legal authority and who assumes the responsibility of meeting the conditions of the permit.**
- b. Location of event.
- c. Nature/name of event.
- d. Date range of event.
- e. Previous special events ~~s~~ permit(s) approved during the calendar year.
- f. **If part of an event sponsored or hosted by a homeowner association, and having a tent, food truck, or any other outdoor activities, a site plan is required to show the locations for such activities. A separate tent permit may be required per fire safety requirements.**
- g. **If having a food truck(s), a list and full contact information is required for each of the vendors along with a filing fee, as provided for in the adopted Town of Farragut Fee Schedule, for each non-Town based food truck vendor.**

- h. Events on or involving/affecting public property, such as road races, street parties, etc., will require additional reviews and information and shall be coordinated with the Town staff. Some events may be subject to approval from the Board of Mayor and Aldermen.

~~C. Freestanding Schools, Churches, and Other Places of Worship.~~

~~1. General Requirements.~~

- ~~a. Each freestanding school, church, and other place of worship is eligible for a special event.~~
- ~~b. There shall be a maximum of four special event permits per entity per year.~~
- ~~c. The duration of each special event shall not exceed ten calendar days.~~
- ~~d. No special events are permitted on vacant or vacated properties.~~
- ~~e. Activities of the special event shall not materially affect the pedestrian or vehicular circulation within the immediate vicinity of the event. The traffic generation of the special event shall not be allowed to create a hazardous condition for traffic in public rights-of-way.~~

~~2. Sign Requirements.~~

- ~~a. Sign provisions shall be in accordance with the applicable sections of the Farragut Sign Ordinance. Special events permit signs shall be considered temporary parcel signs.~~
- ~~a. There shall be a maximum of one sign per event not to exceed 16 square feet. For a two-sided sign, only the area of a single face shall be considered.~~
- ~~b. For ground-mounted signs, the maximum sign height shall be six feet.~~
- ~~c. Ground-mounted signs shall be set back a minimum of 20 feet from the street edge of pavement as measured from the farthest most protrusion of the sign to the nearest point of the street edge of pavement. Signs shall be set back a minimum of ten feet from all entrance driveways.~~
- ~~d. All signs shall be a minimum [of] ten millimeter corrugated plastic. Ground-mounted signs shall be affixed to studded T-posts. All signs shall be affixed in such a manner that they do not move in the wind.~~
- ~~e. Sign letters shall meet the Visual Resources Review Board's adopted legibility requirements.~~
- ~~f. No banners, streamers, balloons, flags on a rope, other types of wind activated displays, or any sign prohibited in the Farragut Sign Ordinance is permitted.~~
- ~~g. All signs and any associated support posts shall be removed at the end of the special event.~~

- ~~3. Permitting Process. A special events permit application and filing fee shall be submitted to the Town Hall prior to the commencement of the event. The applicant must have an approved permit in hand prior to holding an event.~~

~~All special event permit applications shall include the following information:~~

- ~~a. Applicant's name, street address, telephone number, fax number, and e-mail address.~~
- ~~b. Name, street address, telephone number, fax number, e-mail address, and signature of individual identified who assumes the responsibility of meeting the conditions of the permit.~~
- ~~c. Location of event.~~

- d. ~~Nature/name of event.~~
- e. ~~Date range of event.~~
- f. ~~Previous special event permits approved during the calendar year.~~
- g. ~~Where a sign is proposed, the application submittal shall be in accordance with the Farragut Sign Ordinance. Special events permit signs shall be considered temporary parcel signs. If applicable, a drawing of the sign which includes dimensions that show the length and width of the sign, the height and width of all letters and figures, and the overall height of the sign.~~
- h. ~~If having tent(s) or any other outdoor activities, include a site plan showing locations for such activities. A separate tent permit may be required per fire safety requirements.~~

(Ord. No. 86-16, 4-1986; Ord. of 2-2006; Ord. No. 11-22, § 1, 12-8-2011; Ord. No. 17-06, § 1, 4-27-2017)

REPORT TO THE BOARD OF MAYOR AND ALDERMEN**PREPARED BY:** Mark Shipley, Community Development Director**SUBJECT:** Ordinance 20-18, an ordinance on first reading to rezone the property at 1013 McFee Road from Agricultural (A) to Open Space Residential Overlay (R-1/OSR), 24.85 Acres (Rackley Engineering, Applicant)

INTRODUCTION AND BACKGROUND: This item is an amendment to a rezoning request that was approved at the June Planning Commission meeting but subsequently denied by the Board of Mayor and Alderman. That original request involved rezoning the Gibson farm property that is south of the parcel that is immediately south of McFee Park on the west side of McFee Road from Agricultural (A) to Open Space Mixed Residential Overlay (R-1/OSMR).

DISCUSSION: When presented to the Board, a majority voted against the rezoning because of the stated desire to provide for only single-family detached residential. The applicant had requested the OSMR, which provides for both detached and attached, similar to the Cottages at Pryse Farms Subdivision, due mainly to the presence of a 100-foot overhead transmission line easement that bisects the property.

The applicant amended their original request and, at the Planning Commission meeting on September 17, requested a rezoning to the Open Space Residential Overlay (R-1/OSR). The R-1/OSR would provide for the same density as the R-1/OSMR but only permits detached single family residential. As stated when the original rezoning was considered, both the OSR and the OSMR Districts would be consistent with the Open Space Cluster Residential land use that is shown for this property on the Future Land Use Map.

RECOMMENDATION: At their meeting on September 17 the Planning Commission unanimously recommended approval of Ordinance 20-18. Community Development Director, Mark Shipley, recommends approval of Ordinance 20-18 on first reading.

PROPOSED MOTION: To approve Ordinance 20-18 on first reading.

BOARD ACTION:

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

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

RESOLUTION PC-20-12

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE FARRAGUT ZONING MAP, ORDINANCE 86-16, TO RECOMMEND THE APPROVAL OF THE REZONING OF PARCEL 019, TAX MAP 162, 1013 MCFEE ROAD, FROM AGRICULTURAL (A) TO OPEN SPACE RESIDENTIAL OVERLAY (R-1/OSR)

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

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

WHEREAS, a public hearing was held on this request on September 17, 2020;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval of Ordinance 20-18 to the Farragut Board of Mayor and Aldermen, an ordinance amending the Farragut Zoning Ordinance and Map, Ordinance 86-16, by rezoning the above noted property.

ADOPTED this 17th day of September 2020.

Rita Holladay, Chairman

Scott Russ, Secretary

ORDINANCE: 20-18
PREPARED BY: Shipley
REQUESTED BY: Town of Farragut
CERTIFIED BY FMPC: September 17, 2020
PUBLIC HEARING:
PUBLISHED IN: _____
DATE: _____
1ST READING: _____
2ND READING: _____
PUBLISHED IN: _____
DATE: _____

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

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

SECTION 1.

The Farragut Zoning Ordinance, Ordinance 86-16, as amended, is hereby amended by rezoning Parcel 019, Tax Map 162, said property being located at 1013 McFee Road and including approximately 24.85 acres, from Agricultural (A) to Open Space Residential Overlay (R-1/OSR (See Exhibit A).

SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2020,
with approval recommended by the Farragut Municipal Planning Commission (FMPC).

Rita Holladay, Chairman

Scott Russ, Secretary



**Exhibit A
Ordinance 20-18**

**Rezone
Parcel 19
Tax Map 162
1013 McFee Road**

From
A (Agricultural)

to

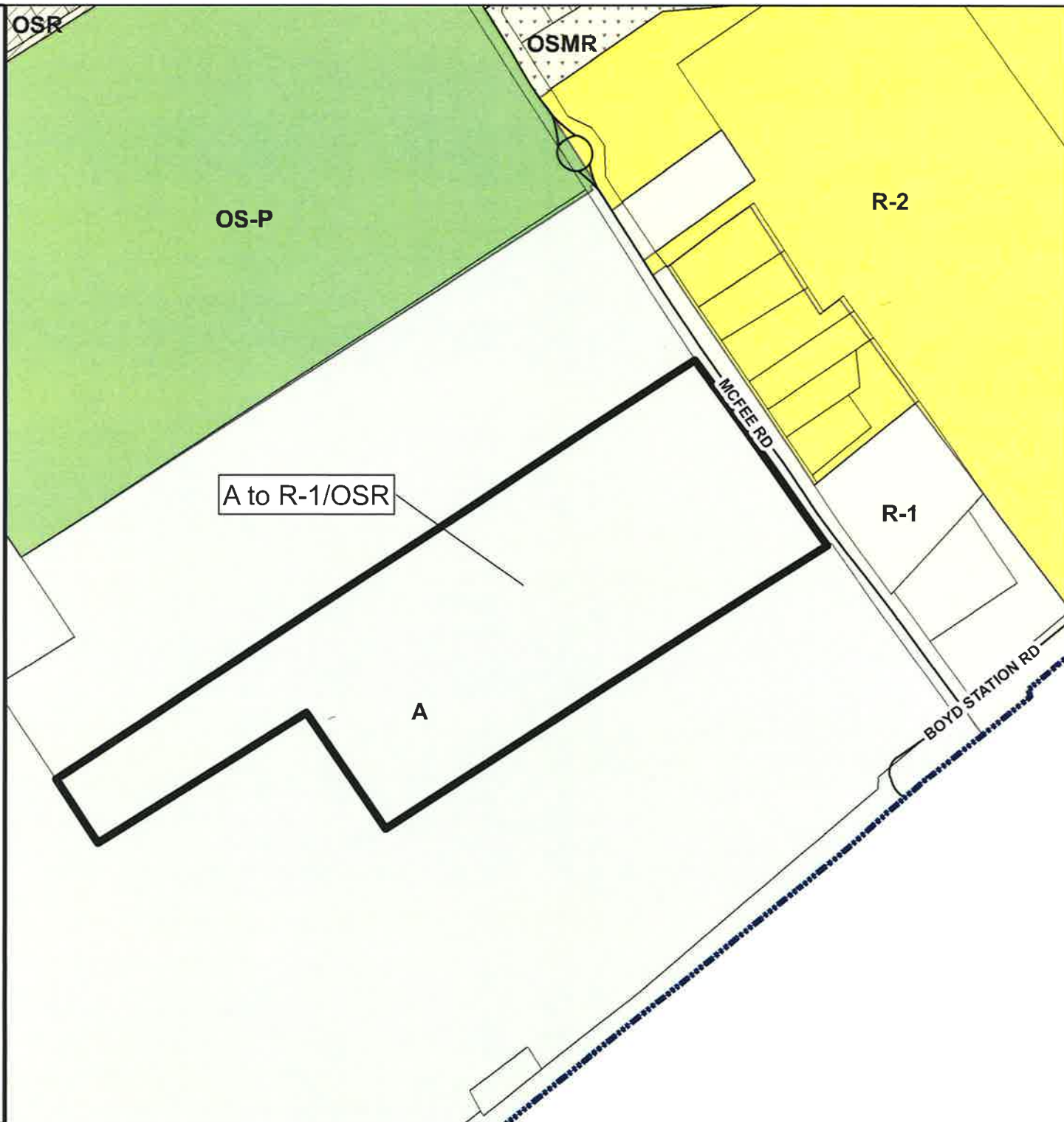
R-1/OSR (Rural Single-Family
Residential/Open Space
Residential Overlay)

Legend

-  Subject Property
-  Town Limit
-  Streets
-  Parcels
-  A, Agricultural
-  OS-P, Open Space/Park
-  R-1, Rural Single-Family Residential
-  R-2, General Single-Family Residential
-  R-1/OSR, Open Space Residential Overlay
-  R-1/OSMR, Open Space Mixed Residential Overlay



1 in = 400 ft



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 20-20, an ordinance on first reading to amend the text of Comprehensive Land Use Plan Update as it relates to the Mixed-Use Town Center land use descriptions (Town of Farragut, Applicant)

INTRODUCTION AND BACKGROUND: In response to the Town Center at Biddle Farms concept plan, staff re-convened the Comprehensive Land Use Plan (CLUP) Steering Committee to review in more detail the Mixed-Use Town Center land use description and map provided for in the CLUP. The Committee met on July 28 and August 19 with a primary objective of evaluating the concept of a Mixed- Use Town Center and what key components it would need to contain.

The Committee generally felt that the key components emphasized in the text was still representative of what this land use designation is intended to represent. An exception was to have less prescriptions for high density residential and more emphasis on applying the flex density and transition concepts discussed in Chapters Two and Three of the CLUP. These concepts specifically relate to considering the context and protecting existing neighborhoods from incompatible new development by providing for gradual transitions within a development (with densities increasing or decreasing away from a common boundary). Specifically, it was recommended that, in the short term, the text portion of the MUTC should be clear with regards to the policy that residential densities of new development should be compatible with existing adjacent densities.

The applicable text related to both transitions and flex density are included in the packet.

RECOMMENDATION: Based on feedback provided by the Steering Committee, staff took the text portion of the Mixed-Use Town Center land use (those pages with existing text are included in the packet) and created new language that was reflected in Ordinance 20-20 and that was presented to the Planning Commission on September 17.

Some key provisions in the proposed text were as follows:

1. Ensure that the inherent components of the Mixed-Use Town Center are still provided for but in more succinctly stated provisions.
2. An emphasis on interconnectedness (the people movement component) and iconic architecture that creates a unique sense of community identity.
3. Reference to form and arrangement of buildings as they relate to the public realm and surrounding plan of development.
4. An emphasis on ensuring that residential types and densities are appropriate to the context and the intent of having different types of residential in different areas. For example, higher density residential is discussed only as an option to be part of and support a downtown and only in those areas that do not abut existing residential communities. This helps connect the text of this portion of the Plan with other objectives in the Plan, such as protecting existing neighborhoods from incompatible new development.

PROPOSED MOTION: When Ordinance 20-20 was presented to the Planning Commission on September 17, Commissioners were generally in agreement with staffs' proposed amendments. Vice Mayor Povlin recommended some modifications to clarify certain aspects of the staffs' proposed amendments. Those modifications were supported by Commissioners and have been incorporated into Ordinance 20-20 which the

Planning Commission unanimously recommended for approval. Community Development Director, Mark Shipley, recommends approval of Ordinance 20-20 on first reading.

BOARD ACTION:

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

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

RESOLUTION PC-20-14

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AMENDMENTS TO THE TEXT OF THE COMPREHENSIVE LAND USE PLAN UPDATE DECEMBER 2012 FOR THE LAND USE DESCRIPTIONS FOR THE MIXED-USE TOWN CENTER LAND USE

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

WHEREAS, the Farragut Municipal Planning Commission has adopted the Comprehensive Land Use Plan Update on December 12, 2012; and

WHEREAS, the Farragut Municipal Planning Commission may periodically amend various aspects of the Comprehensive Land Use Plan Update;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends through Resolution PC-20-14 approval of Ordinance 20-20 to amend the text of the Mixed-Use Town Center land use.

ADOPTED this 17th day of September 2020.

Rita Holladay, Chairman

Scott Russ, Secretary

ORDINANCE:	20-20
PREPARED BY:	Shipley
REQUESTED BY:	Staff
CERTIFIED BY FMPC:	September 17, 2020
PUBLIC HEARING:	
PUBLISHED IN:	
DATE:	
1ST READING:	
2ND READING:	
PUBLISHED IN:	
DATE:	

AN ORDINANCE TO AMEND THE TEXT OF THE MIXED-USE TOWN CENTER LAND USE DESCRIPTIONS IN CHAPTER THREE OF THE COMPREHENSIVE LAND USE PLAN UPDATE

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

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

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

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

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut has adopted the Mixed-Use Town Center Land Use Descriptions Section of the Farragut Comprehensive Land Use Plan Update; and

WHEREAS, the Board of Mayor and Alderman of the Town of Farragut may periodically amend the text of the Mixed-Use Town Center Land Use Descriptions Section of the Farragut Comprehensive Land Use Plan Update;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Farragut that the Farragut Comprehensive Land Use Plan Update, Chapter Three, Future Land Use Plan, Land Use Descriptions Section, Description 1, Mixed-Use Town Center, is hereby amended by replacing it in its entirety with the following:

SECTION 1.

I. Chapter Three/ Future Land Use Plan, Land Use Descriptions Section, 1. Town Center

Intent

- Provide for the creation of a unique town center for Farragut with a variety of shops, restaurants, businesses, offices, and residences, in a pedestrian-oriented setting
- Create a sense of community identity with a mixture of well-connected public gathering spaces and entertainment venues framed by an iconic architecture and streetscape
- Provide for a built environment that prioritizes walkability and pedestrian activity but still acknowledges, though to a lesser degree, the role of the automobile in a suburban community

Uses

- Though ultimately driven by form, provide for a mix of uses that complement each other, including employment, commercial, retail, services, offices, civic, and residential
- Retail-oriented uses with smaller, more pedestrian scale, footprints with a high degree of ground floor transparency
- A mix of residential types appropriate to the context and surrounding plan of development
- Residential uses with densities that are consistent with the transition and flex density concepts described in the Comprehensive Land Use Plan Update. Residential density in the Town Center land use area should transition internally so that the density along a common boundary is compatible with the density of the existing abutting residential community
- High density residential should only be permitted as part of a town center development plan
- A town center development plan which includes high density residential is intended to be located only in the area bound by S. Campbell Station Road, Concord Road, and Kingston Pike

Character

- Well-connected internally and externally for bicyclists and pedestrians
- Lively outdoor spaces and storefronts with a high degree of transparency
- Places to gather for a variety of different type of events
- Buildings that engage the street and that are inviting to pedestrians with wide sidewalks, outdoor dining, street trees, benches, planters, and other streetscaping enhancements
- On-street parking and a gridded or semi-gridded street layout system

- Appropriately scaled buildings that reflect an emphasis on form and arrangement that promotes uses consistent with the surrounding context

SECTION 2.

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

Ron Williams, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2020, with approval recommended.

Rita Holladay, Chairman

Scott Russ, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

Mixed-Use Town Center (proposed language)

Intent

- Provide for the creation of a unique town center for Farragut with a variety of shops, restaurants, businesses, offices, and residences, in a pedestrian-oriented setting
- Create a sense of community identity with a mixture of well-connected public gathering spaces and entertainment venues framed by an iconic architecture and streetscape
- Provide for a built environment that prioritizes walkability and pedestrian activity but still acknowledges, though to a lesser degree, the role of the automobile in a suburban community

Uses

- Though ultimately driven by form, provide for a mix of uses that complement each other, including employment, commercial, retail, services, offices, civic, and residential
- Retail-oriented uses with smaller, more pedestrian scale, footprints with a high degree of ground floor transparency
- A mix of residential types appropriate to the context and surrounding plan of development
- Residential uses with densities that are consistent with the transition and flex density concepts described in the Comprehensive Land Use Plan Update. Residential density in the Town Center land use area should transition internally so that the density along a common boundary is compatible with the density of the existing abutting residential community
- High density residential should only be permitted as part of a town center development plan
- A town center development plan which includes high density residential is intended to be located only in the area bound by S. Campbell Station Road, Concord Road, and Kingston Pike

Character

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- Places to gather for a variety of different type of events
- Buildings that engage the street and that are inviting to pedestrians with wide sidewalks, outdoor dining, street trees, benches, planters, and other streetscaping enhancements
- On-street parking and a gridded or semi-gridded street layout system
- Appropriately scaled buildings that reflect an emphasis on form and arrangement that promotes uses consistent with the surrounding context

Mixed Use Town Center (existing language)

Intent

- Increase Farragut's long-term economic sustainability by diversifying the retail tax base through the creation of a traditional downtown with a variety of shops, restaurants, businesses and residences, in a pedestrian-oriented setting.
- Integrate high-density residential development to help support retail and other commercial uses.
- Consider the creation of an entertainment district that draws people to the area. This could include subsidies for galleries or a resident artist elected each year. This would require a planning process to establish a vision, governance structure, and secure seed money.
- Create public gathering spaces
- Provide extended (evening) hours of operation that will cater to shopping, dining, and entertainment to increase the vitality of the area.

Uses

- A mix of uses including: employment, commercial, retail, services, civic, and residential.
- Substantial residential use—primarily multi-family residences, but some attached units (townhomes, duplexes) for transitions to adjacent single-family neighborhoods.
- Retail-oriented commercial uses, including “one off” establishments (local businesses) as well as chain establishments that utilize small footprints (such as coffee shops, small footprint versions of big box stores).
- Offices and personal services such as doctor, dentists, bookkeeping, or studios.

Also encourage:

- Public service providers (law enforcement, fire protection) and new schools.
- Entertainment options such as theater or performing arts.

Residential Density

- 8-15 dwelling units per acre.

Location

- Within a general one-mile radius of the intersection of Kingston Pike and Campbell Station Road

Character

- Connected building facades, with minor setback variations close to the sidewalk, on both sides of a street, that form a continuous shopping experience, with individual buildings adequately differentiated (to avoid strip appearance).
- High degree of ground floor transparency (glass) for visual interest to pedestrians.
- Comfortable bike and pedestrian connections to surrounding neighborhoods, with adequate bike parking.
- Pedestrian-focused amenities, places for gathering (pocket parks and plazas), wide sidewalks, outdoor dining, street trees, benches, consolidated newspaper racks, planters, and paving.
- Pedestrian scale signage.
- On-street parking to separate pedestrians from traffic and provide convenient parking; Major parking behind buildings, out of sight of pedestrians.
- Gridded or semi-gridded street network - a block pattern that includes a 'figure 8' pedestrian circulation pattern that wraps around corners (as opposed to a single street).

Transitions

To protect existing neighborhoods from incompatible new development, and to encourage gradual transitions even within a new development (such as between blocks with different densities), the following guidelines should be applied:

- If a density different from an adjacent property is proposed, the transition should occur within the proposed development (gradually increase or decrease away from the common boundary).

For example, if a new development with a medium density designation were placed next to an existing low density neighborhood, single-family homes should be placed along the common boundary, with duplexes and townhomes placed further away from the existing neighborhood. This will create a gradual transition of density away from the common property line and make adjacent developments compatible. However, if the medium density was placed alongside a non-residential use (commercial, office), density could increase to match the intensity of that use. For example a medium density residential development would ‘fit’ next to office or commercial.

- Gradual density increases are encouraged near mixed use, office and commercial developments, along arterials, and at major intersections, as long as they maintain quality standards to ensure compatibility with adjacent development.



Figure 10: Higher density transitioning gradually to lower density existing development.

Policy: Densities of new development should be compatible with existing adjacent densities.

Primary implementation tools

1. Mixed use development

Add housing variety and create mixed use zoning when implementing strategy 1 and 2.

2. Flexible density & transitions

The Town can take advantage of the relatively few remaining large vacant parcels in Farragut, by using the concept of “flexible density” to encourage, within new developments, a greater range of housing types. (See [Chapter 3 Future Land Use Plan](#) for more information).

Actions

1. Update zoning to:

- Create mixed use zoning districts that allow residential uses in commercial, office and some civic uses—with appropriate amenities (see [Chapter 3: Future Land Use Plan](#) for more information).
- Allow greater range of housing types within a development, including the concept of flexible, or averaging, density

Strategy 4. Increase Connectivity

Many of Farragut’s subdivisions have only a single entrance. Single-entry subdivisions have impacts on the rest of the community in the form of congestion and longer distances to travel. Increased roadway connectivity provides more options for travel and thereby reduces congestion. It also improves the efficiency of school buses and emergency services and provides access when one entry may be blocked. Increasing pathway

connectivity encourages walking and biking, which is attractive to both elderly and starter families.

Primary implementation tools

1. Connect new development

Require new development to connect to surrounding development when possible. The plan identifies a number of potential “desire lines” for connecting roads and trails. These should be implemented through the subdivision review process, and condition approval on their construction.

2. Fix missing links

Construct “missing links” (pedestrian ways and roadways) in existing developments, where routes are feasible.

3. Continue to implement the Road Master Plan and the Pedestrian and Bicycle Plan (PBP)

Potential Roadway



Figure 11: Potential roadways identify missing links and in some cases desired roadway connections. (See [Chapter 3: Future Land Use Plan](#) for more information.)

How to use the concepts, descriptions, and map

the Comprehensive plan map is a quick visual reference for the whole Comprehensive plan. to better understand the logic, assumptions, and detailed expectations for elements of the map, please refer to the Concepts and descriptions.

as this is the town's first future land use plan, great care was taken to reflect existing conditions as well as citizen's desires, including:

1. building condition and potential for redevelopment
2. environmental constraints such as steep slopes, sinkholes, drainage and flooding. (see figure 20)
3. Zoning (existing use by right)
4. adjacent land use
5. owner intent
6. public desire (creation of a more holistic community)
7. protecting existing uses

the comprehensive plan map is a physical expression of the plans eight key strategies:

- | | |
|---|-------------------------------|
| 1. bringing about a downtown | 4. increase Connectivity |
| 2. repair aging shopping Centers | 5. Capitalize on our heritage |
| 3. allow/encourage greater housing Choice | 6. expand our borders |
| | 7. enhance our identity |
| | 8. plan for remaining vacant |

This chapter has three main parts:

- A. *Future Land Use Concepts* (FLUC) are key ideas (such as pedestrian ways, activity hubs, and flex density) that influence how land is utilized. While they are not land uses, they influence how land is used.
- B. *Land Use Descriptions* (LUD) translates the key concepts into land use categories that describe the intent, character, applicability, density, and location criteria for each of the 13 land uses.
- C. The *Future Land Use Map* (FLUM) and the *Comprehensive Plan Map* (CPM) translate the FLUC and LUD into a physical form, specifying locations throughout the town. The CPM displays land uses plus the land use concepts—in a way that is consistent with the 8 plan strategies. (See [Chapter 2: Eight Key Strategies](#).)

Future Land Use Concepts

Future Land Use Concepts are key ideas that influence land utilization. They are identified on the Comprehensive Plan Map.

Flex density

To encourage a greater variety of housing types in new neighborhoods, the residential and mixed use descriptions contain a range of density for residential uses. This range encourages diversity in development to avoid monotonous “cookie-cutter” similarity.

The “base” density assumed for the zoning or Planned Unit Development (PUD) designation of a parcel is the lowest density of the designated range. The Town will consider granting zoning with higher density (within the range) relative to demonstrated significant public benefits achieved by the proposed project, such as the provision of pedestrian amenities and/or the preservation of open space. In most areas, the midpoint of the range should be considered an overall average that can be achieved by using a mix of unit types and/or lot sizes within the range. For example, in the

medium density residential land use (6-12 units/acre), the average of 9 units per acre could be achieved by mixing single-family homes, duplexes, and even some townhomes.

To ensure that the new development is compatible with existing neighborhoods, gradual transitions between different densities should occur (see [Transitions](#)).

Policy 4: The base density assumed for the rezoning or Planned Unit Development (PUD) designation of a parcel is the lowest density of the designated range. The Town will consider granting higher density in the range relative to demonstrated significant public benefits to be achieved by the project. Parcels must be large enough to allow transitions or surrounding density should be matched.

Mixed use

Throughout the planning process, Farragut’s citizens expressed a desire to allow (and even encourage) residential uses to be mixed with retail and employment uses in certain areas.

Mixed land use designations (mixed use town center and mixed use neighborhood) should encourage the co-location of residential with a variety of non-residential uses. Commercial land uses and office/light industrial are allowed to include residential uses when there are adequate amenities (extensive pedestrian amenities, the dedication of a large park) to support residents.

With enough people living in and nearby a mixed use center, it will attract a

retail mix that reduces its reliance on automobile traffic.

Activity hubs

The town’s Strategic Plan identified a number of activity centers, defined as “Self-contained community where residents enjoy easy access to shopping and restaurants, entertainment, worship and schools within minutes of home.”

Mixed use town center

Intent

- Increase Farragut's long-term economic sustainability by diversifying the retail tax base through the creation of a traditional downtown with a variety of shops, restaurants, businesses and residences, in a pedestrian-oriented setting.
- Integrate high-density residential development to help support retail and other commercial uses.
- Consider the creation of an entertainment district that draws people to the area. This could include subsidies for galleries or a resident artist elected each year. This would require a planning process to establish a vision, governance structure, and secure seed money.
- Create public gathering spaces
- Provide extended (evening) hours of operation that will cater to shopping, dining, and entertainment to increase the vitality of the area.

Uses

- A mix of uses including: employment, commercial, retail, services, civic, and residential.
- Substantial residential use—primarily multi-family residences, but some attached units (townhomes, duplexes) for transitions to adjacent single-family neighborhoods.
- Retail-oriented commercial uses, including “one off” establishments (local businesses) as well as chain establishments that utilize small footprints (such as coffee shops, small footprint versions of big box stores).
- Offices and personal services such as doctor, dentists, bookkeeping, or studios.
- Also encourage:
 - Public service providers (law enforcement, fire protection) and new schools.
 - Entertainment options such as theater or performing arts.

Residential Density

- 8-15 dwelling units per acre.



Figure 26: Mixed use land uses (Mixed use town center and Mixed use neighborhood).



Figure 27: Mixed use town center character.

Location

- Within a general 1 mile radius of Kingston Pike and Campbell Station Road.

Character

- Connected building facades, with minor setback variations close to the sidewalk, on both sides of a street, that form a continuous shopping experience, with individual buildings adequately differentiated (to avoid strip appearance).
- High degree of ground floor transparency (glass) for visual interest to pedestrians.
- Comfortable bike and pedestrian connections to surrounding neighborhoods, with adequate bike parking.
- Pedestrian-focused amenities, places for gathering (pocket parks and plazas), wide sidewalks, outdoor dining, street trees, benches, consolidated newspaper racks, planters, and paving.
- Pedestrian scale signage.

- On-street parking to separate pedestrians from traffic and provide convenient parking; Major parking behind buildings, out of sight of pedestrians.
- Gridded or semi-gridded street network - a block pattern that includes a 'figure 8' pedestrian circulation pattern that wraps around corners (as opposed to a single street).

Other

- Require consistent hours of operation.

(See [Chapter 2: Eight Key Strategies Strategy 1 Bring About a Downtown](#) and [Chapter 5: Extended Implementation Tools](#) for more information)

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder/Treasurer

SUBJECT: First Reading of Ordinance 20-21, Ordinance to Amend the General Fund and the Insurance Fund for the Fiscal Year 2020-2021 budget, passed by Ordinance 20-07

INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 20-21 on first reading to amend the Fiscal Year 2021 General Fund and Insurance Aid Fund Budgets.

DISCUSSION:

The **General Fund** will be amended by increasing the appropriated expenditures from \$7,316,228 to \$7,335,228, an increase of \$19,000.

- **Community Center**

- **\$19,000-** The increase in the expenditures is for the replacement of the Community Center Water Source Heat Pump. The Town will be responsible for half of the total replacement cost, \$37,265.

FINANCIAL SECTION:

With the \$19,000 adjustment, the amended fund balance for the General Fund is \$19,692,203.

Account Number: General Fund Budget		
<u>Amended FY2021 Budget</u>	<u>Requested Amendment</u>	<u>FY2021 Amended Budget</u>
\$7,316,228	\$19,000	\$7,335,288
Approved By: <u>Allison Myers</u>		

The **Insurance Fund** will be amended by increasing the appropriated expenditures from \$0 to \$6,000, an increase of \$6,000.

- **Retirement Benefit Contribution**

- **\$6,000-** Based on the investment income actuarial assumptions, the plan administrator has advised the Town to contribute \$6,000 this fiscal year

FINANCIAL SECTION:

Account Number: Insurance Fund Budget		
<u>Original FY2021 Budget</u>	<u>Requested Amendment</u>	<u>FY2021 Amended Budget</u>
\$0	\$6,000	\$6,000
Approved By: <u>Allison Myers</u>		

RECOMMENDATION BY: Allison Myers, Town Recorder/Treasurer, for approval.

PROPOSED MOTION: Motion to approve Ordinance 20-21 on first reading.

BOARD ACTION:

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

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

ORDINANCE	20-21
PREPARED BY	Myers
1 ST READING	October 8, 2020
2 nd READING	October 22, 2020
PUBLISHED IN	Shopper News Farragut
DATE	

**AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE
AMENDING THE FISCAL YEAR 2020-2021 BUDGET, PASSED BY ORDINANCE 20-07**

WHEREAS, the Town of Farragut adopted the fiscal year 2020-21 budget by passage of Ordinance Number 20-07 on June 11, 2020; and

WHEREAS, pursuant to the Tennessee State Constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, expenses for the General Fund & Insurance Fund will be greater than budgeted; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2019-2020 BUDGET AS FOLLOWS:

SECTION 1. Ordinance 20-07 is hereby amended by:

- The **General Fund** will be amended by increasing the appropriated expenditures from \$7,316,228 to \$7,335,228, an increase of \$19,000.
- The **Insurance Fund** will be amended by increasing the appropriated expenditures from \$0 to \$6,000 an increase of \$6,000.

SECTION 2. The Board of Mayor and Aldermen authorizes the Town Recorder to make said changes in the accounting system.

SECTION 3. This ordinance shall take effect after its final passage and publication, the public welfare requiring it.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Change Orders No. 1 and No. 2, Contract 2020-12, McFee Park Phase 3

INTRODUCTION: The purpose of this item is to consider approval of change orders for additional work outside the project scope at the Town's McFee Park Phase 3 project.

BACKGROUND: The Board of Mayor and Aldermen awarded Contract 2020-12 to Merit Construction, Inc. on March 12, 2020, for a total lump sum contract price of \$7,385,000.00. The project consists of a major park expansion including a great lawn, tennis complex, restroom pavilion, entrance roads and parking. At the time of award, the Board authorized staff to approve minor change orders as the project progresses, up to a limit of \$50,000. Staff requested this authority as a means of providing swifter approval to keep the project moving forward, with the understanding that we would bring these change orders to the Board from time to time in order to "reset" staff's authority to \$50,000. Attached are two change orders already approved by staff.

Change Order 1

PCO 1: TDEC Fees. Tennessee Department of Environment and Conservation (TDEC) requires a Construction General Permit for any development which involves clearing vegetation of one or more acres. The purpose is to ensure adequate engineering and preventative measures are in place to protect Tennessee's natural streams and rivers. Merit has applied for and acquired the permit on behalf of the Town. Total cost was \$3,000.00.

Change Order 2

PCO 2: Changes at McFee Road. As currently designed, there is a storm drain inlet grate within the roadway at the new entrance to the Park. These changes are to cap the storm drain in the roadway and revise the south curb radius where the Park Road meets McFee Road to leave an existing curb inlet undisturbed. Total cost proposal is \$5,208.00.

PCO 6: Power Service Entry. Current design includes a power service pole to be located within the park, with overhead power line extending to an existing pole at McFee Road. This change eliminates the separate power service pole and extends the underground electrical conduit to the existing LCUB pole along McFee Road. Total cost of this proposal is \$7,541.00.

Staff's opinion is that the additional work outlined above is necessary to advance this project toward completion. Total cost for these Change Orders is **\$15,749.00.**

FINANCIAL SECTION:

**Project: Contract 2020-12, McFee Park
Phase 3**

<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures & Contracts to Date</u>	<u>Available Amount</u>
\$8,650,000	\$15,749.00	\$8,227,466	\$406,785

Approved

By: Allison Myers

RECOMMENDATION BY: Darryl Smith, Town Engineer

PROPOSED MOTION: Approval of Change Orders 1 & 2 for Contract 2020-12, McFee Park Phase 3 and authorization for staff approval of change orders up to \$50,000.

BOARD ACTION:

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

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

AIA Document G701™ – 2017

Change Order

PROJECT: (Name and address)

McFee Park Phase III
Farragut, Tennessee

CONTRACT INFORMATION:

Contract For: General Construction
Date: March 13, 2020

CHANGE ORDER INFORMATION:

Change Order Number: 002
Date: October 8, 2020

OWNER: (Name and address)

Town of Farragut
11408 Municipal Center Drive
Farragut, TN 37934

ARCHITECT: (Name and address)

Ross/Fowler, P.C.
5103 Kingston Pike
Suite 105
Knoxville, TN 37919

CONTRACTOR: (Name and address)

Merit Construction
10435 Dutchtown Road
Knoxville, TN 37932

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

The changes in the work described in Attachment A dated October 8, 2020

The original Contract Sum was	\$ 7,385,000.00
The net change by previously authorized Change Orders	\$ 3,000.00
The Contract Sum prior to this Change Order was	\$ 7,388,000.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 12,749.00
The new Contract Sum including this Change Order will be	\$ 7,400,749.00

The Contract Time will be increased by Zero (0) days.

The new date of Substantial Completion will be Unchanged

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Ross/Fowler, P.C.

ARCHITECT (Firm name)

Merit Construction

CONTRACTOR (Firm name)

Town of Farragut

OWNER (Firm name)

SIGNATURE

Michael F. Fowler, President

PRINTED NAME AND TITLE

DATE

SIGNATURE

Shannon Sapp, President

PRINTED NAME AND TITLE

DATE

SIGNATURE

David Smoak, Town Administrator

PRINTED NAME AND TITLE

DATE

McFee Park Phase 3

October 8, 2020

**Change Order 002
Attachment A**

Re: Cost Proposal Numbers: 2 and 6

We are enclosing herewith changes to the subject project. We have reviewed the contractor's proposed changes and find the proposed changes in the Contract Sum to be appropriately documented and reasonable.

The following changes are requested:

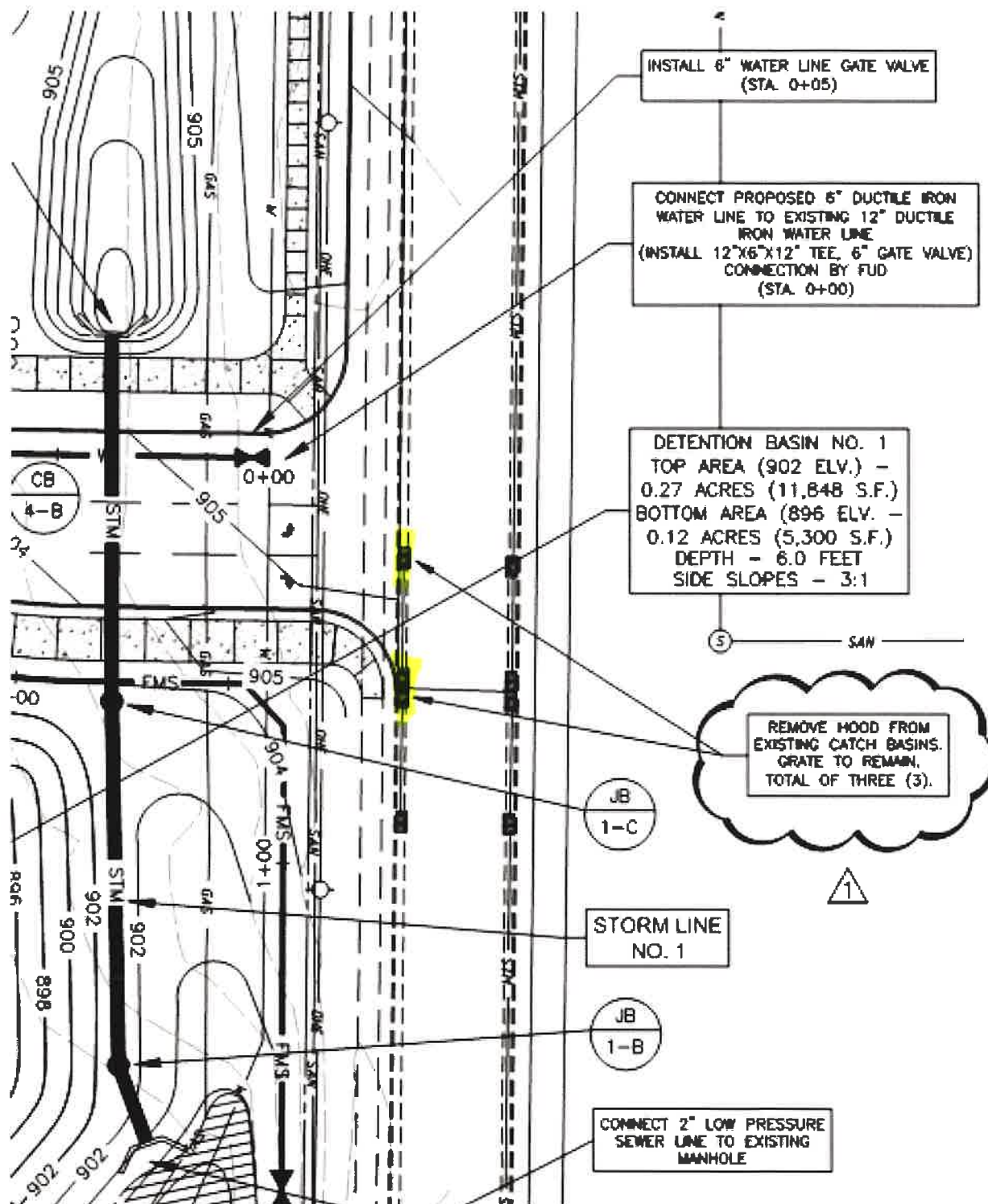
CP 002 Changes at McFee Road

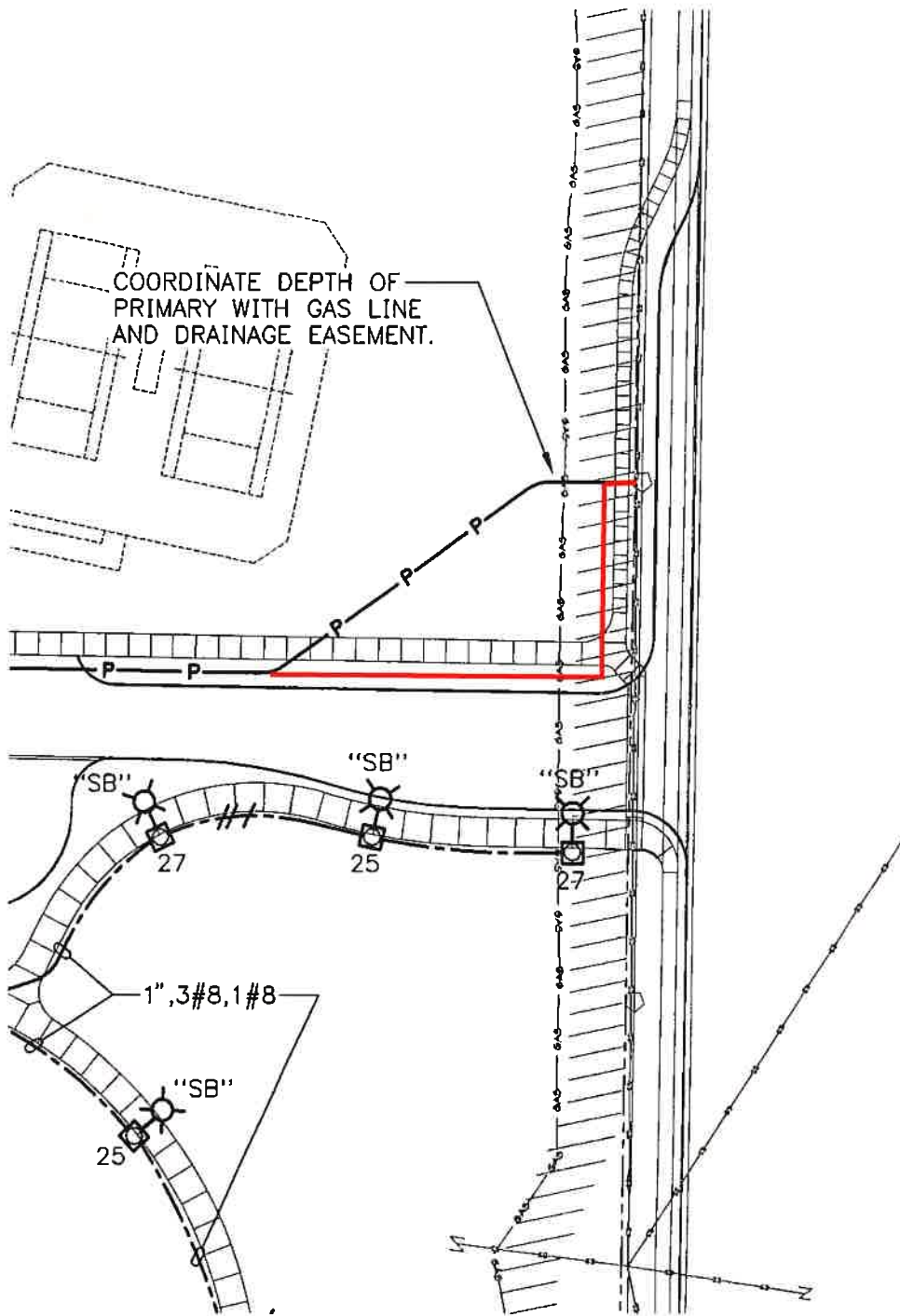
These changes requested by the Town are to cap a storm drain in the roadway and revise the south curb radius where the Park Road meets McFee Road to leave an existing curb inlet undisturbed. The proposed changes increase the Contract Sum by an amount of \$5,208.00. The Contract Time is unchanged.

CP 006 Power Service Entry

This change requested by the Town eliminates the separate power service pole shown on the electrical drawings and extends the underground electrical conduit to an existing LCUB pole along McFee Road. This proposed change increases the Contract Sum in the amount of \$7,541.00. No change in the Contract Time is recommended.







PARTIAL SITE PLAN -
ELECTRICAL

McFEE PARK PHASE 3
KNOXVILLE, TENNESSEE



Vreeland Engineers Inc.
Knoxville, Tennessee

Scale: 1"-60'-0"

Date: 8/18/20

Job No: 17011

Drawing No:

SE1.0R1

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Change Order No. 4, Contract 2020-12, McFee Park Phase 3

INTRODUCTION: The purpose of this item is to consider approval of change orders for additional work outside the project scope at the Town's McFee Park Phase 3 project.

BACKGROUND: The Board of Mayor and Aldermen awarded Contract 2020-12 to Merit Construction, Inc. on March 12, 2020, for a total lump sum contract price of \$7,385,000.00. The project consists of a major park expansion including a great lawn, tennis complex, restroom pavilion, entrance roads and parking. Attached is a Change Order request for additional work by Merit Construction that was not included in the original contract documents. The following changes are requested.

Change Order 4

PCO 3: Utility Relocation. At the time of bid, it was unknown the exact scope of utility relocation that would be required during construction of the new Park Road. The current contract contains a \$20,000 allowance for relocation of utilities, which was included for bidding purposes until the exact scope could be determined. The utilities have now been uncovered and the Architect has issued a design change for the relocation scope. Merit has provided a cost estimate for this work of \$54,241 which is \$34,241 over the current budgeted allowance. Staff requests approval of this Change Order to provide direction to Merit to perform the relocation work on a Time and Materials basis, with a budget amount of \$40,000. Actual costs associated with the work will be tracked by staff, and the Town will reimburse only the actual costs.

FINANCIAL SECTION:

Project: Contract 2020-12, McFee Park Phase 3			
<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures & Contracts to Date</u>	<u>Available Amount</u>
\$8,650,000	\$40,000	\$8,243,215	\$366,785
Approved			
By: <u>Allison Myers</u>			

RECOMMENDATION BY: Darryl Smith, Town Engineer

PROPOSED MOTION: Approval of Change Order 4 for Contract 2020-12, McFee Park Phase 3, with a total budget of \$40,000.

BOARD ACTION:

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

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



AIA[®] Document G714[™] – 2017

Construction Change Directive

PROJECT: <i>(name and address)</i> McFee Park Phase III Farragut, Tennessee	CONTRACT INFORMATION: Contract For: General Construction Date: March 13, 2020	CCD INFORMATION: Directive Number: 001/C.O. 004 Date: October 1, 2020
OWNER: <i>(name and address)</i> Town of Farragut 11408 Municipal Center Drive Farragut, TN 37934	ARCHITECT: <i>(name and address)</i> Ross/Fowler, P.C. 5103 Kingston Pike Suite 105 Knoxville, TN 37919	CONTRACTOR: <i>(name and address)</i> Merit Construction 10435 Dutchtown Road Knoxville, TN 37932

The Contractor is hereby directed to make the following change(s) in this Contract:
(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits.)

In accordance with Allowance #1 relocate utilities as shown on C1.6 dated 6/22/20 and L6.2 dated 6/22/20

PROPOSED ADJUSTMENTS

1. The proposed basis of adjustment to the Contract Sum or Guaranteed Maximum Price is:

- ☐ Lump Sum decrease of \$0.00
- ☐ Unit Price of \$ per
- ☒ Cost, as defined below, plus the following fee: included in amount below
(Insert a definition of, or method for determining, cost)
Time and Material not to exceed \$34,241.00
- ☐ As follows:

2. The Contract Time is proposed to remain unchanged. The proposed adjustment, if any, is .

NOTE: The Owner, Architect and Contractor should execute a Change Order to supersede this Construction Change Directive to the extent they agree upon adjustments to the Contract Sum, Contract Time, or Guaranteed Maximum price for the change(s) described herein.

When signed by the Owner and Architect and received by the Contractor, this document becomes effective IMMEDIATELY as a Construction Change Directive (CCD), and the Contractor shall proceed with the change(s) described above.

Contractor signature indicates agreement with the proposed adjustments in Contract Sum and Contract Time set forth in this CCD.

Ross/Fowler, P.C.

ARCHITECT *(Firm name)*

SIGNATURE

Michael F. Fowler, President

PRINTED NAME AND TITLE

DATE

Town of Farragut

OWNER *(Firm name)*

SIGNATURE

David Smoak, Town Administrator

PRINTED NAME AND TITLE

DATE

Merit Construction

CONTRACTOR *(Firm name)*

SIGNATURE

Tommy Cutcher, Project Manager

PRINTED NAME AND TITLE

DATE

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Change Order No. 3, Contract 2020-12, McFee Park Phase 3

INTRODUCTION: The purpose of this item is to consider approval of change orders for additional work outside the project scope at the Town's McFee Park Phase 3 project.

BACKGROUND: The Board of Mayor and Aldermen awarded Contract 2020-12 to Merit Construction, Inc. on March 12, 2020, for a total lump sum contract price of \$7,385,000.00. The project consists of a major park expansion including a great lawn, tennis complex, restroom pavilion, entrance roads and parking. Attached is a Change Order request for additional work by Merit Construction that was not included in the original contract documents. The following changes are requested.

Change Order 3

PCO 8: Basketball Court Addition and Tennis Court Changes. This Change Order is to add a basketball court and make minor changes to the tennis courts as described below. Please also see the attached drawing with highlighted location of the proposed changes.

Base Price - \$208,405.00

- Addition of one asphalt basketball court with sidewalks and landscaping
- Addition of an indentation in the fence line at the north and south ends of the tennis courts
- Addition of four concrete pads for spectator seating between the sidewalk and the tennis courts
- Modifications to the shade structures to provide more shade

Add #1 - \$9,900.00

- Addition of applied sport court surface to the asphalt basketball court

Add #2 - \$19,700.00

- Addition of perimeter enclosure fencing of the basketball court

Add #3 - \$94,286.00

- Addition of sports lighting system including 4 MUSCO pole mounted lights and all associated electrical items

Total cost for this Change Order with all options is **\$332,291.00.**

Please note the completion date for the project remains unchanged. However, Merit has requested an additional sixty (60) days for completion of the work associated with this Change Order only.

FINANCIAL SECTION:

**Project: Contract 2020-12, McFee Park
Phase 3**

<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures & Contracts to Date</u>	<u>Available Amount</u>
\$8,650,000	\$332,291	\$8,290,115	\$27,594

Approved Allison Myers

By: _____

RECOMMENDATION BY: Darryl Smith, Town Engineer

PROPOSED MOTION: Approval of Change Order No. 3 for Contract 2020-12, McFee Park Phase 3, with a total cost of \$ _____ and _____ days added for completion of the work described.

BOARD ACTION:

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

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

McFee Park Phase 3

October 8, 2020

Change Order 003**Attachment A**

Re: Cost Proposal Number 8

We are enclosing herewith changes to the subject project. We have reviewed the contractor's proposed changes and find the proposed changes in the Contract Sum and Time to be appropriately documented and reasonable.

The following changes are requested:

CP 008 Basketball Court Addition and Tennis Court Changes

The changes requested by the Town are to make certain changes at the tennis court and to add a basketball court as described below.

The requested changes to the tennis courts include:

- adding an indentation in the fence line at the north and south ends of the tennis courts,
- the addition of four concrete pads for spectator seating between the sidewalk and the tennis courts,
- modifying the shade structures to provide more shade.

The requested addition of the basketball court includes:

- Base price- One asphalt basketball court
- Add #1- Sport court surface
- Add #2- Perimeter fence
- Add #3- Court Lighting

These proposed changes increase the Contract Sum by the following amounts:

Base Bid (Tennis Court Changes and Asphalt Basketball Court)- \$208,405.00

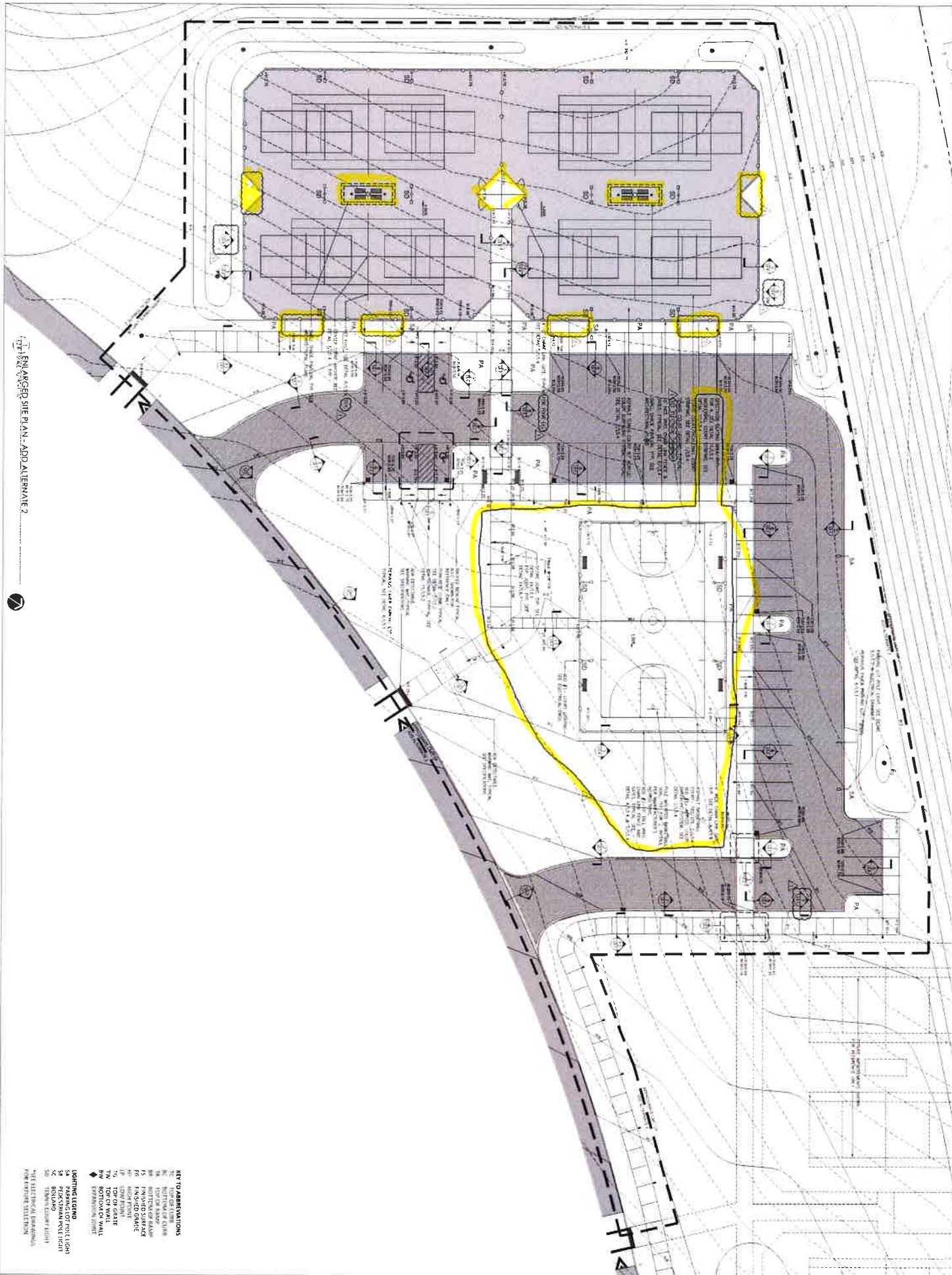
Basketball Court Add #1- \$9,900.00

Basketball Court Add #2- \$19,700.00

Basketball Court Add #3- \$94,286.00

The Contract Time shall be increased by sixty (60) days limited to this scope of work. The date of Substantial Completion is unchanged by this Change Order.





ENLARGED SITE PLAN - ADD ALTERNATE 2



- KEY TO ABBREVIATIONS**
- 10' - 10' WIDE
 - 15' - 15' WIDE
 - 20' - 20' WIDE
 - 25' - 25' WIDE
 - 30' - 30' WIDE
 - 35' - 35' WIDE
 - 40' - 40' WIDE
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 - 1000' - 1000' WIDE

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Supplement Request for Additional Design Services from Ross-Fowler, PC at McFee Park Project.

INTRODUCTION: The purpose of this item is to consider approval of a request for additional payment for design services from Ross-Fowler, PC for work outside the project scope at the Town's McFee Park Phase 3 project.

BACKGROUND: The Board of Mayor and Aldermen previously approved a contract with Ross Fowler, PC for design services at a cost of 7.25% of the estimated construction cost of the McFee Park Phase 3 project. Since then, supplements have increased the Town's cost to \$559,124.00. At the request of the Board, staff asked Ross Fowler to revise the project plans as follows:

1. Add an asphalt basketball court.
2. Add concrete walkway access to the basketball court.
3. Add planting and irrigation to the areas west and north of the basketball court.
4. Add four concrete pads for spectator seating between the tennis courts and the sidewalk.
5. Revise the tennis shade structures as requested.
6. Revise the fence at the north and south ends of the tennis courts as requested.

These revisions have been presented as Change Order 3 to the project scope. Ross Fowler requests supplemental fee of \$6,900, and approval will increase their fee to \$566,024.00.

FINANCIAL SECTION:

Project: Contract 2020-12, McFee Park Phase 3
***Numbers are based on budget without Change #3**

<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures & Contracts to Date</u>	<u>Available Amount</u>
\$8,650,000	\$6,900.00	\$8,283,215	\$359,885

Approved By: Allison Myers

RECOMMENDATION BY: Darryl Smith, Town Engineer

PROPOSED MOTION: Approval of supplement request from Ross Fowler, PC for additional design services for McFee Park Phase 3.

BOARD ACTION:

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

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

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Amendment to the Professional Services Agreement

PROJECT: *(name and address)*

McFee Park Phase III
Farragut, Tennessee

AGREEMENT INFORMATION:

Date: October 26, 2017

AMENDMENT INFORMATION:

Amendment Number: 003
Date: September 24, 2020

OWNER: *(name and address)*

Town of Farragut
11408 Municipal Center Drive
Farragut, TN 37934

ARCHITECT: *(name and address)*

Ross/Fowler, P.C.
5103 Kingston Pike
Suite 105
Knoxville, TN 37919

The Owner and Architect amend the Agreement as follows:

Revise the drawings to include the following work requested by the Town:

1. Add an asphalt basketball court. Surfacing, fencing and lighting to match the tennis courts to be shown as adds.
2. Add concrete walkway access to the basketball court
3. Add planting and irrigation to the areas west and north of the basketball court
4. Add four concrete pads for spectator seating between the tennis courts and the sidewalk
5. Revise the tennis shade structures as requested
6. Revise the fence at the north and south ends of the tennis courts as requested

The Architect's compensation and schedule shall be adjusted as follows:

Compensation Adjustment:

The Architect and their consultants will provide the requested drawing changes on an hourly basis in an amount not to exceed \$6,900.00

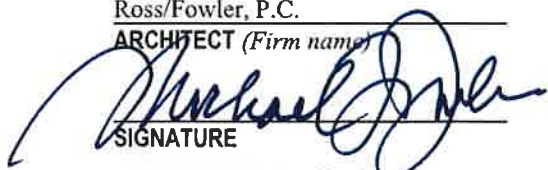
Schedule Adjustment:

The Architect is to proceed as quickly as is consistent with good practice.

SIGNATURES:

Ross/Fowler, P.C.

ARCHITECT *(Firm name)*


SIGNATURE

Michael F. Fowler, President

PRINTED NAME AND TITLE

DATE

9.24.20

Town of Farragut

OWNER *(Firm name)*

SIGNATURE

Ron Williams, Mayor

PRINTED NAME AND TITLE

DATE