



FARRAGUT BOARD OF MAYOR AND ALDERMEN AGENDA

January 14, 2021

**BEER BOARD
6:55 PM**

**BMA MEETING
7:00 PM**

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. December 10, 2020
- IV. Mayor's Report**
- V. Business Items**
 - A. Approval of Resolution R-2021-01, Appointment of Municipal Judge
- VI. Ordinances**
 - A. Public Hearing & Second Reading
 - 1. **Ordinance 20-25**, an ordinance to amend Appendix A – Zoning, Chapter 3., Specific District Regulations, Section XII., General Commercial District (C-1), B., 3., as it relates to the outdoor display and or storage of general farm implements and lawn care equipment, riding lawn mowers, and related accessories (Farragut Lawn and Tractor, Applicant)
 - 2. **Ordinance 20-26**, an Ordinance Amending the General Fund and Capital Investment Program for the Fiscal Year 2020-2021 Budget, Passed by Ordinance 20-07
 - B. First Reading
 - 1. **Ordinance 21-01**, an ordinance to amend the future land use map in the Comprehensive Land Use Plan Update for a portion of Parcel 003.19, Tax Map 143 (a portion of the property referenced as 133 Concord Road) associated with the Farragut Town Center at Biddle

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.

Farms project from Medium Density Residential to Town Center (CHM, LLC, Applicant)

2. **Ordinance 21-02**, an ordinance to amend the Farragut Zoning Map in association with the Farragut Town Center at Biddle Farms project, 11230 and 11240 Kingston Pike and 133 Concord Road, Parcels 3.02, 3.03, 3.10, and a portion of 3.19, Tax Map 143, from General Commercial (C-1) and General Single-Family Residential (R-2) to Planned Commercial Development (PCD), 43.63 Acres (CHM, LLC, Applicant)
3. **Ordinance 21-03**, an ordinance to amend the Farragut Zoning Ordinance, Chapter 3., Section XII. F. Mixed Use Town Center, associated with the Farragut Town Center at Biddle Farms project, 11230 and 11240 Kingston Pike and 133 Concord Road, Parcels 3.02, 3.03, 3.10, and a portion of 3.19, Tax Map 143, 43.63 Acres (Budd Cullom, Applicant)

VII. Town Administrator's Report

VIII. Town Attorney's Report

IX. Citizens Forum

This meeting can be viewed live on the Farragut YouTube Channel, www.townoffarragut.org/livestream, 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 **Wednesday, January 13** 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.



FARRAGUT BEER BOARD

January 14, 2021

6:55 PM

I. Approval of Minutes

- A. September 24, 2020

II. Beer Permit Request

- A. Approval of Class 1, On-Premise Beer permit for First Watch Restaurant, 111 Lovell Road
- B. Approval of Class 2, On-Premise Other and Class 5, Off-Premise Beer Permit for Euphoric Cheese Shop, 139 West End Avenue

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FARRAGUT BEER BOARD

September 24, 2020

6:50 PM

Approval of Minutes

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

Beer Permit Request

Approval of Class 7, Brewpub Permit for 35 North LLC, 11321 Kingston Pike (Admirals Corner)

Motion was made to approve the Class 7, Brewpub Permit for 35 North LLC, 11321 Kingston Pike. Moved by Mayor Williams, seconded by Alderman Povlin; voting yes, Aldermen Meyer, yes; Alderman Povlin, yes; Alderman Pinchok, yes; Mayor Williams, yes; Alderman Burnette was absent; no nays; motion passed.

Ron Pinchok, Chairman

Allison Myers, Town Recorder

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AGENDA NUMBER II.A.

MEETING DATE January 14, 2021

REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Class 1, On-Premise Beer Permit for First Watch Restaurant, 111 Lovell Road

DISCUSSION:

The purpose of this agenda item is the approval of a Class 1, On-Premise Beer Permit for First Watch Restaurant, 111 Lovell Road

The applications and information are in order.

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

To approve a Class 1, On-Premise Beer Permit for First Watch Restaurant, 111 Lovell Road.

BOARD ACTION:

MOTION BY: _____ SECONDED BY: _____

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

APPLICATION FOR BEER PERMIT

STATE OF TENNESSEE

TOWN OF FARRAGUT

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

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

Class 1 On-Premise

Class 2 On-Premise, Other

Class 3 On-Premise, Hotel/Motel

Class 4 On-Premise, Tavern

Class 5 Off-Premise

Class 6, Special Occasion

3. Name of Applicant(s) (Owner(s) of Business) FW of Knoxville 1, LLC
dba First Watch Restaurant

4. Type of applicant (check one):

Person ____ Firm ____ Corporation ____ Joint-Stock Company ____ Syndicate ____ Other X-LLC

5. List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business:

See Attached

6. Applicant's present home address: main office

6486 Kingston Pike Knoxville, TN 37919

7. Date of Birth ____ Home Telephone Number ____

Business Telephone Number ____

Social Security Number ____

8. Representative Email Address: rchambers@capstoneconcepts.com

9. Under what name will the business operate? First Watch

10. Business address 111 Lovell Rd Knoxville 37934

Business Telephone number 865-671-3447

contact Robin Chambers for meeting date/time

11. Specify the identity, email and physical address of the person to receive annual privilege tax notices and any other communication from the Town:

ap@capstoneconcepts.com

(Accounting at main office)

12. Information of any manager, other than the applicant:

(Restaurant Manager)

Name: Jamison Gibson

Birth Date:

8-9-86

Address: 1020 West Park Drive Knoxville 37909

Phone Number: 865-308-0705

13. Has any person having at least a 5% ownership interest, any of the managers, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime within the last ten (10) years: Yes ☒ No. If yes, give particulars of each charge, court, and date convicted.

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

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

All Ethern General Partnership

- *16. What is the name and address of the Church (or other place of worship) nearest to your business?

Westgate Christian Fellowship

- *17. What is the name and address of the school nearest to your business?

Farragut Primary 509 N Campbell Station

18. Special Occasion Event Name: N/A

Location of the special occasion event:

Event Date & Times:

Representative name & phone number:

Have you received a special event permit to hold the event in the Town of Farragut?

19. Tennessee Sales Tax Number: 107092488

20. Town of Farragut Business License Number 2540 (attached)

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

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

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

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

X 

Signature of Applicant/Owner (or authorized Corporate Official): Raja J. Jubran, President

Sworn to and subscribed before me this 23rd day of December, 2020



Notary Public: Rebecca B. Lane

My Commission Expires: 06-30-2021



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

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

FOR OFFICE USE ONLY

Application is hereby: Approved _____ Denied _____

On this date: _____, 20__

Beer Board Chairman

Town Recorder

AGENDA NUMBER II.B.

MEETING DATE January 14, 2021

REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Class 2, On-Premise Other and Class 5, Off-Premise Beer Permit for Euphoric Cheese Shop, 139 West End Avenue

DISCUSSION:

The purpose of this agenda item is the approval of a Class 2, On-Premise Other and Class 5, Off-Premise Beer Permit for Euphoric Cheese Shop, 139 West End Avenue.

The applications and information are in order.

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

To approve a Class 2, On-Premise Other and Class 5, Off-Premise Beer Permit for Euphoric Cheese Shop, 139 West End Avenue.

BOARD ACTION:

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

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

APPLICATION FOR BEER PERMIT

250
12/1/20

STATE OF TENNESSEE

TOWN OF FARRAGUT

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

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

~~Class 1 On-Premise~~

Class 2 On-Premise, Other

Class 3 On-Premise, Hotel/Motel Class 4 On-Premise, Tavern

Class 5 Off-Premise

Class 6, Special Occasion

- Name of Applicant(s) (Owner(s) of Business) Amy Burritt, Cheri Intveld
- Type of applicant (check one):
Person _____ Firm _____ Corporation _____ Joint-Stock Company _____ Syndicate _____ Other LLC
- List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business:
Amy Burritt
Cheri Intveld
- Applicant's present home address:
2917 Lake Forest Circle, Talbott TN 37877
- Date of Birth _____ Home Telephone Number g
Business Telephone Number TBD Social Security Number _____
- Representative Email Address: info@euphoriccheese.com
- Under what name will the business operate? Euphoric Cheese Shop
- Business address 139 West End Avenue, Knoxville TN 37934
Business Telephone number TBD

Business fic 3095

11. Specify the identity, email and physical address of the person to receive annual privilege tax notices and any other communication from the Town:

Amy Burritt, info@euphoriccheese.com, 139 West End Avenue, Knoxville TN 37934

12. Information of any manager, other than the applicant:

Name: Cheri Intveld Birth Date: 07/07/1982

Address: 2917 Lake Forest Circle, Talbott TN 37877

Phone Number: 828-423-4684

13. Has any person having at least a 5% ownership interest, any of the managers, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime within the last ten (10) years: ____ Yes X No. If yes, give particulars of each charge, court, and date convicted.

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

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

The West End Phase II Partnership, Tommy Vann, 124 B West End Avenue, Knoxville TN 37922

16. What is the name and address of the Church (or other place of worship) nearest to your business?

Faith Promise, 144 West End Avenue

17. What is the name and address of the school nearest to your business?

Farragut High School, 11237 Kingstong Pike

18. Special Occasion Event Name: _____

Location of the special occasion event: _____

Event Date & Times: _____

Representative name & phone number: _____

Have you received a special event permit to hold the event in the Town of Farragut? _____

19. Tennessee Sales Tax Number: 1001776922-SLC

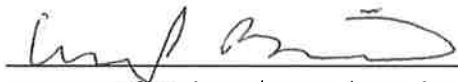
20. Town of Farragut Business License Number 3095

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

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

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

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



Signature of Applicant/Owner (or authorized Corporate Official)

Sworn to and subscribed before me this 1 day of December, 2020



Notary Public

My Commission Expires: 8/30/2022



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

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

FOR OFFICE USE ONLY

Application is hereby: Approved _____ Denied _____

On this date: _____, 20__

Beer Board Chairman

Town Recorder

Board of Mayor and Aldermen December 10, 2020 Minutes

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

Roll Call

Roll Call for attendance: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; 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 Meyer; roll call vote, Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Mayor Williams, yes; no nays; motion passed.

Approval of Minutes

Motion was made to approve the minutes of November 12, 2020 as presented. Moved by Alderman Povlin, seconded by Alderman Meyer; roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; motion passed.

Mayor's Report

Alderman Povlin congratulated Beth Duncan and Mary Cook, members of the Farragut Education Foundation, on a great fundraising event.

Alderman Pinchok updated the board on some housing and planning studies that would be beneficial in the future.

Ordinances

Public Hearing & Second Reading

Ordinance 20-22, an ordinance to rezone the property at 933 McFee Road from Agricultural (A) to Open Space Residential Overlay (R-1/OSR), 7 Acres (Rackley Engineering, Applicant)

Motion was made to approve Ordinance 20-22 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Mayor Williams, yes; no nays; motion passed.

Ordinance 20-23, an ordinance to amend the Farragut Municipal Code, Appendix A., Zoning, Chapter 4., Section XXIX, - Grand Opening Special Events Permit, to provide for different sign related provisions (Town of Farragut, Applicant)

Motion was made to approve Ordinance 20-23 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; motion passed.

Ordinance 20-24, ordinance to amend the Farragut Municipal Code Chapter 18, Parks and Recreation, to prohibit smoking on any children's play areas

Motion was made to approve Ordinance 20-24 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Mayor Williams, yes; no nays; motion passed.

First Reading

Ordinance 20-25, an ordinance to amend Appendix A – Zoning, Chapter 3., Specific District Regulations, Section XII., General Commercial District (C-1), B., 3., as it relates to the outdoor display and or storage of general farm implements and lawn care equipment, riding lawn mowers, and related accessories (Farragut Lawn and Tractor, Applicant)

Motion was made to approve Ordinance 20-25 on first reading. Moved by Alderman Povlin, seconded by Alderman Pinchok.

Alderman Povlin made an amended motion to add language for an additional setback from the front of the building. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote on the amendment; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; motion passed.

Roll call vote on Ordinance 20-25 as amended; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, no; Mayor Williams, yes; motion passed.

Ordinance 20-26, an Ordinance Amending the General Fund and Capital Investment Program for the Fiscal Year 2020-2021 Budget, Passed by Ordinance 20-07

Motion was made to approve Ordinance 20-26 on first reading. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Mayor Williams, yes; no nays; motion passed.

Business Items

Approval of the 2020/2021 Snow Removal Schedule and Road Additions

Motion was made to approve the 2020/2021 Snow Removal Schedule and Road Additions. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; motion passed.

Approval of Utility Make Ready Work Agreements for Development of the Town's Advanced Traffic Management System (ATMS) Phase 1 Project

Motion was made to approve the Utility Make Ready Work Agreements in the amount of \$139,205.81. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Mayor Williams, yes; no nays; motion passed.

Approval of Pole Attachment Agreement with Lenoir City Utilities Board for the Town's ATMS Phase 1 Project

Motion was made to approve the Pole Attachment Agreement with Lenoir City Utilities Board. Moved by Alderman Povlin, seconded by Alderman Burnette; roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; motion passed.

Approval of Proposal from WSP, USA Inc. for Construction Engineering Inspection (CEI) Services for the Town's ATMS Phase 1 Project

Motion was made to approve the contract WSP, USA Inc. in the amount of \$819,318. Moved by Alderman Povlin, seconded by Alderman Burnette; roll call vote, Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Mayor Williams, yes; no nays; motion passed.

Approval of TDOT Agreement for Development of Jamestowne Boulevard Traffic Study

Motion was made to approve the TDOT Agreement for Development of Jamestowne Boulevard Traffic Study. Moved by Alderman Povlin, seconded by Alderman Burnette; roll call vote; Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; motion passed.

Approval of Bids and Award of Contract 2021-07, Stormwater Infrastructure Repairs

Motion was made to approve the contract with Gulf Coast Underground, LLC in the amount of \$723,600.76. Moved by Alderman Povlin, seconded by Alderman Meyer; roll call vote; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Mayor Williams, yes; no nays; motion passed.

Approval of Bids and Award of Contract 2021-08, Watt Road Pedestrian Crossing

Motion was made to approve the contract with Whaley Construction in the amount of \$238,317. Moved by Alderman Povlin, seconded by Alderman Meyer; roll call vote; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, no; Alderman Meyer, yes; Mayor Williams, yes; motion passed.

Approval of Updated Human Resources Policies and Procedures Manual

Motion was made to approve the Updated Human Resources Policies and Procedures Manual. Moved by Alderman Povlin, seconded by Alderman Meyer; roll call vote; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Mayor Williams, yes; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, reported that the Town was awarded a grant for an all-inclusive playground from Blue Cross Blue Shield. He also reported that the Visit Farragut website is filled with holiday activities and information.

Citizens Forum

Mike Mitchell, 716 Brixworth Blvd, submitted a comment concerning the Biddle Farm Development.

Meeting adjourned at 9:15 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER V.A.

MEETING DATE January 14, 2021

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Resolution R-2021-01, Appointment of Town of Farragut Municipal Judge

INTRODUCTION:

In accordance with the Town of Farragut Municipal Code Chapter 12, Section 12-2, the office of municipal judge shall be filled by a resolution of appointment by the Board of Mayor and Aldermen.

BACKGROUND:

Any person appointed to the office of municipal judge shall hold a baccalaureate degree from an accredited college or university; shall be at least thirty years of age and have been a resident of the town for a period of one-year preceding election to office.

The normal term of office for any officer appointed pursuant of section 3-105 shall be for one year and such officer shall continue to serve thereafter until such officer's successor has been appointed and is sworn in unless otherwise provided.

DISCUSSION:

Keith Alley, current Municipal Judge, was first appointed in 2016 and has agreed to serve another term.

PROPOSED MOTION:

To approve Resolution R-2021-01, Appointment of Keith Alley as the Town of Farragut Municipal Judge.

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	_____	_____	_____	_____	_____



TOWN OF FARRAGUT

RESOLUTION R-2021-01

APPOINTMENT OF MUNICIPAL JUDGE

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, wishes to appoint a Municipal Judge, and

WHEREAS, the level of compensation of the Municipal Judge may be set by the Board of Mayor and Aldermen,

NOW, THEREFORE, BE IT RESOLVED that _____ is hereby appointed effective February 1, 2021 as municipal judge to a term ending January 31, 2022, or thereafter until a successor Municipal Judge has been appointed and been sworn in and shall be paid compensation of \$100 per session of the Farragut Municipal Court.

This Resolution is duly adopted by the Board of Mayor and Aldermen of the Town of Farragut on this 14th day of January 2021.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 20-25, an ordinance on second reading to amend Appendix A – Zoning, Chapter 3., Specific District Regulations, Section XII., General Commercial District (C-1), B., 3., as it relates to the outdoor display and or storage of general farm implements and lawn care equipment, riding lawn mowers, and related accessories (Farragut Lawn and Tractor, Applicant)

INTRODUCTION AND BACKGROUND: This item is related to provisions in the Farragut Zoning Ordinance that address outdoor display and storage of general farm implements and lawn care equipment, riding lawn mowers, and related accessories. Staff noted during reviews with the Planning Commission that the current provisions were specifically created for this type of use. Essentially, the current provisions limit display, in this case, to a permanent covered porch that extends from the front of the building toward Kingston Pike.

DISCUSSION: As staff noted in the review of this item, the issue has been that the property owner has not been adhering to the current provisions and has recently been cited to municipal court and found liable for violating these provisions. Consequently, the property owner petitioned for the existing language to be revisited. After reviewing this with the Planning Commission in October, staff was asked to meet with the property owner on site and look at where equipment could be displayed beyond the limits of the current provisions so that the setbacks could be established in the text amendment.

On November 5, staff visited Farragut Lawn and Tractor. After discussing different options, staff proposed in Ordinance 20-25 that the outdoor display of implements and/or lawn care equipment and related accessories shall be situated so that such display is at least 20 feet from the front property line. It will be the responsibility of the property owner to coordinate with Town staff on identifying and marking the 20-foot setback line for clarity and compliance purposes.

The rationale for the 20-foot setback is that this is the same minimum setback for parking lots. So, equipment being displayed would be in the same general location in relation to the abutting street as cars parked in a parking lot. This setback line will have to be identified and marked in consultation with the Town staff so that compliance with the amended provisions can be easily assessed.

As discussed with the Planning Commission, no equipment shall be permitted at any time on sidewalks or accessways and all signage shall comply with the Farragut Sign Ordinance.

RECOMMENDATION: When Ordinance 20-25 was presented to the Planning Commission on November 19 for a recommendation to the Board of Mayor and Aldermen, a clarification was requested that the display of farm implements and lawn care equipment and related accessories would only occur during business hours. This language has been incorporated into Ordinance 20-25 and was unanimously recommended for approval through Resolution PC-20-17.

When Ordinance 20-25 was presented to the Board of Mayor and Aldermen for first reading on December 10, a concern was raised that the display area was only restricted to a setback from the front property line. This could allow merchandise to be displayed in a very large area should the building be situated a significant distance from the front property line and there be no additional display restrictions. Though the Board did approve

Ordinance 20-25 on first reading, staff was asked to provide some amended language that would address the issue raised by Board members.

Included in the latest version of Ordinance 20-25 is proposed language that is shown in red. In addition to complying with the 20-foot setback from the front property line, merchandise to be displayed would also be required to be situated no more than 50 feet from the front plane of the building, excluding any protrusions beyond the primary front plane. Community Development Director, Mark Shipley, recommends approval of the revised Ordinance 20-25 on second reading.

PROPOSED MOTION: To approve the revised Ordinance 20-25 on second 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	_____	_____	_____	_____	_____

ORDINANCE:	20-25
PREPARED BY:	Shipley
REQUESTED BY:	Farragut Lawn and Tractor
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 3., SECTION XII. B., 3., RETAIL OUTLETS FOR THE SALE OF GENERAL FARM IMPLEMENTS AND LAWN CARE EQUIPMENT SUCH AS TRACTORS (LESS THAN 10,000 POUNDS), RIDING LAWN MOWERS, AND RELATED ACCESSORIES

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3., Section XII. B., 3., Retail outlets for the sale of general farm implements and lawn care equipment such as tractors (less than 10,000 pounds), riding lawn mowers, and related accessories, 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 by replacing it in its entirety as follows:

SECTION 1.

Section XII. B., 3., Retail outlets for the sale of general farm implements and lawn care equipment such as tractors (less than 10,000 pounds), riding lawn mowers, and related ~~accessories~~ **accessory attachments**.

3. Retail outlets for the sale of general farm implements and lawn care equipment such as tractors (less than 10,000 pounds), riding lawn mowers, and related ~~accessories~~ **accessory attachments**.
 - a. The outdoor display and/or storage of such implements and/or lawn care equipment and related ~~accessories~~ **accessory attachments** shall be permitted provided the following development criteria are met:
 - (1) The outdoor display of implements and/or lawn care equipment and related ~~accessories~~ **accessory attachments** shall be situated so that ~~it is~~ they are at least 20 feet from the front property line **and no more than 50 feet from the front plane of the building, excluding any protrusions beyond the primary front plane. Outdoor display shall only occur during business hours.** It is the responsibility of the property owner to coordinate with Town staff on identifying and marking the 20-foot **and 50-foot setback lines** for clarity and compliance purposes;

- (2) The implements and/or lawn care equipment and related ~~accessories~~ **accessory attachments** to be displayed outdoors must be removed from the crate or cartons and displayed in such a way as to allow for viewing and inspection, but so as not to prevent passage on sidewalks, walkways, or other vehicle ways;
- (3) Such businesses necessarily involve the use of outdoor areas on the premises for the unloading, uncrating, positioning and repositioning of items that are often larger and more cumbersome than most retailers handle. The temporary use of outdoor areas of the premises for such purposes during hours of operation shall not be a violation of this ordinance; and
- (4) Such businesses necessarily utilize packaging that is to be destroyed or reused. Such packaging materials shall be stored in areas on the premises to which access shall be restricted by means of a physical barrier such as an opaque fence or similar to a dumpster enclosure and shall comply with Chapter 4, Section I.B. of this ordinance.

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

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder/Treasurer

SUBJECT: First Reading of Ordinance 20-26, Ordinance to Amend the General Fund and the Capital Investment Program 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 second reading to amend the Fiscal Year 2021 General Fund and Capital Investment Program Budgets.

DISCUSSION:

The **General Fund** will be amended by increasing the appropriated expenditures from \$7,335,228 to \$7,410,059, an increase of \$74,831.

- **Personnel**

- **\$74,831**- The increase represents approximately a 2% bonus for Town employees. All full-time employees received \$1,200 each and part-time employees received \$750 each. Park assistants and Community Center Attendants received gift cards.

FINANCIAL SECTION:

With the \$74,831 adjustment, the amended fund balance for the General Fund is \$19,617,372.

Account Number: General Fund Budget

<u>Amended FY2021 Budget</u>	<u>Requested Amendment</u>	<u>FY2021 Amended Budget</u>
\$7,335,228	\$74,831	\$7,410,059

Approved By: Allison Myers

The **Capital Investment Program** will be amended by increasing the appropriated expenditures from \$1,100,000 to \$1,277,000, an increase of \$177,000 & an increase in funding sources from \$1,100,000 to \$1,317,000, an increase of \$217,000. The Watt Rd and stormwater expenditure increases will be funded from the TDOT reimbursement for the Watt Road extension. The ATMS project increase is 100% funded through the CMAQ project.

- **Expenditures \$177,000**

- **\$27,000 Watt Road Sidewalk** –Additional monies needed to complete the project based on the project bids received.
- **\$100,000 Stormwater Project**- Increased for repairs to 14 of 17 stormwater infrastructure locations.
- **\$50,000 ATMS Phase I Project**- The increase is necessary for assignment of the appropriated expenditure of funds and is 100% funded through the CMAQ program. The increase will match the project and funding totals from the TPO.

- **Funding Sources**
 - **\$167,000 Watt Road Extension Project**-These funds were remaining from the Watt Road Extension Project. TDOT closed the project and this is the reimbursement of funds that were paid to TDOT for the extension of Watt Road to Old Stage Road.
 - **\$50,000 CMAQ Funding**-Increase of funding totals to match the TPO project information.

FINANCIAL SECTION:

Account Number: Capital Investment Program Expenditure		
<u>Original FY2021 Budget</u>	<u>Requested Amendment</u>	<u>FY2021 Amended Budget</u>
\$1,100,000	\$177,000	\$1,277,000
Approved By: <u>Allison Myers</u>		

Account Number: Capital Investment Program Revenues		
<u>Original FY2021 Budget</u>	<u>Requested Amendment</u>	<u>FY2021 Amended Budget</u>
\$1,100,000	\$217,000	\$1,317,000
Approved By: <u>Allison Myers</u>		

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

PROPOSED MOTION: Motion to approve Ordinance 20-26 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	20-26
PREPARED BY	Myers
1 ST READING	December 10, 2020
2 nd READING	January 14, 2021
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 & Capital Investment Program 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 2020-2021 BUDGET AS FOLLOWS:

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

- The **General Fund** will be amended by increasing the appropriated expenditures from \$7,335,228 to \$7,410,059, an increase of \$74,831.
- The **Capital Investment Program** will be amended by increasing the appropriated expenditures from \$1,100,000 to \$1,277,000 an increase of \$177,000 and an increase in funding sources from \$1,100,000 to \$1,317,000 and increase of \$217,000

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 21-01, an ordinance on first reading to amend the future land use map in the Comprehensive Land Use Plan Update for a portion of Parcel 003.19, Tax Map 143 (a portion of the property referenced as 133 Concord Road) associated with the Farragut Town Center at Biddle Farms project from Medium Density Residential to Town Center (CHM, LLC, Applicant)

INTRODUCTION AND BACKGROUND: This item involves a project, the Town Center at Biddle Farms, that has been discussed at a number of Planning Commission and Staff/Developer meetings since March 2020. As conditionally approved through a master concept plan in July, the project would include a Town Center commercial area on the north portion of the property and transition to a multi-family residential development on the southern portion of the property with a large lawn gathering space between the two and a linear park area with a greenway loop on the eastern portion of the development along the floodplain. Collectively, this will be a Planned Commercial Development that will also involve a requested amendment to the Zoning Map.

DISCUSSION: In terms of the future land use map, most of the development proposed for the Town Center at Biddle Farms is shown in an area that is designated as Mixed-Use Town Center. A small area in the southeast portion of the development where some improvements associated with the project are planned is shown as Medium Density Residential. For consistency purposes, the applicant is requesting the area shown as Medium Density Residential be amended to Mixed Use Town Center.

One clarification to note regarding the lines shown on the future land use map is that, unlike a line on a zoning map which typically follows property lines or can be dimensioned and tied to a specific location, the lines on the future land use map are only intended to generally define areas for purposes of demonstrating a certain development vision. Thus, the lines on the future land use map may appear irregular and do not necessarily follow property lines.

In the case of the area envisioned as the Mixed Use Town Center on the future land use, the Board of Mayor and Aldermen has adopted by ordinance both the map and text portion of this particular land use designation because of its importance in encouraging the realization of Strategy 1 in the Comprehensive Land Use Plan Update which is to “Bring About a Downtown.”

RECOMMENDATION: Included in your packet is Ordinance 21-01 which would amend the future land use map for the area requested by the applicant. As noted during the presentation to the Planning Commission at their meeting in November, in relation to the Eight Key Strategies identified in the Comprehensive Land Use Plan Update, changing the future land use as provided for in Ordinance 21-01 would help facilitate a project that would address the following:

1. Bringing About a Downtown (the project would create a main street with many components consistent with a downtown);
2. Repairing Aging Shopping Centers (the project would result in the removal of the old Kroger building and the creation of a new development with a town center street grid with building placement and streetscaping that encourage pedestrian activity, a large central gathering space for community events, a linear park, and improvements to outdated infrastructure);
3. Encouraging Greater Housing Choice (the project would provide for housing in a density, form, and location that would help support the downtown and create a more dynamic and active town center area);

4. Increasing Connectivity (the project includes numerous connections, both vehicular and pedestrian, that tie the project together internally and externally);
5. Enhancing our Identity (the project would create a unique type of development that would focus on activated spaces and pedestrian engagement along with provisions for public gatherings and community events); and
6. Planning for the Remaining Vacant Parcels (the project not only repairs an existing aging shopping center and infrastructure but it also addresses abutting areas and incorporates them into the project to help sustain the project and create an area that will be identified as downtown Farragut).

For these reasons, the Planning Commission unanimously recommended approval of Ordinance 21-01 (formally referenced as 20-26) at their meeting on November 19. Community Development Director, Mark Shipley, also recommends approval of Ordinance 21-01 on first reading.

PROPOSED MOTION: To approve Ordinance 21-01 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	_____	_____	_____	_____	_____

ORDINANCE:	21-01
PREPARED BY:	Shipley
REQUESTED BY:	CHM, LLC
CERTIFIED BY FMPC:	November 19, 2020
PUBLIC HEARING:	_____
PUBLISHED IN:	_____
DATE:	_____
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE LAND USE PLAN UPDATE FOR A PORTION OF PARCEL 003.19, TAX MAP 143 (A PORTION OF THE PROPERTY REFERENCED AS 133 CONCORD ROAD)

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 portion of the Future Land Use Map 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 map of the Mixed-Use Town Center Land Use 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 Future Land Use Map in the Comprehensive Land Use Plan Update is amended as follows:

SECTION 1.

Changing the property referenced as a portion of Parcel 003.19, Tax Map 143 (a portion of the property referenced as 133 Concord Road) from what is currently shown as Medium Density Residential on the Future Land Use Map to Mixed Use Town Center (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 _____, 2021, with approval recommended.

Rita Holladay, Chairman

Scott Russ, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION



**Exhibit A
Ordinance 21-01**

**Future Land Use Map Amendment
A portion of Parcel 3.19
Tax Map 143
A Portion of the Property
133 Concord Road**

From
Medium Density Residential

to

Mixed Use Town Center

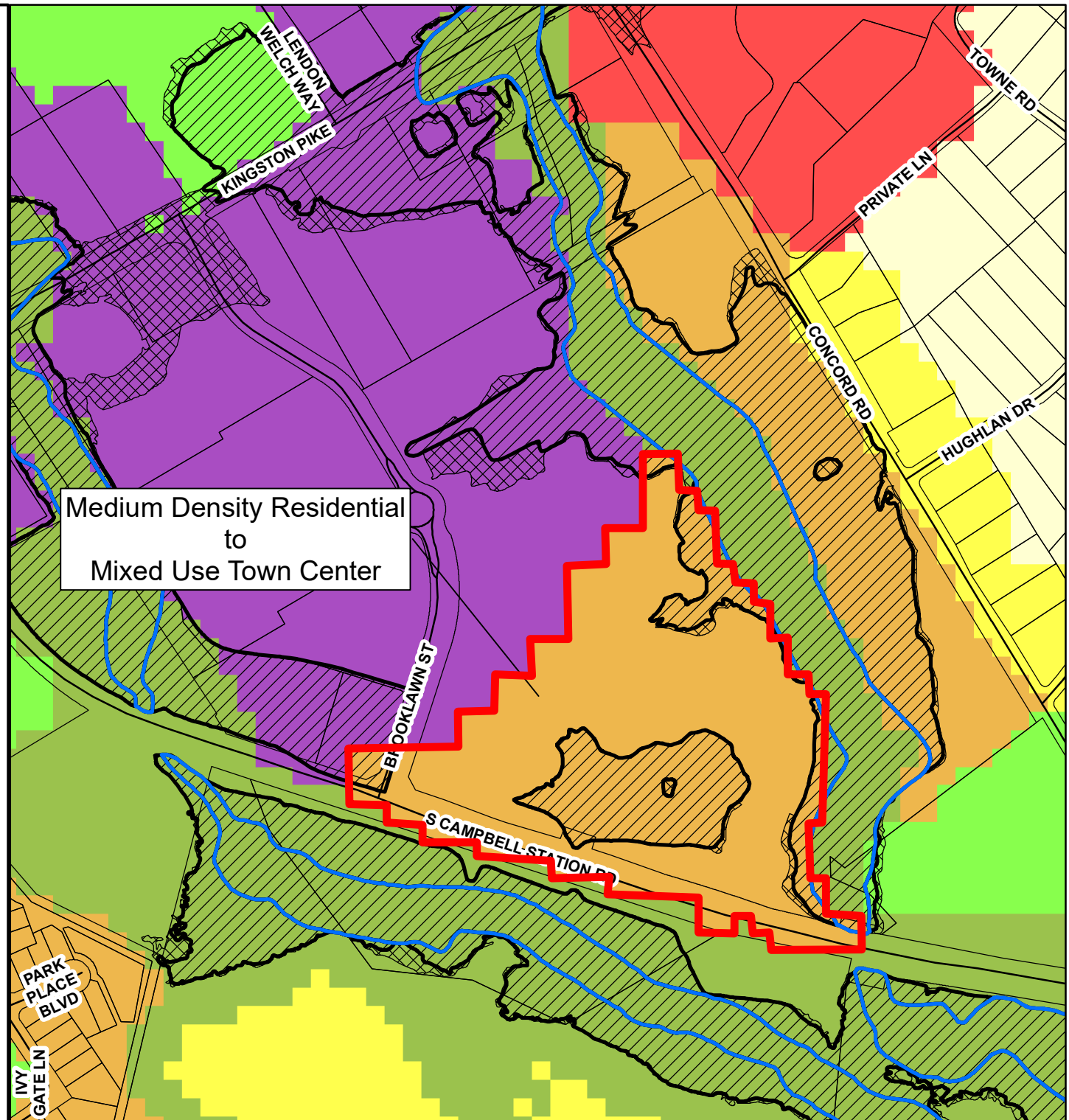
Medium Density Residential
to
Mixed Use Town Center

Legend

-  Subject
-  Floodway
-  100 year Flood Zone
-  500 year Flood Zone
-  Streets
-  Parcels
-  Commercial
-  Open Space
-  Parks and Rec
-  Very Low Density Residential (2-4 DUs /
-  Low Density Residential (3-6 DUs /
-  Med Density Residential (6-8 DUs / Acre)
-  Mixed Use Town Center (8-15 DUs /



1 in = 400 ft



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 21-02, an ordinance on first reading to amend the Farragut Zoning Map in association with the Farragut Town Center at Biddle Farms project, 11230 and 11240 Kingston Pike and 133 Concord Road, Parcels 3.02, 3.03, 3.10, and a portion of 3.19, Tax Map 143, from General Commercial (C-1) and General Single-Family Residential (R-2) to Planned Commercial Development (PCD), 43.63 Acres (CHM, LLC, Applicant)

INTRODUCTION AND BACKGROUND: Related to the previous agenda item, the applicant pursuing the Town Center at Biddle Farms project is requesting a zoning map amendment that would establish the Planned Commercial Development District (PCD) as the zoning district for their planned mixed-use project. Having more than one zoning district can create confusion in terms of what regulations apply and, since this is a planned commercial/residential project, the PCD is the logical choice.

As shown as part of Ordinance 21-02, a small portion of the project is currently zoned PCD. However, most of the project is zoned General Commercial (C-1) with the southeast end of the project, which does not include any proposed buildings, zoned General Single-Family Residential (R-2).

DISCUSSION: After a lengthy discussion at the staff/developer meeting on August 4, the general consensus that emerged was that the Town Center at Biddle Farms project, with its unique characteristics and surrounding plan of development, would be a good candidate for a Planned Commercial Development, especially given that a concept plan has already been presented and conditionally approved. The idea of using the PCD for this project was presented to the Planning Commission at their meeting on August 20 and was favorably received.

Since that time, the applicant has been working on putting together the information required for a rezoning request for the PCD District. Concurrent with this, the applicant also identified some existing text that they asked to be amended through Ordinance 20-29.

For purposes of this agenda item, staff would note that a rezoning to PCD would permit the applicant to develop under the existing language. The applicant understands that if the requested text amendments are not approved the project will need to be amended to comply with the established provisions.

RECOMMENDATION: Included in the packet is the applicant's rezoning package. This includes the Traffic Impact Study and a third-party review of the study.

As noted in the previous item, in relation to the Eight Key Strategies identified in the Comprehensive Land Use Plan Update, changing the zoning map as provided for in Ordinance 21-02 would help facilitate a project that would address the following:

1. Bringing About a Downtown (the project would create a main street with many components consistent with a downtown);
2. Repairing Aging Shopping Centers (the project would result in the removal of the old Kroger building and the creation of a new development with a town center street grid with building placement and streetscaping that encourage pedestrian activity, a large central gathering space for community events, a linear park, and improvements to outdated infrastructure);

3. Encouraging Greater Housing Choice (the project would provide for housing in a density, form, and location that would help support the downtown and create a more dynamic and active town center area);
4. Increasing Connectivity (the project includes numerous connections, both vehicular and pedestrian, that tie the project together internally and externally);
5. Enhancing our Identity (the project would create a unique type of development that would focus on activated spaces and pedestrian engagement along with provisions for public gatherings and community events); and
6. Planning for the Remaining Vacant Parcels (the project not only repairs an existing aging shopping center and infrastructure but it also addresses abutting areas and incorporates them into the project to help sustain the project and create an area that will be identified as downtown Farragut).

For these reasons, the Planning Commission recommended approval of Ordinance 21-02 (formally referenced as 20-27) at their meeting on November 19. Community Development Director, Mark Shipley, also recommends approval of Ordinance 21-02 on first reading.

PROPOSED MOTION: To approve Ordinance 21-02 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	_____	_____	_____	_____	_____

ORDINANCE:	21-02
PREPARED BY:	Shipley
REQUESTED BY:	CHM, LLC
CERTIFIED BY FMPC:	November 19, 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 11230 and 11240 Kingston Pike and 133 Concord Road, Parcels 3.02, 3.03, 3.10, and a portion of 3.19, Tax Map 143, from General Commercial (C-1) and General Single-Family Residential (R-2) to Planned Commercial Development (PCD) (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 _____, 2021,
with approval recommended by the Farragut Municipal Planning Commission (FMPC).

Rita Holladay, Chairman

Scott Russ, Secretary



**Exhibit A
Ordinance 21-02**

**Rezone
Parcel 3.02, 3.03, 3.10,
and a portion of 3.19
Tax Map 143
11230 and 11240 Kingston Pike
and 133 Concord Road**

From
C-1 (General Commercial) and
R-2 (General Single-Family Residential)
to

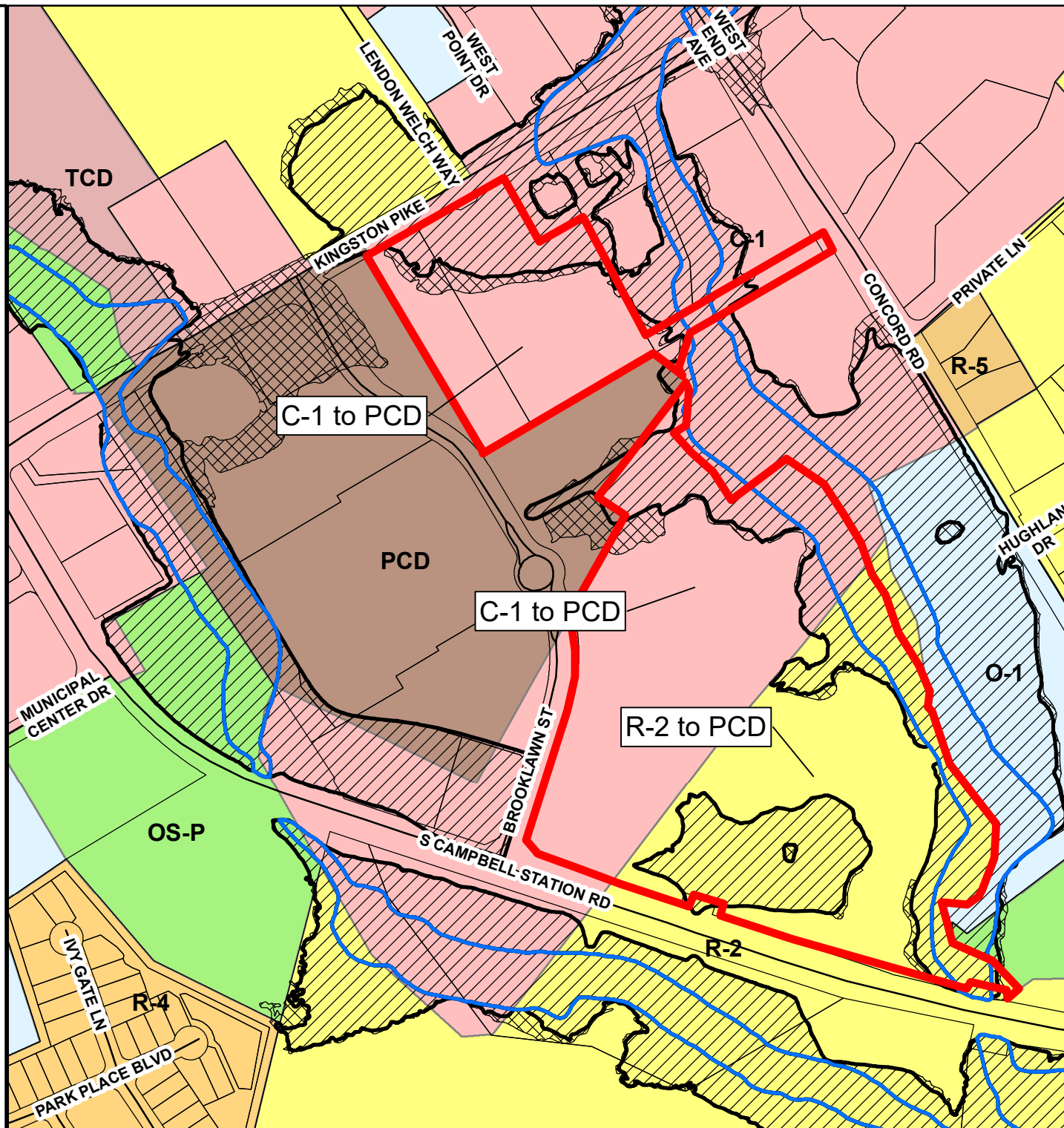
PCD (Planned Commercial Development)

Legend

-  Subject Property
-  Floodway
-  100 year Flood Zone
-  500 year Flood Zone
-  Streets
-  Parcels
-  OS-P, Open Space/Park
-  R-2, General Single-Family Residential
-  R-4, Attached Single-Family Residential
-  R-5, Two-Family Residential
-  O-1, Office
-  Town Center District
-  C-1, General Commercial
-  PCD, Planned Commercial Development



1 in = 400 ft



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 21-03, an ordinance on first reading to amend the Farragut Zoning Ordinance, Chapter 3., Section XII. F. Mixed Use Town Center, associated with the Farragut Town Center at Biddle Farms project, 11230 and 11240 Kingston Pike and 133 Concord Road, Parcels 3.02, 3.03, 3.10, and a portion of 3.19, Tax Map 143, 43.63 Acres (Budd Cullom, Applicant)

INTRODUCTION AND BACKGROUND: At the Planning Commission meeting in November, an ordinance to amend the future land use map and an ordinance to amend the zoning map in association with the Farragut Town Center at Biddle Farms project were recommended for approval. The amendment to the future land use map would designate the area within the development as Mixed-Use Town Center (MUTC), with the exception of the floodway – which is currently and would remain as Open Space. The amendment to the zoning map would designate the area within the development as Planned Commercial Development (PCD), with the Flood Plain District Overlay being retained.

The PCD District was selected due to the nature of the project and that it is a planned development with a master concept plan. As noted during the meeting, along with the map related amendments, the applicant has requested some text amendments that have been discussed informally during previous meetings. At the December 1 staff/developer meeting, staff noted that it was not uncommon for larger complex projects to have requested text amendments. As an example, this was seen during the review of the Top Golf project north of the Interstate. Staff also noted that, in the PCD District, where the future land use map shows a property as Mixed Use Town Center, the permitted uses and associated requirements refer to the Mixed-Use Town Center section of the General Commercial (C-1) Zoning District. In this manner, all new commercial or planned developments have a consistent look and feel. Consequently, concurrent with the requested map amendments, the text amendments would relate to the Mixed-Use Town Center section of the C-1 Zoning District. Specifically, the amendments would include the following:

- 1) Clarification of where residential may be permitted in the MUTC and how it may be allowed on all stories of buildings that are part of a horizontally configured mixed-use town center development plan within the PCD District. This would acknowledge the reality that mixed-use developments may be vertical or horizontal but, if horizontal, the residential must be part of the master concept plan process required for a PCD rezoning and that such plan must be a mixed use town center development;
- 2) Clarifying that on-street parking is exempt from the standard setbacks applied to parking lots; and
- 3) Amending the height for accessory buildings from 15 feet to 25 feet. This would be the same height currently permitted for amenities buildings in the PCD District.

In addition to these amendments, Ordinance 21-03 will also update the MUTC portion of C-1 to acknowledge that the recently adopted sign ordinance would replace some of the existing wall sign provisions in this section. Also updated is the language which addresses “Building Façade Requirements.” The existing language was developed prior to the adoption of the Architectural Design Standards. The proposed language refers to the Architectural Design Standards for the applicable requirements while retaining the additional requirements specific to new buildings to be constructed in the MUTC land use area. These additional requirements namely prescribe for new buildings to include a cornice, upper façade, and storefront and face brick on at least 75% of each building wall. Outside the MUTC, the requirement is an average of 75% on the net façade area of all building walls.

RECOMMENDATION: Included in your packet is Ordinance 21-03. At their meeting on December 17, the Planning Commission unanimously recommended approval of Ordinance 21-03 (formally referenced as 20-29). Community Development Director, Mark Shipley, also recommends approval of Ordinance 21-03 on first reading.

PROPOSED MOTION: To approve Ordinance 21-03 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	_____	_____	_____	_____	_____

ORDINANCE:
PREPARED BY:
REQUESTED BY:
1ST READING:
2ND READING:
PUBLISHED IN:
DATE:

21-03
Shipley
Bud Cullom

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 3., SECTION XII. F., MIXED USE TOWN CENTER

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3., Section XII. F. Mixed Use Town Center, 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 by replacing it in its entirety as follows:

SECTION 1.

Section XII. F., Mixed Use Town Center

1. *General Description and Purpose.*

In the Town's adopted Comprehensive Land Use Plan (CLUP), Strategy 1 describes the community's desire to Bring About a Downtown. Also included in the CLUP are land use descriptions related to the intent, uses, and character of what is described as a Mixed Use Town Center (MUTC). The CLUP also includes a future land use map which identifies locations for a MUTC.

The purpose of this section is to ensure that properties zoned C-1 that are within (i.e., at least half of the existing parcel) the area shown as Mixed Use Town Center are developed and redeveloped in a manner that is consistent with the CLUP.

Where a property is zoned C-1 and is shown to be within the area identified as MUTC on the Future Land Use Map, the following provisions shall apply.

2. *Permitted Principal and Accessory Uses and Structures.* (If a use is not listed below it shall not be permitted unless it is approved by the Board of Zoning Appeals as a Special Exception and the proposed use is consistent with the CLUP as it relates to the MUTC.)
- Generally recognized retail sales. This excludes all outdoor sales or storage (unless part of an approved Farmers Market or similar seasonal pedestrian oriented use) and any "big box" entities where the total gross square footage exceeds 25,000 square feet.

- b. Restaurants, tea rooms, cafes, coffee houses, bistros, or other similar establishments serving food or beverage that is primarily consumed within the principal building or in designated outdoor seating areas associated with the principal building. A drive-through lane may be permitted provided the following criteria are satisfied:
 1. The property is a minimum of two acres and is a lot of record that has existing frontage on a street classified as a major arterial on the Major Road Plan;
 2. The drive-through is limited to one lane;
 3. The drive-through is located to the rear of the building or behind the building so that it is not visible from any abutting public rights-of-way;
 4. The drive-through is limited to one menu board which shall be permitted provided all of the following criteria are satisfied:
 - a) The menu board and any associated apparatus shall be architecturally compatible with the principal building;
 - b) The menu board and any associated apparatus shall be screened with opaque materials (which may include evergreen plant material) so that, throughout the year, they are not visible from adjacent properties and/or rights of ways;
 - c) The screening plan for such menu board and associated apparatus shall be reviewed as part of the site and landscape plan review with the applicable standards in the Architectural Design Standards (ADS) also being applied; and
 - d) The menu board shall not exceed 36 square feet in size and 6 feet in overall height.
 5. The entrance and exit to the drive-through leads to a parking area or service drive. The drive-through lane shall not be directly connected to a public street; and
 6. The design shall minimize vehicle/pedestrian conflicts. The drive-through lane shall not separate parking lots from rear building pedestrian access doors or other pedestrian access ways.
 7. The planning commission may approve alternative drive-thru lane configurations and minor modifications to the requirements of parts 1 - 6 above where an existing permitted establishment is being remodeled/redeveloped without a change of use. This includes but is not limited to the addition of split ordering lanes; the use of more than one menu board provided, however, that the aggregate square footage (sign area) of all such boards per lane shall be restricted to 30 square-feet with no single board to exceed 20 square-feet; and a relaxation of the menu board screening requirement. In granting such approvals, the planning commission shall consider and ensure that they are based on the following:
 - a) The physical nature of the preexisting site;
 - b) The extent of the redevelopment project;
 - c) A finding that the proposed alternative design and/or modifications serve a related public purpose, such as improved traffic flow; and
 - d) That the alternative design/modification is consistent with the general intent of these standards and represents the minimum modification necessary given the nature of the site and project.

- c. Financial and real estate services. This excludes drive-through service lanes and windows.
- d. Professional, personal, and business services.
- e. Public, governmental, and general offices.
- f. Medical, dental, and veterinary facilities (indoors only).
- g. Medical spas.
- h. Adult education and training facilities, indoors only.
- i. Cultural activities.
- j. Theaters.
- k. Indoor recreational facilities.
- l. Parks and community facilities.
- m. Residential, provided it is located in the upper floors of a building that has been designed and constructed for a mix of uses, or on any floors if it is part of an approved horizontally configured mixed-use town center development plan that is within the Planned Commercial Development (PCD) Zoning District.
- n. Bed and breakfasts/inns.
- o. Hotels, provided the gross square footage does not exceed 25,000 square feet.
- p. Churches and other places of worship, provided they are not located in freestanding buildings.
- q. Day care facilities, provided they are not located in freestanding buildings.
- r. Schools, public and private, provided they are not located in freestanding buildings.
- s. Utility uses. This excludes substations and telecommunication towers. These utility uses shall not be permitted.
- t. Other uses similar to any of the above, as approved by the Board of Zoning Appeals as a Special Exception. Any use approved as a Special Exception in this section shall be compatible with the CLUP as it relates to the Mixed-Use Town Center.

3. *Building Facade Requirements.*

New construction shall comply with the Town of Farragut Architectural Design Standards, as amended and, in addition, the requirements provided for in Chapter 107, Article 2. – Town Center Design Requirements, Sections 107-26 and 107-27, as amended.

Where re-development involves improvements (interior and/or exterior) to an existing building(s) which exceed 50 percent of the current value (as determined by a certified appraisal) of such building(s), the building(s) facade(s) shall be modified to use high-quality, durable, materials that are architecturally compatible and include a significant masonry element. Such building facades shall not use fabricated metal panels or vinyl siding and shall include only very limited use of synthetic stucco (EIFS) or panelized brick.

4. *Low Impact Development Requirements.* Any new development or redevelopment where at least half of the existing site improvements are being modified (e.g., half of the existing parking

lot is being altered from its current configuration), shall incorporate a minimum of one of the following Low Impact Development (LID) practices into the design:

- a. Twenty-five percent of the parking lot being constructed with permeable pavers;
- b. Stormwater runoff draining to rain gardens;
- c. A building(s) being constructed with a vegetated roof, commonly referred to as a green roof;
- d. Stormwater draining to bioswales/bioretenion facilities; or
- e. Rainwater being harvested for irrigation or gray water uses.

5. *Area Regulations.*

a. *Front yards.*

1. All principal buildings shall be set back a minimum of ten feet from all property lines and access easements.
2. Unless otherwise provided, all accessory structures, such as parking garages, dumpsters, HVAC units and generators, shall be set back a minimum of 20 feet from all property lines and access easements. This excludes signage, detention basin structures (if associated with a low impact development measure), or structures typically associated with a store front or furnishing zone as described in the TCD Zoning District.

Where abutting an arterial street, no portion of a parking lot shall be closer to such street than the principal building(s). The minimum setback for a parking lot shall be 20 feet from all property lines and access easements. On street parking shall be exempt from setback requirements.

b. *Side and rear yards.*

1. All principal buildings shall be set back a minimum of zero feet if part of a larger plan to join a building on an adjoining property. Where a building is planned to be joined with another building to form a series of buildings the design requirements provided for in Title 14, Chapter 3 [see now chapter 107, article 2] of the Farragut Municipal Code shall apply.

Where the adjacent property is zoned residential or agricultural, principal buildings shall be set back from the nearest point of any side or rear property line a minimum of 35 feet.

2. All accessory structures shall be set back a minimum of ten feet, unless a greater setback is otherwise required in this ordinance or the [Farragut] Municipal Code.

6. *Buffer Strips.*

- a. There shall be a buffer strip a minimum of 35 feet in width on all side and rear property lines when the abutting property is zoned residential or agricultural.

7. *Maximum Lot Coverage.* Total lot coverage: 80 percent.

8. *Land Area.* Minimum lot size of one acre.

9. *Height Regulations.*

- a. Unless provided for otherwise, buildings shall be a minimum of two stories in height or have the appearance, as viewed from all building elevations, of a building that is at least two stories in height. Buildings shall not exceed four stories in height. The minimum height requirement shall apply only to new buildings.
- b. For existing lots of record that are not part of a larger development and that are less than three acres, the planning commission may consider allowing a building height that is less than two stories. This shall only be permitted if the proposed building is in compliance with all other building facade requirements that apply to the Mixed-Use Town Center and the applicable provisions of the Architectural Design Standards. An applicant shall also clearly demonstrate that the building(s) will advance and be consistent with the building design objectives of the Town Center District.
- c. Whenever the adjacent property is zoned residential (other than multi-family), or agricultural, no buildings to be constructed within 100 feet of a periphery property line shall exceed the maximum height permitted for principal dwelling units in the adjacent zoning district(s).
- d. Parking garages shall not exceed three stories or 45 feet in height. Parking garages may not access streets classified as arterial. Other accessory structures shall not exceed 25 feet in height.

10. *Parking spaces required.*

- a. *Number of parking spaces required.* Unless the building is mixed use, the number of parking spaces required shall be as regulated by Chapter 4, Section XX of the Zoning Ordinance.

Mixed use buildings shall be governed by the following parking space provisions:

1. One parking space per 250 square feet of gross floor area for the first [ground] floor;
 2. One parking space per 500 square feet of gross floor area for the second floor; and
 3. One parking space per 750 square feet of gross floor area for the third and fourth floors.
- b. *Required bicycle parking.* One bicycle space per 5,000 square feet of gross floor area. Bicycle racks shall be provided in desirable locations and shall be conveniently located at each building. The rack placement should not impede pedestrian movement and should not cause conflicts between bicycles and pedestrians.
 - c. *Shared parking.* Shared parking within the area identified as MUTC shall be encouraged. The parking and access easements must be identified as part of the site plan review and a plat prepared and recorded which memorializes such easements prior to the issuance of a building permit.
11. *Streetscape and Outdoor Open Space.* An active and interconnected streetscape with visually appealing and functional public spaces shall be provided and specifically addressed in the site plan submittal. Some specific design objectives are as follows:
- a. Provide for pedestrian and bicycle connections between properties and connections to existing pedestrian and bicycle facilities. Provide for a development that creates a pleasant and functional pedestrian experience.

- b. Encourage vehicular connections between adjoining properties.
- c. Locate and orient outdoor open space (e.g., plazas, courtyards, patios, outdoor seating and benches, small park spaces or landscaped features) to provide a focal point to be actively used.
- d. Provide landscape enhancements (e.g., bioswales, rain gardens, planters, flower gardens) to add visual interest, screen parking areas, and complement outdoor open spaces.

12. *Outdoor Site Lighting.* As regulated in Chapter 4, Section XIII of the Zoning Ordinance with the following additional provisions in the MUTC:

- a. New exterior lighting associated with new development or re-development within the MUTC shall have a consistency.
- b. Street lighting shall follow the requirements in Chapter 3, Section XXVII.K.2. of the Zoning Ordinance.
- c. Parking lot lights shall have decorative posts and brackets and a decorative fixture, such as a bell shaped style fixture. The bulbs shall be contained within the fixture so that they are not visible.
- d. Building mounted lights shall be decorative, such as the acorn, lantern, or bell shaped styles. The bulbs shall be contained within the fixture so that they are not visible.
- e. Bollard lighting shall be permitted provided the bulbs are contained within the fixture so that they are not visible.

13. *Signage.* As regulated in the Farragut Sign Ordinance, with the following additional provisions which shall specifically govern all wall signage:

- a. Box or cabinet style signs on new buildings shall not be permitted;
- b. Lighting for all new wall signs shall be consistent and shall be limited to external or back lit illumination; and
- c. Signage shall be consistent with the applicable provisions of the Town's Architectural Design Standards.

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 _____, 2021, with approval recommended.

Rita Holladay, Chairman

Scott Russ, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

AMENDED LANGUAGE IS NOTED IN RED AND WITH STRIKETHROUGHS

Section XII. F., Mixed Use Town Center

1. *General Description and Purpose.*

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2. *Permitted Principal and Accessory Uses and Structures.* (If a use is not listed below it shall not be permitted unless it is approved by the Board of Zoning Appeals as a Special Exception and the proposed use is consistent with the CLUP as it relates to the MUTC.)
- a. Generally recognized retail sales. This excludes all outdoor sales or storage (unless part of an approved Farmers Market or similar seasonal pedestrian oriented use) and any "big box" entities where the total gross square footage exceeds 25,000 square feet.
 - b. Restaurants, tea rooms, cafes, coffee houses, bistros, or other similar establishments serving food or beverage that is primarily consumed within the principal building or in designated outdoor seating areas associated with the principal building. A drive-through lane may be permitted provided the following criteria are satisfied:
 1. The property is a minimum of two acres and is a lot of record that has existing frontage on a street classified as a major arterial on the Major Road Plan;
 2. The drive-through is limited to one lane;
 3. The drive-through is located to the rear of the building or behind the building so that it is not visible from any abutting public rights-of-way;
 4. The drive-through is limited to one menu board which shall be permitted provided all of the following criteria are satisfied:
 - a) The menu board and any associated apparatus shall be architecturally compatible with the principal building;
 - b) The menu board and any associated apparatus shall be screened with opaque materials (which may include evergreen plant material) so that, throughout the year, they are not visible from adjacent properties and/or rights of ways;
 - c) The screening plan for such menu board and associated apparatus shall be reviewed as part of the site and landscape plan review with the applicable standards in the Architectural Design Standards (ADS) also being applied; and

- d) The menu board shall not exceed 36 square feet in size and 6 feet in overall height.
- 5. The entrance and exit to the drive-through leads to a parking area or service drive. The drive-through lane shall not be directly connected to a public street; and
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 - a) The physical nature of the preexisting site;
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 - d) That the alternative design/modification is consistent with the general intent of these standards and represents the minimum modification necessary given the nature of the site and project.
- c. Financial and real estate services. This excludes drive-through service lanes and windows.
- d. Professional, personal, and business services.
- e. Public, governmental, and general offices.
- f. Medical, dental, and veterinary facilities (indoors only).
- g. Medical spas.
- h. Adult education and training facilities, indoors only.
- i. Cultural activities.
- j. Theaters.
- k. Indoor recreational facilities.
- l. Parks and community facilities.
- m. Residential, provided it is located in the upper stories floors of a building that has been designed and constructed for a mix of uses, or on any floors if it is part of an approved horizontally configured mixed-use town center development plan that is within the Planned Commercial Development (PCD) Zoning District.
- n. Bed and breakfasts/inns.
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New construction shall comply with the Town of Farragut Architectural Design Standards, as amended and, in addition, the requirements provided for in Chapter 107, Article 2. – Town Center Design Requirements, Sections 107-26 and 107-27, as amended. ~~Title 14, Chapter 3, Section 14-305 and Section 14-306(1) and (2) [see now §§ 107-26 and 107-27] of the Farragut Municipal Code. The street-facing building facade that does not have the storefront must provide windows or some other type architectural feature so the wall is not blank.~~

Where re-development involves improvements (interior and/or exterior) to an existing building(s) which exceed 50 percent of the current value (as determined by a certified appraisal) of such building(s), the building(s) facade(s) shall be modified to use high-quality, durable, materials that are architecturally compatible and include a significant masonry element. Such building facades shall not use fabricated metal panels or vinyl siding and shall include only very limited use of synthetic stucco (EIFS) or panelized brick.

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- a. Twenty-five percent of the parking lot being constructed with permeable pavers;
- b. Stormwater runoff draining to rain gardens;
- c. A building(s) being constructed with a vegetated roof, commonly referred to as a green roof;
- d. Stormwater draining to bioswales/bioretenion facilities; or
- e. Rainwater being harvested for irrigation or gray water uses.

5. *Area Regulations.*

a. *Front yards.*

- 1. All principal buildings shall be set back a minimum of ten feet from all property lines and access easements.
- 2. **Unless otherwise provided**, all accessory structures, such as parking garages, dumpsters, HVAC units and generators, shall be set back a minimum of 20 feet from all property lines and access easements. This excludes signage, detention basin

structures (if associated with a low impact development measure), or structures typically associated with a store front or furnishing zone as described in the TCD Zoning District.

Where abutting an arterial street, no portion of a parking lot shall be closer to such street than the principal building(s). The minimum setback for a parking lot shall be 20 feet from all property lines and access easements. **On street parking shall be exempt from setback requirements.**

b. *Side and rear yards.*

1. All principal buildings shall be set back a minimum of zero feet if part of a larger plan to join a building on an adjoining property. Where a building is planned to be joined with another building to form a series of buildings the design requirements provided for in Title 14, Chapter 3 [see now chapter 107, article 2] of the Farragut Municipal Code shall apply.

Where the adjacent property is zoned residential or agricultural, principal buildings shall be set back from the nearest point of any side or rear property line a minimum of 35 feet.

2. All accessory structures shall be set back a minimum of ten feet, unless a greater setback is otherwise required in this ordinance or the [Farragut] Municipal Code.

6. *Buffer Strips.*

- a. There shall be a buffer strip a minimum of 35 feet in width on all side and rear property lines when the abutting property is zoned residential or agricultural.

7. *Maximum Lot Coverage.* Total lot coverage: 80 percent.

8. *Land Area.* Minimum lot size of one acre.

9. *Height Regulations.*

- a. Unless provided for otherwise, buildings shall be a minimum of two stories in height or have the appearance, as viewed from all building elevations, of a building that is at least two stories in height. Buildings shall not exceed four stories in height. The minimum height requirement shall apply only to new buildings.
- b. For existing lots of record that are not part of a larger development and that are less than three acres, the planning commission may consider allowing a building height that is less than two stories. This shall only be permitted if the proposed building is in compliance with all other building facade requirements that apply to the Mixed-Use Town Center and the applicable provisions of the Architectural Design Standards. An applicant shall also clearly demonstrate that the building(s) will advance and be consistent with the building design objectives of the Town Center District.
- c. Whenever the adjacent property is zoned residential (other than multi-family), or agricultural, no buildings to be constructed within 100 feet of a periphery property line shall exceed the maximum height permitted for principal dwelling units in the adjacent zoning district(s).

- d. ~~No accessory building structure shall generally exceed 15 feet in height.~~ Parking garages shall not exceed three stories or 45 feet in height. Parking garages may not access streets classified as arterial. **Other accessory structures shall not exceed 25 feet in height.**

10. *Parking spaces required.*

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Mixed use buildings shall be governed by the following parking space provisions:

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- 3. One parking space per 750 square feet of gross floor area for the third and fourth floors.

- b. *Required bicycle parking.* One bicycle space per 5,000 square feet of gross floor area. Bicycle racks shall be provided in desirable locations and shall be conveniently located at each building. The rack placement should not impede pedestrian movement and should not cause conflicts between bicycles and pedestrians.

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- d. Building mounted lights shall be decorative, such as the acorn, lantern, or bell shaped styles. The bulbs shall be contained within the fixture so that they are not visible.
 - e. Bollard lighting shall be permitted provided the bulbs are contained within the fixture so that they are not visible.
13. *Signage.* As regulated in the Farragut Sign Ordinance, with the following additional provisions which shall specifically govern all wall signage:
- a. Box or cabinet style signs on new buildings shall not be permitted;
 - ~~b. Each tenant shall be permitted a primary wall sign facing an abutting major arterial street not to exceed a ratio of 1:1 (sign area to lease space frontage on which the sign is to be mounted);~~
 - ~~c. Each tenant shall be permitted a secondary wall provided the following criteria are satisfied:~~
 - ~~a. The property shall directly front along a major arterial street;~~
 - ~~b. There is no surface parking in the front yard area(s) between the building and the major arterial street;~~
 - ~~c. The secondary wall sign shall not exceed a ratio of 0.75:1 (sign area to lease space frontage on which the sign is to be mounted)~~
 - ~~d. The secondary sign shall only be placed on the wall where the primary entrance is located and shall face the primary parking lot area;~~
 - b. d) Lighting for all new wall signs shall be consistent and shall be limited to external or back lit illumination; and
 - c. e) Signage shall be consistent with the applicable provisions of the Town's Architectural Design Standards.