



FARRAGUT BOARD OF MAYOR AND ALDERMEN AGENDA

February 11, 2021

**BEER BOARD
6:55 PM**

**BMA MEETING
7:00 PM**

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. January 28, 2021
- IV. Mayor's Report**
- V. Presentation of Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2020**
- VI. Business Items**
 - A. Approval of Bids and Award of Contract 2021-09, Smith Road Sidewalk Project
 - B. Approval of Resolution 21-02, a resolution to provide for Appendix E in the Farragut Municipal Code, an Aesthetic Plan for Vertical Utility Infrastructure in Public Rights of Ways (Town of Farragut, Applicant)
- VII. Ordinances**
 - A. First Reading
 - 1. Ordinance 21-04, ordinance to rezone the property situated around the eastern intersection of McFee Road and Boyd Station Road, Parcels 50, 50.01, 54.01, and 9.01, Tax Map 162, 12611 Boyd Station Road, from General Single-Family Residential (R-2) to Open Space Mixed Residential Overlay (R I/OSMR), 131.25 Acres (OBO Homestead Land Holdings, Applicant)
- VIII. Town Administrator's Report**

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.

- IX. Town Attorney's Report**
- X. 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, February 10, 2021** 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.

Board of Mayor and Aldermen February 11, 2021 Minutes

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

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 January 28, 2021 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.

Presentation of Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2020

Steve Horton, Whitlock and Company, PC, presented the overview of the Farragut CAFR for FY2020.

Business Items

Approval of Bids and Award of Contract 2021-09, Smith Road Sidewalk Project

Motion was made to award contract 2021-08 to Whaley Construction in the amount of \$622,664.90. 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 Resolution 21-02, a resolution to provide for Appendix E in the Farragut Municipal Code, an Aesthetic Plan for Vertical Utility Infrastructure in Public Rights of Ways (Town of Farragut, Applicant)

Motion was made to approve Resolution 21-02. 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.

Ordinances

First Reading

Ordinance 21-04, ordinance to rezone the property situated around the eastern intersection of McFee Road and Boyd Station Road, Parcels 50, 50.01, 54.01, and 9.01, Tax Map 162, 12611 Boyd Station Road, from General Single-Family Residential (R-2) to Open Space Mixed Residential Overlay (R I/OSMR), 131.25 Acres (OBO Homestead Land Holdings, Applicant)

Motion was made to approve Ordinance 21-04 on first reading. Steve Williams submitted a comment for the agenda item. After some discussion, motion was made that the zoning not be effective until the parcels are combined so that the applicant could continue to second reading. Moved by Alderman Povlin, seconded by Alderman Meyer; roll call vote, Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that Scott Brewer's last day is Friday, February 12. Scott has been with the Town for 31 years.

Citizens Forum

Claudia Ritchie, 736 Brixworth, submitted a comment for the citizens forum.

Meeting adjourned at 9:20 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder



FARRAGUT BEER BOARD

February 11, 2021

6:55 PM

I. Approval of Minutes

A. January 14, 2021

II. Beer Permit Request

A. Approval of Class 1, On-Premise Beer permit for The Farragut Table,
10943 Kingston Pike

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

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting.



FARRAGUT BEER BOARD

January 14, 2021

6:55 PM

Approval of Minutes

Motion was made to approve the minutes of September 24, 2020 as presented. Moved by Alderman Povlin, seconded by Mayor Williams; Roll call vote: Alderman Burnette, yes; Aldermen Meyer, yes; Alderman Povlin, yes; Alderman Pinchok, yes; Mayor Williams, yes; no nays; motion passed.

Beer Permit Request

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

This item was removed from the agenda at the request of the applicant.

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

Motion was made to approve Class 2, On-Premise Other and Class 5, Off-Premise Beer Permit for Euphoric Cheese Shop, 139 West End Avenue. Moved by Alderman Povlin, seconded by Mayor Williams; Roll call vote: Aldermen Meyer, yes; Alderman Povlin, yes; Alderman Pinchok, yes; Alderman Burnette, yes; Mayor Williams, yes; no nays; motion passed.

Ron Pinchok, Chairman

Allison Myers, Town Recorder

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

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please call 865-966-7057 in advance of the meeting.

REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of Class 1, On-Premise Beer Permit for The Farragut Table, 10943 Kingston Pike

DISCUSSION:

The purpose of this agenda item is the approval of a Class 1, On-Premise Beer Permit for The Farragut Table, 10943 Kingston Pike

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 The Farragut Table, 10943 Kingston Pike

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 ☒
2. Type of permit requested: Off-Premise ☐ On-Premise ☒ On/Off-Premise ☐ Special Occasion ☐
3. Name of Applicant(s) (Owner(s) of Business) Bagdon, Inc.
Ken & Katy Bagdon
4. Type of applicant (check one):
Person ☐ Firm ☒ Corporation ☐ Joint-Stock Company ☐ Syndicate ☐ Other ☐
5. List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business:
Kenneth J. Bagdon, Jr.
6. Applicant's present home address:
239 Triplett Lane Knoxville TN 37922
7. Date of Birth ☐ Home Telephone Number ☐
Business Telephone Number 865-675-8100 Social Security Number ☐
8. Representative Email Address: Ken-bagdon@gmail.com
9. Under what name will the business operate? The Farragut Table
10. Business address 10943 Kington Pike Knoxville TN 37934
Business Telephone number 865-675-8100
11. Specify the identity, email and physical address of the person to receive annual privilege tax notices and any other communication from the Town:
Ken Bagdon, President/owner Ken-bagdon@yahoo.com
10943 Kington Pike Knoxville TN 37934
12. Information of any manager, other than the applicant:
Name: Katy Bagdon Birth Date: 11-19-79
Address: 239 Triplett Lane Knoxville TN 37934

Phone Number: 423-268-3422

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:

Fiser-Thornton 132 Sherlake Lane Knoxville TN 37922

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

Farragut Christian Church 138 Admiral Rd

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

Farragut Middle School 200 West End Avenue

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: 1001450808

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.

Board of Mayor and Aldermen January 28, 2021 Workshop & Meeting Minutes

Workshop

Mark Shipley and Bart Hose reviewed information about form based code and Trevor Hobbs presented options for a housing need demand study.

Regular Meeting

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

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 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 Minutes

Motion was made to approve the minutes January 14, 2021 as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; roll call vote, Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; motion passed.

Business Items

Approval of Supplemental Request from Kimley Horn for additional engineering services for the Union Road Improvement Project

Motion was made to approve the engineering supplement from Kimley-Horn and Associates Inc. for additional engineering services for the Union Road project, \$52,600. 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.

Ordinances

Public Hearing & Second Reading

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

Motion was made to approve Ordinance 21-01 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok. See attachment for all citizen comments. Roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; motion passed.

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)

Motion was made to approve Ordinance 21-02 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Meyer. See attachment for all citizen comments. Roll call vote: Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Mayor Williams, yes; no nays; motion passed.

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)

Motion was made to approve Ordinance 21-03 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Pinchok. See attachment for all citizen comments. Roll call vote: Alderman Pinchok, yes; Alderman Povlin, yes; Alderman Burnette, yes; Alderman Meyer, yes; Mayor Williams, yes; no nays; motion passed.

Citizens Forum

See attachment for all citizen comments.

Meeting adjourned at 12:55 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Presentation of Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2020

Mr. Steve Horton, with Whitlock & Company, P.C., will present the FY2020 financial report to the board. The FY2020 Comprehensive Annual Financial Report can be viewed online at www.townoffarragut.org/FY2020CAFR

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Bid for Contract 2021-09, Smith Road Sidewalk Improvements

INTRODUCTION: The purpose of this item is consideration of bids and award of the contract for the Smith Road Sidewalk Improvements project.

BACKGROUND: This project includes construction of a 5' concrete sidewalk and various roadway improvements along the northern side of Smith Road from Everett Road to Andover Boulevard (approximately 0.5 mile). The roadway improvements include additional curb and gutter, stormwater drainage and asphalt resurfacing. The Town received seven bids for the project on January 28th as follows:

Adams Contracting, LLC	\$867,879.50
APAC-Atlantic, Inc.	624,773.25
Duracap Asphalt Paving Co.	986,860.05
The Franklin Group, LLC	857,059.00
McKinnon Construction Company, LLC	762,756.75
Southern Constructors, Inc.	965,887.50
Whaley Construction, LLC	622,664.90

Whaley Construction has successfully performed similar projects for the Town including the 2020 sidewalk curb ramp improvements. Staff is pleased to recommend award of this contract to Whaley Construction.

FINANCIAL SECTION:

Project: Contract 2021-09, Smith Road Improvements			
<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Available Amount</u>
\$1,025,000	\$622,664.90	\$150,246.00	\$252,089.10
Approved By: <u><i>A. Myers</i></u>			

RECOMMENDATION BY: Darryl Smith, Town Engineer

PROPOSED MOTION: Approval of bids and award of Contract 2021-09 to Whaley Construction, LLC. for their low bid of \$622,664.90.

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	_____	_____	_____	_____	_____

Contract 2021-09: Smith Road Improvements



ITEM #	TDOT DESCRIPTION	UNIT	QUANTITY	Adams Contracting, LLC		APAC-Atlantic, Inc.		Duracap Asphalt Paving Co., Inc.		The Franklin Group, LLC		McKinnon Construction Co., LLC		Southern Constructors, Inc.		Whaley Construction, LLC	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	GCR	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
105-01	CONSTRUCTION STAKES, LINES AND GRADES	L.S.	1	\$ 28,000.00	\$ 28,000.00	\$ 27,000.00	\$ 27,000.00	\$ 35,000.00	\$ 35,000.00	\$ 16,800.00	\$ 16,800.00	\$ 23,000.00	\$ 23,000.00	\$ 30,000.00	\$ 30,000.00	\$ 23,065.00	\$ 23,065.00
201-01	CLEARING AND GRUBBING	L.S.	1	\$ 13,000.00	\$ 13,000.00	\$ 13,900.00	\$ 13,900.00	\$ 25,000.00	\$ 25,000.00	\$ 6,000.00	\$ 6,000.00	\$ 12,000.00	\$ 12,000.00	\$ 15,000.00	\$ 15,000.00	\$ 20,500.00	\$ 20,500.00
202-01	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	L.S.	1	\$ 40,000.00	\$ 40,000.00	\$ 8,300.00	\$ 8,300.00	\$ 15,000.00	\$ 15,000.00	\$ 78,000.00	\$ 78,000.00	\$ 22,000.00	\$ 22,000.00	\$ 40,000.00	\$ 40,000.00	\$ 14,500.00	\$ 14,500.00
203-01	ROAD & DRAINAGE EXCAVATION (UNCLASSIFIED)	C.Y.	450	\$ 35.00	\$ 15,750.00	\$ 34.25	\$ 15,412.50	\$ 45.00	\$ 20,250.00	\$ 24.00	\$ 10,800.00	\$ 66.00	\$ 29,700.00	\$ 30.00	\$ 13,500.00	\$ 35.00	\$ 15,750.00
203-01.6	ROAD & DRAINAGE EXCAVATION (ROADWAY REMEDIATION)	C.Y.	500	\$ 60.00	\$ 30,000.00	\$ 43.00	\$ 21,500.00	\$ 230.00	\$ 115,000.00	\$ 18.00	\$ 9,000.00	\$ 160.00	\$ 80,000.00	\$ 165.00	\$ 82,500.00	\$ 35.00	\$ 17,500.00
203-03	BORROW EXCAVATION (UNCLASSIFIED)	C.Y.	1600	\$ 40.00	\$ 64,000.00	\$ 23.00	\$ 36,800.00	\$ 47.00	\$ 75,200.00	\$ 31.50	\$ 50,400.00	\$ 45.50	\$ 72,800.00	\$ 40.00	\$ 64,000.00	\$ 20.00	\$ 32,000.00
209-03	CHECK DAM	EACH	5	\$ 400.00	\$ 2,000.00	\$ 430.00	\$ 2,150.00	\$ 900.00	\$ 4,500.00	\$ 300.00	\$ 1,500.00	\$ 395.00	\$ 1,975.00	\$ 500.00	\$ 2,500.00	\$ 350.00	\$ 1,750.00
209-05	SEDIMENT REMOVAL	C.Y.	50	\$ 10.00	\$ 500.00	\$ 85.00	\$ 4,250.00	\$ 65.00	\$ 3,250.00	\$ 18.00	\$ 900.00	\$ 20.00	\$ 1,000.00	\$ 30.00	\$ 1,500.00	\$ 15.00	\$ 750.00
209-08.02	TEMPORARY SILT FENCE (WITH BACKING)	L.F.	1375	\$ 4.00	\$ 5,500.00	\$ 4.70	\$ 6,462.50	\$ 6.00	\$ 8,250.00	\$ 3.50	\$ 4,812.50	\$ 3.85	\$ 5,293.75	\$ 6.00	\$ 8,250.00	\$ 5.00	\$ 6,875.00
209-08.03	TEMPORARY SILT FENCE (WITHOUT BACKING)	L.F.	950	\$ 2.00	\$ 1,900.00	\$ 2.75	\$ 2,612.50	\$ 3.00	\$ 2,850.00	\$ 2.50	\$ 2,375.00	\$ 1.70	\$ 1,615.00	\$ 4.00	\$ 3,800.00	\$ 3.00	\$ 2,850.00
303-01	MINERAL AGGREGATE, TYPE A BASE, GRADING D	TON	400	\$ 50.00	\$ 20,000.00	\$ 48.50	\$ 19,400.00	\$ 105.00	\$ 42,000.00	\$ 32.50	\$ 13,000.00	\$ 49.50	\$ 19,800.00	\$ 45.00	\$ 18,000.00	\$ 37.00	\$ 14,800.00
303TOF-01	MINERAL AGGREGATE MAINTENANCE STONE	TON	50	\$ 50.00	\$ 2,500.00	\$ 47.25	\$ 2,362.50	\$ 35.00	\$ 1,750.00	\$ 30.00	\$ 1,500.00	\$ 49.50	\$ 2,475.00	\$ 45.00	\$ 2,250.00	\$ 40.00	\$ 2,000.00
307-03.08	BITUMINOUS PLANT MIX (HOT MIX) GRADING BM-2, DEPTH = 2.5 INCHES	TON	33	\$ 185.00	\$ 6,105.00	\$ 145.00	\$ 4,785.00	\$ 264.00	\$ 8,712.00	\$ 336.00	\$ 11,088.00	\$ 269.50	\$ 8,893.50	\$ 300.00	\$ 9,900.00	\$ 193.00	\$ 6,369.00
402-01	BITUMINOUS MATERIAL FOR PRIME COAT (PC)	TON	0.5	\$ 2,500.00	\$ 1,250.00	\$ 2,300.00	\$ 1,150.00	\$ 1,200.00	\$ 600.00	\$ 2,150.00	\$ 1,075.00	\$ 1,000.00	\$ 500.00	\$ 650.00	\$ 325.00	\$ 2,640.00	\$ 1,320.00
403-01	BITUMINOUS MATERIAL FOR TACK COAT (TC)	TON	0.75	\$ 950.00	\$ 712.50	\$ 900.00	\$ 675.00	\$ 1,200.00	\$ 900.00	\$ 2,150.00	\$ 1,612.50	\$ 1,650.00	\$ 1,237.50	\$ 1,000.00	\$ 750.00	\$ 990.00	\$ 742.50
411-01.10	ASPHALTIC CONCRETE SURFACING (HOT MIX) GRADING D, DEPTH = 1.5 INCHES	TON	660	\$ 100.00	\$ 66,000.00	\$ 90.00	\$ 59,400.00	\$ 109.00	\$ 71,940.00	\$ 300.00	\$ 198,000.00	\$ 137.25	\$ 90,585.00	\$ 120.00	\$ 79,200.00	\$ 104.00	\$ 68,640.00
415-01.01	COLD PLANING BITUMINOUS ASPHALT	TON	530	\$ 35.00	\$ 18,550.00	\$ 27.25	\$ 14,442.50	\$ 49.00	\$ 25,970.00	\$ 108.00	\$ 57,240.00	\$ 46.20	\$ 24,486.00	\$ 60.00	\$ 31,800.00	\$ 37.00	\$ 19,610.00
604TOF01.20	SAFETY RAIL	L.F.	60	\$ 200.00	\$ 12,000.00	\$ 225.00	\$ 13,500.00	\$ 75.00	\$ 4,500.00	\$ 120.00	\$ 7,200.00	\$ 130.00	\$ 7,800.00	\$ 250.00	\$ 15,000.00	\$ 110.00	\$ 6,600.00

Contract 2021-09: Smith Road Improvements

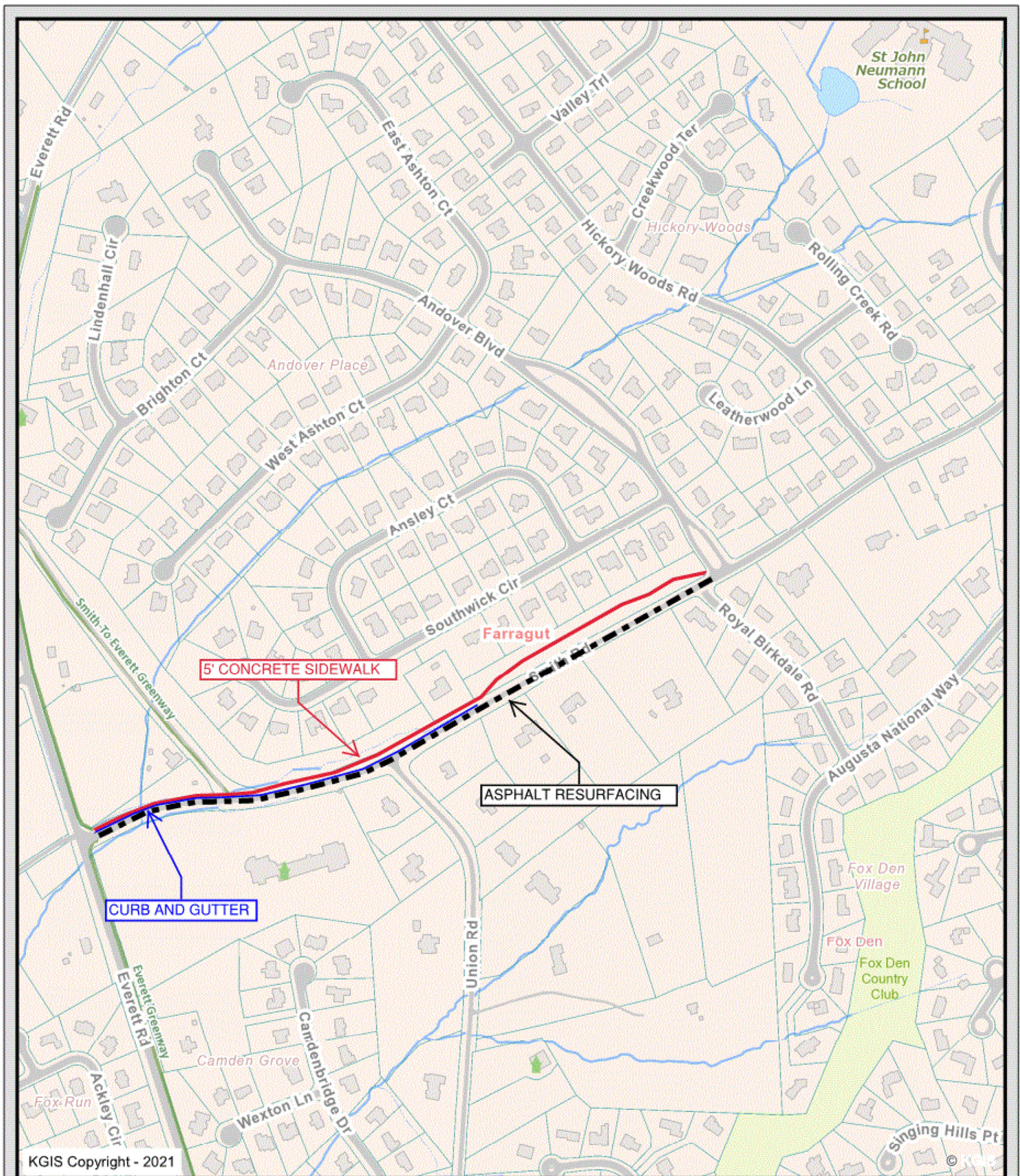


ITEM #	TDOT DESCRIPTION	UNIT	QUANTITY	Adams Contracting, LLC		APAC-Atlantic, Inc.		Duracap Asphalt Paving Co., Inc.		The Franklin Group, LLC		McKinnon Construction Co., LLC		Southern Constructors, Inc.		Whaley Construction, LLC	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	GCR	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
607-03.02	18" CONCRETE PIPE CULVERT (CLASS III)	L.F.	495	\$ 120.00	\$ 59,400.00	\$ 62.00	\$ 30,690.00	\$ 125.00	\$ 61,875.00	\$ 96.00	\$ 47,520.00	\$ 99.00	\$ 49,005.00	\$ 125.00	\$ 61,875.00	\$ 82.00	\$ 40,590.00
611-07.TOF	18" STRAIGHT CONCRETE ENDWALL	EACH	1	\$ 4,000.00	\$ 4,000.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,600.00	\$ 3,600.00	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00	\$ 1,500.00	\$ 3,750.00	\$ 3,750.00
611-12.01	CATCH BASINS, TYPE 12, 0' - 4' DEPTH	EACH	2	\$ 3,000.00	\$ 6,000.00	\$ 3,225.00	\$ 6,450.00	\$ 6,000.00	\$ 12,000.00	\$ 3,000.00	\$ 6,000.00	\$ 4,785.00	\$ 9,570.00	\$ 3,500.00	\$ 7,000.00	\$ 3,650.00	\$ 7,300.00
611-12.02	CATCH BASINS, TYPE 12, > 4' - 8' DEPTH	EACH	5	\$ 4,000.00	\$ 20,000.00	\$ 3,550.00	\$ 17,750.00	\$ 8,500.00	\$ 42,500.00	\$ 3,600.00	\$ 18,000.00	\$ 5,420.00	\$ 27,100.00	\$ 4,000.00	\$ 20,000.00	\$ 4,350.00	\$ 21,750.00
701-01.01	CONCRETE SIDEWALK (4")	S.F.	12800	\$ 9.00	\$ 115,200.00	\$ 9.75	\$ 124,800.00	\$ 11.81	\$ 151,168.00	\$ 10.25	\$ 131,200.00	\$ 8.25	\$ 105,600.00	\$ 11.00	\$ 140,800.00	\$ 8.11	\$ 103,808.00
701-02	CONCRETE DRIVEWAY (6" THICK)	S.F.	965	\$ 18.00	\$ 17,370.00	\$ 14.70	\$ 14,185.50	\$ 16.05	\$ 15,488.25	\$ 12.00	\$ 11,580.00	\$ 9.00	\$ 8,685.00	\$ 14.00	\$ 13,510.00	\$ 12.30	\$ 11,869.50
701-02.03	CONCRETE CURB RAMP	EACH	3	\$ 6,000.00	\$ 18,000.00	\$ 4,300.00	\$ 12,900.00	\$ 1,800.00	\$ 5,400.00	\$ 1,440.00	\$ 4,320.00	\$ 650.00	\$ 1,950.00	\$ 3,000.00	\$ 9,000.00	\$ 2,400.00	\$ 7,200.00
702-03	CONCRETE COMBINED CURB & GUTTER	C.Y.	100	\$ 600.00	\$ 60,000.00	\$ 490.00	\$ 49,000.00	\$ 630.00	\$ 63,000.00	\$ 480.00	\$ 48,000.00	\$ 400.00	\$ 40,000.00	\$ 800.00	\$ 80,000.00	\$ 600.00	\$ 60,000.00
705-04.09	EARTH PAD FOR TYPE 38 GR END TREATMENT	EACH	1	\$ 1,800.00	\$ 1,800.00	\$ 1,500.00	\$ 1,500.00	\$ 2,658.00	\$ 2,658.00	\$ 1,440.00	\$ 1,440.00	\$ 1,980.00	\$ 1,980.00	\$ 1,500.00	\$ 1,500.00	\$ 1,925.00	\$ 1,925.00
705-06.01	W BEAM GR (TYPE 2) MASH TL3	L.F.	55	\$ 26.00	\$ 1,430.00	\$ 32.25	\$ 1,773.75	\$ 32.00	\$ 1,760.00	\$ 47.75	\$ 2,626.25	\$ 28.00	\$ 1,540.00	\$ 50.00	\$ 2,750.00	\$ 28.00	\$ 1,540.00
705-06.20	TANGENT ENERGY ABSORBING TERM MASH TL-3	EACH	1	\$ 3,000.00	\$ 3,000.00	\$ 3,775.00	\$ 3,775.00	\$ 4,000.00	\$ 4,000.00	\$ 3,300.00	\$ 3,300.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,162.00	\$ 3,162.00
709-05.06	MACHINED RIP-RAP (CLASS A-1)	TON	50	\$ 60.00	\$ 3,000.00	\$ 51.00	\$ 2,550.00	\$ 55.00	\$ 2,750.00	\$ 36.00	\$ 1,800.00	\$ 46.00	\$ 2,300.00	\$ 70.00	\$ 3,500.00	\$ 40.00	\$ 2,000.00
712-01	TRAFFIC CONTROL	L.S.	1	\$ 150,000.00	\$ 150,000.00	\$ 26,200.00	\$ 26,200.00	\$ 72,500.00	\$ 72,500.00	\$ 6,000.00	\$ 6,000.00	\$ 27,000.00	\$ 27,000.00	\$ 100,000.00	\$ 100,000.00	\$ 26,975.00	\$ 26,975.00
712-04.01	FLEXIBLE DRUMS (CHANNELIZING)	EACH	41	\$ 45.00	\$ 1,845.00	\$ 35.00	\$ 1,435.00	\$ 31.30	\$ 1,283.30	\$ 48.00	\$ 1,968.00	\$ 31.50	\$ 1,291.50	\$ 50.00	\$ 2,050.00	\$ 44.00	\$ 1,804.00
712-06	SIGNS (CONSTRUCTION)	S.F.	198	\$ 12.00	\$ 2,376.00	\$ 10.75	\$ 2,128.50	\$ 13.00	\$ 2,574.00	\$ 12.00	\$ 2,376.00	\$ 13.50	\$ 2,673.00	\$ 15.00	\$ 2,970.00	\$ 11.00	\$ 2,178.00
716-02.09	PLASTIC PAVEMENT MARKING (LONGITUDINAL CROSS-WALK)	L.F.	91	\$ 26.00	\$ 2,366.00	\$ 23.50	\$ 2,138.50	\$ 24.00	\$ 2,184.00	\$ 25.75	\$ 2,343.25	\$ 28.00	\$ 2,548.00	\$ 25.00	\$ 2,275.00	\$ 27.50	\$ 2,502.50
716-12.01	PLASTIC PAVEMENT MARKING (4")	L.S.	1	\$ 10,000.00	\$ 10,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,300.00	\$ 15,300.00	\$ 15,890.00	\$ 15,890.00	\$ 10,697.50	\$ 10,697.50	\$ 15,000.00	\$ 15,000.00	\$ 10,697.00	\$ 10,697.00
717-01	MOBILIZATION	L.S.	1	\$ 40,000.00	\$ 40,000.00	\$ 25,000.00	\$ 25,000.00	\$ 40,000.00	\$ 40,000.00	\$ 20,000.00	\$ 20,000.00	\$ 36,321.50	\$ 36,321.50	\$ 50,000.00	\$ 50,000.00	\$ 33,500.00	\$ 33,500.00

Contract 2021-09: Smith Road Improvements



ITEM #	TDOT DESCRIPTION	UNIT	QUANTITY	Adams Contracting, LLC		APAC-Atlantic, Inc.		Duracap Asphalt Paving Co., Inc.		The Franklin Group, LLC		McKinnon Construction Co., LLC		Southern Constructors, Inc.		Whaley Construction, LLC	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	GCR	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
801-01.07	TEMPORARY SEEDING (WITH MULCH)	UNIT	10	\$ 100.00	\$ 1,000.00	\$ 54.00	\$ 540.00	\$ 60.00	\$ 600.00	\$ 1,800.00	\$ 18,000.00	\$ 55.00	\$ 550.00	\$ 60.00	\$ 600.00	\$ 60.00	\$ 600.00
801-03	WATER (SEEDING & SODDING)	M.G.	1	\$ 100.00	\$ 100.00	\$ 91.00	\$ 91.00	\$ 100.00	\$ 100.00	\$ 9,600.00	\$ 9,600.00	\$ 95.00	\$ 95.00	\$ 90.00	\$ 90.00	\$ 110.00	\$ 110.00
803-01	SODDING (NEW SOD)	S.Y.	4645	\$ 5.00	\$ 23,225.00	\$ 6.30	\$ 29,263.50	\$ 5.50	\$ 25,547.50	\$ 6.50	\$ 30,192.50	\$ 5.10	\$ 23,689.50	\$ 6.50	\$ 30,192.50	\$ 5.12	\$ 23,782.40
TOTAL BID				\$867,879.50		\$624,773.25		\$986,860.05		\$857,059.00		\$762,756.75		\$965,887.50		\$622,664.90	



Smith Road Improvements

Knoxville - Knox County - KUB Geographic Information System

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



Printed: 2/2/2021 at 3:35:56 PM



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Resolution 21-02, a resolution to provide for Appendix E in the Farragut Municipal Code, an Aesthetic Plan for Vertical Utility Infrastructure in Public Rights of Ways (Town of Farragut, Applicant)

INTRODUCTION AND BACKGROUND: As background to this item, in January 2019, 11 small cell support structures were conditionally approved by the Planning Commission. During the review and discussion, it was noted that although the Town adopted specific provisions related to small cell support structures in 2017, many of these provisions were superseded by a telecommunications act that was passed by the State of Tennessee in 2018. Though this act affected certain Town provisions, one provision that was included was deference to a community's aesthetic plan provided it did not create the effect of prohibiting the implementation of telecommunications infrastructure.

DISCUSSION: As defined in TCA, Section 13-24-402, an Aesthetic Plan means "any publicly available written resolution, regulation, policy, site plan, or approved plat establishing generally applicable aesthetic requirements within the authority or designated area within the authority. An aesthetic plan may include a provision that limits the plan's application to construction or deployment that occurs after adoption of the aesthetic plan. For purposes of this part, such a limitation is not discriminatory as long as all construction or deployment occurring after adoption, regardless of the entity constructing or deploying, is subject to the aesthetic plan."

A question that emerged was whether and how the Town may develop more control over the appearance of new utility infrastructure that would have a vertical component. At the June 18, 2020 Planning Commission meeting, staff presented a Power Point on this topic. This included an overview of what an aesthetic plan may include, what we currently have that may constitute an aesthetic plan component, what we may consider enhancing, what assumptions may we consider, what are the different types of vertical utilities that would be proposed in the future, and what would we want them to look like. It was noted that the Town has always required new utilities to be placed underground and that an aesthetic plan would focus on those new utility structures that would require an above ground placement to function. Those utilities would primarily include street lighting and communications related antennas.

Given the numerous considerations associated with the development of an aesthetic plan, a small aesthetic plan review committee was created to provide input on a draft aesthetic plan prepared by staff. This group included homeowners, a Board of Mayor and Aldermen and Planning Commission member, and a representative from LCUB. The committee was asked to provide input on the staffs' draft at their initial meeting on October 19. Staff updated the draft and discussed this with the committee on December 1.

Since the plan will address all new vertical utilities and not just telecommunications structures, a question for the committee has been whether the Town should have light fixture and mounting styles specified for different streetlight applications. For example, should local streets within the Mixed Use Town Center (MUTC) or Mixed Use Neighborhood (MUN) have a street light and mounting fixture that was consistent throughout these areas. Similar to exhibits included in the aesthetic plan, the pole would be constructed during infrastructure installation to accommodate, where desired, the streetlight and telecommunications antenna(s).

Though different from streetlights that would be within the public rights of way and that would have a different lighting objective, new lights to be installed within the MUTC area are required to be decorative. The parking lot light fixtures at both the Starbucks development and 35° North at the northeast corner of Kingston Pike and N. Campbell Station Road have bell-shaped fixtures mounted at the top of the light pole. A question that was posed to the committee was whether these bell-shaped fixtures should be the fixtures used for streetlights within the MUTC for consistency and effect or should different fixtures be permitted as an option depending on the context?

Another streetlight related question posed to the committee was whether a more decorative fixture, similar to those included along the improved section of Concord Road, should be used on non-local streets when such streets are constructed, re-constructed, or significantly improved to a degree that would affect the overall existing utility system along that street. The thought was that such a modification to the streetlight system would be more logical when numerous poles were being modified as part of a larger project.

Another question is how to address existing streetlights that are part of an overhead utility system in residential areas when new streetlights may be proposed in association with new vertical utility infrastructure. Many of these existing streetlights are commercial looking and mounted to wooden poles. If streetlighting is proposed (and desired by the affected residents), should it match the existing fixtures in these areas or be a decorative fixture that would be specified as lighting is replaced over time?

The aesthetic plan review committee felt that the Planning Commission should provide input on the draft aesthetic plan presented to the committee on December 1 and the streetlighting considerations noted above. Staff presented the draft aesthetic plan to the Planning Commission as a workshop discussion item on December 17. Commissioners felt that the draft was generally in good condition and provided input on the questions raised by the committee. Regarding street lighting, Commissioners recommended that lights generally match existing streetlights but that a decorative fixture, similar to the bell-shaped fixture used in the parking lots of the Starbucks and 35° North developments recently constructed in the MUTC area, be used on new streets constructed in the MUTC and MUN. Streetlights along gateway portions of the Town and where new streetlights were envisioned in areas without streetlights would be reviewed by the Planning Commission to determine appropriate fixture and mounting styles. Commissioners asked staff to try to present a final version of the aesthetic plan for the Commission to approve in January, given the likelihood of additional small cell support structure applications being submitted soon.

At the January 21, 2021 Planning Commission meeting, staff presented, as Exhibit E in the Farragut Municipal Code, the Aesthetic Plan for Vertical Utility Infrastructure in Public Rights of Ways. This version included some minor changes recommended by the Town Attorney. Some specific items reviewed by staff at the January 21 Planning Commission meeting included:

1. Deciding where to include the plan in the Municipal Code and how it should be approved. As presented, the plan will be Appendix E in the Municipal Code and presented as a resolution, Resolution 21-02, for the Planning Commission and Board of Mayor and Aldermen (the question of whether this should be an ordinance or a resolution was discussed with the Town Attorney).
2. Deciding how to format the plan. A format similar to other comparable plans has been used.
3. Headings have been added to subsections to assist in more easily finding information.
4. Some language has been added to give the Planning Commission flexibility to approved modifications under certain parameters.
5. Language has been clarified throughout the plan, and
6. Lighting has been simplified and flexibility added regarding the type of fixtures to be used in different contexts.

After a very brief discussion, the Planning Commission voted unanimously to approve Resolution 21-02.

PROPOSED MOTION: To approve Resolution 21-02.

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 21-02

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO RECOMMEND ADOPTION OF THE AESTHETIC PLAN FOR VERTICAL UTILITY INFRASTRUCTURE IN PUBLIC RIGHTS OF WAYS PURSUANT TO AUTHORITY GRANTED BY SECTION 6-2-201, TENNESSEE CODE ANNOTATED

WHEREAS, the Tennessee Code Annotated, Section 6-2-201, provides that municipalities may create and adopt general guidelines to promote the public health, safety, and general welfare within the municipality; and

WHEREAS, the Farragut Municipal Planning Commission shall be responsible for the review and approval of new utilities in accordance with Section 13-4-104, Tennessee Code Annotated; and

WHEREAS, the Town of Farragut has wishes to promote reasonable and consistent parameters for new vertical utilities proposed within the municipality; and

WHEREAS, a public hearing was held on this request on January 21, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval to the Farragut Board of Mayor and Aldermen of Resolution 21-02 which would create as Appendix E., in the Farragut Municipal Code, the Aesthetic Plan for Vertical Utility Infrastructure in Public Rights of Ways.

ADOPTED this 21st day of January 2021.

Rita Holladay, Chairman

Scott Russ, Secretary

This Resolution is duly adopted by the Board of Mayor and Aldermen of the Town of Farragut on this 11th day of February 2021.

Ron Williams, Mayor

Allison Myers, Town Recorder

FARRAGUT MUNICIPAL CODE

APPENDIX E

AESTHETIC PLAN FOR VERTICAL UTILITY INFRASTRUCTURE IN PUBLIC RIGHTS OF WAYS

A. *Authority.* This chapter shall be known as the “Aesthetic Plan for Vertical Utility Infrastructure in Public Rights of Ways.” This chapter is adopted under the authority granted by T.C.A. § 6-2-201.

B. *Need.* An objective of creating the Town of Farragut was to provide for an area with high aesthetic standards that would be recognized as a desirable place to live, work, shop, and recreate. In that regard, a key aesthetic related provision that has been in place since the Town’s founding is the requirement to place new utilities underground as part of new development and/or redevelopment.

This chapter is intended to ensure that the objectives of this long-standing requirement are not compromised as new technologies evolve that, due to their function, may necessitate certain new utility infrastructure that would have a vertical component. The Town’s long-standing requirement for underground utilities is based specifically on the following that relate to the health, safety, and economic welfare of the community:

1. Eliminating or minimizing visual clutter to enhance the aesthetic environment of the Town which contributes to its marketability and helps sustain its economy.
2. Lessening service-related issues due to tree related conflicts, storm damage, ice, wind, vehicle accidents, and other issues that may arise when utilities are exposed above the ground surface.
3. Lessening the likelihood of tree topping often seen where overhead utilities exist.
4. Lessening utility costs due to fewer maintenance related issues that would otherwise apply where overhead utilities were present.
5. Ensuring that all utilities are treated consistently based on their inherent purposes with a known and predictable regulatory environment.

C. *Assumptions.* The administration of this chapter acknowledges the following assumptions:

1. The Town will continue to require all new utilities to be placed underground.
2. Those using the Town’s property, i.e., its public rights of ways, shall be guided by the reasonable standards required by the Town for the privilege of using its property.
3. All new utilities, in accordance with TCA Section 13-4-104, shall be reviewed and approved by the Farragut Municipal Planning Commission (herein referred to as “Planning Commission”).
4. Due to how certain utilities function and provide service, some new vertical utility infrastructure is unavoidable.
5. New vertical utility infrastructure, in the form of poles within the public rights of ways, will only occur for those utilities, such as lighting and antenna-based

technologies, that are dependent on being above ground in order to provide the service they are intended for. The pole and associated accessory structure standards required in this chapter account for this reality. Other utilities that are not dependent on being above ground shall be placed underground.

6. Given its primary application to lighting and antennas, the requirements of this chapter shall supplement, where applicable, the provisions of Appendix A, Chapter 4, Section III. Antennas and Towers, as those provisions apply to structures permitted within the public rights of ways.
7. All new vertical utility infrastructure will be treated consistently regarding the utility's function, the pole type, as defined in Section H of this chapter, and the zoning or mapped future land use, street characteristics, and surrounding context.
8. Existing utility poles and lines that are part of an Overhead Utility System, as defined herein, are acknowledged to be grandfathered from this chapter with alterations being permitted provided the aesthetic impact is either unchanged or improved either in massing or through the ability to provide co-location opportunities that would otherwise require a new pole in a new location.
9. Residential street lighting shall be governed by the requirements in Appendix E of the Town of Farragut Subdivision Regulations. These lights are not required by the Town and frequently are not within the public rights of way. Consequently, these lights are not governed by this chapter.
10. The provisions of this chapter shall not apply to vertical utility infrastructure that is not within the public right of way, as defined herein.

D. Objectives. Given the need expressed in Section B, the primary objectives of this chapter with regards to new or modified vertical utility infrastructure in the public rights of ways are as follows:

1. To supplement Appendix A, Chapter 4, Section III. Antennas and Towers, by providing specific standards related to color, material, dimensions, consistency, compatibility, and degree of stealth application for new or modified vertical utilities within the public rights of ways.
2. To minimize the proliferation of new vertical utility infrastructure and, where such infrastructure is unavoidable, control the number, placement, and bulk of such infrastructure without prohibiting service. This would primarily include co-location or at least dual function on existing or proposed vertical utilities and new poles that can accommodate utility structures within the pole.
3. To lessen the aesthetic impact of vertical utility infrastructure to residents and make such infrastructure complementary to the character of the surroundings.
4. To lessen the aesthetic impact of vertical utility infrastructure in highly visible locations, gateway areas, areas surrounding historic properties, and other similar areas with special community interest.
5. To provide for fewer conflicts and anticipate the utility regimen likely in the future and ensure that the Town is requiring appropriate infrastructure during new construction.

E. Definitions. In addition to or as a supplement to relevant definitions provided in Appendix A, Chapter 4, Section III. Antennas and Towers, the following terms are included to clarify specific provisions in this chapter:

1. *Aesthetic*: The same as defined by commonly available dictionaries as an adjective: being concerned with beauty or designed to give pleasure through beauty; of pleasing appearance.
2. *Aesthetic Plan*: A plan that addresses the requirements of this chapter that govern the bulk, placement, and appearance of new vertical utility infrastructure and, where applicable, the aerial or underground conduit used to support such infrastructure.
3. *Authority*: The Town of Farragut or the State of Tennessee.
4. *Cantenna*: A telecommunications antenna with a concealment shroud.
5. *Co-location*: Multiple occurrences of a *common use*, such as two or more telecommunication carriers occupying the same location; two or more technologies deployed by a common user, where two or more technologies occupy the same structure such as a facility where a single provider deploys multiple technologies, such as both 4G and 5G; or two or more different but complementary technologies or uses at a single location. An example is a streetlight that also functions as a small cell facility.
6. *Fiber sharing*: Using existing utility infrastructure for new fiber installation purposes. This may include existing telecommunications duct, an OUS, or available sewer systems.
7. *Overhead Utility System (OUS)*: A system of poles supporting lines and other above ground structures that pre-date the adoption of this chapter and that service more than one utility. Typically, this would include electric distribution and transmission line systems. A pole with only street lighting shall not be considered part of an Overhead Utility System.
8. *Pole*: A vertical structure placed within the public right of way to support utilities.
9. *Public Right of Way*: The space, in, upon, along, across, and over ~~all~~ lands owned by the authority dedicated and used as public streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skywalks under the control of the authority, and any unrestricted public utility easement established, dedicated, platted, improved, or devoted for utility purposes and accepted as such public utility easement by the authority, but excluding lands other than streets that are owned by the authority.
10. *Utility*: An organization that maintains the infrastructure for a set of services consumed by the public: electricity, lighting, natural gas, water, sewer, telecommunications or similar associated services. As applied to this chapter, a utility shall only be within public rights of ways.
11. *Utility Infrastructure*: Vertical utility infrastructure, not including the pole.
12. *Vertical utility infrastructure*: Any structures, such as poles and structures attached to or placed within poles, associated with utilities proposed within public rights of ways that protrude above the adjacent ground level.

F. Applicability. This chapter shall apply to the following:

1. Structures not directly related to utilities existing on an OUS that are proposed to be added to an OUS.

2. Modifications to (including replacement of) existing poles that are not part of an OUS. This would typically include street lighting in an area that would otherwise have utilities underground (e.g., Parkside Drive and S. Campbell Station Road).
3. New poles and associated structures that are not part of an OUS.

G. *Aesthetic plan process.* Projects that are governed by this chapter shall be in compliance with the following process associated with the development of an aesthetic plan:

1. *Aesthetic plan compliance document.* In addition to the process and application submittal requirements provided for in Appendix A., Chapter 4., Section III, Antennas and Towers, the applicant is responsible for creating an aesthetic plan compliance document based on the requirements of this chapter. This document will be reviewed by the Town staff for compliance with this chapter prior to formal action being taken by the Planning Commission and, where applicable, the Board of Mayor and Aldermen.
2. *On-site review.* An initial step in the development of an aesthetic plan is for the applicant to review intended plans with Town staff. This would involve an on-site review of the affected area with the intent of determining what approach will be taken to minimize aesthetic related issues and disruption to established properties, particularly residential properties.
3. *Fiber sharing.* Where fiber is proposed in association with new vertical utility infrastructure, the applicant shall identify and use fiber sharing where this is an option. The applicant shall provide an assessment as part of the application as to whether fiber sharing is available in the proposed location. If it is available and not proposed for use, the applicant shall provide specific reasons for not using the fiber and this will be evaluated as part of the application review.
4. *Co-location and pole sharing.* Where a new utility pole (referenced as Type 3 in this chapter) is envisioned, the applicant shall first assess existing vertical utility infrastructure for co-location and pole sharing opportunities. Unless the applicant can verify in writing from the owner of existing vertical utility infrastructure that the proposed or modified vertical utility infrastructure cannot be used due to reasons enumerated in the application, existing infrastructure shall be used.
5. *Ancillary requirements.* In addition to the physical aspects of proposed vertical utility infrastructure, the aesthetic plan compliance document shall also include all applicable information specified in Section K of this chapter.
6. *Application requirements appropriate to context.* The submittal requirements associated with an aesthetic plan shall be based on the requirements enumerated in this chapter which will vary depending on the pole type scenario and context associated with each vertical utility infrastructure proposed at a given location.
7. *Planning Commission review.* As part of the review and approval process, the Planning Commission shall have the authority to approve variations to the requirements of this chapter where the effect of such variations would enhance the objectives of this chapter due to site or context specific conditions.
8. *Right of way permit.* Once an aesthetic plan compliance document has been approved by the Planning Commission and, where applicable, the Board of Mayor and Aldermen, a right of way permit shall be applied for and obtained for each project location prior to initiating work.

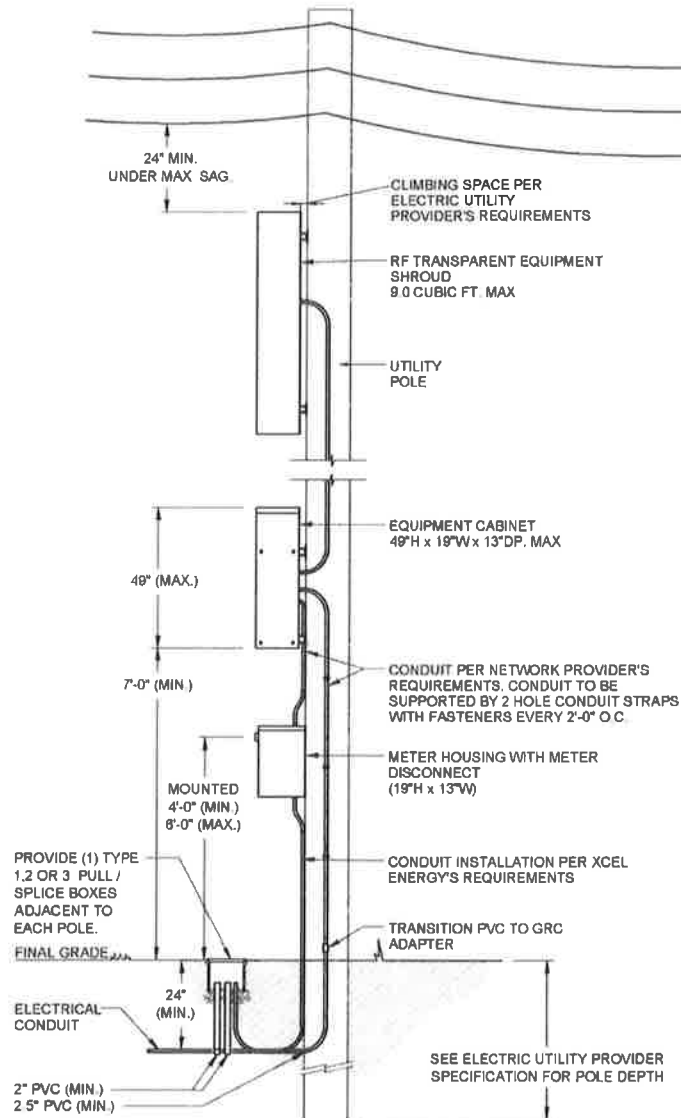
9. *Information required in right of way permit.* Proof of license, insurance, the posting of letters of credit, and the filing of an as-built prior to project closure shall, along with the approved compliance plan, be elements of the right of way permit.

H. Aesthetic Plan Compliance Requirements by Pole Type. The following sections outline requirements specific to different types of new vertical utilities.

1. ***Type 1 – Existing Pole:***

- a. *Defined.* A Type 1 Pole is where new vertical utility infrastructure is attached to an existing pole without pole replacement, and such as where such pole is part of an existing Overhead Utility System (OUS) or an existing light pole that can accommodate new vertical utility infrastructure.
- b. *Coordination with owner.* A Type 1 Pole shall be an initial consideration for placement of the utility infrastructure where new vertical utility infrastructure is proposed. An applicant shall coordinate with the owner of existing utility poles to determine if proposed ~~vertical utility structures~~ utility infrastructure can be added to the existing pole. Where this is not feasible, the applicant must provide a written explanation as to why this was not possible. If a new pole is accepted as the only option, the requirements provided for in Sections H., 3., and Section I., shall specifically apply in addition to any other applicable provisions in this chapter.
- c. *Compatibility.* Where new vertical utility structures can be added to an existing pole, the new structures shall be color coordinated with the pole and existing structures on the pole. All non-light fixture equipment shall be shrouded and compatible in color, material, and general dimensions.
- d. *New non-light fixture structures.* All new non-light fixture equipment shall not exceed a diameter of 19 inches and shall be mounted within four inches of the pole to lessen the bulk of the additional structures. All new wiring and cables shall be concealed in conduit mounted flush to the pole if this cannot be accommodated within the pole (e.g., on a wooden pole). Structures that are not mounted to the pole shall be contained in underground vaults. No new equipment associated with new vertical utilities shall be in above-ground ancillary pedestals or above ground vaults.
- e. *Structural compliance.* The existing pole shall not require additional mechanical stability restraints, such as new guy wires, to accommodate the new utility infrastructure and shall be able to sustain a wind load of 115 mph and comply with applicable industry standards regarding structural integrity for the structures to be contained on or supported by the pole.
- f. *Lighting related parameters.* Where a light fixture is added to an existing pole, the placement shall be coordinated with the pole owner. Generally, the fixture and mounting style shall be consistent, in overall appearance, with other light fixtures along the same street or in the immediate area. If there are no light fixtures along the same street or in the immediate area, the requirements in Section J of this chapter would apply.
- g. *Illustration showing design compliance.* Type 1 structures without a light fixture shall generally be consistent with and reflect the attachment example shown on Exhibit One. Please note that some variation from the exact specifications included on Exhibit One may apply depending on the characteristics of the affected OUS.

EXHIBIT ONE



TYPE 1A UTILITY POLE WITH MOUNTED EQUIPMENT SHROUD

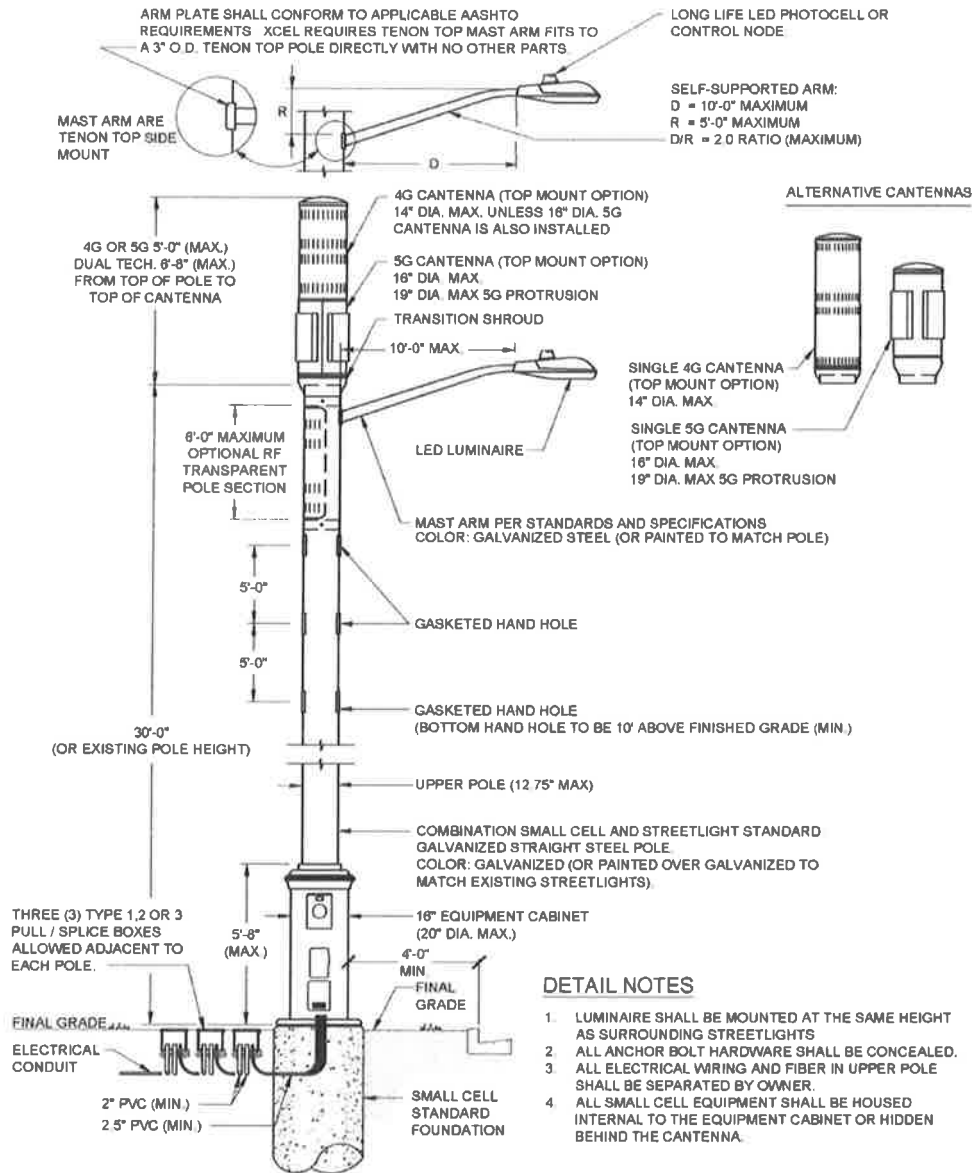
2. *Type 2 – Replacement Pole:*

- a. *Defined.* A Type 2 Pole is where an existing pole that is part of a OUS or an existing light pole is replaced to accommodate new vertical utility infrastructure. Similar to a Type 1 Pole, a Type 2 Pole shall be an initial consideration for placement of the utility infrastructure where new vertical utility infrastructure is proposed. This will help avoid installing a new pole in a new location.
- b. *Coordinate with owner.* An applicant shall coordinate with the owner of the existing pole in terms of replacing the pole to accommodate new vertical utility infrastructure.
- c. *Pole characteristics.* All replacement poles shall be constructed of galvanized steel that is designed and installed to carry the weight of the anticipated structures to be supported by such pole. The maximum diameter of the riser pole shall generally not exceed 12.75 inches. Structures, including cables and wiring, that are not part of an existing OUS shall be contained within the pole, other than an antenna and a light fixture which shall be subject to the requirements of this chapter. Such pole shall be painted to match the color of other poles in the same OUS and shall be compatible and consistent with the height of other existing poles in the OUS.
- d. *Light fixture parameters.* Where a new light fixture is added to a replacement pole that retains existing OUS structures, the style and mounting standards of such light fixture shall be coordinated with the pole owner. Consideration shall be given to fixture placement that will provide for the potential for the antenna shroud (cantenna) to be largely incorporated into the pole, as demonstrated in Exhibit Two. This would ensure that the only new protrusion from the pole is the light fixture and associated mounting bracket. The light fixture styles, how they are mounted, their color, and their height relative to the surrounding grade shall generally be compatible with other light fixtures in the OUS. If there are no light fixtures along the same street or in the immediate area or a road, utility, or other project is modifying a larger OUS (e.g., numerous pole replacements or relocations), the requirements in Section J of this chapter would apply.
- e. *Antenna related parameters on poles that are part of an OUS.* Where an antenna is added to a replacement pole that is part of an OUS that retains existing OUS structures, the placement of such antenna on the pole shall be coordinated with the pole owner. The antenna shall be contained in a shroud (cantenna) concealing the antenna and placed at the top of the pole unless the pole owner prohibits placement in this location due to safety or other regulatory reasons. The antenna shroud shall not exceed a diameter of 19 inches (including any 5G related protrusions – as shown on Exhibit Two) and a smooth transition shall be provided between the riser pole and the antenna shroud. If an equipment cabinet is proposed (such as those used for radio equipment for 4G) such cabinet shall be at the base of the pole and shall not exceed 20 inches in diameter as shown in Exhibit Two. All other new structures, including cables and wiring, shall be contained within the pole or underground with access points being provided flush with the pole. Each pole component shall be architecturally compatible and include smooth transitions to create a cohesive aesthetic.
- f. *Antenna related parameters on light poles.* Antennas to be added to a light pole shall be coordinated with the pole owner. Light fixture placement shall provide for the potential for the antenna shroud to be largely incorporated into the pole, as

demonstrated in Exhibit Two. The maximum diameter of the antenna shroud portion of the pole shall not exceed 19 inches (including any 5G related protrusions – as shown on Exhibit Two). A smooth transition shall be provided between the riser pole and the antenna shroud. If an equipment cabinet is proposed (such as those used for radio equipment for 4G) such cabinet shall be at the base of the pole and shall not exceed 20 inches in diameter, as shown on Exhibit Two. All other new structures, including cables and wiring, shall be contained within the pole or underground with access points being provided flush with the pole. Each pole component shall be architecturally compatible and include smooth transitions to create a cohesive aesthetic.

- g. *Structural compliance.* The use of “guy wires” or similar mechanical stability restraints shall be avoided. Each pole shall be constructed to sustain a wind load of 115 mph using proper material and design that comply with applicable industry standards for the structures (existing and envisioned) to be supported by the pole.
- h. *Illustration showing design compliance.* The specifications for an antenna and light fixture combination pole are shown on Exhibit Two. Though Exhibit Two shows a 4G and 5G antenna on the same pole, this does not mean that a pole could not have a different antenna arrangement, such as two 4G or two 5G antennas. Exhibit Two is provided to illustrate what compliance with the Town’s Aesthetic Plan would look like for a replacement pole that will provide for vertical utility infrastructure. Some site-specific variation, such as overall height or proposed light fixture style and attachment, may apply.

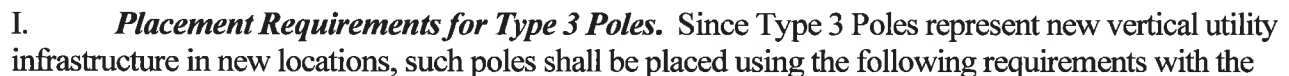
EXHIBIT TWO



3. *Type 3 – New Freestanding Pole:*

- a. *Defined.* A Type 3 Pole is where a new pole is proposed in a new location to support new vertical utility infrastructure. Since these poles constitute new vertical utility infrastructure in new locations, their placement shall be in compliance with the requirements in Section I of this chapter.
- b. *Pole characteristics.* All Type 3 poles shall be constructed of galvanized steel that is designed and installed to carry the weight of the anticipated structures to be supported by such pole. Type 3 poles shall be painted black unless a different color is more appropriate for the surrounding context. The maximum diameter of the riser pole shall generally not exceed 12.75 inches. All structures, including cables and wiring, shall be contained within the pole with the exception of an antenna shroud and a light fixture and mounting bracket. No equipment shall be permitted in ancillary pedestals or above-ground vaults. Such equipment shall be underground.
- c. *Co-location.* To help lessen the proliferation of new vertical utility infrastructure and compliment the objectives of this chapter, all Type 3 poles shall be designed and constructed to accommodate at least two users (e.g., 4G and 5G, two different telecommunication carriers, a telecommunication carrier, and a light fixture, etc.). The users may be in the present and/or the future.
- d. *Height.* Unless provided for otherwise in State or Federal provisions, Type 3 poles in areas zoned residential or agricultural shall not exceed 40 feet in total height and Type 3 poles in areas not zoned residential or agricultural shall not exceed 50 feet in total height.
- e. *Light fixture parameters.* Light fixtures, how they are mounted, their color, and their height relative to the surrounding grade shall generally be compatible with other light fixtures along the same street or in the immediate area. If there are no light fixtures along the same street or in the immediate area or a road, utility, or other project is modifying a larger OUS (e.g., numerous pole replacements or relocations) that is situated in a area where the light fixture is proposed, the requirements in Section J of this chapter would apply.
- f. *Antenna related parameters.* Antenna on Type 3 poles shall be contained in a shroud concealing the antenna that is incorporated into and placed at the top of the pole as shown in Exhibit Three. The antenna shroud shall not exceed a diameter of 19 inches (including any 5G related protrusions – as shown on Exhibit Three) and a smooth transition shall be provided between the riser pole and the shroud. If an equipment cabinet is proposed (such as those used for radio equipment for 4G) such cabinet shall be at the base of the pole and shall not exceed 20 inches in diameter, as shown on Exhibit Three. All other new structures, including cables and wiring, shall be contained within the pole or underground with access points being provided flush with the pole. Each pole component shall be architecturally compatible and include smooth transitions to create a cohesive aesthetic.
- g. *Structural compliance.* The use of “guy wires” or similar mechanical stability restraints shall be avoided. Each pole shall be constructed to sustain a wind load of 115 mph using proper material and design that comply with applicable industry standards for the structures (existing and envisioned) to be supported by the pole.
- h. *Illustration showing design compliance.* Exhibit Three shows a 4G and 5G antenna on the same pole. This does not mean that a pole could not have a different antenna

EXHIBIT THREE



Planning Commission given the authority to approve some minor modifications where full compliance would be impossible, nullify the service provided by the new vertical utility infrastructure, or contrary to the objectives of this chapter due to site specific considerations:

1. *Placement coordination.* As provided for in Section G., 2., of this chapter, an on-site review with Town staff is required to evaluate placement options where new poles are envisioned.
2. *Prioritization of placement.* Vertical utility infrastructure that has not been requested by residents in a residential area should be placed in areas zoned commercial or along arterial streets where possible.
3. *Placement in relation to buildings.* Where Type 3 Poles must be installed in residential areas to provide the intended and necessary service, such poles should be placed in the most discrete locations possible, unless the objective of the new vertical utility infrastructure is nullified by such placement (e.g., a streetlight in an obscure location may not fulfill the objective of having the streetlight). Placement should occur along non-dwelling unit lots, such as open space lots. Where placement must be along the frontage of a dwelling unit to provide the intended and necessary service, such placement should be along a side property line and not in front of the dwelling unit. This placement consideration would also apply to non-residential buildings.
4. *Obstructions in the right of way.* Type 3 Poles shall be placed in a manner that does not impede, obstruct, or hinder pedestrian, bicycle, or vehicular travel or create sight line obstructions. Such pole placement shall comply with all highway safety related regulations, including approval from the appropriate authority.
5. *Historic properties.* Type 3 poles shall not to be located along the frontage of a historic building or property, as formally identified by a federal, state, or local entity. An exception may be considered where such pole is intended to directly service or compliment the historic building or property, such as an architecturally appropriate streetlight.
6. *Tree protection.* Where possible, Type 3 poles shall be placed an equal distance between adjacent trees with a minimum of 15 feet separation such that no proposed disturbance shall occur within the critical root zone of any tree. Placement shall take into consideration existing tree canopy and shall not lead to the topping of trees in the surrounding area. Existing trees shall not be removed to accommodate a Type 3 pole unless specifically reviewed and approved by the Planning Commission.
7. *Illustration showing placement compliance.* Exhibit Four demonstrates what compliance with the placement requirements in this section would look like.

EXHIBIT FOUR



J. *Lighting Fixture and Mounting Requirements.* As outlined in Section H, lighting should be compatible with nearby light fixtures and how they are mounted unless an entire OUS or series of light poles are being modified. Where such modification is to occur or streetlighting is to be provided for a new street that would be classified as arterial or collector or a local street associated with a non-single-family residential development, the following considerations shall be apply:

1. *Pole characteristics and placement.* The poles, their characteristics, and placement shall comply with the requirements in Sections H and I of this chapter.
2. *Surrounding context* (is this a commercial or residential area, along an arterial, collector, or local street, part of the Mixed-Use Town Center (MUTC) or Mixed-Use Neighborhood (MUN), adjacent to a historical building or property, or a gateway area that serves as a major entrance or exit corridor)? Specific context considerations are as follows:
 - a. *Residential.* New street lighting that would be governed by this chapter that is envisioned in residential areas shall be requested by and coordinated with the affected residential communities, including the selection of fixtures, pole arm style and length, color, and other physical characteristics of the lighting. Type 3 poles are required to provide for the opportunity for co-location and shall be constructed to accommodate both lighting and telecommunications antenna consistent with the

exhibits in this chapter. However, lighting shall not be installed if not desired by the affected residents. The pole would only be required to accommodate the lighting in the future should that be desired.

- b. *Commercial (non-MUTC and non-MUN)*. Generally, street lighting in commercial areas will be associated with collector and arterial streets. If these areas do not have existing streetlights or an OUS along such streets is being significantly modified or a new collector or arterial street is being constructed, the selection of streetlight fixtures, mounting styles, color, etc., shall be coordinated with and approved by the appropriate authority (the Town and/or the State).
- c. *Gateways*. Those streets associated with gateway portions of the Town will be evaluated in terms of whether a more decorative lighting system is desired similar to the fixture shown in Exhibit Five and which a similar version has been used on a recent improvement to Concord Road.

EXHIBIT FIVE



- d. *MUTC and MUN*. To differentiate the MUTC and MUN from their surroundings and help to foster a sense of arrival and place, streetlight fixtures governed by this chapter shall be decorative. Unless a different fixture style would be more suitable for a specific location, as determined by the Planning Commission, the bell-shaped fixture and mounting bracket styles shown in Exhibit Six shall be used. These are the type of fixtures that have been used on new commercial developments that have been completed recently in the MUTC.

The poles shall follow the requirements for Type 3 poles in Section H of this chapter, including the ability to accommodate an antenna shroud in the pole consistent with Exhibits Two or Three in this chapter.

EXHIBIT SIX



K. *Ancillary Requirements Associated with Vertical Utility Infrastructure.* As the primary owner of rights of ways within the Town, the Town requires as part of an aesthetic plan compliance application clear and current documentation (including the appropriate legal documents) regarding ownership, maintenance, liability, and removal or replacement of all new vertical utility infrastructure requested in the application. Also critical for any structures to be added in the public rights of ways is a demonstration that any applicable health and safety standards will be satisfied.

Depending on the information provided, approval may be required from the Board of Mayor and Aldermen with a review and recommendation provided by the Town Attorney. Specific information to be addressed in all aesthetic plans include:

1. *Pole ownership.* Who is the pole owner? Who is responsible for pole removal or replacement?
2. *Ownership of other structures.* Ownership of structures, other than a pole, on, within, or underground and associated with vertical utility infrastructure, including fiber above and below ground.
3. *Maintenance.* Who will be responsible for maintenance of vertical utility infrastructure (e.g., graffiti removal, storm damage, damage from automobiles, construction, or other sources)? If

different owners are represented on the same pole, specific maintenance responsibilities shall be included for each separate owner and their associated component(s). All Type 2 and 3 poles shall be maintained without the use of climbing hooks or other devices that could create an opportunity for vandalism or injury.

4. *Liability.* What entities assume liability for the different vertical utility infrastructure?
5. *Removal.* Who is responsible for pole removal or replacement or the removal or replacement of non-pole structures associated with vertical utility infrastructure? Where it can be demonstrated that certain vertical utility infrastructure has been abandoned, as determined by the authority based on applicable laws governing the abandonment of utility infrastructure, the established owner of such infrastructure shall be responsible for removal within a time frame established by the Town.
6. *Health and Safety Standards.* All components, devices and systems shall fully comply with applicable Federal and State health and safety standards. As appropriate, documents and certifications attesting to such compliance must be included with the aesthetic plan compliance document and reflected on as-built documents, where applicable.
7. *Regulatory signage.* Other than federal or state safety related regulatory notifications or information, no signage shall be included on vertical utility infrastructure. Any such non-regulatory signage shall be considered in violation of the Farragut Sign Ordinance.

L. *Appeals Process Regarding Aesthetic Plan Compliance.* Where an applicant has been denied by the Town staff or the Planning Commission regarding any provisions of this chapter, an appeal may be applied for and presented to the Town's Board of Mayor and Aldermen.

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director and Bart Hose, Assistant Community Development Director

SUBJECT: Ordinance 21-04, an Ordinance to rezone the property situated around the eastern intersection of McFee Road and Boyd Station Road, Parcels 50, 50.01, 54.01, and 9.01, Tax Map 162, 12611 Boyd Station Road, from General Single-Family Residential (R-2) to Open Space Mixed Residential Overlay (R-1/OSMR), 131.25 Acres (OBO Homestead Land Holdings, Applicant)

INTRODUCTION AND BACKGROUND: This rezoning involves four separate tracts totaling 131.25 acres. The property stretches from McFee Road to Virtue Road and includes approximately 3000 linear feet of frontage along Boyd Station Road. The property also has access to McFee Road located at the southernmost traffic circle and via a small strip of land south of the circle, and to Virtue Road via the easternmost lot in question and a narrow strip of land (see Exhibit 1).

DISCUSSION: As discussed with the Planning Commission, the property in question is currently agricultural and open in nature. The easternmost lot is a narrow, tree covered vacant/open-space area, that is impacted by a transmission line easement and has limited frontage on Virtue Rd. The overall site also appears to contain several potential sinkhole areas that could impact development.

Existing land use in the area immediately around the property is largely low density residential in nature with a mix of open areas, larger residential lots and tracts, and a few public/semi-public uses. The existing Pryse Farm development is an exception to this pattern and is located immediately to the northwest of the subject property. This development can be characterized as a lower density primarily attached single-family residential development (roughly 2.17 units per acre). The surrounding area is also experiencing development pressure. Two single-family subdivisions are under development or under review within the Town. This includes the Brass Lantern development and the Meadows on McFee development. Additional development also continues to occur south of the Town in the Choto area of Knox County (see Exhibit 2).

As noted above, the property has considerable frontage along Boyd Station Road and additional usable access to McFee Road. Access to Virtue Road is limited and likely only suitable for a pedestrian/bicycle trail connection point. McFee Road is classified as a Minor Arterial on the Town's Major Road Plan. Boyd Station Road is classified as a Major Collector and does not currently meet the Town's minimum improvement standards for a roadway of this classification. As such, it would need to be improved to the adopted complete streets cross-section in conjunction with any significant development of the property. Adequate utility services would also need to be provided to support any proposed development and existing utility mains are present in the surrounding area.

The property in question is currently zoned General Single-Family Residential (R-2) and the applicant is requesting Open Space Mixed Residential Overlay (R-1/OSMR). The Town's Future Land Use Map identifies the area for Open Space Cluster Residential type development. The proposed zoning (R-1/OSMR) would be consistent with this land use designation. The mixed residential aspect of the requested zoning would also be consistent with the Pryse Farm development which is similarly zoned and may allow the owner/developer more flexibility in dealing with potential sinkholes and other design considerations. The mixed residential designation is, however, somewhat less consistent with the existing large lot single-family development that adjoins the property in several locations, and a recent rezoning application for OSMR on the west side of McFee Road was not approved. Given the size of the property in question, careful design could create

separation and buffers between these existing homesites and any new mixed residential development (see Exhibits 3 & 4).

Finally, it should be noted that the property in question is currently divided into four lots/tracts. Two of these lots do not meet the 5-acre minimum area threshold for OSMR zoning and will need to be combined with the other tracts. This includes a smaller lot that adjoins the traffic circle on McFee Road and the narrow tract at the eastern end of the property that adjoins Virtue Road. These lots also provide important transportation access points for the future development of the general area. Any rezoning action should be made contingent upon these lots being formally combined with the larger tracts.

RECOMMENDATION: When this rezoning was presented to the Planning Commission in January for a vote, the applicant provided the Commission with a layout showing a hypothetical development based on the zoning requested. A copy of this layout is included in the packet and is referenced as Exhibit 5. Commissioners agreed that, given the size of the property and the presence of possible sinkholes, a transmission line, and a substation abutting a portion of the property, having a mix of attached with detached would complement the property and help promote greater housing choice consistent with the Comprehensive Land Use Plan. Commissioners, however, expressed a desire to limit the number of attached units given the largely rural character of much of the surrounding area. Based on the requested zoning, the property could include up to 286 dwelling units. After some deliberation, Commissioners unanimously recommended approval of Ordinance 21-04 subject to the following conditions:

- 1. That, to encourage a variety of housing consistent with the Comprehensive Land Use Plan, up to 100 of the total number of permitted dwelling units could be attached with locations to be determined as part of the concept plan review process required in the Subdivision Regulations, and
- 2. That, prior to second reading of Ordinance 21-04, the four lots associated with the rezoning must be combined through a plat to be approved by the Planning Commission.

Provided the Board is comfortable with the conditions placed on the rezoning by the Planning Commission, Community Development Director, Mark Shipley, recommends approval of Ordinance 21-04 on first reading.

PROPOSED MOTION: To approve Ordinance 21-04 on first reading subject to the conditions recommended by the Planning Commission.

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-21-01

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 PARCELS 50, 50.01, 54.01, 9.01, TAX MAP 162, SAID PROPERTIES BEING LOCATED ALONG BOYD STATION ROAD, MCFEE ROAD, AND VIRTUE ROAD, FROM GENERAL SINGLE-FAMILY RESIDENTIAL (R-2) TO OPEN SPACE MIXED RESIDENTIAL OVERLAY (R-1/OSMR)

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 January 21, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Farragut Municipal Planning Commission hereby recommends approval of Ordinance 21-04 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 21th day of January 2021.

Rita Holladay, Chairman

Scott Russ, Secretary

ORDINANCE:	21-04
PREPARED BY:	Hose/Shipley
REQUESTED BY:	Town of Farragut
CERTIFIED BY FMPC:	January 21, 2021
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 Parcels 50, 50.01, 54.01, and 9.01, Tax Map 162, said property being located along Boyd Station Road, McFee Road, and Virtue Road and including approximately 131.25 acres, from General Single-Family Residential (R-2) to Open Space Mixed Residential Overlay (R-1/OSMR) (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 21-04

Rezone
Parcel 50, 50.01, 54.01, 9.01
Tax Map 162

Legend

-  Proposed Rezoning Area
-  Parcels
-  A, Agricultural
-  OS-P, Open Space/Park
-  S-1, Community Service
-  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
-  Telecommunication Tower Overlay Zone
-  Town of Farragut Boundary

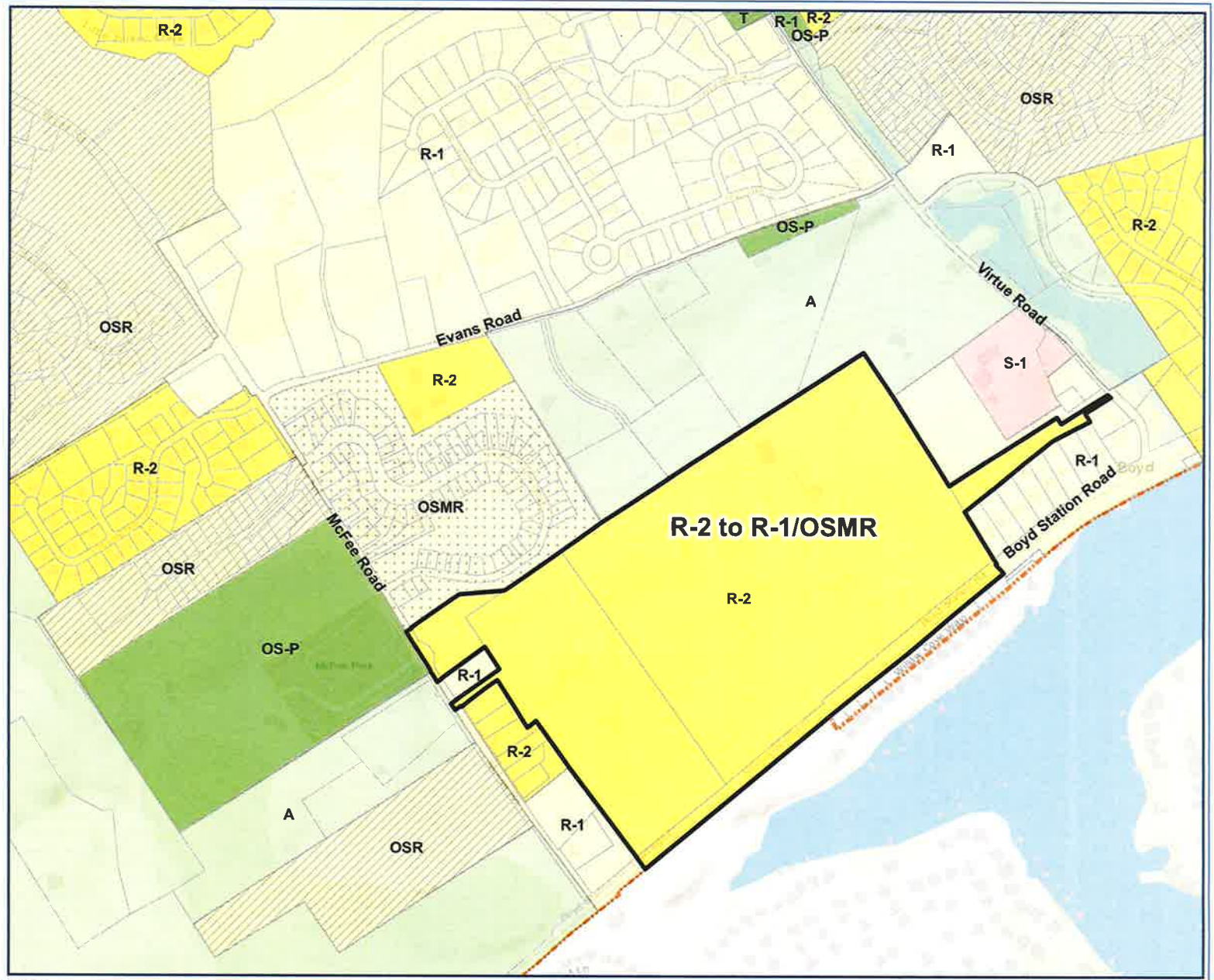


0 300 600 1,200
SCALE IN FEET

CONTACTS:

GIS:
Carrie Smith
carrie.smith@acorn.com

1 inch = 600 feet
Map Prepared: 1/14/2021



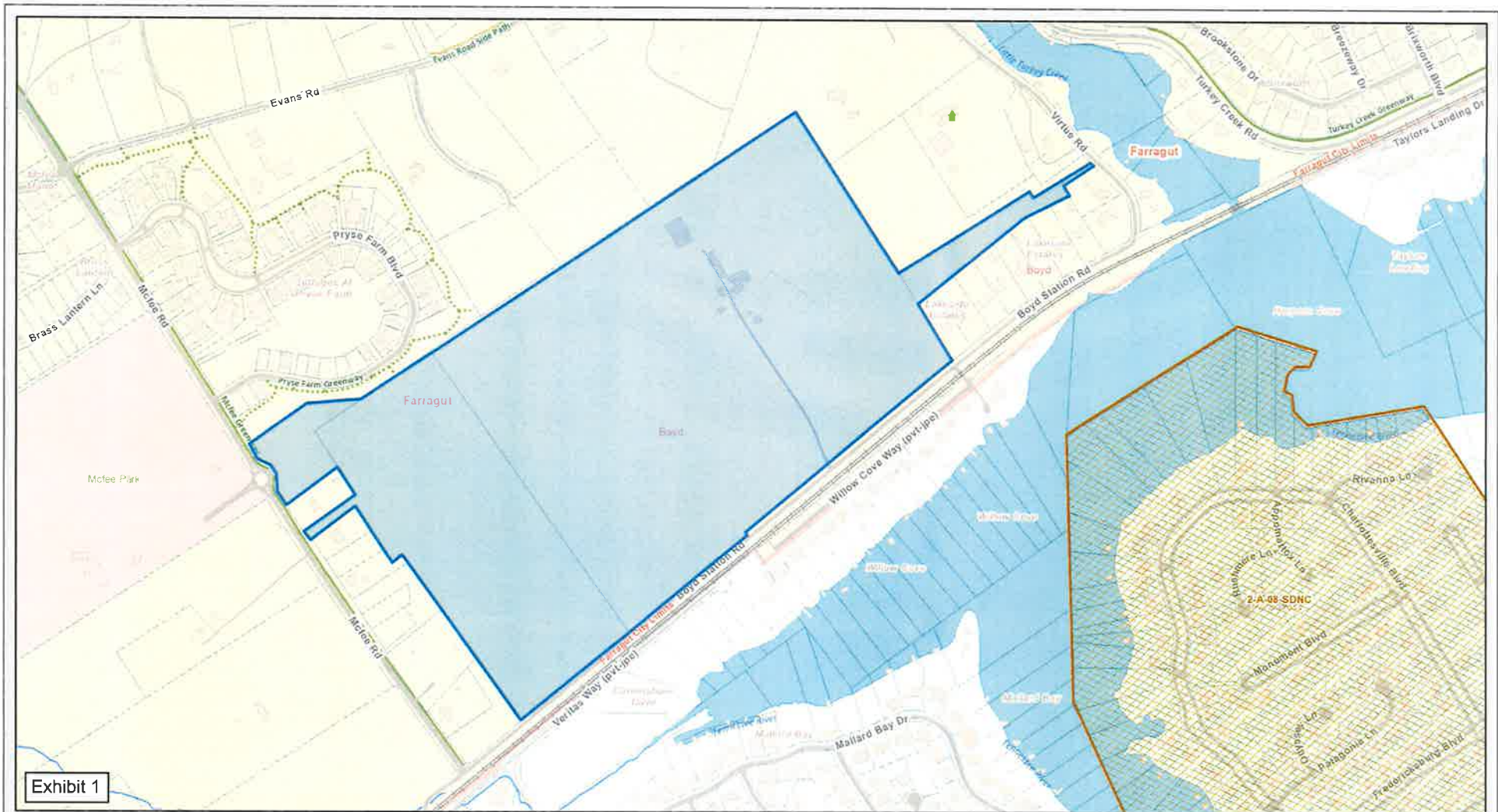


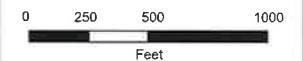
Exhibit 1



Proposed Rezoning Area

R-2 to R-1/OSMR

Parcels 50, 50.01, 54.01, 9.01; Tax Map 162



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

© KGIS 2020
Printed: 11/12/2020 8:56:04 AM



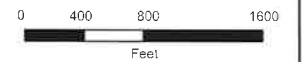
Exhibit 2



Proposed Rezoning Area & Surrounding Development

R-2 to R-1/OSMR

Parcels 50, 50.01, 54.01, 9.01; Tax Map 162



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

© KGIS 2020
Printed: 11/12/2020 0:04:17 AM



Exhibit 3
Proposed Rezoning Area

R-2 to R-1/OSMR
Parcels 50, 50.01, 54.01, 9.01
Tax Map 162

Legend

-  Proposed Rezoning Area
-  Parcels
-  A, Agricultural
-  OS-P, Open Space/Park
-  S-1, Community Service
-  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
-  Telecommunication Tower Overlay Zone
-  Town of Farragut Boundary



0 300 600 1,200
SCALE IN FEET

CONTACTS:

GIS:
Carrie Smith
carrie.smith@accom.com

1 inch = 600 feet
Map Prepared: 11/12/2020

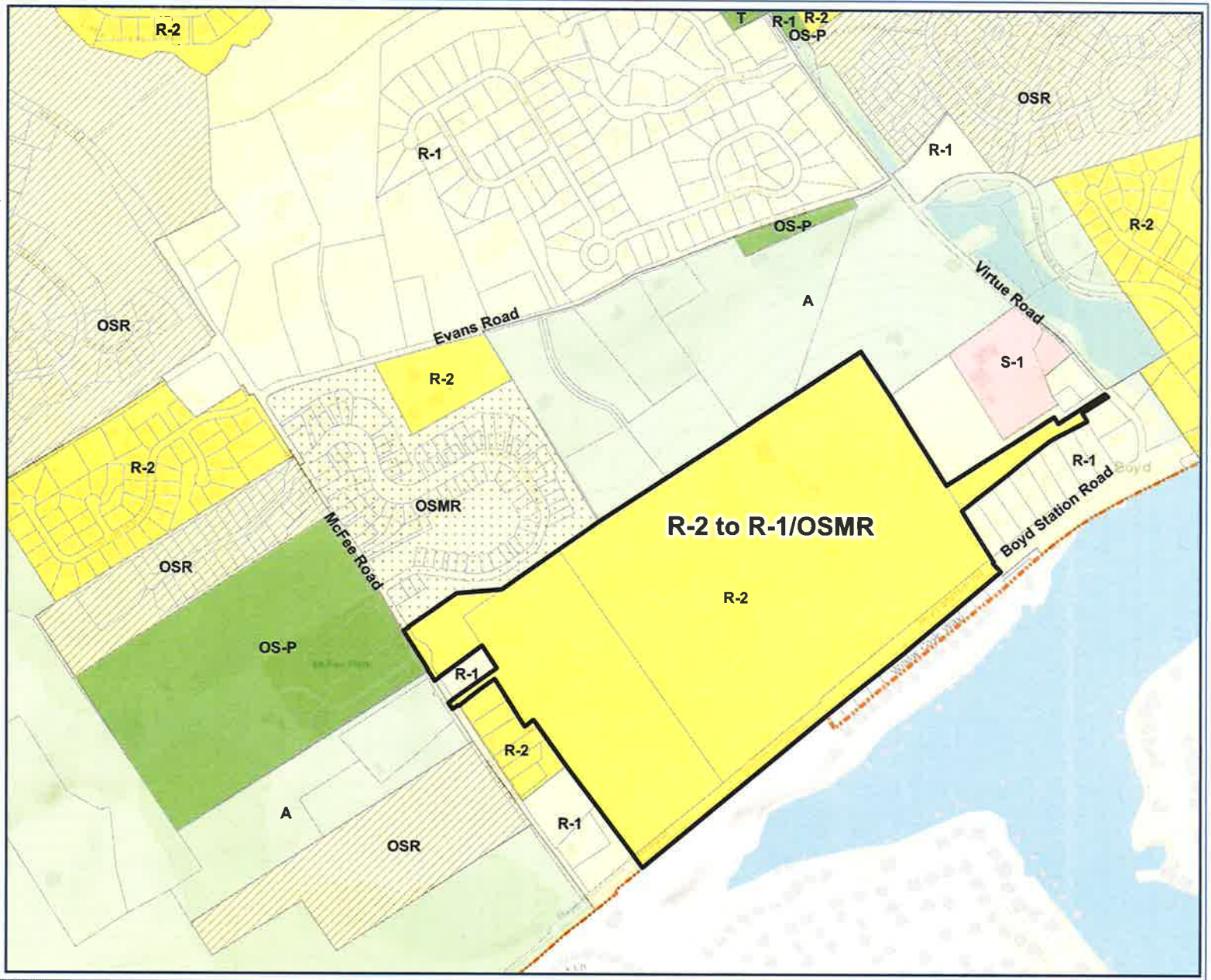




Exhibit 4
Future Land Use
Proposed Rezoning Area

R-2 to R-1/OSMR
Parcels 50, 50.01, 54.01, 9.01
Tax Map 162

Legend

-  Proposed Rezoning Area
-  Parcels
-  Civic/Institutional
-  Open Space
-  Parks and Rec
-  Open Space Cluster Residential
-  Very Low Density Residential (2-4 DUs / Acre)
-  Low Density Residential (3-6 DUs / Acre)
-  Town of Farragut Boundary



CONTACTS:

GIS:
Carrie Smith
carrie.smith@ecomm.com

1 inch = 600 feet
Map Prepared: 11/12/2020

