

MINUTES **June 9, 2022**

WORKSHOP **5:15 PM**

The Board reviewed applications submitted for the FY23 Farragut volunteer committees.

BMA MEETING **6:00 PM**

Roll Call

Vice-Mayor Povlin called the meeting to order at 6:00 PM. Roll Call for attendance: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Povlin, yes; Alderman Pinchok, yes; Mayor Williams, absent; in addition to staff and members of the press.

Approval of Agenda

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

Approval of Minutes

Motion was made to approve the minutes of May 26, 2022, as presented. Moved by Alderman Meyer, seconded by Alderman Pinchok; voting yes; Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; Mayor Williams was absent; motion passed.

Ordinances

Public Hearing and Second Reading

Ordinance 22-10, an ordinance to amend the Farragut Municipal Code Chapter 14 Nuisances & Property Maintenance, Article 4 – Lot Clearing, Section 14-138- Notice to Property Owner (Town of Farragut, Applicant)

Motion was made to approve Ordinance 22-10 on second and final reading. Moved by Alderman Pinchok, seconded by Alderman Meyer; roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, absent; no nays; motion passed.

Ordinance 22-11, Ordinance to amend the Capital Investment Program Budget and State Street Aid Fund Budget for the Fiscal Year 2021-2022 budget, passed by Ordinance 21-13

Motion was made to approve Ordinance 22-11 on second and final reading. Moved by Alderman Pinchok, seconded by Alderman Meyer.

Adam Atherton, 801 Andover Blvd, addressed the board about public input concerning the Campbell Station/I-40 Improvements. Roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, absent; no nays; motion passed.

First Reading

Ordinance 22-08, an ordinance on first reading to amend the Farragut Zoning Map to rezone a portion (.82 Acres) of Parcel 069, Tax Map 151, 13013 Kingston Pike, from General Commercial District (C-1) to Rural Single-Family Residential District (R-1) (JMB FP Investment Company, Applicant)

Motion was made to approve Ordinance 22-08 on first reading. Moved by Alderman Meyer, seconded by Alderman Pinchok; roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, absent; no nays; motion passed.

Business Items

Approval of FY23 Committee Appointments:

Arts & Beautification Committee:

Marty Rogers, TC Williams, Joyce Moran, Lisa Hall, Wendy Stiles, Dora Taggart, Michelle Morrow

Board of Zoning Appeals:

John Hoffman

Museum Advisory Committee:

Bill Battle, Lisa Hall, Joyce Moran, Beverly Hammond

Farragut Tourism/Visitor Committee:

Candace Viox, Dining Representative, At-large: Michael Bellamy, Bill McAdams, Debbie Konopka

Parks & Athletics Council

Bill McAdams, Debbie Pinchok, Jeff Devlin, Jonathan Zuraw, Derek Wright (Alternate)

Stormwater Advisory Committee

Ed McGimsey, Elizabeth Agee, Valerie McFall (Water Quality)

Visual Resources Review Board

Brittney Moore, Derek Wright

Motion was made to approve the FY23 committee appointments as presented. Moved by Alderman Pinchok, seconded by Alderman Meyer; voting yes; Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; Mayor Williams was absent; motion passed.

Approval of Traffic Calming on Midhurst Drive and Red Mill Lane in the Kingsgate Subdivision

Motion was made to approve the proposed traffic calming on Midhurst Drive and Red Mill Lane in the Kingsgate Subdivision. Moved by Alderman Meyer, seconded by Alderman Pinchok; voting yes; Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; Mayor Williams was absent; motion passed.

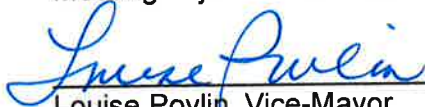
Town Administrator's Report

David Smoak, Town Administrator, announced that the ribbon cutting for McFee Park Phase 3 would be Saturday and to check out the social media campaign for the Dog Park.

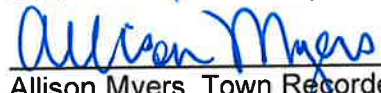
Citizens Forum

Adam Atherton, 801 Andover Blvd, addressed the board about the Kingston Pike/Campbell Station Road Lane reassignment project.

Meeting adjourned at 7:15 PM.



Louise Povlin, Vice-Mayor



Allison Myers, Town Recorder



FARRAGUT BOARD OF MAYOR AND ALDERMEN
Farragut Town Hall
11408 Municipal Center Drive

AGENDA
June 9, 2022

BMA WORKSHOP
Committee Appointments
5:15 PM

BMA MEETING
6:00 PM

- I. Roll Call**
- II. Approval of Agenda**
- III. Approval of Minutes**
 - A. May 26, 2022**
- IV. Mayor's Report**
- V. Ordinances**
 - A. Public Hearing and Second Reading**
 - 1. Ordinance 22-10, an ordinance to amend the Farragut Municipal Code Chapter 14 Nuisances & Property Maintenance, Article 4 – Lot Clearing, Section 14-138- Notice to Property Owner (Town of Farragut, Applicant)
 - 2. Ordinance 22-11, Ordinance to amend the Capital Investment Program Budget and State Street Aid Fund Budget for the Fiscal Year 2021-2022 budget, passed by Ordinance 21-13
 - B. First Reading**
 - 1. Ordinance 22-08, an ordinance on first reading to amend the Farragut Zoning Map to rezone a portion (.82 Acres) of Parcel 069, Tax Map 151, 13013 Kingston Pike, from General Commercial District (C-1) to

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, natural origin, gender, gender identity, sexual orientation, age, religion, disability or veteran status 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

Rural Single-Family Residential District (R-1) (JMB FP Investment
Company, Applicant)

VI. Business Items

- A. Approval of FY23 Committee Appointments
- B. Approval of Traffic Calming on Midhurst Drive and Red Mill Lane in the Kingsgate Subdivision

VII. Town Administrator's Report

VIII. Town Attorney's Report

IX. Citizens Forum

This meeting can be viewed live on the Farragut YouTube Channel and the Town of Farragut website www.townoffarragut.org/livestream.

The meeting will be held at the Farragut Town Hall, 11408 Municipal Center Drive

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.

MINUTES **May 26, 2022**

WORKSHOP **5:30 PM**

Dr. John Bartlett, Farragut High School Principal, gave the board an overview of the new education format that the high school was be implementing for the fall.

BMA MEETING **6:00 PM**

Roll Call

Mayor Williams called the meeting to order at 6:00 PM. Roll Call for attendance: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Povlin, yes; Alderman Pinchok, yes; Mayor Williams, yes; in addition to staff and members of the press.

Approval of Agenda

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

Approval of Minutes

Motion was made to approve the minutes of May 12, 2022, as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes; Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Mayor's Report

Mayor Williams thanked Michelle Pence, HR Director, for organizing all the events for Public Works Week.

Ordinances

Public Hearing and Second Reading

Ordinance 22-09, Ordinance of The Town of Farragut, Tennessee Adopting the Annual Budget for the Fiscal Year Beginning July 1, 2022, and Ending June 30, 2023

Motion was made to approve Ordinance 22-09 on second and final reading. Moved by Alderman Povlin, seconded by Mayor Williams; roll call vote: Alderman Burnette, yes; Alderman Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; no nays; motion passed.

First Reading

Ordinance 22-10, an ordinance to amend the Farragut Municipal Code Chapter 14 Nuisances & Property Maintenance, Article 4 – Lot Clearing, Section 14-138- Notice to Property Owner (Town of Farragut, Applicant)

Motion was made to approve Ordinance 22-10 on first 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 22-11, Ordinance to amend the Capital Investment Program Budget and State Street Aid Fund Budget for the Fiscal Year 2021-2022 budget, passed by Ordinance 21-13

Motion was made to approve Ordinance 22-11 on first 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.

Business Items

Approval of Resolution R-2022-08, Records Retention Schedule

Motion was made to approve Resolution R-2022-08. Moved by Alderman Povlin, seconded by Alderman Meyer; voting yes; Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Approval of Contract 2022-05, Resurfacing of Various Streets

Motion was made to award Contract 2022-05 to APAC-Atlantic, Inc. in the amount of \$986,311. Moved by Alderman Povlin, seconded by Alderman Meyer; voting yes; Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Approval of Contract 2022-10, Campbell Station Road Improvements at Interstate 40/75

Motion was made to approve Contract 2022-10 with Southern Constructors, Inc. \$513,695. Moved by Alderman Povlin, seconded by Alderman Meyer; voting yes; Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Approval of Contract through Sourcewell for McFee Park Basketball Court Lighting and installation

Motion was made to approve the McFee Park Basketball Court lighting through Musco & Sourcewell in the amount of \$52,538. Moved by Alderman Pinchok, seconded by Alderman Burnette; voting yes; Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Approval of Bid for Contract 2022-06: Annual Facility Cleaning Service for Farragut Town Hall, Community Center, and Public Works Headquarters

Motion was made to approve Contract 2022-06 with TMA Services, Inc., Year 1, \$65,600; Year 2, \$67,500; Year 3, \$69,500. Moved by Alderman Povlin, seconded by Alderman Meyer; voting yes; Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Approval of Bid for Contract 2022-08: Annual Town Hall HVAC Maintenance

Motion was made to approve Contract 2022-08 with Del Air Mechanical, Year 1, \$14,000; Year 2, \$14,140; Year 3, \$14,280. Moved by Alderman Povlin, seconded by Alderman Pinchok; voting yes; Mayor Williams, Aldermen Burnette, Meyer, Pinchok and Povlin; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, reported that the Visit Farragut Luncheon was a great event.

Meeting adjourned at 6:50 PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Holley Marlowe, Code Enforcement Officer

SUBJECT: Ordinance 22-10; an ordinance on second reading to amend the Farragut Municipal Code Chapter 14 Nuisances & Property Maintenance, Article 4 – Lot Clearing, Section 14-138- Notice to Property Owner (Town of Farragut, Applicant)

INTRODUCTION: The amendment of this ordinance will correct a clerical error in the Town of Farragut Municipal Code Chapter 14 Nuisances and Property Maintenance, Article 4- Lot Clearing, Sec 14-138 Notice to Property Owner, which currently references section 14-134 as opposed to the correct section 14-136. As it is currently written Section 14-138 hinders the Town’s ability to enforce lot clearing.

BACKGROUND: The Board adopted the 20-02 Ordinance amending Chapter 14, Nuisances and Property Maintenance on February 13, 2020, to allow a greater degree of automation and consistency in our approach to property maintenance enforcement. The proposed amendment to Section 14-138 of Chapter 14 of the Farragut Municipal Code corrects a clerical error that prevents the Town from properly enforcing its lot clearing ordinance.

DISCUSSION: Staff is requesting to amend Chapter 14 Nuisances and Property Maintenance, Article 4 – Lot Clearing, Section 14-138 – Notice to property owner, to correctly reference section 14-136 instead of Section 14-134. This amendment does not alter the substance of the ordinance in any way.

RECOMMENDATION BY: Code and Zoning Enforcement Officer Holley Marlowe for approval.

PROPOSED MOTION: Approve on the second reading ordinance 22-10 to amend the Farragut Municipal Code Chapter 14, Nuisances and Property Maintenance

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	_____	_____	_____	_____	_____

ORDINANCE:	22-10
PREPARED BY:	Marlowe
REQUESTED BY:	Staff
1ST READING:	_____
2ND READING:	_____
PUBLISHED IN:	_____
DATE:	_____

AN ORDINANCE TO AMEND CHAPTER 14, NUISANCES AND PROPERTY MAINTENANCE, OF THE FARRAGUT MUNICIPAL CODE:

WHEREAS, THE Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 14, Nuisances, of the Farragut Municipal Code,

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

SECTION 1.

The Farragut Municipal Code, Chapter 14 – Nuisances and Property Maintenance, Article 4- Lot Clearing Section 14-138 Notice to Property Owner, shall be amended by deleting all references section 14-134 and instead replacing them with references to section 14-136 (See Attachment 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

Attachment A

Chapter 14 – Nuisances and Property Maintenance

Article 4- Lot Clearing

Sec. 14-136. - Prohibition

Pursuant to the authority granted to municipalities under T.C.A. § 6-54-113, it is unlawful for any owner of record of real property to create, maintain, or permit to be maintained on such property the growth of trees, vines, grass, underbrush and/or the accumulations of debris, trash, litter, or garbage or any combination of the preceding elements so as to endanger the health, safety, or welfare of other citizens or to encourage the infestation of rats and other harmful animals. It is the intent of this title to be permissive, and not mandatory, and to serve as a means of last resort for the Town to assist residential communities and/or owners of neighboring property when restrictions and/or covenants applicable to the offending property provide no private remedial powers to correct the offensive characteristics of the property that endanger the health, safety and welfare of other citizens. In accordance with this intent, the Town Administrator or his/her designee may or may not take steps under this title. He/she must be satisfied, in his/her sole discretion, that there are no covenants or restrictions that are applicable to the property that could be enforced to correct its offensive characteristics, and that all reasonable private actions aimed at eliminating the offensive characteristics of the property have been exhausted.

Sec. 14-137. - Designation of public officer or department

Town Administrator or his/her designee is designated pursuant to T.C.A. § 6-54-113 to enforce the provisions of this article on behalf of the Town.

Sec. 14-138. - Notice to property owner

It is the duty of the Town Administrator or his/her designee to serve notice upon the owner of record in violation of section ~~14-134~~ 14-136, a notice in plain language to remedy the condition within ten (10) days (or twenty (20) days, excluding Saturdays, Sundays and legal holidays, if the owner of record is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas, liquids, steam, sewage, or other materials). The notice shall be sent by United States mail, addressed to the last known address of the owner of record. When an attempt at notification by United States mail fails or no valid address exists for the owner of record, the notice may be published in a newspaper of general circulation in the county where the property sits for no less than two (2) consecutive issues or personally deliver the notice to owner of record. For the purposes of this section, such publication shall constitute receipt of notice effective on the date of the second publication of the notice and personal delivery shall constitute receipt of notice immediately upon delivery.

The notice shall state that the owner of the property is entitled to a hearing, and shall, at the minimum, contain the following additional information:

- (1) A brief statement that the owner is in violation of section ~~14-134~~ 14-136, which has been enacted under the authority of T.C.A. § 6-54-113, and that the property of such owner may be cleaned up at the expense of the owner and a lien placed against the property to secure the cost of the cleanup.
- (2) The person, office, address, and telephone number of the department or person giving the notice;

- (3) A cost estimate for remedying the noted condition, which shall be in conformity with the standards of cost in the Town; and
- (4) A place wherein the notified party may return a copy of the notice, indicating the desire for a hearing. Failure to request a hearing within the notice period described above shall without exception constitute a waiver of the right to a hearing.

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder/Treasurer

SUBJECT: Ordinance 22-11, Ordinance to amend the Capital Investment Program Budget and State Street Aid Fund Budget for the Fiscal Year 2021-2022 budget, passed by Ordinance 21-13

INTRODUCTION:

The purpose of this agenda item is to approve Ordinance 22-11 on second reading to amend the Fiscal Year 2022 Capital Investment Program and State Street Aid budgets.

DISCUSSION:

The **Capital Investment Program** will be amended by increasing the appropriated expenditures from \$7,513,000 to \$7,530,538, an increase of \$17,538. The total requested change in funding for the two projects is \$317,538. Of the \$317,538, \$300,000 will be reallocated from the Land Acquisition expenditure to the Campbell Station/I-40 Improvements and McFee Park expenditures. The remaining \$17,538 will be funded through the CIP fund balance.

- \$250,000-Campbell Station Road/I-40 Improvements**
 The FY22 budget for the Campbell Station Road/I-40 Improvements is \$278,000. The cost for the project is approximately \$250,000 more than originally budgeted.
- \$67,538-McFee Park Phase 3**
 Due to change orders and additional engineering, surveying and sink hole mitigation, additional moneys are needed to complete the basketball lighting and additional electrical work for the security cameras. The table below details the expenditures to date for the project.

McFee Park Phase 3 Budget	
Engineering Budget	650,000
Construction Budget	8,000,000
Total Budget	8,650,000
Engineering Expenses	721,274
Survey Services	56,431
Foundation Systems	15,724
FUD	436
FFE	100,000
Cameras/Security	40,000
Merit Construction	7,715,460
Total Expenses to Date	8,649,325
Remaining Balance	\$675
Basketball Lights	52,538
Electrical for Security Cameras	15,000
Budget Amendment Amount	\$67,538

FINANCIAL SECTION: Capital Investment Program**Account Number: Capital Investment Program****FY2022 Previously****Amended Budget****Requested Amendment****FY2022 Amended Budget**

\$7,513,000

\$17,538

\$7,530,538

Approved By: _____

The **State Street Aid Fund** will be amended by increasing the appropriated expenditures from \$1,886,000 to \$2,018,304, an increase of \$132,304. The increase is due to the increased cost of the annual resurfacing program.

FINANCIAL SECTION: State Street Aid**Account Number: State Street Aid Fund****FY2022 Previously****Amended Budget****Requested Amendment****FY2022 Amended Budget**

\$1,886,000

\$132,304

\$2,018,304

Approved By: _____**RECOMMENDATION BY:** Allison Myers, Town Recorder/Treasurer, for approval.**PROPOSED MOTION:** Motion to approve Ordinance 22-11 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	22-11
PREPARED BY	Myers
1 ST READING	May 26, 2022
2 nd READING	June 9, 2022
PUBLISHED IN	Shopper News Farragut
DATE	

**AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE
AMENDING THE FISCAL YEAR 2021-2022 BUDGET, PASSED BY ORDINANCE 21-13**

WHEREAS, the Town of Farragut adopted the fiscal year 2021-22 budget by passage of Ordinance Number 21-13 on June 10, 2021; and

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

WHEREAS, expenses for the capital Investment Program & State Street Aid Fund will be greater than budgeted; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2021-2022 BUDGET AS FOLLOWS:

SECTION 1. Ordinance 21-13 is hereby amended by:

The **Capital Investment Program** will be amended by increasing the appropriated expenditures from \$7,513,000 to \$7,530,538, an increase of \$17,538.

The **State Street Aid Fund** will be amended by increasing the appropriated expenditures from \$1,886,000 to \$2,018,304, an increase of \$132,304.

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:** Approval of Ordinance 22-08, an ordinance on first reading to amend the Farragut Zoning Map to rezone a portion (.82 Acres) of Parcel 069, Tax Map 151, 13013 Kingston Pike, from General Commercial District (C-1) to Rural Single-Family Residential District (R-1) (JMB FP Investment Company, Applicant)**INTRODUCTION AND BACKGROUND:** Fast Pace Urgent Care has completed the construction of their walk-in clinic at 13013 Kingston Pike. The property on which this development is situated is 1.82 acres and fronts on both Kingston Pike and Fleenor Road. Fast Pace does not need the entire tract and is subdividing off the north portion of the lot (roughly .82 acres) to sell it for the possible construction of a single-family home.**DISCUSSION:** During discussion with the Planning Commission, it was noted that the Fast Pace property is one of several tracts in this portion of Town zoned General Commercial (C-1) from Kingston Pike to Fleenor Road (see Zoning Map exhibit included in packet). In its current condition, Fleenor Road is not designed to accommodate traffic that could be generated from a commercial or office development. The applicant is requesting to down zone the north portion of their existing tract from C-1 to Rural Single-Family Residential (R-1). Existing development that currently accesses this portion of Fleenor Road is low density residential. The requested rezoning would be compatible with the surrounding built environment.

In terms of the Future Land Use Map, the portion proposed for rezoning is mostly shown as Medium Density Residential (see Future Land Use Map exhibit included in packet). This is the land use designation for the north portion (Fleenor Road frontage) of the lots that front on Kingston Pike and that are currently zoned C-1 to the west of Christ Covenant Presbyterian Church. The Medium Density Residential land use, when originally mapped to this area in the 2012 Update, reflected the north portion of these commercial properties as a transitional space where a medium density residential land use could help buffer the commercial areas from the lower density residential areas to the north.

Staff noted to the Planning Commission that, considering this rezoning request, the areas currently shown as Medium Density Residential may need to be re-visited to determine if a different future land use designation would be more appropriate. The requested R-1 Zoning District, which is compatible with the surrounding built environment, would most closely relate to the Very Low-Density Residential land use designation.

RECOMMENDATION: At their meeting on April 21, 2022, the Planning Commission unanimously recommended approval of Ordinance 22-08 to rezone a portion (.82 Acres) of Parcel 069, Tax Map 151, 13013 Kingston Pike, from General Commercial District (C-1) to Rural Single-Family Residential District (R-1). Community Development Director, Mark Shipley, also recommends approval of Ordinance 22-08.**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	_____	_____	_____	_____	_____



Future Land Use Map

A portion of Parcel 069
Tax Map 151

A Portion of the Property
13013 Kingston Pike

Legend

- Subject Property
- Streets
- Parcels
- Civic/Institutional
- Office/Light industrial
- Commercial
- Open Space
- Parks and Rec
- Very Low Density Residential (2-4 DUs / Acre)
- Low Density Residential (3-6 DUs / Acre)
- Med Density Residential (6-8 DUs / Acre)
- Mixed Use Neighborhood (6-8 DUs / Acre)



1 in = 500 ft

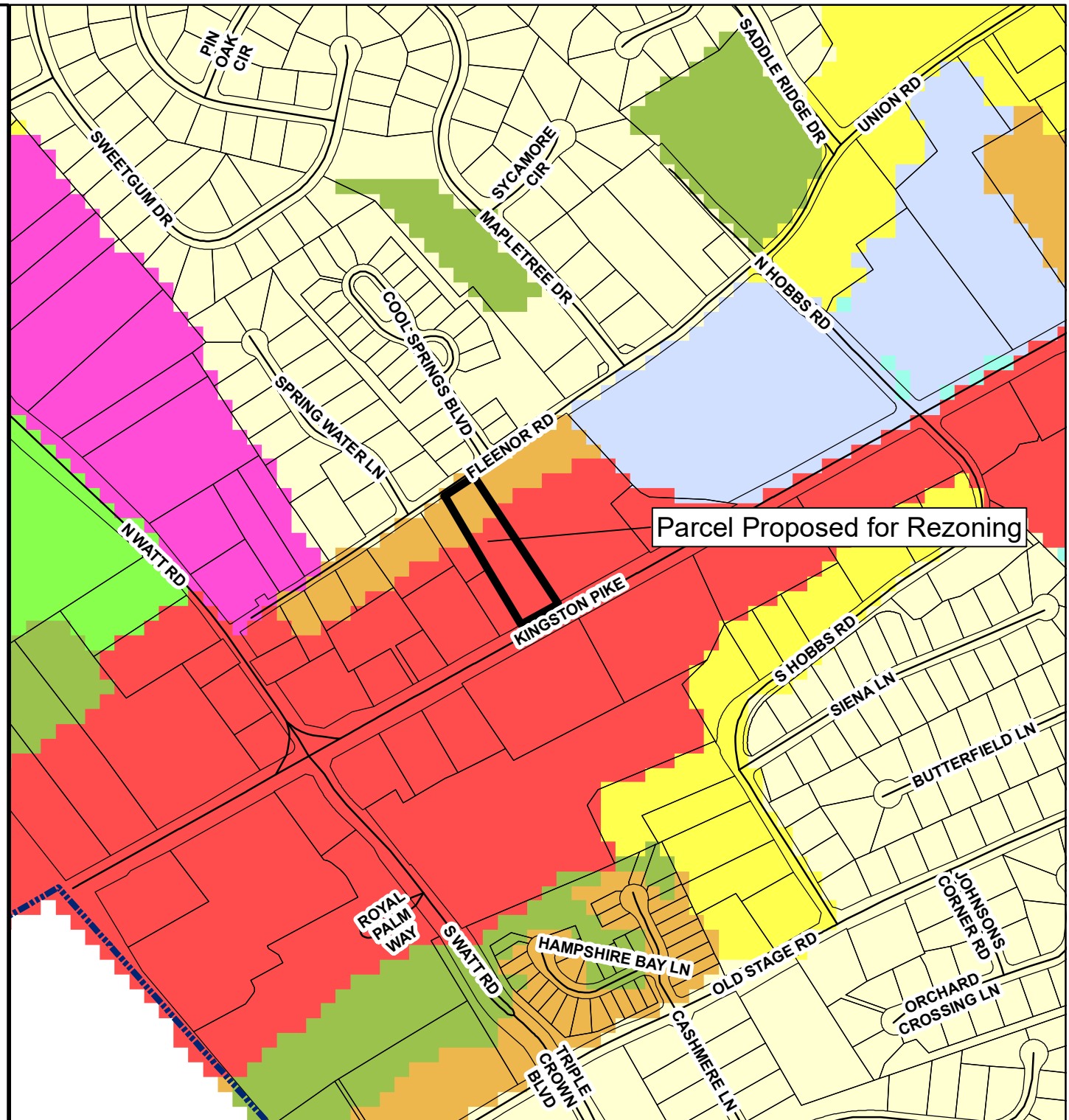




Exhibit A
Ordinance 22-08
Zoning Map Amendment
A portion of Parcel 069
Tax Map 151
A Portion of the Property
13013 Kingston Pike

From
General Commercial

to

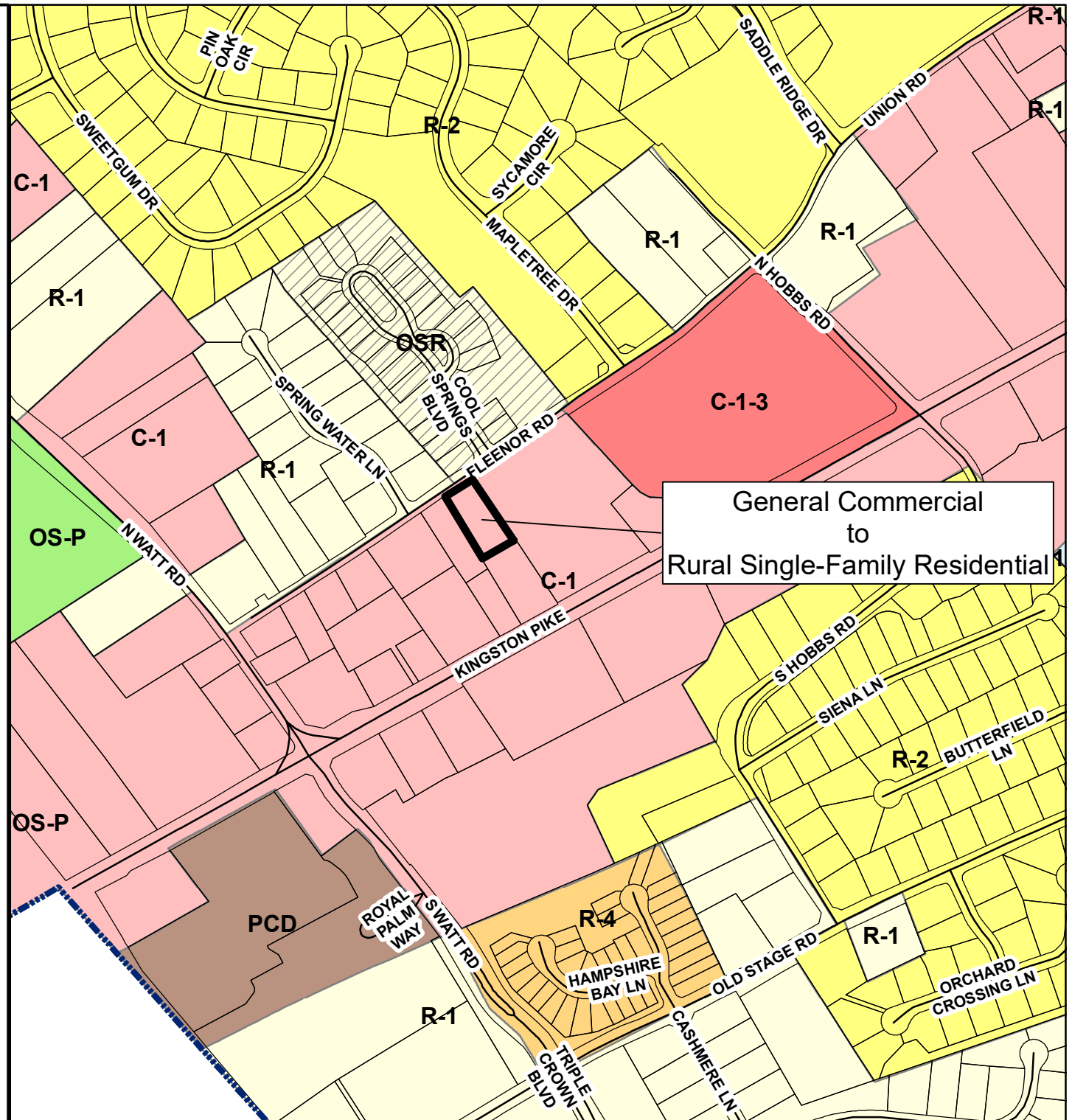
Rural Single-Family Residential

Legend

-  Subject Property
-  Streets
-  Parcels
-  OS-P, Open Space/Park
-  R-1, Rural Single-Family Residential
-  R-2, General Single-Family Residential
-  R-4, Attached Single-Family Residential
-  R-1/OSR, Open Space Residential Overlay
-  O-1, Office
-  C-1, General Commercial
-  C-1-3, General Commercial, Three Stories
-  PCD, Planned Commercial Development



1 in = 500 ft



General Commercial
to
Rural Single-Family Residential

ORDINANCE:	22-08
PREPARED BY:	Shipley
REQUESTED BY:	Town of Farragut
CERTIFIED BY FMPC:	April 21, 2022
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 a portion (.82 acres) of the existing Parcel 069, Tax Map 151, 13013 Kingston Pike from the General Commercial District (C-1) to the Rural Single-Family Residential District (R-1). Said property being further delineated on the attached map (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 _____, 2022,
with approval recommended by the Farragut Municipal Planning Commission (FMPC).

Rita Holladay, Chairman

Scott Russ, Secretary

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Brannon Tupper, PE

SUBJECT: Approval of Traffic Calming on Midhurst Drive and Red Mill Lane in the Kingsgate Subdivision

INTRODUCTION: The purpose of this item is approval of the proposed Traffic Calming on Midhurst Drive and Red Mill Lane in the Kingsgate Subdivision.

BACKGROUND:

Application Submission and Review:

On February 3, 2021, residents of the Kingsgate Subdivision submitted to the Town of Farragut's engineering staff a Traffic Calming Application (TCA) related to speeding and safety concerns near the Midhurst Drive and Red Mill Lane intersection. Staff determined the Speed Zone was eligible based on road classification and field conditions.

TCA Data Collection/Staff Analysis:

In accordance with the Town's Traffic Calming Policy, staff conducted a speed study at several locations within and adjacent to the Speed Zone. Results from the speed studies concluded all areas are eligible for consideration of traffic calming measures. Results are as follows:

<u>Location</u>	<u>85th Percentile Speeds</u>
11813 Midhurst Drive:	42mph eastbound, 40mph westbound
11608 Midhurst Drive:	37mph eastbound, 40mph westbound
11508 Midhurst Drive:	43mph eastbound, 35mph westbound
609 Red Mill Lane:	42mph eastbound, 38mph westbound
629 Red Mill Lane:	42mph eastbound, 42mph westbound

Public Notification:

The Traffic Team held a public meeting on March 16, 2022 to explain the application process and answer questions prior to sending out ballots to the affected residents. There was a mix of supportive and unsupportive residents represented. The decision was to keep the scope localized to the Speed Zone, though some requested it be expanded. One action was taken to conduct a follow-up speed study after completion of the Concord Road and Virtue Road construction projects. The follow-up speed study was conducted in May and no discernable difference was recorded with the proposed locations remaining eligible.

Vote Tabulation/Determination:

The Traffic Calming Policy requires at least 65% of the returned ballots from the Speed Zone and 50% from the Affected Area be in favor of traffic calming devices. A total of One-Hundred and Five (105) ballots were returned with 83% affirming 'yes' from the Speed Zone and 70% from the Affected Area.

Presentation to and Recommendation by Farragut Municipal Planning Commission:

On May 19, 2022 this presentation was presented to the FMPC for a recommendation to the Board. The Commissioners asked a series of questions related to the process and technical aspects of the proposed Traffic Calming. One resident spoke in support of the plan and potential future additional locations including Peterson Road. The FMPC unanimously voted affirmative to recommend approval of the proposed Traffic Calming.

Proposed Traffic Calming:

The Traffic Team recommends installation of asphalt speed cushions at two (2) locations at the approximate addresses of 11508 Midhurst Drive and 609 Red Mill Lane. Please see attached Affected Area and Traffic Calming Location Maps, as well as typical photos and details of the proposed speed cushions.

Plan: Two (2) locations for speed cushions

Schedule: Work to be performed by the Town's On-Call Roadway Maintenance Contractor as their schedule permits

Cost: Estimated \$15,000

FINANCIAL SECTION: 121-43100-4250

Project: Traffic Calming in Kingsgate			
<u>Project Budget</u>	<u>Requested Amount</u>	<u>Expenditures to Date</u>	<u>Available Amount</u>
\$40,000	\$15,000	\$2,689	\$37,311
Approved By: <u>A. Myers</u>			

RECOMMENDATION BY: Brannon Tupper, Assistant Town Engineer

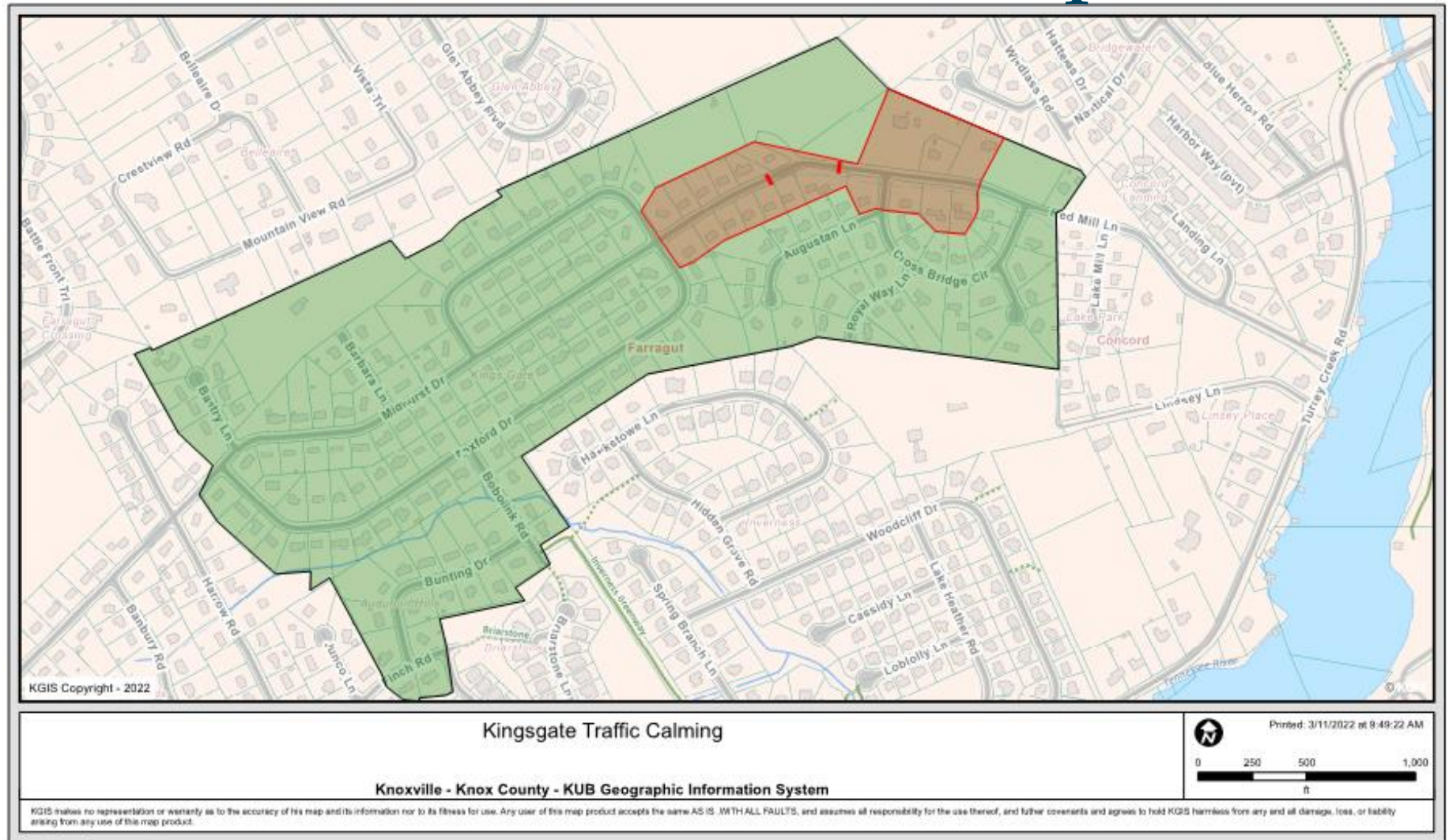
PROPOSED MOTION: Approval of the proposed Traffic Calming on Midhurst Drive and Red Mill Lane in the Kingsgate Subdivision.

BOARD ACTION:

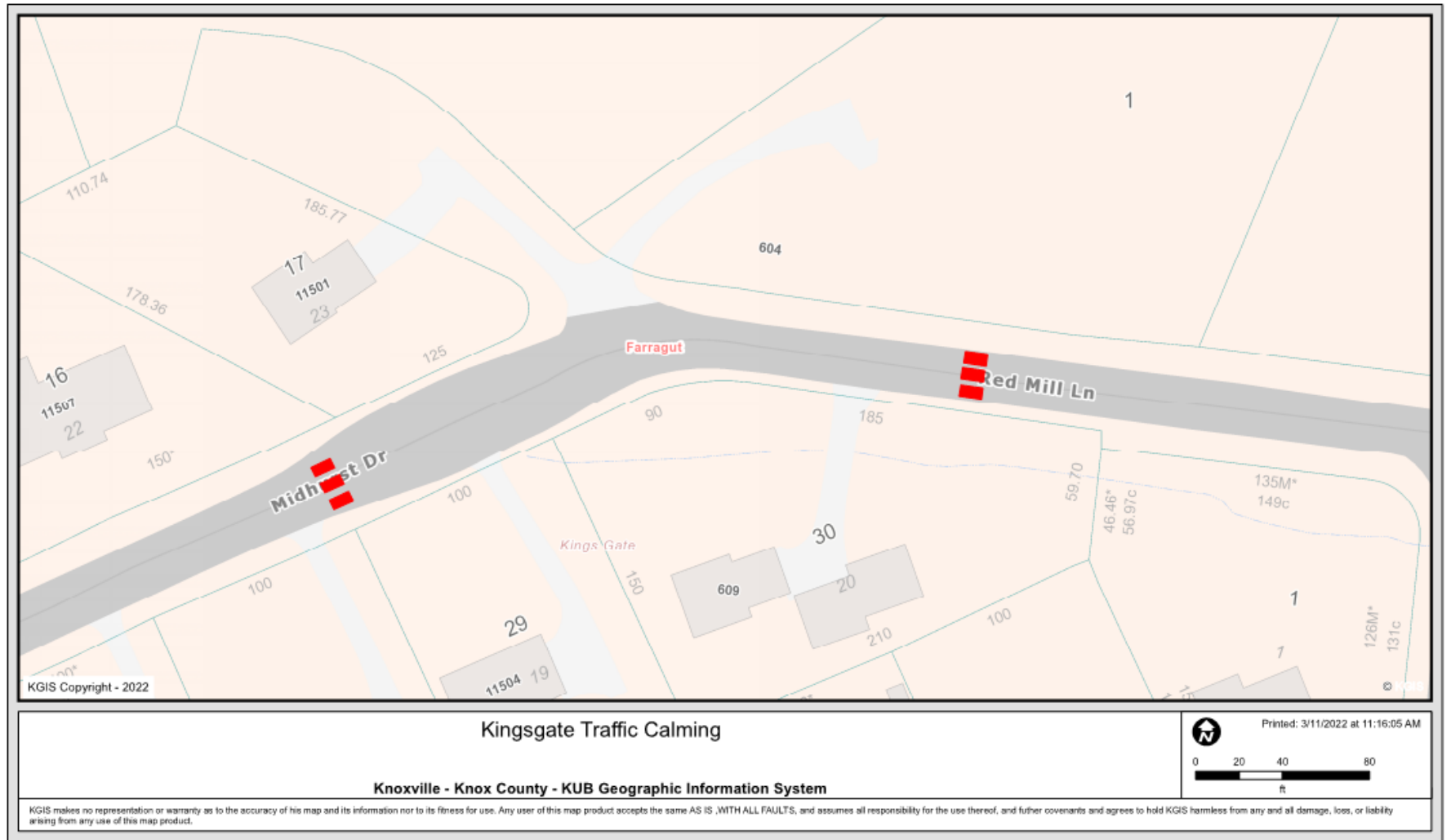
MOTION BY: _____ **SECONDED BY:** _____

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

Affected Area Map



Traffic Calming Location Map



Speed Cushion Examples



- Please note this is a stock photo



Speed Cushion Typical Detail

