



FARRAGUT BOARD OF MAYOR AND ALDERMEN AGENDA

August 11, 2016

**RECEPTION FOR VICE-MAYOR DOT LAMARCHE
6:15 PM**

**BEER BOARD
See Beer Board agenda
6:55 PM**

**BMA MEETING
7:00 PM**

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. July 28, 2016
- VI. Business Items**
 - A. Approval of Reimbursement for Road Repairs - Saddle Ridge Drive
 - B. Approval of the Education Relations Committee Charter Revision
 - C. Request for a variance to Title 16, Chapter 4 – Driveways and Other Access Ways., Sections 16-406 (1)(a) and (b), Distance from intersections and Distance between driveways, associated with a site plan for Autumn Care III Assisted Living, 400 Herron Road (Autumn Care III, LLC/Peter Falk, Applicant)
 - D. Request for a variance to Title 16, Chapter 4 – Driveways and Other Access Ways., Sections 16-406 (1)(a) and (b), Distance from intersections and Distance between driveways, associated with the Kingston Pike access proposed on a site plan for the Premier Eyecare at 11111 Kingston Pike (Urban Engineering, Inc., Applicant)

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- E. Request for a variance to Title 16, Chapter 4 – Driveways and Other Access Ways., Sections 16-406 (1)(a) and (b), Distance from intersections and Distance between driveways, associated with the Admiral Road access proposed on a site plan for the Premier Eyecare at 11111 Kingston Pike (Urban Engineering, Inc., Applicant)
- F. Approval of Bill of Sale, Conveyance and Deed of Gift of Monument

VII. Ordinances

A. Public Hearing and Second Reading

- 1. Ordinance 16-20, an ordinance to amend Chapter 3., Specific District Regulations, Section IX., Attached Single-Family Residential District (R-4)., Subsection D.1.b., to amend the front yard setback provisions when garages are rear loaded and do not face the street and when no additional parking spaces are provided in front of the dwelling unit (Benchmark Associates, Inc., Applicant)
- 2. Ordinance 16-21, Ordinance to amend Ordinance 16-11, Fiscal Year 2017 Budget, State Street Aid Fund

VIII. Town Administrator's Report

IX. Town Attorney's Report



FARRAGUT BEER BOARD

August 11, 2016

6:55 PM

I. Approval of Minutes

A. June 9, 2016

II. Approval of a Class 1, On-Premise Other Beer Permit for Potrillos Taqueria y Neveria

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FARRAGUT BEER BOARD

June 9, 2016

6:55 PM

Approval of Minutes

Motion was made to approve the minutes of May 12, 2016 as presented. Moved by Alderman LaMarche, seconded by Alderman Povlin; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin.

Approval of a Class 5, Off-Premise Other Beer Permit for Ayush Corporation (Farragut Market), 11104 Kingston Pike

Motion was made to approve the Class 5, Off-Premise Other Beer Permit for the Farragut Market, 11104 Kingston Pike. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin.

Beer Board meeting adjourned at 7:00 PM.

Ron Pinchok, Chairman

Allison Myers, Town Recorder

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AGENDA NUMBER 11

MEETING DATE August 11, 2016

REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of a Class 1, On-Premise Beer Permit for Potrillos Taqueria y Neveria, 11151 Kingston Pike, Suite D

DISCUSSION:

The purpose of this agenda item is the approval of a class 1, on-premise beer permit for Potrillos Taqueria y Neveria, 11151 Kingston Pike, Suite D.

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 Potrillos Taqueria y Neveria, 11151 Kingston Pike, Suite D, subject to obtaining a certificate of occupancy.

BOARD ACTION:

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

<u>VOTE/TOTAL</u>	<u>MCGILL</u>	<u>POVLIN</u>	<u>LAMARCHE</u>	<u>MARKLI</u>	<u>PINCHOK</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, please circle all that apply:

Class 1 On-Premise

Class 2 On-Premise, Other

Class 3 On-Premise, Hotel/Motel

Class 4 On-Premise, Tavern

Class 5 Off-Premise

Class 6, Special Occasion

3. Name of Applicant(s) (Owner(s) of Business) Arturo Leon

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:
Arturo Leon

6. Applicant's present home address: 129 Farlow dr Knoxville TN 37934

7. Date of Birth _____ Home Telephone Number (865) 740-9903
Business Telephone Number NA yet Social Security Number _____

8. Representative Email Address: arturoleon35@HotMart.com

9. Under what name will the business operate? Potrillos Taqueria y Neveria

10. Business address 11151 Kingston Pike suite D Knoxville TN 37934
Business Telephone number NA yet (865) 740-9903 cell

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

Arturo Leon 35@hotmail.com or Keko 7009@hotmail.com

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

Name: Sergio Villasenor Birth Date: _____

Address: _____

Phone Number: (615) 293-1290

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

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

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

X Crossroads West Properties LLC 8200 Kingston Pike
STE A
KNOXVILLE, TN

16. What is the name and address of the Church (or other place of worship) nearest to your business? 37919-549
Concord United Methodist Church 11020 Roane Dr Knoxville TN 37931

17. What is the name and address of the school nearest to your business?
Farragut Middle School 200 West End Ave Knoxville TN 37934

18. Special Occasion Event Name: NA

Location of the special occasion event: NA

Event Date & Times: NA

Representative name & phone number: NA

Have you received a special event permit to hold the event in the Town of Farragut? NO

19. Tennessee Sales Tax Number: X 107029896

20. Town of Farragut Business License Number X 2617



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
MINUTES
July 28, 2016**

**BMA WORKSHOP
Board of Zoning Appeals Appointment
6:30 PM**

**BMA MEETING
7:00 PM**

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
 - A. National League of Cities Resolution
- IV. Citizens Forum**
- V. Approval of Minutes**
 - A. July 14, 2016
- VI. Business Items**
 - A. Approval of Appointments to the Board of Zoning Appeals
 - B. Approval of Change Order No. 1, Contract 2016-05, Street Resurfacing
- VII. Ordinances**
 - A. Public Hearing and Second Reading
 1. Ordinance 16-13, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section XII., General Commercial District (C-1)., Subsection C.1., Front Yards, To Allow For Additional Front Yard Setback Provisions, To Amend Subsection E., Parking, To Allow For Additional Provisions, And To Create Subsection

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F., Streetscape And Outdoor Open Space, Subsection G., Connectivity,
And Subsection H., Low Impact Development

2. Ordinance 16-14, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section Xv., Regional Commercial District (C-2)., Subsection C.1., Front Yards, To Allow For Additional Front Yard Setback Provisions, To Amend Subsection E., Parking, To Allow For Additional Provisions, And To Create Subsection F., Streetscape And Outdoor Open Space, Subsection G., Connectivity, And Subsection H., Low Impact Development
3. Ordinance 16-15, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section Xvii., Office District (O-1)., Subsection C.1., Front Yards, To Allow For Additional Front Yard Setback Provisions, To Amend Subsection E., Parking, To Allow For Additional Provisions, And To Create Subsection F., Streetscape And Outdoor Open Space, Subsection G., Connectivity, And Subsection H., Low Impact Development
4. Ordinance 16-16, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 4., General Provisions And Exceptions, Section Xx., Parking And Loading., Subsection A.5.I., Interior Parking Islands, To Increase The Interior Island Width And Provide For An Opportunity For Stormwater To Drain Into Parking Lot Islands
5. Ordinance 16-17, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section Xii., General Commercial District (C-1), F., Mixed Use Town Center, Subsection 2.B., To Change The Requirements Associated With Menu Boards
6. Ordinance 16-18, An Ordinance To Amend Title 9, Businesses, Peddlers, Solicitors, Etc., Chapter 4, Sign Ordinance, Of The Farragut Municipal Code, Section 9-406(8)(A), To Amend The Size Requirements For Menu Boards
7. Ordinance 16-19, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section Xii., General Commercial District (C-1), F., Mixed Use Town Center, Subsection 13., Signage., To Allow For Secondary Wall Signage

B. First Reading

1. Ordinance 16-12, An Ordinance To Approve An Amendment To The Farragut Zoning Map, Ordinance 86-16, To Recommend The Approval Of The Rezoning Of A Portion Of Parcel 69, Tax Map 142, North Of The Farragut Church Of Christ, 23.06 Acres, From R-2 To S-1, A Portion Of Parcel 69 And 69.01, Tax Map 142, East Of The Farragut Church Of Christ, From R-2, B-1, And C-1 To O-1, 3.44 Acres, And A Portion Of Parcel 69.01, Tax Map 142, From O-1 To C-1, 4.76 Acres (Goodworks Unlimited, LLC, Applicant)
2. Ordinance 16-20, an ordinance to amend Chapter 3., Specific District Regulations, Section IX., Attached Single-Family Residential District (R-4)., Subsection D.1.b., to amend the front yard setback provisions when garages are rear loaded and do not face the street and when no additional parking spaces are provided in front of the dwelling unit (Benchmark Associates, Inc., Applicant)
3. Ordinance 16-21, Ordinance to amend Ordinance 16-11, Fiscal Year 2017 Budget, State Street Aid Fund

VIII. Town Administrator's Report

IX. Town Attorney's Report

The Farragut Board of Mayor and Aldermen met in a regular session on Thursday, July 28, 2016 at 7:00 p.m. Members present were Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin.

Approval of Agenda

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

Mayor's Report

National League of Cities Resolution

The NLC Board of Directors acknowledged Mary Dorothy LaMarche with a resolution for her service to the citizens of the Town of Farragut and the National League of Cities.

Approval of Minutes

Motion was made to approve the minutes of July 14, 2016 as presented. Moved by Alderman Pinchok, seconded by Alderman Povlin; voting yes, Alderman Markli, Pinchok and Povlin; Mayor McGill and Alderman LaMarche abstained; no nays; motion passed.

Business Items

Approval of Appointments to the Board of Zoning Appeals

Motion was made to appoint Scott Meyer to a 5-year appointment and Jennifer Collins to a 2-year appointment to the Board of Zoning Appeals. Moved by Alderman LaMarche, seconded by Alderman Povlin; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Approval of Change Order No. 1, Contract 2016-05, Street Resurfacing

Motion was made to approve Change Order No. 1, Contract 2016-05, Street Resurfacing. Moved by Alderman Povlin, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Ordinances

Public Hearing and Second Reading

Ordinance 16-13, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section XII., General Commercial District (C-1)., Subsection C.1., Front Yards, To Allow For Additional Front Yard Setback Provisions, To Amend Subsection E., Parking, To Allow For Additional Provisions, And To Create Subsection F., Streetscape And Outdoor Open Space, Subsection G., Connectivity, And Subsection H., Low Impact Development

Motion was made to approve Ordinance 16-13 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Ordinance 16-14, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section Xv., Regional Commercial District (C-2)., Subsection C.1., Front Yards, To Allow For Additional Front Yard Setback Provisions, To Amend Subsection E., Parking, To Allow For Additional Provisions, And To Create Subsection F., Streetscape And Outdoor Open Space, Subsection G., Connectivity, And Subsection H., Low Impact Development

Motion was made to approve Ordinance 16-14 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Ordinance 16-15, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section Xvii., Office District (O-1)., Subsection C.1., Front Yards, To Allow For Additional Front Yard Setback Provisions, To Amend Subsection E., Parking, To Allow For Additional Provisions, And To Create Subsection F., Streetscape And Outdoor Open Space, Subsection G., Connectivity, And Subsection H., Low Impact Development

Motion was made to approve Ordinance 16-15 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Ordinance 16-16, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 4., General Provisions And Exceptions, Section Xx., Parking And Loading., Subsection A.5.l., Interior Parking Islands, To Increase The Interior Island Width And Provide For An Opportunity For Stormwater To Drain Into Parking Lot Islands

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

Ordinance 16-17, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section Xii., General Commercial District (C-1), F., Mixed Use Town Center, Subsection 2.B., To Change The Requirements Associated With Menu Boards

Motion was made to approve Ordinance 16-17 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Ordinance 16-18, An Ordinance To Amend Title 9, Businesses, Peddlers, Solicitors, Etc., Chapter 4, Sign Ordinance, Of The Farragut Municipal Code, Section 9-406(8)(A), To Amend The Size Requirements For Menu Boards

Motion was made to approve Ordinance 16-18 on second and final reading. Moved by Alderman Povlin, seconded by Alderman Markli; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Ordinance 16-19, An Ordinance To Amend The Text Of The Farragut Zoning Ordinance, Ordinance 86-16, As Amended, Pursuant To Authority Granted By Section 13-4-201, Tennessee Code Annotated, By Amending Chapter 3., Specific District Regulations, Section Xii., General Commercial District (C-1), F., Mixed Use Town Center, Subsection 13., Signage., To Allow For Secondary Wall Signage

Motion was made to approve Ordinance 16-19 on second and final reading. Moved by Alderman Markli, seconded by Alderman Povlin; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

First Reading

Ordinance 16-12, An Ordinance To Approve An Amendment To The Farragut Zoning Map, Ordinance 86-16, To Recommend The Approval Of The Rezoning Of A Portion Of Parcel 69, Tax Map 142, North Of The Farragut Church Of Christ, 23.06 Acres, From R-2 To S-1, A Portion Of Parcel 69 And 69.01, Tax Map 142, East Of The Farragut Church Of Christ, From R-2, B-1, And C-1 To O-1, 3.44 Acres, And A Portion Of Parcel 69.01, Tax Map 142, From O-1 To C-1, 4.76 Acres (Goodworks Unlimited, LLC, Applicant)

Motion was made to approve Ordinance 16-12 on first reading. Moved by Alderman Povlin, seconded by Alderman LaMarche; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Ordinance 16-20, an ordinance to amend Chapter 3., Specific District Regulations, Section IX., Attached Single-Family Residential District (R-4)., Subsection D.1.b., to amend the front yard setback provisions when garages are rear loaded and do not face the street and when no additional parking spaces are provided in front of the dwelling unit (Benchmark Associates, Inc., Applicant)

Motion was made to approve Ordinance 16-20 on first reading. Moved by Alderman Markli, seconded by Alderman Povlin; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Ordinance 16-21, Ordinance to amend Ordinance 16-11, Fiscal Year 2017 Budget, State Street Aid Fund

Motion was made to approve Ordinance 16-21 on first reading. Moved by Alderman Markli, seconded by Alderman Povlin; voting yes, Mayor McGill, Aldermen LaMarche, Markli, Pinchok and Povlin; no nays; motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that Mary Lou Koepp's memorial service would be Saturday at the Farragut Presbyterian Church at 4:00 PM.

Town Attorney's Report

Tom Hale, Town Attorney, requested an executive session with the board.

The Board recessed for an executive session at 8:05 PM.

The Board reconvened at 8:45 PM.

Tom Hale, Town Attorney, announced that there was no deliberation or action during the executive session.

Meeting adjourned at 8:46 PM.

Ralph McGill, Mayor

Allison Myers, Town Recorder

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Darryl W. Smith, PE

SUBJECT: Approval of Reimbursement for Roadway Repairs – Saddle Ridge Drive

INTRODUCTION: The purpose of this agenda item is to approve reimbursement for repairs to Saddle Ridge Drive (in Saddle Ridge Subdivision) by First Utility District.

BACKGROUND: The Board approved a reimbursement from First Utility District’s insurance company in June for repairs to Long Ridge Road. In an unrelated event, another water main break on Saddle Ridge Drive occurred in early July. This latest break resulted in significant damage to approximately 150 feet of Saddle Ridge Drive, and we have instructed our contractor to make repairs. APAC Harrison was willing to make repairs this week, and we conclude that all repairs have been made to the Town’s standards. Upon execution of the attached settlement agreement and release of claims, First Utility District’s insurance company (Berkley Southeast Insurance Group) will issue a check to the Town for the full cost of repairs. At this time, our estimated costs are roughly \$52,000, and we should have an exact cost prior to the meeting on August 11. Staff recommends approval.

RECOMMENDATION BY: Darryl Smith, Town Engineer, for approval

PROPOSED MOTION: Approval of Settlement Agreement and Release of Claims from First Utility District.

BOARD ACTION:

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

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

SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS

READ CAREFULLY BEFORE SIGNING

This Settlement Agreement And Release of Claims ("Agreement") is made as of the 18th¹ day of July 2016, by and among:

Town of Farragut and all of his/her/their current and former agents, representatives, successors, assigns, heirs, and attorneys [hereinafter variously known as ["Claimant" or "Releasor(s)"] on the one hand; and

First Utility of Knox County, together with his/her/their agents, representatives, employees, servants, volunteers, predecessors, successors, assigns, heirs, executors, administrators, partners, personal representatives, attorneys, insurers and re-insurers including, but not limited to, Berkley Insurance Company, by its member Berkley Southeast Insurance Group, W.R. Berkley Corp., Union Insurance Company, and all of their parent, subsidiary, divisions and affiliate companies, together with their current and former officers, directors, shareholders, officials, stockholders, agents, representatives, employees, servants, volunteers, predecessors, successors, assigns, heirs, attorneys, underwriters, insurers and re-insurers, both jointly and severally [hereinafter all collectively known as "Releasees" or the "Released Party(ies)"] on the other.

Releasor(s) and the Released Party(ies) hereby jointly agree as follows: Releasor alleges that on or about 7/05/2016, you suffered property damage described as a damaged paved roadway and sidewalk ("Property") as a result of an Incident that occurred at or around roadway of 600 Saddle Ridge Dr. in the town of Farragut (hereinafter "Incident"). The Parties desire to enter into this Agreement to provide, among other things, for consideration in full settlement and discharge of property damage claims Releasor(s) may have, either individually or in a representative capacity, against the Released Party(ies) for damage to the Property identified that arose out of the Incident, on the terms and conditions in this Agreement.

PAYMENT AND CONSIDERATION- Upon execution of this Agreement as provided for below, Releasee shall pay to the Releasor payment in the amount of \$52,417.50 to be delivered to Releasor at the following location: 11408 Municipal Center Dr. Farragut, TN 37934. This payment is based on the Releasor's claims for property damage to Releasor's Property.

RELEASE OF CLAIMS- Releasor(s) hereby forever release, discharge, and acquit the Released Party(ies) from all claims, suits, costs, debts, demands, actions, and causes of action, whether known or unknown, that Releasor(s) had, have, or might have in the future relating to the Property identified above arising out of, or in any way connected with, the Incident with the exception of the following: any additional or supplemental damages that are necessary and related to the Incident described above. The releasee reserves the right to review the additional damages and does not guarantee any particular sum. Releasor agrees to provide the documentation relative to any costs in a timely manner to the releasee for consideration and understands that any additional costs must also be reasonable and must be proven with specificity.

NO ADMISSION OF LIABILITY- This Agreement constitutes a settlement by compromise of disputed claims or potential claims arising out of, related to, or in some way connected with the Incident and is intended by the Parties to put an end to the matter and buy their peace. Neither this settlement and compromise nor the payment of the sums set forth herein shall be construed as an admission of liability or wrongdoing by Released Parties, all such liability and wrongdoing being expressly denied by them.

COVENANTS, REPRESENTATIONS, AND WARRANTIES- As an inducement for Released Parties to enter into this Agreement, Releasor(s) covenants, represents, and warrants that: (A) At the time of the Incident, Releasor was over the age of eighteen (18); (B) Releasor presently suffers from no legal disability that prevents her/him from having the capacity to enter into and execute this Agreement, and she/he does, in fact, have the legal capacity, power, and authority to enter into and execute this Agreement; (C) Neither Releasor nor anyone acting on Releasor's behalf has assigned, transferred, or sold, or purported to assign, transfer, or sell, to any person or entity any claim or potential claim, demand, action, cause

of action, or right released by this Agreement; (D) Releasor shall be and is solely responsible for payment of all of her/his attorney fees, expenses, court costs, and taxes (including penalties and interest) relating to the Incident and to this settlement; (E) There are no actual or potential liens of any kind on the actual and potential claims being released; (F) Neither the existence of this Agreement nor any of its provisions shall be offered in evidence by Releasor in any action or proceeding other than an action to enforce this Agreement; (G) Releasor has not been influenced to any extent by any representation or statement of Released Parties, and no statement, representation, promise, or agreement of any nature, other than those contained in this written Agreement, has been made to or with her/him; and (H) Releasor has relied solely upon her/his own judgment in entering into this Agreement and executes this Agreement with full knowledge of its contents and of her/his own free will and accord.

FUTURE COOPERATION AND DISMISSAL-Releasor agrees to cooperate fully, to execute any and all supplementary documents and to take all additional actions necessary or appropriate to give full force and effect to the terms and intent of this Agreement which are not inconsistent with its terms. If there is a Civil Suit, Releasor understands and agrees that the dismissal with prejudice of the Civil Suit is a material term and condition of this Agreement and that, should the Court refuse to dismiss the Civil Suit with prejudice, then the settlement and compromise shall be voidable at the sole election of Released Parties.

MISCELLANEOUS- This Agreement was arrived at after thorough bargaining and negotiations. This Agreement contains the entire agreement and understanding of the Parties with respect to the settlement of all current and potential property damage claims arising out of the Incident and related to the subject Property; supersedes all prior agreements, arrangements, and understandings relating to the subject matter of this Agreement; and is binding upon the Parties and their agents, representatives, successors, assigns, and heirs. This Agreement may not be modified, in whole or in part, except by written agreement signed by all of the Parties. The Parties hereby acknowledge and agree that they may hereafter discover facts different from or in addition to those which they now know or believe to be true with respect to the claims being released by this Agreement and that, in such event, this Agreement shall nevertheless be effective and remain in force in all respects. It is understood that the Releasor has the right and opportunity to consult fully with legal counsel or other advisor prior to signing this Agreement. The Releasor also acknowledges that, before signing this Agreement, the Releasor has read and fully understands each paragraph thereof and that the meaning of this Agreement. This Agreement shall be construed as if the Parties jointly prepared it, and any uncertainty or ambiguity shall not be construed or interpreted against the party actually preparing this Agreement. This Agreement shall be construed and interpreted in accordance with the laws of the State of Georgia and without giving effect to the principles of conflicts of laws. A waiver by any of the Parties of any breach of this Agreement or any provision of this Agreement shall not operate or be construed as a waiver of any other provision of this Agreement or any subsequent breach by any of the Parties. If a court of competent jurisdiction determines that any term, provision, or part of this Agreement is invalid, unenforceable, or void, then such term, provision, or part shall be severed from the remainder of this Agreement and shall not affect the validity or enforceability of the remainder of this Agreement. In the event of litigation relating to, arising out of, or connected with a breach of this Agreement, the prevailing party shall be entitled to recover all costs, expenses, and actual attorney fees incurred therein. This Agreement shall be binding upon the Releasor and the Releasor's heirs, executors, administrators, assigns, successors, beneficiaries, employees and agents, and shall inure to the benefit of the Releasees and their predecessors, successors and assigns.

Having carefully read this *Settlement Agreement And Release of Claims* and having fully informed herself/himself of and understanding its contents, Releasor indicates agreement and executes this Agreement of her/his own free will and accord by signature as of the date set forth below.

WITNESS MY HAND AND SEAL this _____ day of _____.

Sworn to and subscribed before me,
this _____ day of _____.

My Commission Expires: _____

Town of Farrugut

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: G. Palmer, Assistant Town Manager

SUBJECT: Education Relations Committee Charter Amendment to change the committee's meeting schedule from every month to every other month.

ATTACHMENTS: A REDLINE and CLEAN version of committee's charter

BACKGROUND AND RECOMMENDATION: The Board of Mayor and Aldermen commissioned the Education Relations Committee (ERC) around 2010. The resulting charter states the committee shall meet once a month. The committee desires to meet every other month; therefore, at their August 03, 2016 regular meeting the committee resolved by unanimous vote to recommend the ERC Charter be amended to reflect the every other month meeting schedule.

Please see the existing charter and revised (red-lined) charter.

RECOMMENDATION BY: Education Relations Committee c/o G. Palmer, Assistant Town Manager

PROPOSED MOTION: Amend the ERC Charter to allow an every other month or as needed meeting schedule.

BOARD ACTION:

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

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



Farragut / Knox County Schools Education Relations Committee Charter

ARTICLE I: NAME

The name of this body shall be the **Farragut / Knox County Schools Education Relations Committee** (hereafter called the “committee”).

ARTICLE II: PURPOSE

The purpose of the committee shall be to provide a forum for joint discussion and collaboration on issues involving the Town and Knox County Schools. Additionally, the committee will advise the Town Staff and Board of Mayor and Aldermen on issues related to education, school infrastructure, school related policy, and other issues as directed by the elected body.

ARTICLE III: COMMITTEE

Section I. Number, Terms, Qualifications

The committee should consist of the Town Administrator or his/her designee, five (5) at large voting members, and one (1) non-voting youth member which will be selected and appointed by majority vote of the committee.

- The Town Administrator or his/her designee shall serve as an ex officio non-voting member of this committee and be responsible for providing Town Staff support to the committee as the Town Administrator deems appropriate.
- The at-large members of the committee shall be appointed for a term of two (2) years. Appointees shall be limited to two (2) terms on this committee. Members should hold committee membership until a successor is appointed.
- The non-voting youth member’s term may be for one calendar year or less depending on the youth member’s availability. The non-voting youth member

may be removed from the committee at any time by majority vote of the committee.

The main intent of this committee is to provide diverse review, collaboration, and recommendation on issues involving education/schools. To that end, the make-up and qualifications of the at large membership shall be diverse in background, education, and profession when possible. The at large members shall be a resident of the Town of Farragut and/or formally involved (either appointed or elected) with the Knox County School system.

Section II. Appointment

Except for the Town Administrator or his/her designee, and the non-voting youth member, all voting members of the committee shall be appointed by majority vote of the governing body.

Section III. Committee Responsibilities: The Committee shall:

- a. Be subordinate to the Board of Mayor and Aldermen.
- b. Annually establish committee goals and objectives for the upcoming year.
- c. Recommend guidance, policy, and procedures to the governing body related to education, school infrastructure, and joint Town/Knox County School initiatives.
- d. Recommend a total "school funding amount" for the next year's Annual Town Budget.
- e. Review and make a recommendation to the Board of Mayor and Aldermen on all requests for funding related to schools.
- f. Provide a verbal annual report to the Board of Mayor and Aldermen at the end of the calendar year (or as needed).
- g. Provide recommendations on appointments to the committee to the Board of Mayor and Aldermen.
- h. Annually review this charter and provide recommendations on changes to the Board of Mayor and Aldermen as appropriate.

Section IV. Attendance at Meetings

Voting committee members serve at the pleasure of the Board of Mayor and Aldermen. Voting members are expected to attend 75% of scheduled meetings. The term of any voting member shall expire on the third absence from committee meetings during the fiscal year. Voting members may seek reappointment by the Board of Mayor and Aldermen.

Section V. Disclosure of Interests

A committee member who has any interest in any matter before the committee, that member shall disclose said interest in accordance with the adopted Town Ethics Ordinance. The Chairman shall make the determination on whether that member shall have a vote in said matter.

ARTICLE IV. OFFICERS

Section I. Officers

The officers of the committee shall be a chairman, vice-chairman, and secretary.

Section II. Nomination and Election of Officers

Any voting member may nominate any other voting member of the committee (other than the Town Administrator) to serve as an officer of the committee. Officers of the committee shall be elected by majority vote of the committee.

Section III. Terms of Officers

Officers of the committee shall be for a term of one (1) year commencing on July 1.

Section IV. Vacancies

A vacancy in office because of resignation, removal, or otherwise may be filled by majority vote of the committee for the unexpired portion of the term.

Section V. Chairman

The Chairman shall prepare agendas in collaboration with the Town Administrator or his/her designee, preside at all meetings of the committee in accordance with Roberts Rules of Order, call special meetings of the committee, have the authority to cancel called meetings of the committee, provide the annual report to the Board of Mayor and

Aldermen, report as requested by the Board of Mayor and Aldermen, and appoint a sub-committee of the committee as needed.

Section VI. Vice Chairman

In the absence of the Chairman, the Vice Chairman shall perform the duties of the Chairman.

Section VII. Secretary

The Secretary shall record and maintain accurate records and minutes of the proceedings of the committee.

ARTICLE V. MEETINGS

Section I. Regular Meetings

The committee shall ~~will~~ meet bi-monthly (every other month) once a month or as needed at Town Hall with the time and date to be determined by the committee. The committee shall determine and publish on the Town website and Town Hall community board the upcoming year's meeting schedule on or around July 1.

Section II. Quorum

A quorum shall consist of a majority of the voting committee members present upon calling of the roll at any meeting.

Section III. Special Meetings

Special meetings may be called by the Chairperson or by simple majority of the committee. Notice of a special meeting may be served by delivering it to the committee members in person, by phone number of record, or by email of record, at least 24 hours prior to the special meeting.

Section IV. Length of Meetings

Committee meetings shall not be more than two (2) consecutive hours in duration except that a meeting may be extended by thirty (30) minute intervals by majority vote of the committee.

Section V. Procedures

All meetings shall be held in accordance with Roberts Rules of Order and the Tennessee Open Meetings Act

ARTICLE VI. AMENDMENTS

This Charter may be amended at any time by committee recommendation to the Board of Mayor and Aldermen or at the sole discretion of the Board of Mayor and Aldermen.



Farragut / Knox County Schools Education Relations Committee Charter

ARTICLE I: NAME

The name of this body shall be the **Farragut / Knox County Schools Education Relations Committee** (hereafter called the “committee”).

ARTICLE II: PURPOSE

The purpose of the committee shall be to provide a forum for joint discussion and collaboration on issues involving the Town and Knox County Schools. Additionally, the committee will advise the Town Staff and Board of Mayor and Aldermen on issues related to education, school infrastructure, school related policy, and other issues as directed by the elected body.

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The at-large members of the committee shall be appointed for a term of two (2) years. Appointees shall be limited to two (2) terms on this committee. Members should hold committee membership until a successor is appointed.

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Section III. Committee Responsibilities: The Committee shall:

- a. Be subordinate to the Board of Mayor and Aldermen.
- b. Annually establish committee goals and objectives for the upcoming year.
- c. Recommend guidance, policy, and procedures to the governing body related to education, school infrastructure, and joint Town/Knox County School initiatives.
- d. Recommend a total "school funding amount" for the next year's Annual Town Budget.
- e. Review and make a recommendation to the Board of Mayor and Aldermen on all requests for funding related to schools.
- f. Provide a verbal annual report to the Board of Mayor and Aldermen at the end of the calendar year (or as needed).
- g. Provide recommendations on appointments to the committee to the Board of Mayor and Aldermen.
- h. Annually review this charter and provide recommendations on changes to the Board of Mayor and Aldermen as appropriate.

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Voting committee members serve at the pleasure of the Board of Mayor and Aldermen. Voting members are expected to attend 75% of scheduled meetings. The term of any voting member shall expire on the third absence from committee meetings during the fiscal year. Voting members may seek reappointment by the Board of Mayor and Aldermen.

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A committee member who has any interest in any matter before the committee, that member shall disclose said interest in accordance with the adopted Town Ethics Ordinance. The Chairman shall make the determination on whether that member shall have a vote in said matter.

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Any voting member may nominate any other voting member of the committee (other than the Town Administrator) to serve as an officer of the committee. Officers of the committee shall be elected by majority vote of the committee.

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Section VI. Vice Chairman

In the absence of the Chairman, the Vice Chairman shall perform the duties of the Chairman.

Section VII. Secretary

The Secretary shall record and maintain accurate records and minutes of the proceedings of the committee.

ARTICLE V. MEETINGS

Section I. Regular Meetings

The committee shall meet once a month at Town Hall with the time and date to be determined by the committee. The committee shall determine and publish the upcoming year's schedule on or around July 1.

Section II. Quorum

A quorum shall consist of a majority of the voting committee members present upon calling of the roll at any meeting.

Section III. Special Meetings

Special meetings may be called by the Chairperson or by simple majority of the committee. Notice of a special meeting may be served by delivering it to the committee members in person, by phone number of record, or by email of record, at least 24 hours prior to the special meeting.

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Section V. Procedures

All meetings shall be held in accordance with Roberts Rules of Order and the Tennessee Open Meetings Act

ARTICLE VI. AMENDMENTS

This Charter may be amended at any time by committee recommendation to the Board of Mayor and Aldermen or at the sole discretion of the Board of Mayor and Aldermen.

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Request for a variance to Title 16, Chapter 4 – Driveways and Other Access Ways., Sections 16-406 (1)(a) and (b), Distance from intersections and Distance between driveways, associated with a site plan for Autumn Care III Assisted Living, 400 Herron Road (Autumn Care III, LLC/Peter Falk, Applicant)

INTRODUCTION AND BACKGROUND: At the July Planning Commission meeting a site plan was reviewed for the Autumn Care III Assisted Living facility at the south intersection of Herron Road and N. Campbell Station Road. As part of the rezoning that was approved in relation to this property, a traffic impact study (TIS) was prepared for the assisted living facility that was envisioned. The recommendations of this study are included in your packet.

In lieu of a new access onto N. Campbell Station Road, the TIS ultimately recommended that, due to site distance considerations, the best location for a driveway to serve the project and have acceptable sight distance would be near the middle of the site approximately 110 feet east of the Herron Road stop bar for N. Campbell Station Road. Similar to Admiral Road, Herron Road is classified as a collector street and is required a minimum of 200 feet between access points and from intersections.

RECOMMENDATION: At their meeting on July 21, the Planning Commission reviewed this matter and discussed the possibility of an access onto N. Campbell Station Road. The Commission ultimately decided to support the recommendation in the TIS and voted unanimously to approve the variance to allow the Herron Road access to be 110 feet east of the Herron Road stop bar for N. Campbell Station Road.

PROPOSED MOTION: To approve a variance from Title 16, Chapter 4 – Driveways and Other Access Ways., Sections 16-406 (1)(a) and (b), Distance from intersections and Distance between driveways, associated with the Herron Road access proposed on the site plan for Autumn Care III Assisted Living that was approved by the Planning Commission on July 21, 2016.

BOARD ACTION:

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

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

June 17, 2016

Mr. Peter Falk
Heritage Construction & Management, LLC
9122 Linksvue Drive
Knoxville, TN 37922

RE: Autumn Care III Traffic Evaluation Summary
400 Herron Road
Farragut, Tennessee

Dear Mr. Falk:

This correspondence is intended as a summary report for an evaluation of traffic and access issues related to the referenced senior care facility. This effort was completed in accordance with a previous request from Mr. Elmer Parlier.

Trip generation was conducted for the proposed facility to determine the amount of traffic that can be expected to result. Utilizing standard trip generation rates from the Institute of Transportation Engineers, it was determined that the facility can be expected to generate 8 AM peak hour trips and 12 PM peak hour trips on a typical weekday. As a comparison, a single family development on this parcel with 8 homes, would be expected to generate 15 AM peak hour trips and 11 PM peak hour trips. It should be noted that the most critical peak hour at this location is the AM peak, due to the combination of standard commuter traffic and traffic generated by the several schools in the area. As you can see, this proposed development will generate a small number of trips, fewer during the critical peak hour than a likely alternative development.

An investigation was conducted to determine the best location to place the single driveway that will be required to serve this project. A possible driveway was evaluation located on the east end of the project site, at the site location furthest away from Campbell Station Road. Stopping sight distance was assessed for a speed of 35 mph in accordance with Town of Farragut regulations, which after an adjustment for grade requires a sight distance of 257 feet. Looking north (east) along Herron Road, the sight distance was found to be approximately 225 feet, which does not meet the required distance. A possible mid site driveway location was then investigated, and the available sight distance was found to be adequate, approximately 270 feet. This location would place the proposed driveway near the center of the project site, approximately 110 feet east of the Herron Road stop bar and approximately 138 feet east of the northbound outside through traffic lane on Campbell Station Road.



TEL **865.670.8555**
CANNON-CANNON.COM

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BOWLING GREEN Knoxville, TN 37919
MEMPHIS
NASHVILLE FAX 865.670.8866

The proposed driveway location was also reviewed to see if traffic backing-up from the Herron Road stop bar would regularly block the driveway. Signalized capacity analyses were run for three peak hours using the software program Synchro, the current signal timing and the most recently available traffic volume data. The ninety-fifth percentile queue lengths for these runs were 62 feet for the AM peak, 37 feet for the midday peak and 58 feet for the PM peak. All of these are significantly shorter than the 110 foot storage distance that will be available between the stop bar and the proposed driveway.

This evaluation has reached three conclusions, as follows:

1. The traffic volumes generated from the proposed senior care facility will be insignificant and will not create any operational problems.
2. The best location for a driveway to serve the project and have acceptable sight distance is near the middle of the site. A location 110 feet east of the Herron Road stop bar for Campbell Station Road is recommended.
3. The proposed driveway location is located far enough from Campbell Station Road such that queueing traffic backing up and blocking the driveway would be very rare.

In accordance with the above evaluations and conclusions, it is recommended that this project be allowed to move forward and the driveway for this project site be located 110 feet east of the Herron Road stop bar for Campbell Station Road.

Please do not hesitate to contact us with any questions or if you require additional information.

Sincerely,



Alan L. Childers, P.E.
Vice President



REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Request for a variance to Title 16, Chapter 4 – Driveways and Other Access Ways., Sections 16-406 (1)(a) and (b), Distance from intersections and Distance between driveways, associated with the Kingston Pike access proposed on a site plan for the Premier Eyecare at 11111 Kingston Pike (Urban Engineering, Inc., Applicant)

INTRODUCTION AND BACKGROUND: At the June Planning Commission meeting, a site plan was reviewed for a new office facility proposed at the west intersection of Kingston Pike and Admiral Road. As part of the site plan review, the applicant’s proposed accesses to both Kingston Pike and Admiral Road needed a variance from the distance from intersections and distance between driveways provisions in the Driveways and Other Access Ways Ordinance.

In terms of the proposed Kingston Pike access, a street which is classified as an arterial street on the Major Road Plan is required a minimum of 400 feet between access points and from intersections. The access proposed along Kingston Pike would be about 220 feet from Admiral Road. The access would be a right in/right out only and was shown in the proposed location so as to generally line up with the easternmost access onto Kingston Pike for the Aspen Square Shopping Center on the north side of Kingston Pike. The proposed access would also be roughly centered between Admiral Road and the Farragut Corporate Center access to the west of the Premier Eyecare property.

RECOMMENDATION: Since the requested access was only a right in/ right out and would generally line up with an access on the south side of Kingston Pike and be centered between accesses on the north side of Kingston Pike, the staff recommended approval of the requested variance. The Planning Commission agreed and recommended unanimously to approve the variance for the access onto Kingston Pike.

PROPOSED MOTION: To approve a variance from Title 16, Chapter 4 – Driveways and Other Access Ways., Sections 16-406 (1)(a) and (b), Distance from intersections and Distance between driveways, associated with the Kingston Pike access proposed on the site plan for the Premier Eyecare at 11111 Kingston Pike that was approved by the Planning Commission on June 16, 2016.

BOARD ACTION:

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

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

The following constitutes minimum specifications for access to streets, roads, and highways within the Town and additional reasonable specifications may be imposed as required for public safety. Such additional specifications shall be required upon recommendation of the Town engineer, his/her designee, or the Planning Commission and approval by the Board of Mayor and Aldermen.

(1) *Distance requirements.*

- (a) *Distance from intersections.* The minimum distance of an access point from an intersection, measured from intersecting right-of-way to the edge of the driveway pavement, shall be as follows:

<u>Street Classification</u>	<u>Minimum Distance</u>
Arterial streets	400 feet
Collector streets	200 feet
Local streets ¹	100 feet
Local Streets ²	50 feet
<p>Note: ¹Denotes commercial and office zoned properties. ²Denotes residential and agricultural zoned properties.</p>	

Access shall be located and constructed so as to provide adequate stopping sight distance for drivers entering and exiting the property using a design speed of ten (10) miles above the legal speed limit as determined by the Town engineer or his/her designee in accordance with current AASHTO (A Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials) and adopted ITE (Institute of Traffic Engineers) Standards.

- (b) *Distance between driveways.* For the following street classifications, the following requirements specify the minimum allowed distances between driveways¹:

<u>Street classification</u>	<u>Distance between driveways</u>

Arterial streets	400 feet
Collector streets	200 feet
Local streets ²	100 feet
Note: ¹ Town may require joint permanent access easements to minimize the number of curb cuts.	
² Residential properties are exempt from local street requirement for the distance between driveways.	

(c) *Joint permanent access easements.* Controlled access to a joint permanent access easement shall be maintained for a minimum length of forty (40) feet perpendicular from the right-of-way or as determined by the traffic impact study.

(2) *Access to and from property being developed.*

(a) *Number of access points.* The number of access points of a property shall be determined by its road frontage. Lots which front on more than one (1) street shall add total street frontage lengths together to determine total road frontage to calculate the number of driveways permitted. Circular drives shall be considered as two (2) driveways.

<u>Street classification</u>	<u>Length of road frontage</u>	<u>Number of access points</u>
Arterial streets	0—400 feet	1
Arterial streets	401—800 feet	2
Collector streets	0—200 feet	1
Collector streets	201—800 feet	2
Local streets*	0—200 feet	1

Local streets	201—800 feet	2
All streets	801 feet and above	2 + 1/each 800 feet of additional road frontage

* Circular drives shall be permitted to property with less than two hundred (200) feet of road frontage provided the following criteria are met:

- (i) The property is zoned residential and the street on which the property fronts is located within a residential subdivision;
 - (ii) The maximum lot coverage in the front yard (area in front of the house)—Thirty-five (35) percent;
 - (iii) The maximum driveway width—Fifteen (15) feet;
 - (iv) The minimum distance between the driveways—Sixty (60) feet; and
 - (v) The setback from the side property lines—A total on two (2) sides of at least forty (40) feet, but not less than ten (10) feet on any one (1) side.
- (b) The pavement or surface width of all access points on and within the right-of-way of any road, street, or highway shall be within the minimum and maximum limits (excluding turn radius) specified as follows:

	<u>Minimum</u>	<u>Maximum</u>
Residential (single-family, duplex and quadraplex) driveway	12 ft.	25 ft.
One-way other than residential driveway	15 ft.	26 ft.
Two-way other than residential driveway	25 ft.	36 ft.

* Roads with median shall be considered two (2) one-way streets.

** 24 feet maximum for two-way access.

** 36 feet maximum for two-way access and center turn lane for left turns.

(3)

Paved acceleration and deceleration lanes may be required along any arterial or collector street or highway at the determination of the board of mayor and alderman upon the recommendation of the Town engineer or his/her designee.

- (4) Circulation drives (drives which interconnect all lot access points with all vehicle parking, loading, servicing, and like areas and structures) and frontage roads (roads which parallel the public streets giving access and which extend along the entire frontage of a particular property) shall be constructed in order to provide safe and efficient vehicular movement between specified access points as specified in paragraph (2) hereof. The location, width, and design of all circulation drives and frontage roads shall be approved by the Board of Mayor and Aldermen upon recommendation of the Town engineer or his/her designee. All frontage roads shall be dedicated as public streets and shall be maintained by the public.
- (5) Frontage roads and circulation drives shall be constructed in conformance with the subdivision regulations standards. Dedicated right-of-way for frontage roads shall be ten (10) feet greater than the width of the newly constructed frontage road. All circulation drives shall be clearly defined and marked appropriately to assist public circulation into, on, and out of the property and through parking lot areas.

(Ord. No. 96-30, Jan. 1997; Ord. No. 09-14, § 1, 8-27-2009)

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Request for a variance to Title 16, Chapter 4 – Driveways and Other Access Ways., Sections 16-406 (1)(a) and (b), Distance from intersections and Distance between driveways, associated with the Admiral Road access proposed on a site plan for the Premier Eyecare at 11111 Kingston Pike (Urban Engineering, Inc., Applicant)

INTRODUCTION AND BACKGROUND: Related to the previous item, at the June Planning Commission meeting a site plan was reviewed for a new office facility proposed at the west intersection of Kingston Pike and Admiral Road. As part of the site plan review, the applicant’s proposed accesses to both Kingston Pike and Admiral Road needed a variance from the distance from intersections and distance between driveways provisions in the Driveways and Other Access Ways Ordinance.

In terms of the proposed Admiral Road access, a street which is classified as a collector street on the Major Road Plan is required a minimum of 200 feet between access points and from intersections. The access proposed along Admiral Road would be about 140 feet from Kingston Pike. The access is proposed in this location due to topography resulting from proximity to Turkey Creek.

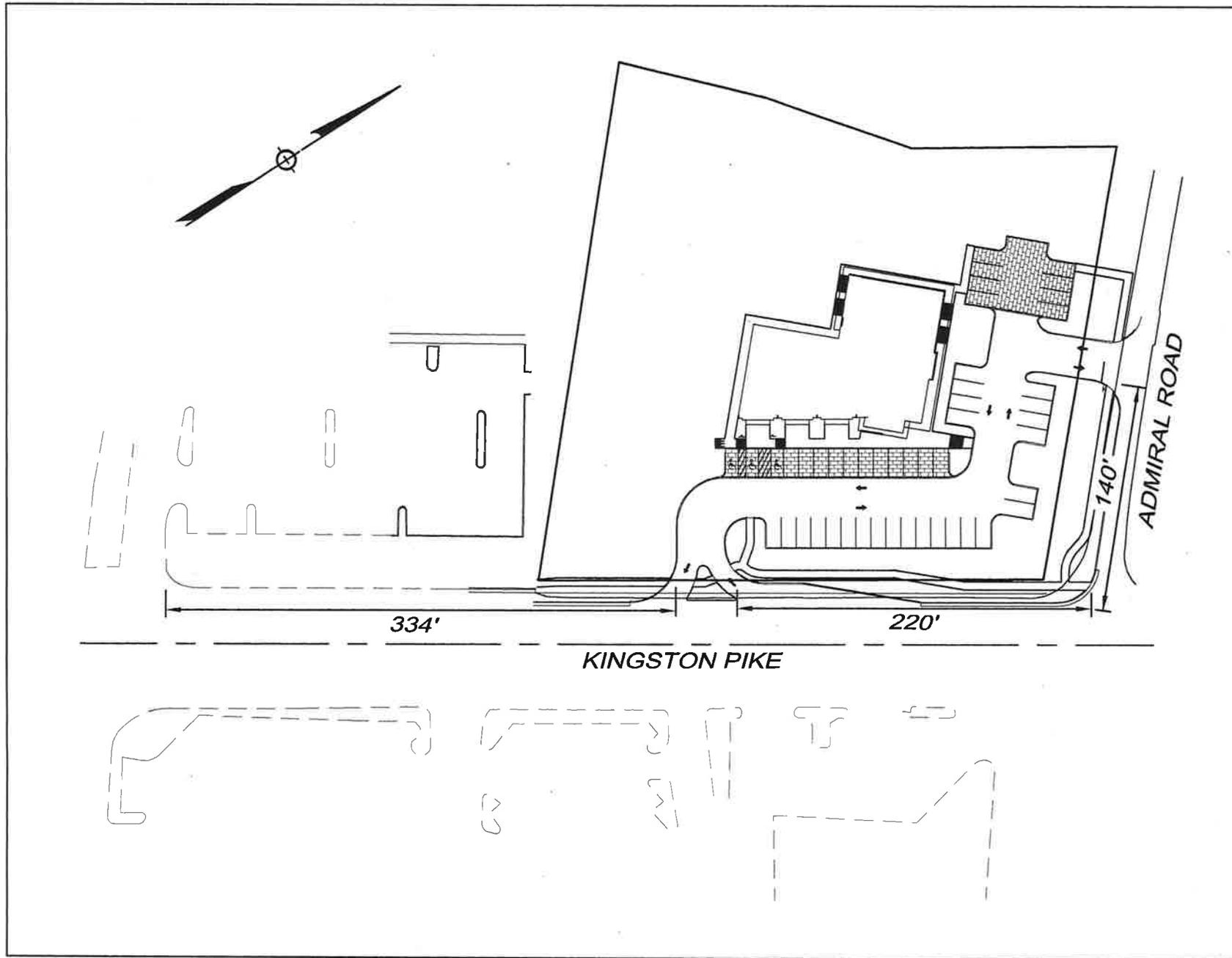
RECOMMENDATION: Given the topographical issues, namely the Turkey Creek floodplain, related to placing the Admiral Road access further away from Kingston Pike, the staff recommended approval of the requested variance. The Planning Commission agreed and recommended unanimously to approve the variance for the access onto Admiral Road.

PROPOSED MOTION: To approve a variance from Title 16, Chapter 4 – Driveways and Other Access Ways., Sections 16-406 (1)(a) and (b), Distance from intersections and Distance between driveways, associated with the Admiral Road access proposed on the site plan for the Premier Eyecare at 11111 Kingston Pike that was approved by the Planning Commission on June 16, 2016.

BOARD ACTION:

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

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



19
C-8

ACCESS DIAGRAM
SCALE: 1"=100'

AGENDA NUMBER _____

MEETING DATE August 11, 2016

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: David Smoak, Town Administrator

SUBJECT: Approval of Bill of Sale, Conveyance and Deed of Gift for Monument

INTRODUCTION: The purpose of this agenda item is to consider approval of a bill of sale and acceptance of gift of a stone monument to the Town of Farragut.

DISCUSSION: The Town of Farragut was recently contacted by Lylan Fitzgerald, owner of the property in Knox County Tennessee known as Stony Point and the birthplace of Admiral David Farragut, about donating the original stone monument dedicated by Admiral Dewey in 1903 honoring Admiral Farragut's birthplace. Mrs. Fitzgerald wishes to donate the monument to the Town of Farragut for the Town to display at our choosing. The only stipulation to the donation is that the monument must stay within the Town's boundaries and cannot be leased or donated to another nonprofit, museum or government agency outside the Town of Farragut.

RECOMMENDATION BY: Town Administrator David Smoak for approval.

PROPOSED MOTION: To approve the Bill of Sale, Conveyance and Deed of Gift for acceptance of donation of a stone monument to the Town of Farragut.

BOARD ACTION:

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

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

BILL OF SALE, CONVEYANCE AND DEED OF GIFT

This BILL OF SALE, CONVEYANCE AND DEED OF GIFT is made this _____ day of August, 2016, by and among the **TOWN OF FARRAGUT**, a Tennessee municipal corporation (the "Town"), and **LYLAN SHEPHERD FITZGERALD**, a citizen and resident of Knox County, Tennessee ("Fitzgerald").

W I T N E S S E T H

WHEREAS, Fitzgerald is the owner of a marble monument of historic significance as it bears the inscription "Birthplace of Admiral Farragut, Born July 5th 1801, Erected by, Bonny Kate Chapter, DAR Knoxville, dedicated by, Admiral Dewey, May 15th 1900" (the "Monument"); and

WHEREAS, a long-term goal of Fitzgerald and her late husband, John Fitzgerald, was to locate and select a permanent custodian for the Monument; and

WHEREAS, the Town, being the namesake of the well-known and respected military leader who was Admiral David G. Farragut, as well as a curator of many historic artifacts associated with he and his accomplishments, is naturally inclined to take possession of and provide a "home" for the Monument; and

WHEREAS, the parties desire to execute a document to record, evidence and memorialize the transfer and conveyance of the Monument to the Town as herein set forth.

NOW, THEREFORE, for and in consideration of the premises, the mutual promises and covenants made herein and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged by the parties, the parties intending to be legally bound do hereby undertake as follows:

1. Fitzgerald does hereby donate, assign, transfer, convey and deliver, with all of the representations and warranties set forth herein, if any, all of her right, title and interest in and to the Monument, the specific identity of which is described in the premises of this document.

2. The Town accepts the Monument "As Is, Where Is" without warranties as to its physical condition, and agrees by its execution hereof to take possession of and transport the Monument, at its own expense, to the location or locations for display as may be determined from time to time by its elected officials. In so doing, the Town accepts the donation of the Monument with the affirmation and understanding that it will honor the desire of Fitzgerald that the Monument will not be located outside of the boundaries of the Town, nor will it be loaned, leased, conveyed, granted or transferred in any manner whatsoever, with or without consideration, to any person or entity, including without limitation governmental entities or nonprofit corporations.

3. The parties hereto shall give such further documents and take such additional action as may be reasonably required at any time in the future to more fully assure the transfer and conveyance made in this instrument in accordance with the tenor hereof.

4. Fitzgerald represents and affirms by the execution hereof that for so long as she can recall, which is for at least a period of time exceeding forty years, the Monument has been situated and displayed on real property owned by her, by her husband, or by her and her husband located between Northshore Drive and the Fort Loudoun reservoir of the Tennessee River, and that it is her belief that she is the true and lawful owner of legal title to the Monument and as such possesses the power to make this conveyance.

5. Fitzgerald, by her execution of this document, hereby grants the Town and its employees and officials a license to come upon her property with such equipment as the Town deems reasonably necessary, and to take all actions reasonably required in order to remove the Monument. The Town acknowledges that it will restore the real property on which the monument is located to its condition prior to removal of the monument.

6. The Town, by its execution of this document, hereby acknowledges that it has all authorization and capacity to enter into and to carry out the terms of this document.

IN WITNESS WHEREOF, this Bill of Sale, Conveyance and Deed of Gift has been duly authorized and executed by the parties as of the day and year first above written.

FITZGERALD:


Lylan Shepherd Fitzgerald

TOWN:

Dr. Ralph McGill, Mayor

ATTEST:

Thomas M. Hale, Town Attorney

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Mark Shipley, Community Development Director

SUBJECT: Ordinance 16-20, an ordinance to amend Chapter 3., Specific District Regulations, Section IX., Attached Single-Family Residential District (R-4), Subsection D.1.b., to amend the front yard setback provisions when garages are rear loaded and do not face the street and when no additional parking spaces are provided in front of the dwelling unit (Benchmark Associates, Inc., Applicant)

INTRODUCTION AND BACKGROUND: This item involves a request to amend the front yard setback requirements in the R-4 Zoning District. The R-4 District provides for attached single-family dwelling units and has very different setback requirements from single-family detached dwelling units.

One objective of the R-4 District is to provide some flexibility in garage placement so that dwelling units may engage the public street in a more visually appealing manner. In an R-4 development, dwelling units are spaced closer together which can also lead to driveways being placed closer together. With this in mind, the R-4 District provides for the opportunity for rear loaded garages accessed through an alley. Some R-4 developments in the Town have used alleys in order to eliminate the appearance of closely spaced driveways and garage doors from the public street. Where a dwelling unit has a rear loaded garage, the R-4 District allows for such dwelling unit to be moved closer to the street. Such a dwelling unit can be up to 15 feet from the street. Where a dwelling unit's garage faces a public street, the building setback is greater and must be at least 20 feet from the street. Illustration 14 in your packet demonstrates the flexible front yard setback provisions in the R-4 District.

DISCUSSION: The request at this time is to expand on the front yard setback flexibility in the R-4 District and to permit, for those dwelling units with rear loaded garages, the opportunity for an extended covered porch overhang.

Historically, the front porch has been an element for engagement with the street and pedestrian facilities along such street. It is a setting for conversation and interaction. From the applicant's perspective, the ability to extend a covered porch overhang closer to the street enhances this aspect of the front porch.

As outlined in Ordinance 16-20, the applicant has requested that Subsection D.1.b., Front Yards, in the R-4 District be amended by adding, as a third paragraph, the following:

In order to provide for an opportunity for a dwelling unit to more effectively engage the public street, a covered porch overhang may be extended so that the furthestmost projection could be up to ten (10) feet from the street. Such overhang shall not encroach into the public right of way, interfere with landscaping along the street edge, and/or conflict with any utilities or pedestrian facilities. Such overhangs shall be shown as part of the residential site plan and are only an option where garages are rear loaded and do not face the street and when no additional parking spaces are provided in front of the dwelling unit.

RECOMMENDATION: At their meeting on July 21, the Planning Commission unanimously recommended approval of Ordinance 16-20. With the stipulations noted in the ordinance, this was seen as an amendment that could advance certain site design guidelines, such as Streetscape and Building Setbacks and Frontage, provided for in the Architectural Design Standards.

At the Board of Mayor and Aldermen meeting on July 28, Ordinance 16-20 was approved on first reading. The staff recommends approval on second reading.

PROPOSED MOTION: To approve Ordinance 16-20 on second reading.

BOARD ACTION:

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

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

ORDINANCE: 16-20
PREPARED BY: Shipley
REQUESTED BY: Benchmark Associates, Inc.
CERTIFIED BY FMPC: July 21, 2016
PUBLIC HEARING: _____
PUBLISHED IN: _____
DATE: _____
1ST READING: _____
2ND READING: _____
PUBLISHED IN: _____
DATE: _____

AN ORDINANCE TO AMEND THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING CHAPTER 3., SPECIFIC DISTRICT REGULATIONS, SECTION IX., ATTACHED SINGLE-FAMILY RESIDENTIAL DISTRICT (R-4)., SUBSECTION D.1.b., TO AMEND THE FRONT YARD SETBACK PROVISIONS WHEN GARAGES ARE REAR LOADED AND DO NOT FACE THE STREET AND WHEN NO ADDITIONAL PARKING SPACES ARE PROVIDED IN FRONT OF THE DWELLING UNIT

WHEREAS, the Board of Mayor and Aldermen of the Town of Farragut, Tennessee, wishes to amend Chapter 3, Specific District Regulations, of the Farragut Zoning Ordinance, Ordinance 86-16,

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

SECTION 1.

The Farragut Zoning Ordinance, Chapter 3, Specific District Regulations, Section IX., Attached Single-Family Residential District (R-4), Subsection D.1.b., Front Yards, is amended by adding, as a third paragraph, the following:

In order to provide for an opportunity for a dwelling unit to more effectively engage the public street, a covered porch overhang may be extended so that the furthestmost projection could be up to ten (10) feet from the street. Such overhang shall not encroach into the public right of way, interfere with landscaping along the street edge, and/or conflict with any utilities or pedestrian facilities. Such overhangs shall be shown as part of the residential site plan and are only an option where garages are rear loaded and do not face the street and when no additional parking spaces are provided in front of the dwelling unit.

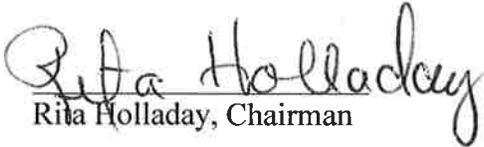
SECTION 2.

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

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder

Certified to the Farragut Board of Mayor and Aldermen this _____ day of _____, 2016,
with approval recommended.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

FARRAGUT MUNICIPAL PLANNING COMMISSION

RESOLUTION PC-16-16

FARRAGUT MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO APPROVE AN AMENDMENT TO THE TEXT OF THE FARRAGUT ZONING ORDINANCE, ORDINANCE 86-16, AS AMENDED, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-4-201, TENNESSEE CODE ANNOTATED, BY AMENDING CHAPTER 3., SPECIFIC DISTRICT REGULATIONS, SECTION IX., ATTACHED SINGLE-FAMILY RESIDENTIAL DISTRICT (R-4), SUBSECTION D.1.b., TO AMEND THE FRONT YARD SETBACK PROVISIONS WHEN GARAGES ARE REAR LOADED AND DO NOT FACE THE STREET AND WHEN NO ADDITIONAL PARKING SPACES ARE PROVIDED IN FRONT OF THE DWELLING UNIT

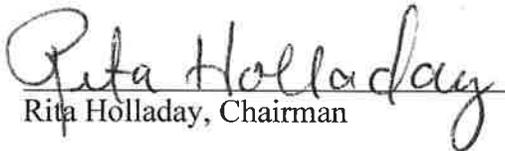
WHEREAS, the Tennessee Code Annotated, Section 13-4-201 et seq, provides that the Municipal Planning Commission shall make and adopt a general plan for the physical development of the municipality; and

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

WHEREAS, a public hearing was held on this request on July 21, 2016;

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

ADOPTED this 21st day of July, 2016.


Rita Holladay, Chairman


Edwin K. Whiting, Secretary

11. Dwelling units shall be provided reasonable visual privacy. Each attached dwelling unit shall have exclusive enjoyment of a private yard, patio, deck, or other outdoor area immediately adjacent or contiguous to the dwelling units on the lot, which area shall contain not less than 400 square feet. Fences, walls, and/or landscaping shall be used in providing the protection and privacy of the private outdoor areas.

Permanent outdoor fireplaces and grills may be constructed within the private outdoor areas provided such structures are set back a minimum of five (5) feet from all buildings, are set back a minimum of twenty-five (25) feet from all front property lines, do not exceed six (6) feet in height, are gas powered only, and meet all requirements of the Municipal Code.

Arbors and pergolas may be constructed within the private outdoor areas provided such structures are set back a minimum of twenty-five (25) feet from all peripheral and front property lines, do not exceed fifteen (15) feet in height, and do not exceed twenty-five percent (25%) of the platted private outdoor area.

12. The development should consider providing street lighting. All street lights shall conform with approved Town standards. Such street lighting located on private streets shall be owned and maintained by the same entity responsible for maintenance and ownership of the common open space.
13. Common driveways, parking areas, walks and steps shall be provided, maintained, and lighted for night use where appropriate.
14. Sidewalks shall be constructed per the Farragut Subdivision Regulations.
15. Landscape plans shall be submitted as regulated in Chapter 4.
16. Utility plans shall be submitted.
17. Subdivision plats shall be submitted as regulated in the Farragut Subdivision Regulations. All applicable requirements of this section shall be included as part of the plat submission.

 D. Area Regulations

1. Setback Requirements
- a. Peripheral Property Lines: All buildings shall be set back a minimum of fifty (50) feet from peripheral front, side, and rear property lines. The buffer strip shall be included in the required peripheral building setback.
 - b. Front Yard: All buildings and/or dwelling units shall be set back a minimum of twenty (20) feet from all streets interior to the development

when a dwelling unit's garage faces the street, when no garages are constructed for a dwelling unit, and/or when additional parking spaces are provided in front of a dwelling unit.

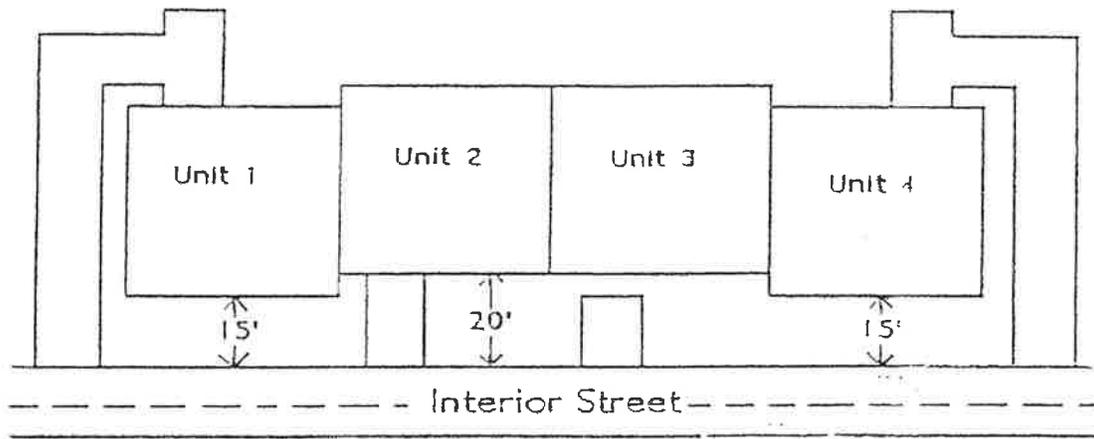
Insert language
here

All buildings and/or dwelling units shall be set back a minimum of fifteen (15) feet from all streets interior to the development when garages are rear loaded and do not face the street and when no additional parking spaces are provided in front of the dwelling unit. Please refer to Illustration 14. This illustration depicts the intent of the regulation.

- c. **Side Yard:** In order to eliminate the appearance of row housing, the distance between buildings when sides of buildings are adjacent shall be varied. The total minimum distance between buildings shall be based on the total number of buildings constructed in a row multiplied by twelve (12) feet. The minimum distance between two adjacent buildings shall be ten (10) feet. For example, if four buildings are located in a row, the total minimum separation between the four buildings shall be forty-eight (48) feet. Please refer to Illustration 14. This illustration depicts the intent of the regulation.
- d. **Rear Yard:** The minimum distance between buildings when rears of buildings are adjacent shall be forty (40) feet.
- e. **Side/Rear Yard:** The minimum distance between buildings when sides/rears of buildings are adjacent shall be twenty-five (25) feet.
- f. All accessory structures, excluding fences, subdivision walls, entrance pillars, and certain utility structures, shall be set back a minimum of twenty-five (25) feet, except as provided for elsewhere in this ordinance or the Municipal Code. Subdivision walls and entrance pillars shall be set back a minimum of ten (10) feet. Electrical substations, utility offices, or any other utility building shall meet the front yard setback requirements.

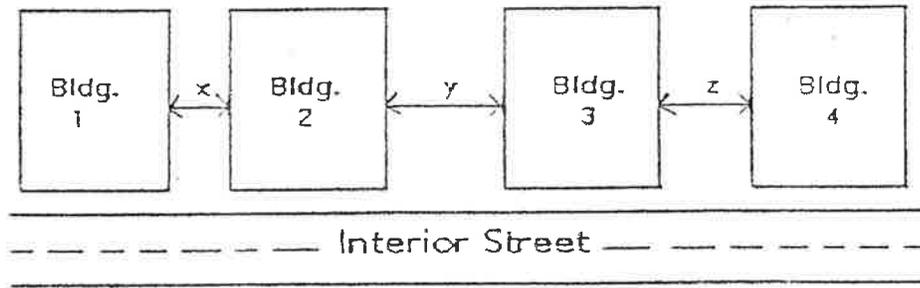
2. Buffer Strips

- a. There shall be a buffer strip a minimum of twenty-five (25) feet in width on all front, side, and rear peripheral property lines. The buffer strip shall be included in the required peripheral building setback, shall be planted and platted at the time of subdivision, and shall be owned and maintained by the property owners' organization;
- b. Existing, mature vegetation shall be preserved and incorporated into the buffer strip.
- c. Detention basins, measured from top-of-slope to top-of-slope, and associated structures shall not be located within any buffer strips.



R-4 District
Required Space Between Buildings

$$4 \text{ Buildings} \times 12 \text{ feet} = 48 \text{ feet}$$
$$x + y + z = 48 \text{ feet}$$



R-4 District
Required Space Between Buildings

ILLUSTRATION 14: ATTACHED SINGLE-FAMILY RESIDENTIAL (R-4)



NO ENTRY
Residents
Only
NO TRUCKS

SOLD

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: Allison Myers, Town Recorder/Treasurer

SUBJECT: Ordinance 16-21, an Ordinance on second and final reading to amend Ordinance 16-11, FY2017 Budget, State Street Aid Fund

INTRODUCTION:

The purpose of this agenda item is to amend the Fiscal Year 2017 State Street Aid Fund Budget.

DISCUSSION:

The State Street Aid Fund will be amended by increasing the appropriated expenditures from \$688,000 to \$1,009,054, an increase of \$321,054.

- **Resurfacing Program**
 - For the past few years, in hopes of receiving better bids, the resurfacing contract has provided for a more flexible and longer construction season. Due to this change, the resurfacing of the Town's streets typically spans multiple fiscal years. The resurfacing balance for FY2016 was \$321,054. The remaining invoices for this contract will be paid from the current fiscal year so the balance will be transferred from FY2016 to FY2017.

FINANCIAL SECTION:

Account Number: State Street Aid Budget

<u>Original FY2017 Budget</u>	<u>Requested Amendment</u>	<u>FY2017 Amended Budget</u>
\$688,000	\$321,054	\$1,009,054

Approved By: 

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

PROPOSED MOTION: Motion to approve Ordinance 16-21 on second and final reading.

BOARD ACTION:

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

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

ORDINANCE	16-21
PREPARED BY	Myers
1 ST READING	July 28, 2016
2 ND READING	August 11, 2016
PUBLISHED IN	Shopper News Farragut
DATE	

**AN ORDINANCE OF THE TOWN OF FARRAGUT, TENNESSEE
AMENDING THE FISCAL YEAR 2016-2017 BUDGET, PASSED BY ORDINANCE 16-11**

WHEREAS, the Town of Farragut adopted the fiscal year 2016-17 budget by passage of Ordinance Number 16-11 on June 23, 2016; and

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

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

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF FARRAGUT, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2016-2017 BUDGET AS FOLLOWS:

SECTION 1. Ordinance 16-11 is hereby amended by:

- Increasing the appropriated expenditures in the State Street Aid by \$321,054. Expenditures for the State Street Aid will total \$1,009,054.
 - Resurfacing Contract from FY2016

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.

Dr. Ralph McGill, Mayor

Allison Myers, Town Recorder