

**DESIGN REVIEW COMMISSION
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, March 26, 2013
6:00 p.m.**

The regular meeting of the Design Review Commission was scheduled and held in the Council Chambers of the Municipal Center on March 26, 2013. Chairman Saunders called the meeting to order at 6:00 p.m. requesting the roll call. Ms. Regina Gibson called the roll of the Board and established a quorum:

COMMISSIONERS PRESENT:

Mr. Keith Saunders, Chairman; Mr. Neil Sherman, Vice Chairman; Mr. Paul Bruns – Secretary; Alderman Greg Marcom; Mr. Ralph Smith; Mr. John Walker; Mr. Henry Porter and Mr. Eric Alter

DEVELOPMENT STAFF PRESENT:

Mr. Andrew Pouncey, Economic and Community Development Director; Mr. Wade Morgan, Chief Planner; Ms. Regina Gibson, Administrative Secretary and Mr. Robert McLean, Attorney

1. Approval of Minutes for February 26, 2013

Mr. Sherman moved to approve the Design Review Commission minutes of February 26, 2013, seconded by Mr. Bruns, with no further comments or discussions.

ROLL CALL: Mr. Walker – Yes; Mr. Alter - Yes; Mr. Bruns – Yes; Alderman Marcom – Abstain; Mr. Smith – Yes; Mr. Sherman – Yes; Mr. Porter – Yes; Chairman Saunders – Yes.

MOTION PASSED

1. The Market at Poplar Estates – 3996 Poplar Ave. - Request Approval of Accessory Structure.

BACKGROUND: The subject property was purchased by Richard Stringer in 1974 to operate as a nursery prior to annexation. In 2006, the applicant purchased the property and continued to operate it as a legal, non-conforming use in the “R” Residential district. The plant nursery may continue in operation, provided that no change in the use of the land is undertaken.

DISCUSSION: Trip Trezevant constructed a 64 ft. by 50 ft. wooden structure on the northern portion of the Market at Poplar Estates. On January 23, 2013, he was notified by Germantown Code Enforcement that approval from the Design Review Commission was needed, as well as a permit for an accessory structure.

The shade structure is constructed of cedar lumber and will be used for display and sale of plants. It is unroofed and open on all sides, as shown in the attached photos.

STAFF COMMENTS:

1. The shade structure is an accessory structure, and should remain unheated, and open on all sides.
2. The applicant shall obtain an accessory structure permit from the City of Germantown, if the structure is approved by the DRC.

PROPOSED MOTION: To approve the accessory structure, a wooden shade structure, at the Market at Poplar Estates at 6993 Poplar, subject to staff comments.

Mr. Trip Trezevant explained that at the request of his tenant, he had a cedar arbor constructed in place of the standard metal houses that have been there recently and is asking for the board to approve.

Alderman Marcom asked Mr. Trezevant why we were seeing this request after the fact. He reminded him that he had been in Germantown long enough to know that he is to apply for a permit before he starts building any structure. He explained that Mr. Trezevant building this structure without the City's approval was frowned upon and would not be tolerated much longer.

Chairman Saunders explained that what Mr. Trezevant has managed to do is to start on a structure without the proper approvals and if the board decides not to approve this request then this structure will come down. Chairman Saunders also informed Mr. Trezevant that the board will not allow him to cover or enclosed this structure with any type of temporary material and if he wanted to leave this structure the way it is then the board will discuss it with him. If not, then the board is not going to approve this request. The board will not consider approving anything but the cedar structure that is already built.

After much discussion, the board explained that they would vote on what had been submitted, which is the cedar structure only. Mr. Trezevant understands that any other requests he has will need to submit an application to staff and come back before the Design Review Commission at a later date. Chairman Saunders called for a motion.

Mr. Smith recused himself from this agenda item.

Mr. Walker moved to approve this motion as submitted and seconded by Mr. Alter.

ROLL CALL: Mr. Bruns – Yes; Mr. Sherman – Yes; Mr. Smith – Recused Himself; Mr. Porter – Yes; Alderman Marcom – No; Mr. Alter – Yes; Mr. Walker – Yes; Chairman Saunders – Yes.

MOTION PASSED

2. Amendment to the Germantown Banner Policy.

BACKGROUND: The City allows the advertising of events that are sponsored by the City or take place on City property through the use of temporary banners placed within the street right-of-way at the City Limits and at other high visibility, city-owned locations. The policy currently requires all applicants to obtain approval from the DRC for initial approval and for re-approval every three years.

DISCUSSION: The banner policy is specific regarding the size, location, number, content and duration of the banners. Staff proposes that ECD staff be allowed to approve new banners and renew the approvals. The DRC would be responsible for resolving issues over requests that involve conflicts between the locations or scheduling of events, or interpretation of the policy.

STAFF COMMENTS:

1. Proposed revisions to the policy are indicated in bold and underlined text on the following pages.

Staff recommendation: Approval, subject to staff comments.

GERMANTOWN SPECIAL EVENTS BANNER POLICY

Revised March 26, 2013

Allowability: The sign frames are the property of the City of Germantown. The locations where they are typically placed are on city property or with the “Welcome to Germantown” signs. These locations imply an affiliation of the event with the City of Germantown. Because of this, use of the sign frames shall be limited to events that are run by the City, sponsored by the City, endorsed by the City, or take place either on City property or County school property. Events or groups that are renting or paying fees for the use of

City facilities (such as the Great Hall, Germantown Performing Arts Center, parks or Pickering Center, etc.) are not eligible to use the banner frames. Local civic groups that use city or school property for their event are also allowed to use the frames. (see *Number Allowed*) Approval is based on a first come – first serve basis. A schedule of approved events is attached.

Duration: The signs shall be erected no earlier than one (1) week before the event. Signs shall be removed the day after the event.

Length of Approval: The Director of Economic and Community Development, or his designee DRC may grant approvals for up to three (3) years, provided that the applicant does not change the number, location, content or other elements (other than date of the event) of the approved sign.

Location & Height Above Ground:

All of the sign frames are approximately eight (8) feet in height. Wherever possible, the signs shall be placed a minimum of thirty (30) feet from the curb. Approved locations are:

1. the Municipal Center, at the intersection of Germantown Road and Farmington Boulevard,
2. the Germantown Performing Arts Center (GPAC) at the intersection of Germantown Road and Neshoba Road,
3. in front of the Pickering Center at 7771 Poplar Pike,
4. on the West Street frontage of the Parks and Recreation Office at 2276 West Street; and
5. next to the “Welcome to Germantown” signs. The “Welcome” signs are found at the following locations:
 - a. South side of Poplar Avenue, near the western City Limit; (note – because of the large number of underground utility lines near the City Limit, the actual location is near the entrance to Carrefour shopping center)
 - b. North side of Poplar Pike near the western City Limit;
 - c. Within the center median of Wolf River Blvd. near the western City Limit.
 - d. West side of Germantown Road south of the Wolf River Bridge
 - e. At the Poplar/Poplar Pike intersection near the eastern City Limit.
 - f. Wolf River Blvd. near the eastern City Limit.
 - g. Within the center median of Forest Hill-Irene Road, near the southern City Limit

Events run or sponsored by the City shall be allowed to use any of the locations listed above. Civic groups may erect two signs, one sign at the event location and the second at the Municipal Center, at Germantown Road and Farmington Blvd.

Size: 28 square feet (4 feet wide by 7 feet tall). The banners shall be designed to fit correctly into the sign frames. Banners that hang over the sides of the frame, or that are too small for the frame shall not be allowed.

Content: Content shall be limited to the name of the organization and/or event, the date(s) of the event, and the location of the event. Logos shall be allowed, provide that they do not comprise more than 10 percent of the total sign area.

Number Allowed: A maximum of seven (7) banners per organization/event shall be allowed for events that 1) have a total attendance of at least 3,000 people and 2) last for a minimum of 1 day or 10 hours. At the present time the following events meet these criteria: the Germantown Festival, the Chamber of Commerce Business Expo and the Germantown Charity Horse Show. Other groups shall be allowed two (2) signs.

Colors & Materials: Recommended color scheme is dark lettering (e.g. black, forest green or burgundy) on an off-white background.

Mounting Structure: Metal sign frame.

Logo: Shall not exceed 2.8 square feet (10 percent of the total sign area)

Lighting: Not applicable

Landscaping: Not applicable.

Installation & Removal: The Public Services Parks and Recreation Department, with sufficient notification (2-3 days prior to the approved installation date), is willing to attach the banners to the frames and place them at their approved locations. The Planning Division will forward a list and schedule of the approved users of the sign frames. The Planning Division will request delivery of the approved banners to the offices of the Department of Community Development, to then be forwarded to Public Services Parks and Recreation. This is to ensure that the signs are not installed prior to the date approved by the DRC. The organization holding the event shall be responsible for removing their banners from the frames on the day after the event. The Public Services Parks and Recreation Department will be notified of the date to pick up the frames.

Conflict Resolution: Every effort shall be made to amicably resolve conflicts between requests for banner placement. However, first priority will be given to already-approved banners and to city-organized events. Appeals of ECD decisions shall be decided by the Design Review Commission.

PROPOSED MOTION: To approve the amendments to the City of Germantown Banner Policy.

After much discussion the board requested that the staff research this further and look at policies already in place.

TABLED BY APPLICANT

ADJOURNMENT

There being no further business, comments, or questions by the Commission, the Chairman adjourned the meeting at 6:40 p.m.