

**PLANNING COMMISSION MEETING  
MUNICIPAL CENTER COUNCIL CHAMBERS  
Tuesday, May 7, 2013**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of the Municipal Center on May 7, 2013. Chairman Klevan welcomed everyone and asked the Commission members as well as the audience to please speak into the microphone so they could be heard. Chairman Klevan then called the meeting to order at 6:00 p.m. asking the secretary for the roll.

Ms. Rush called the roll of the Board to establish a quorum:

**Commissioners Present:** Hale Barclay, Alderman Forrest Owens, Dike Bacon, George Hernandez, David Klevan, Steve Wilensky and Susan Burrow.

**Commissioners Absent:** Mike Harless

**Staff Present:** David Harris, Wade Morgan, Andy Pouncey and Pam Rush.

A quorum for tonight's Planning Commission meeting was established.

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**1. Approval of Minutes for Aril 2, 2013**

Chairman Klevan stated for those people who just arrived, tonight's agenda is on the front table. The first order of business is the approval of the minutes for April 2, 2013. If there were no additions, corrections or deletions to the minutes of the April 2, 2013, meeting of the Planning Commission, he would entertain a motion for approval.

Ms. Burrow moved to approve the Planning Commission minutes of April 2, 2013, as submitted, seconded by Mr. Bacon.

Chairman Klevan asked for a roll call.

**Roll Call:** Barclay – yes; Burrow –yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless – absent; Owens - yes; Klevan – yes. **The motion was passed**

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**2. Consent Agenda:** Chairman Klevan stated the second order of business is the approval of the Consent Agenda. He then proceeded to read the Consent Agenda item:

**3. Request a Delay in the Conversion from Public to Private Infrastructure**

**BACKGROUND:** On July 6, 2004, the Planning Commission granted Preliminary Plat approval for The Vinings Subdivision. On August 3, 2004, the Planning Commission granted Final Plat approval of the subdivision. On October 11, 2004, the Board of Mayor and Aldermen approved Subdivision Development Contract No. 457 for The Vinings at Germantown. A request to convert the streets from public to private approved at the May 7, 2007, Planning Commission meeting. On April 6, 2010, the PC approved a delay of the public to private conversion until April 2013, or until 75 percent of the lots have completed houses constructed.

**DISCUSSION:** The applicant requests a one-year delay of the completion of the public to private conversion, with the goal of having 90 percent of the homes completed during that time. Ron Faulkner, president of the homeowners association, notes that the first HOA meeting was recently held and the homebuilders are transitioning the management of the HOA to the homeowners. (letter is attached) The Technical Advisory Committee met on April 11, 2013 and had the following comments on the request:

1. At present, 49 of the 62 lots (79% of the total) have houses constructed. 12 lots are undeveloped or in the initial stages of construction.
2. The final coat of asphalt was installed on the streets in November 2012, and has a one-year warranty. TAC recommends that the time extension of the conversion coincide with the warranty.

*The HOA president has stated his agreement to that time frame, but may request a few months additional extension in October in order to get more house slabs completed and minimize damage to the streets and gates.*

**STAFF RECOMMENDATION:** Approval of the requested time extension until November 29, 2013, to coincide with the warranty on the final coat of asphalt.

**SUBDIVISION AND SITE PLAN SUBCOMMITTEE REPORT: (MIKE HARLESS, CHAIRMAN)** – The subcommittee did not meet in April.

**PROPOSED MOTION:** To extend until October 24, 2013, the deadline for the conversion of the streets and infrastructure from public to private ownership and maintenance responsibility in the Vinings subdivision.

**The Vinings of Germantown  
Homeowners Association  
8620 Trinity Road, Suite 202  
Cordova, TN 38018**

March 28, 2013

Mr. Wade Morgan  
Chief Planner  
Dept. of Economic & Community Development  
1930 S. Germantown Road  
Germantown, TN 38138-3138

Dear Mr. Morgan:

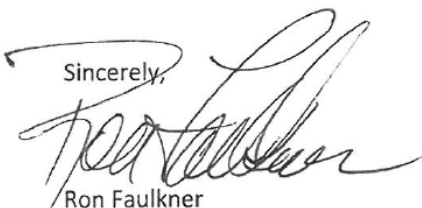
As allowed for in the original approval, we are requesting that the approval to privatize the Vinings of Germantown be extended one year from the April 6, 2013 target date.

We are making this request to allow adequate time to complete 90% of the homes within our community. We feel this will be accomplished within this period based on the current rate of homes being built.

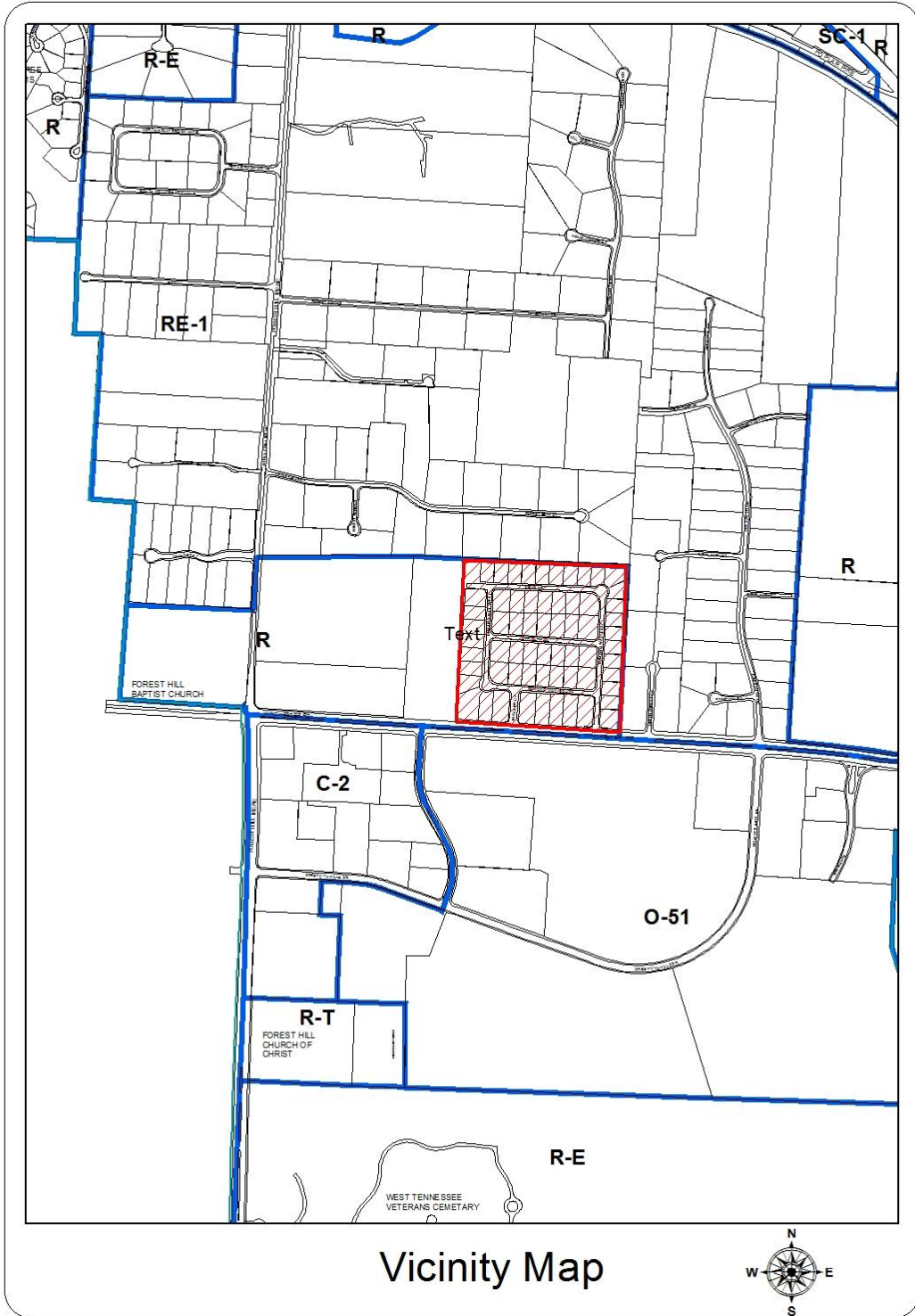
As you know, the original approval was granted on April 6, 2010. Since that date, the original developers have ceased doing business, the entire community was foreclosed upon by the development lender, and new builders took over the refurbishment and construction of the homes. We recently held our first Homeowners Association meeting to elect a new board of directors and officers; and, are currently transitioning the management of the association to the homeowners. The matter of privatization was discussed and we do not want to install gates at this time in an attempt to prevent construction trucks and equipment from further damaging our entry ways.

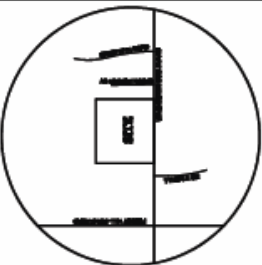
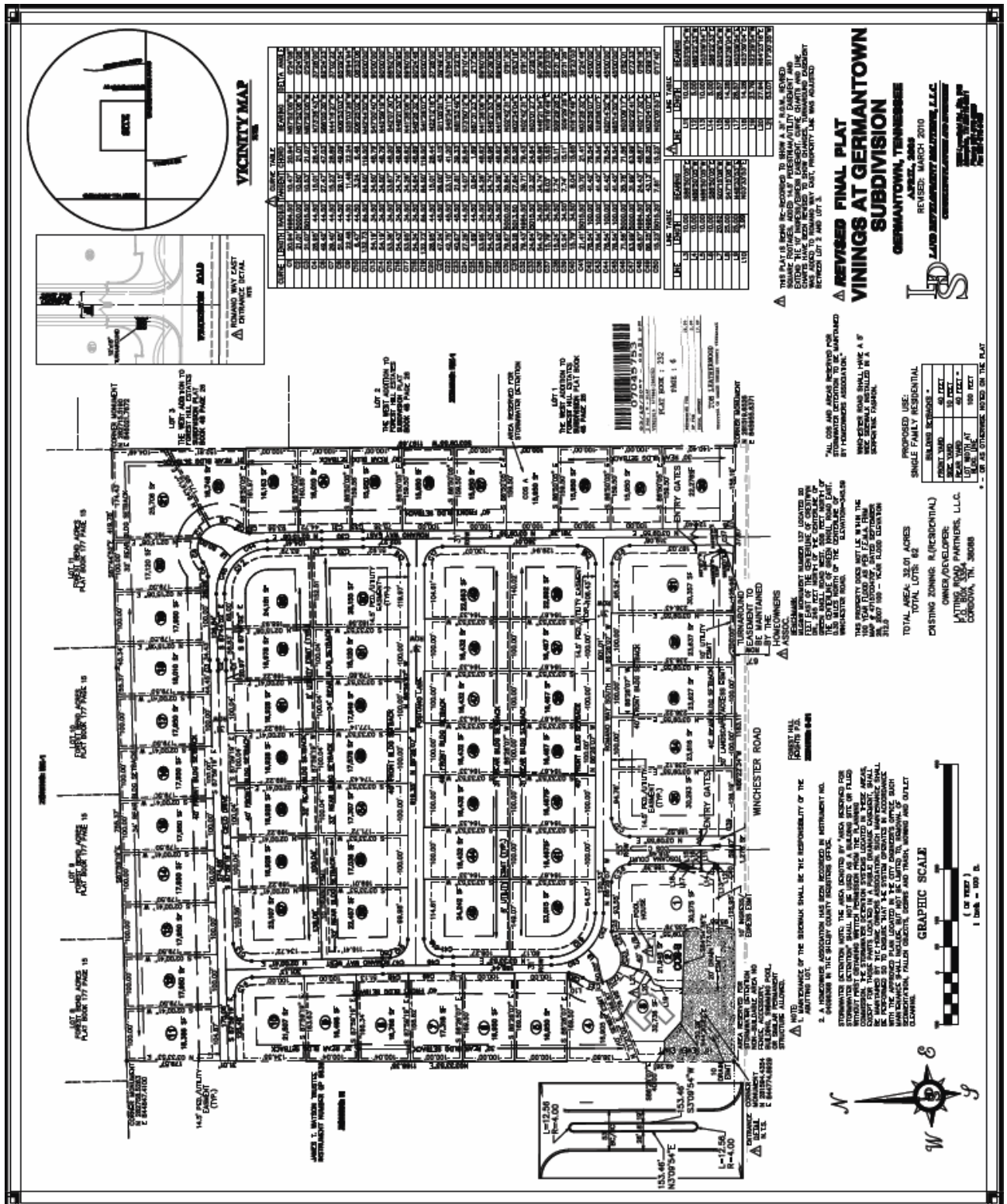
We appreciate your consideration in this matter.

Sincerely,



Ron Faulkner  
President, The Vinings of Germantown Homeowners Association





VICINITY MAP

**GENERAL NOTES:**

1. THE PLAT IS BEING RECORDED TO SHOW A 3' EASEMENT FOR THE UTILITY COMPANY TO INSTALL AND MAINTAIN UTILITY LINES AND EQUIPMENT. THE UTILITY COMPANY SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF SUCH UTILITY LINES AND EQUIPMENT.
2. A HOMEOWNER ASSOCIATION HAS BEEN RECORDED IN INSTRUMENT NO. 2012-000000 IN THE DEPUTY CLERK'S OFFICE.
3. THE HOMEOWNER ASSOCIATION SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF SUCH UTILITY LINES AND EQUIPMENT.
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**REVISED FINAL FLAT VININGS AT GERMANTOWN SUBDIVISION**  
 GERMANTOWN, TENNESSEE  
 REVISION: MARCH 2010  
 LATTING ROAD PARTNERS, L.L.C.  
 1000 GERMANTOWN ROAD, GERMANTOWN, TN 38103  
 615-255-1000

**PROPOSED USE:**  
 SINGLE FAMILY RESIDENTIAL  
 INLAND SUBDIVISION  
 FRONT YARD: 40 FEET  
 SIDE YARD: 10 FEET  
 REAR YARD: 10 FEET  
 LOT WIDTH AT 100 FEET: 100 FEET  
 LOT AREA: 10,000 SQ. FEET  
 TOTAL AREA: 32.01 ACRES  
 CRISTINA ZONING, R/RC(INDUSTRIAL)  
 OWNER/DEVELOPER:  
 LATTING ROAD PARTNERS, L.L.C.  
 1000 GERMANTOWN ROAD  
 GERMANTOWN, TN 38103

**LEGEND**  
 EASEMENT  
 PROPOSED STRUCTURE  
 HOMEOWNER ASSOCIATION

**TABLE**

LOT	AREA	REMARKS
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100	10,000	

**GRAPHIC SCALE**  
 (1" = 100')  
 1 inch = 100 feet

**NOTES**  
 1. THE HOMEOWNER ASSOCIATION SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF SUCH UTILITY LINES AND EQUIPMENT.  
 2. A HOMEOWNER ASSOCIATION HAS BEEN RECORDED IN INSTRUMENT NO. 2012-000000 IN THE DEPUTY CLERK'S OFFICE.

Mr. Barclay moved to extend until November 29, 2013, the deadline for the conversion of the streets and infrastructure from public to private ownership and maintenance responsibility in the Vinings subdivision, subject to staff comments, seconded by Ms. Burrow.

Chairman Klevan asked for a roll call.

**Roll Call:** Barclay – yes; Burrow – yes; Hernandez - yes; Wilensky – yes; Bacon – yes; Harless – absent; Owens - yes; Klevan – yes. **The motion was passed**

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4. Chairman Klevan asked if there was any old business to come before the Commission. There was none.
5. Chairman Klevan asked if there was any new business to come before the Commission. There was none.
6. Chairman Klevan asked if there were any liaison reports. There was none.
7. **ADJOURNMENT:** The meeting adjourned at 6:04 p.m.