

**DESIGN REVIEW COMMISSION
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, June 23, 2009
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 June 23, 2009. Chairman Saunders called the meeting to order at 6:07 p.m. requesting the roll call. Ms. Regina Gibson called the roll of the Board and established a quorum:

COMMISSIONERS PRESENT:

Mr. Ralph Smith, Vice Chairman; Mr. Paul Bruns; Mr. Parker McCaleb; Mr. Greg Marcom; Mr. Neil Sherman; Alderman Mike Palazzolo.

DEVELOPMENT STAFF PRESENT:

Mr. Josh Whitehead, Planning Division Director, Mr. Wade Morgan, Chief Planner; Ms. Regina Gibson, Administrative Secretary and Mr. Robert McLean, Attorney.

1. Approval of Minutes for May 26, 2009

No changes or modifications were made to the minutes as written and a motion was made.

Mr. Marcom moved to approve the Design Review Commission minutes of May 26, 2009 seconded by Alderman Palazzolo, with no further comments or discussions.

ROLL CALL: Mr. Marcom – Yes; Mr. Bruns – Yes; Alderman Palazzolo – Yes; Mr. Sherman – Yes; Mr. McCaleb – Yes; Vice Chairman Smith – Abstain

MOTION PASSED

1. Carrefour – 6685 Poplar Avenue – Request Approval of two Permanent Project Directory Signs.

DISCUSSION: The applicant is requesting approval of two Permanent Project Directory Signs. One sign is to be located on Poplar Ave. at the main entrance. The second sign is to be located on Kirby Rd.

SIGN 1 (Poplar Ave.)

Location &

Height: The sign will be mounted at a height of 10' above the surrounding grade, and setback 10 feet behind the curb (3 feet from the right-of-way).

Message:



Letter Size: 20" – "Carrefour"
10" – "Borders"
8" – other tenants

Letter Style: Corporate Font – "Carrefour"
Corporate Font – "Borders"
Helvetica – other tenants

Sign Area: 8'3" x 9'6" (78.4 ft²)

Colors &
Materials: Letters: white; vinyl / aluminum
Background: bronze; acrylic

Mounting
Structure: Stucco / Dryvit

Logo: None

Lighting: Internally Illuminated, high output fluorescent, 120 volt, 2 ballast @ 312 watts apiece
(See staff comment #6)

Landscaping: Evergreen Shrub

SIGN 2 (Kirby Pkwy.)

Location &
Height: The sign will be mounted at a height of 6' above the surrounding grade, and setback 10 feet behind the curb (immediately behind the right-of-way).

Message:



Letter Size: 8" – "Carrefour"
7" – other tenants

Letter Style: Corporate Font – "Carrefour"
Helvetica – other tenants

Sign Area: 7'2" x 2'4" (16.72 ft²)

Colors &
Materials: Letters: white; vinyl / aluminum
Background: bronze; acrylic

Mounting

Structure: Stucco / Dryvit

Logo: None

Lighting: Internally Illuminated, high output fluorescent, 120 volt, 2 ballast @ 312 watts apiece
(See staff comment #6)

Landscaping: Evergreen Shrub

STAFF COMMENTS:

1. The applicant requests a sign similar to the sign approved by the DRC on August 26, 2008, for the Shops of Forest Hill. The Restaurant Directory Sign for the Shops of Forest Hill Irene was intended to improve the visibility of tenants that did not have direct frontage on either Poplar Ave. or Forest Hill-Irene Rd. The sign is twelve feet, eight inches in height and ten feet, seven inches in width and is located twenty feet behind the curb of Poplar Ave. Content of the sign is limited to the names of tenants with a gross square footage of 3,500 square feet or greater that meet the following criteria:
 - a. Restaurants with table-side sit down service of 2,000 square feet or greater (take out services will be allowed),
 - b. Tenants located in excess of 400 feet from a major road right-of-way,
 - c. Tenants with no direct sight lines from major roadways due to the placement of an outparcel, existing vegetation (major trees), topographic conflicts, or storefronts that are situated in excess of 30° from parallel with the adjacent major roadway frontage.
 - d. Tenants in excess of 20,000 square feet will be excluded from the secondary tenants signs if the tenant is already included in a permanent tenant sign within the same major road right-of-way frontage.
 - e. Tenants in excess of 20,000 square feet are allowed on secondary tenant signs if the directory sign is located on a major roadway that does not contain a permanent tenant sign.
2. The plan for the Restaurant Directory sign for the Shops of Forest Hill sign and the site plan of the center is attached.
3. The applicant bases his request for the sign and associated variances on the fact that customer traffic in the shopping center is on the decline. The applicant further states the shopping center is at a disadvantage due to their proximity to the City of Memphis, which does not have as strict a sign regulation. (See attached letter and email from applicant).
4. The applicant will need variances in order to have this type of sign, with tenant names listed, in this shopping center. Section 14-34(b)(4) and (e)(4) states that areas zoned C-2 can have a permanent project sign, but that sign shall be limited to the name and address of the project. Only shopping centers zoned SC-1 with an excess of 30 acres of site area can have major tenants listed on the sign. Major tenants are defined as those who occupy a space in excess of 20,000 gross feet. Carrefour is 10 acres in area. The only Carrefour tenant over 20,000 square feet is Borders. The proposed sign has no limits or requirements for the tenants listed on the directory.
5. Both signs are requested to be 10 feet from the respective street curb or edge of pavement they are to be located on. Permanent Project Directory Signs are required to be set back 60 feet from the street right-of-way. The applicant is therefore requesting a variance of 57 feet for the sign to be located on Poplar Ave and a 60 foot variance for the sign to be located on Kirby Pkwy.

6. The Restaurant Directory sign for the Shops of Forest Hill were granted variances to allow the following:
 - a. Location: 20 feet from Poplar Ave. and 46 feet, 1 inch from Village Shops Drive; exterior directories are required to be located behind the front line of the building.
 - b. Size: 134.17 square feet per side, while exterior directories may not exceed 12.5 square feet per face when they are within 75 feet of a public street.
 - c. Height: 12 feet, 8 inches in height; exterior directories are limited to 6 feet in height.
 - d. Illumination: Internal illumination with 312 watt fluorescent bulbs; exterior directories may be exterior illuminated only.
7. The proposed sign is internally illuminated with 312 watt fluorescent bulbs. The sign is to be constructed in the same manner and by the same company as the Restaurant Directory sign for the Shops of Forest Hill. The sign will have removable panels with cut-out lettering on an opaque blackened finish.
8. The applicant will provide a photometric analysis of the sign at the meeting. It will be similar to that of the Restaurant Directory Sign for the Shops of Forest Hill, which is attached.
9. The request is within the allowable size and height limit for a Project Sign.
10. The applicant has provided material samples of the sign.
11. Photos of similar signs throughout the area are attached.
12. Prior to DRC approval, the applicant shall submit a landscape plan that specifies the name, number and size of plants.
13. If approved, the applicant must obtain a permit from the Memphis / Shelby County Office of Code Enforcement prior to installing the signs.

PROPOSED MOTION: To approve the request for two permanent project directory signs for Carrefour located at 6685 Poplar Avenue.

WITHDRAWN BY APPLICANT FOR SIGN REVISIONS

Comment: The Vice Chairman stated the Commission would be voting on the following items together:

- 2. Germantown Athletic Club – 1801 Exeter Road – Request a Special Event Banner for an Open House.**
City of Germantown - Applicant
- 3. Amendment to the Special Events Banner Policy to Add an Additional Location.**
City of Germantown – Applicant
- 4. Germantown Parks and Recreation – Request approval of Two Special Events Banners for the Family 4th of July Event.**
City of Germantown - Applicant

The board expressed their disappointment in the sign quality and requested that staff inform each City department that their application will need to be submitted in a timelier manner. In regards to the signs, the board expressed that they are required to be installed in a level position and in a pristine condition; they are to be checked periodically for rust and be repainted when needed. The banner itself will need to be attached correctly and maintained because this is a direct reflection on the City of Germantown's

professionalism. When the City of Germantown puts up a sign, it should be above any standards that the private sector would be required to follow.

There was no opposition to this application and no further comments. The Vice Chairman asked for a motion.

Alderman Palazzolo moved to approve the three applications as submitted subject to the board's comments, seconded by Mr. Sherman.


ROLLCALL: Mr. Marcom – Yes; Mr. Sherman – Yes; Alderman Palazzolo – Yes; Mr. McCaleb – No; Mr. Bruns – Yes; Vice Chairman Smith – Yes.

MOTION PASSED

STAFF'S COMMENTS / DISCUSSIONS REGARDING THE ABOVE ITEMS

2. Germantown Athletic Club – 1801 Exeter Road – Request a Special Event Banner for an Open House.

DISCUSSION: The Germantown Athletic Club is holding an Open House on Saturday, June 27th. The banners are to be erected two weeks prior to the event, beginning June 15th, and remain in place throughout the day of the event. Because of time constraints, the banners were granted a provisional approval by staff until the DRC was able to review this application. If the banners are denied, they will be removed. Below are the specifics for the banners:

<u>Banners</u>	
Locations:	1. Northeast corner of Germantown Road and Farmington Boulevard (Municipal Center); 2. Northwest corner of Germantown Road S. and Wolf River Boulevard (next to Germantown Welcome sign);
Size:	7' tall x 4' wide
Color:	Background: Off-white Lettering: Navy Blue
Logo:	n/a
Mounting Structure:	Approved City metal banner frames
Content:	

STAFF COMMENTS:

14. The DRC revised the policy on banners for municipal events at the June 2002 meeting. The policy is attached.
15. The City of Germantown Sign Ordinance, § 14-62(b) (9) b2 states in part that “other banners may be allowed by the Design Review Commission as follows... Banners for charitable and nonprofit events”. The banners, as proposed, comply with the Sign Ordinance in terms of size, location, and content.

PROPOSED MOTION: To approve the special event banner for the Germantown Athletic Club’s Open House, subject to staff comments.

3. Amendment to the Special Events Banner Policy to Add an Additional Location.

BACKGROUND: The banner policy was last amended on June 25, 2002. This same request was on the May 26, 2009, DRC agenda, but was deferred in order to determine if the proposed banner location would block the visibility of a traffic signal.

DISCUSSION: The Parks and Recreation Department is requesting approval to include the West Street frontage of their office at 2276 West Street as one of the allowed locations for banners announcing special events at City facilities. The proposed amendments are shown in bold text in the following banner policy. *Since the May DRC meeting, staff has taken photos of an actual banner in the proposed location.*

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. Local civic groups that use city or school property for their event are also allowed to use the frames. (See *Number Allowed*) Allowability 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 two (2) weeks before the event. Signs shall be removed the day after the event.

Length of Approval: The 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 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 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 Parks and Recreation Department will be notified of the date to pick up the frames.

STAFF COMMENTS:

16. The Parks and Recreation Department requests the additional location because of the substantial amount of traffic passing the location. The site “beside our office building, is regularly interrupted by the set of traffic lights and trains that travel through town, making it an ideal location to promote our upcoming events while commuters sit idle in their cars.”
17. The following photos show an actual banner in the requested location.

PROPOSED MOTION: To amend the Germantown Banner Policy to add the West Street frontage of the Parks and Recreation Office at 2276 West Street as an approved location for special event banners.

4. Germantown Parks and Recreation – Request approval of Two Special Events Banners for the Family 4th of July Event.

BACKGROUND: The City of Germantown’s Family 4th activities have been taking place, in one form or another, for over twenty years. This will be the first time that banners have been used to advertise the event.

DISCUSSION: The Parks and Recreation Dept. installed the requested banners within Municipal Park during the Family 4th event in 2008. They request permission this year to place the banners behind the street right-of-way in order to inform residents of the schedule of events prior to their arrival.

<u>Banner Information</u>	
Size:	7’ tall x 4’ wide
Color:	Background: Off-white Lettering: Green
Logo:	none
Mounting Structure:	Approved City metal banner frames
Content:	<p style="text-align: center;">Germantown Fourth of July Celebration Program Schedule</p> <p style="text-align: center;">5 to 8 p.m. Games, rides, arts & crafts, concessions 5:30 p.m. Music from “Yes, No, Maybe” 7:20 p.m. Welcome from the Mayor 7:25 p.m. Presentation of the Colors by the Germantown American Legion and singing of the national anthem 7:30 p.m. Announcement 7:45 p.m. Music by the River City Concert Band 8:15 p.m. Intermission and announcements 8:35 p.m. Music by River City Concert Band 9:10 p.m. Germantown’s fabulous fireworks show</p>

PROPOSED MOTION: To approve the three (3) year request for temporary event banners for the Germantown Family 4th of July event, subject to staff comments.

New Business: Alderman Palazzolo explained that AT&T and whoever is the franchise holder for the Municipality, has the right to install boxes throughout our City and this was recently approved by the Board of Mayor and Aldermen. He questioned the staff as to whether or not these utility boxes would be landscaped in the future. The staff informed him that all of them would be landscaped and some have been landscaped already. AT&T has an agreement with the City of Germantown. They will provide a site plan of the locations and staff will create a landscape plan for them. At the present time they have already landscaped about six or seven and should finish up on the remainder of them by this fall.

ADJOURNMENT

There being no further business, comments, or questions by the Commission, the Chairman adjourned the meeting at 6:21 p.m.