

**DESIGN REVIEW COMMISSION
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, April 28, 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 April 28, 2009. Chairman Saunders called the meeting to order at 6:05 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. Paul Bruns; Mr. Steve Landwehr; Mr. Parker McCaleb; Mr. Greg Marcom; Mr. Neil Sherman; Ms. Robbie Ann Pahlow; Mr. Ralph Smith; Alderman Mike Palazzolo.

DEVELOPMENT STAFF PRESENT:

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

1. Approval of Minutes for March 24, 2009

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

Mr. Smith moved to approve the Design Review Commission minutes of March 24, 2009 seconded by Mr. McCaleb, with no further comments or discussions.

ROLL CALL: Mr. Landwehr – Yes; Mr. Marcom – Abstain; Mr. Bruns – Yes; Alderman Palazzolo – Yes; Mr. Smith – Yes; Mr. Sherman – Yes; Ms. Pahlow – Yes; Mr. McCaleb – Yes; Chairman Saunders – Yes

MOTION PASSED

Comment: The Chairman stated the Commission reviewed the items on tonight's agenda in the Executive Session meeting and the following items were added to the Consent Agenda:

2. CONSENT AGENDA

- a. Holiday Inn Express & Suites – 7784 Wolf Trail Cove – Request Approval for a Sign Package.
Randy Walker w/Velocity, Inc. - Representative
- b. Panera Bread – 7850 Poplar Avenue – Request Approval for a Sign Package.
Rachel Turner – Lauck w/ Cubellis – Representative
- c. Gary Myers Company – 9289 Poplar Avenue – Request Approval for a 90-Day Renewal of a Temporary Leasing Sign.
Mike Gayden w/Gayden Sign Company - Representative

Comment: The Chairman stated he would like to remind the Commissioners that all matters on the Consent Agenda constitutes an acknowledgement that the member has read and reviewed the application materials/plans/staff reports and determines further discussion or presentation of an item as necessary. He stated if there was anyone in the audience that would like an item pulled, please request so at this time, and in seeing none, he asked for a motion.

Alderman Palazzolo moved to approve the Consent Agenda, seconded by Mr. Bruns.

ROLL CALL: Alderman Palazzolo – Yes; Mr. Marcom – Yes; Ms. Pahlow – Yes; Mr. Smith – Yes; Mr. Sherman - Yes; Mr. Bruns – Yes; Mr. McCaleb – Yes; Mr. Landwehr – Yes; Chairman Saunders – Yes.

THE MOTION PASSED


STAFF'S COMMENTS / DISCUSSIONS REGARDING THE CONSENT AGENDA ITEMS

a. Holiday Inn Express & Suites – 7784 Wolf Trail Cove – Request Approval for a Sign Package.

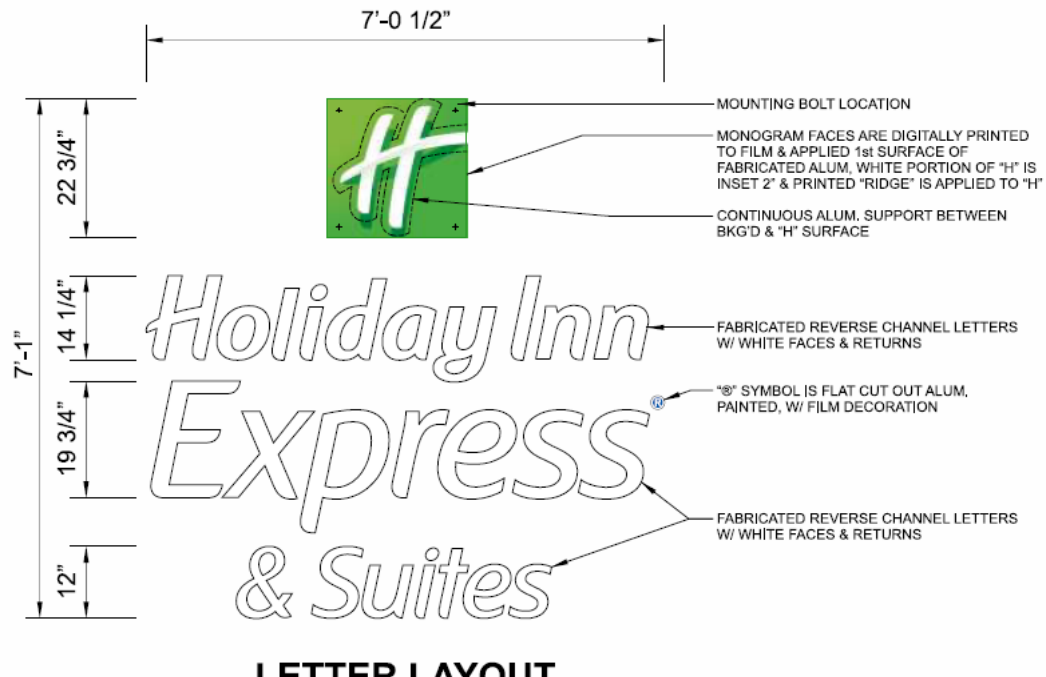

BACKGROUND: The Planning Commission gave preliminary and final subdivision plat approval to Lot 1 of the NOHAPA Trust Subdivision, and preliminary site plan approval for the Holiday Inn Express on September 5, 2006. The Planning Commission approved the final site plan on October 3, 2006. The DRC approved the preliminary plan on September 26, 2006 and the final plan on October 12, 2006. On March 24, 2009, the DRC approved decorative exterior lighting for the building.

DISCUSSION: The applicant is requesting approval of a total of 3 signs on the front and 2 sides of the building exterior:

SIGN 1:	
Location & Height:	On the front (south) building elevation. The height of the sign is 38 feet above the surrounding grade, oriented parallel to the building façade.
Message:	<p style="text-align: center;">7'-0 1/2"</p> <p style="text-align: center;">22 3/4"</p> <p style="text-align: center;">5'-11"</p> <p style="text-align: center;">14 1/4"</p> <p style="text-align: center;">19 3/4"</p> <p style="text-align: center;">LETTER LAYOUT</p> <ul style="list-style-type: none"> MOUNTING BOLT LOCATION MONOGRAM FACES ARE DIGITALLY PRINTED TO FILM & APPLIED 1st SURFACE OF FABRICATED ALUM. WHITE PORTION OF "H" IS INSET 2" & PRINTED "RIDGE" IS APPLIED TO "H" CONTINUOUS ALUM. SUPPORT BETWEEN BKG'D & "H" SURFACE FABRICATED REVERSE CHANNEL LETTERS W/ GREEN FACES & RETURNS "®" SYMBOL IS FLAT CUT OUT ALUM. PAINTED, W/ FILM DECORATION FABRICATED REVERSE CHANNEL LETTERS W/ BLUE FACES & RETURNS
Letter Size and Style:	see sign diagram above
Sign Area:	41.7 sq. ft.
Colors & Materials:	Letters: green and blue (color samples provided) Background: EIFS building façade Materials: 0.125 in. aluminum
Mounting Structure:	mounted with stainless steel bolts to EIFS façade material

Logo:	
Logo Area:	3.6 sq. ft.
Lighting:	backlighted with white LED
Landscaping:	NA

SIGN 2:	
Location & Height:	On the west (left side) building elevation. The height of the sign is 38 feet above the surrounding grade, oriented parallel to the building façade.
Message:	 <p style="text-align: center;">LETTER LAYOUT SCALE : 1/2" = 1'-0"</p> <ul style="list-style-type: none"> MOUNTING BOLT LOCATION MONOGRAM FACES ARE DIGITALLY PRINTED TO FILM & APPLIED 1st SURFACE OF FABRICATED ALUM. WHITE PORTION OF "H" IS INSET 2" & PRINTED "RIDGE" IS APPLIED TO "H" CONTINUOUS ALUM. SUPPORT BETWEEN BKG'D & "H" SURFACE FABRICATED REVERSE CHANNEL LETTERS W/ GREEN FACES & RETURNS "®" SYMBOL IS FLAT CUT OUT ALUM. PAINTED, W/ FILM DECORATION FABRICATED REVERSE CHANNEL LETTERS W/ BLUE FACES & RETURNS
Letter Size:	see diagram above
Letter Style:	Holiday Inn corporate font
Sign Area:	49.9 sq. ft.
Colors & Materials:	Letters: green and blue (color samples provided) Background: EIFS building façade Materials: 0.125 in. aluminum
Mounting Structure:	mounted with stainless steel bolts to EIFS façade material
Logo:	
Logo Area:	3.6 sq. ft.
Lighting:	backlighted with white LED
Landscaping:	NA

SIGN 3:	
Location & Height:	On the east (right side) building elevation. The height of the sign is 38 feet above the surrounding grade, oriented parallel to the building façade.
Message:	 <p style="text-align: center;">LETTER LAYOUT</p>
Letter Size:	see diagram above
Letter Style:	Holiday Inn corporate font
Sign Area:	49.9 sq. ft.
Colors & Materials:	Letters: white (color samples provided) Background: brick building façade Materials: 0.125 in. aluminum
Mounting Structure:	mounted with stainless steel bolts to the brick façade
Logo:	
Logo Area:	3.6 sq. ft.
Lighting:	backlighting with white LED
Landscaping:	NA

STAFF COMMENTS:


1. The sign on the south (front) elevation complies with the provisions of the sign regulations. The 2 additional signs on the east (right) and west (left) elevations comply with the sign regulations for sign area, material and logos, and can be approved by the DRC as “a wall sign on another wall”.

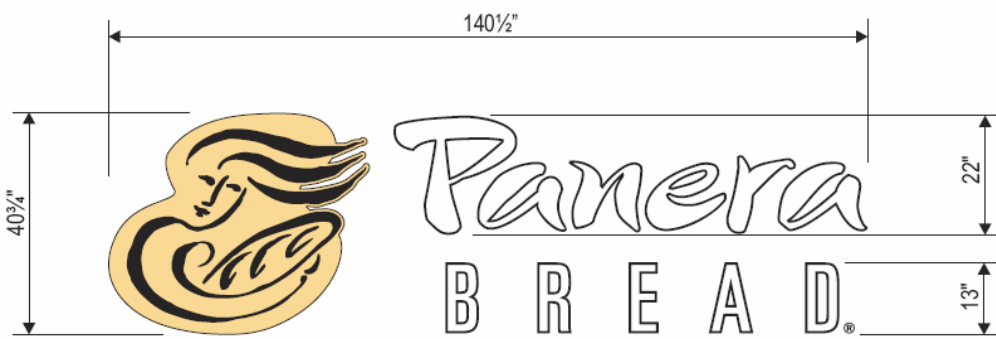

PROPOSED MOTION: To approve the request for a sign package for the Holiday Inn Express, subject to staff comments.

b. Panera Bread – 7850 Poplar Avenue – Request Approval for a Sign Package.

BACKGROUND: The previous tenant was Atlanta Bread Company.

DISCUSSION: The applicant is requesting approval for two (2) wall-mounted signs. The specifics of the request are as follows:

SIGN 1:	West Facing Sign – Exeter Road
Location & Height:	The height of the sign is approximately 13'-8.25" from the surrounding grade, oriented parallel to the building façade.
Message:	
Letter Size:	"P": 23" x 23.75" "anera": 15.75" x 17.75" "BREAD": 13.25" x 9.5" ".":
Letter Style:	"P": Custom font "anera": Custom font "BREAD": Custom font ".":
Sign Area:	33.3 sq. ft.
Colors & Materials:	Letters: Buff White w/ Matte Black Trim Background: Peach and Existing Brick Materials: Aluminum
Mounting Structure:	Stud mount
Logo:	 Requires a variance from §14-4(1) of the Sign Ordinance which prohibits signs that "show pictures of human figures."
Logo Area:	4 sq. ft.
Lighting:	Halo-lit with #3500 warm white neon tube illumination
Landscaping:	n/a

SIGN 2:	South Facing Sign – Poplar Avenue
Location & Height:	The height of the sign is approximately 17'-7.25" from the surrounding grade, oriented parallel to the building façade.
Message:	
Letter Size:	"P": 22" x 22.75" "anera": 15" x 18" "BREAD": 13" x 9.25"
Letter Style:	"P": Custom font "anera": Custom font "BREAD": Custom font
Sign Area:	39.8 sq. ft.
Colors & Materials:	Letters: Buff White w/ Matte Black Trim Background: Peach and Existing Brick Materials: Aluminum
Mounting Structure:	Stud mount
Logo:	 Requires a variance from §14-4(1) of the Sign Ordinance which prohibits signs that "show pictures of human figures."
Logo Area:	8 sq. ft. – Requires a variance from §14-34(e) (7) b of the Sign Ordinance which prohibits logos that "exceed ten percent of the allowable sign area."
Lighting:	Halo-lit with #3500 warm white neon tube illumination
Landscaping:	n/a

STAFF COMMENTS:

2. For Sign 1 (West Facing Sign), the building has 66'-8" of linear frontage, therefore allowing 33.4 sq.ft. of signage. The applicant is requesting a 33.3 sq.ft. sign.
 - a. A variance is required from §14-4(1) of the Sign Ordinance, which prohibit "signs which show pictures of human figures, animals or food, except for design review commission approved logos." The logo depicts an abstract human figure.

3. For Sign 2 (South Facing Sign), the building has 82' of linear frontage, therefore allowing 41 sq.ft. of signage. The applicant is requesting a 39.8 sq.ft. sign.
 - a. A variance is required from §14-4(1) of the Sign Ordinance, which prohibit “signs which show pictures of human figures, animals or food, except for design review commission approved logos.” The logo depicts an abstract human figure.
 - b. A variance is required from §14-34(e)(7)b of the Sign Ordinance which prohibits logos that “exceed ten percent of the allowable sign area; provided, however, that any border of a sign that is considered by the design review commission to be in proportion to the size of a sign shall not be considered to be a logo.” The logo is approximately 8 sq.ft., requiring a 3.9 sq.ft. variance from the allowed 4.1 sq.ft. logo area.
4. The applicant shall repair any holes or damage to the building façade from the previous sign.
5. If approved, the applicant must obtain a permit from the Memphis / Shelby County Office of Code Enforcement prior to installing the signs.

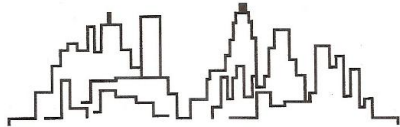
PROPOSED MOTION: To approve the request for a sign package for Panera Bread, located at 7850 Poplar Avenue, subject to staff comments.

c. Gary Myers Company – 9289 Poplar Avenue – Request Approval for a 90-Day Renewal of a Temporary Leasing Sign.

BACKGROUND: The applicant was issued a permit on November 10, 2008, for the display of a temporary leasing sign at the Poplar Collection shopping center for a 90-day period through February 9, 2009. The applicant was notified in mid-March by the Code Compliance division that the sign would need to be removed. After discussions with staff, the applicant is requesting a 90-day renewal period based on §14-62(f)(2) of the Sign Ordinance which allows the Design Review Commission (DRC) to renew permits for temporary leasing signs if the building meets the qualifications outlined in the ordinance.

DISCUSSION: The applicant is requesting approval for a 90-day renewal of a temporary leasing sign. The specifics of the request are as follows:

SIGN:	
Location & Height:	The sign will be located 35' from Poplar Avenue on the eastern end of the property, positioned perpendicular to the roadway. The height of the sign will be approximately 6' above the surrounding grade.
Message:	<div style="display: flex; align-items: center;"> <div style="text-align: center;"> <p>48"</p> </div> <div style="margin-left: 20px;"> <p>Requires a variance from §14-62(e)(2) which states, “real estate signs may advertise the sale, rental or lease of the premises and the identification of agents or company for the same and a telephone number.” The ordinance does not allow for logos or web addresses.</p> </div> </div>
Letter Size:	FOR LEASE: 9" The Gary Myers Company: 3"

	761-5595: 4” Garymyerscompany.com: 2.5”
Letter Style:	See attached.
Sign Area:	16 sq.ft.
Colors & Materials:	Letters: Black and White Background: Contrast White and Black Materials: Wood & Vinyl
Mounting Structure:	Ground-mounted by wooden poles.
Logo:	
Logo Area:	3.33 sq.ft.
Lighting:	n/a
Landscaping:	n/a

STAFF COMMENTS:

6. §14-62(f)(2) of the Germantown Sign Ordinance states, “real estate for lease signs shall be removed within 90 days after initial approval. The sign permit may be renewed, after application to and approval by the DRC, for one additional 90-day period, provided the property owner or his agent submits written documentation that the space has not yet been leased or that other space either currently is vacant or will be vacant within 30 days. Subsequent renewals shall be at the discretion of the design review commission, after a showing that: 1) leasable floor area within the building is, or will be within the immediate future, vacant; 2) other means to advertise the leasable area are not effective; and 3) the occupancy rate is, or will be within the immediate future, less than 85 percent. The DRC may approve a maximum of two 90-day renewals during the next 24 months.” The applicant will submit a letter responding to the three (3) requirements from this ordinance and it will be made available at the executive session.
7. The sign requires a variance from §14-62(e)(2) which states, “real estate signs may advertise the sale, rental or lease of the premises and the identification of agents or company for the same and a telephone number.” The ordinance does not allow for logos or web addresses.
8. If approved, the sign must be removed by July 28, 2009, at the end of the 90-day period.
9. If approved, the applicant must obtain a temporary sign permit from the Code Compliance Division of the Department of Economic and Community Development.

PROPOSED MOTION: To approve the request for a 90-day renewal of a temporary leasing sign, located at 9289 Poplar Avenue, subject to staff comments.

END CONSENT AGENDA

1. Panera Bread – 7850 Poplar Avenue – Request Approval for a Storefront Modification.

BACKGROUND: Panera Bread is moving into the space formerly occupied by Atlanta Bread Company.

DISCUSSION: The applicant is requesting Design Review Commission approval for storefront modifications to 7850 Poplar Avenue at Germantown Collection. Panera Bread wishes to modify the storefront, in order to bring the building façade in line with their national look.

Exterior Color & Materials: The existing brick wall and trim will remain on the façade of the building. The existing storefront door will be relocated closer to the south, and a new storefront door will be constructed towards the north end of the building. The applicant will be adding decorative awnings. The awnings will have the following colors: #6-115-1 “Panera Bread Plum”, #3-140-1 “Panera Bread Yellow”, #4-250-1 “Panera Bread Green”. Please refer to the front elevation plans for placement details of the awnings and doors.

Lighting: The storefront façade will feature nine (9) lighting fixtures (gooseneck lamps) with an aluminum finish. These “Angle RLM Shade” fixtures will have an opaque top and an open bottom to cast light onto the awning below. The height of these fixtures will be ten feet, six inches (10’-6”) above the surrounding grade. Please refer to the attached cut sheets for details.

STAFF COMMENTS:

1. Any reference to signage shall be disregarded. The applicant has requested sign approval as a separate application.
2. The Shelby County Code, Section 3-25 [Reference 1200-3-11-02 (Asbestos)] require building owners and/or operators to submit a notification of intent to do demolition or renovation at least ten (10) working days prior to the start of the activity even if no asbestos is present so compliance can be verified. Notification also includes the submittal of an asbestos survey report. Please contact the Health Department at (901) 544-7349 for more information.

PROPOSED MOTION: To approve the request for a storefront modification for Panera Bread, located at 7850 Poplar Avenue, subject to staff comments.

Adam Jackson from Centerville, VA and Rick Postal from Alexandria, VA representing Panera Bread explained that after speaking with Katie they were not sure if any decisions could be reached tonight but they were requesting feedback from the board on what their options would be.

After much discussion the board explained that they were quite pleased that Panera Bread was coming to Germantown and they wanted to help them as much as possible. However, they expressed their concerns with the awnings that they were requesting. The board decided to split the motion into two different motions and suggested that Panera Bread come back after they have come up with some other options for the awnings based on the board’s remarks.

PROPOSED MOTION #1: To approve the requested storefront modifications as related to the construction of the doorways.

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

Mr. Marcom moved to approve with the above changes, seconded by Mr. McCaleb.

ROLLCALL: Mr. Bruns – Yes; Alderman Palazzolo – Yes; Mr. Landwehr – Yes; Mr. Smith – Yes; Mr. Sherman – Yes; Mr. McCaleb – Yes; Ms. Pahlow – Yes; Mr. Marcom – Yes; Chairman Saunders – Yes.

MOTION PASSED

PROPOSED MOTION #2: To approve the requested awnings and lighting as submitted.

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

Mr. Sherman moved to approve with the above changes, seconded by Ms. Pahlow.

ROLLCALL: Mr. Bruns – No; Alderman Palazzolo – No; Mr. Landwehr – No; Mr. Smith – Yes; Mr. Sherman – Yes; Mr. McCaleb – No; Ms. Pahlow – Yes; Mr. Marcom – No; Chairman Saunders – No.

MOTION NOT PASSED

ADJOURNMENT

There being no further business, comments, or questions by the Commission, the Chairman adjourned the meeting at 6:50 p.m.