

**DESIGN REVIEW COMMISSION
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, March 24, 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 March 24, 2009. Chairman Saunders called the meeting to order at 6:15 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. Neil Sherman; Ms. Robbie Ann Pahlow; Mr. Ralph Smith; Alderman Mike Palazzolo.

COMMISSIONERS ABSENT:

Mr. Greg Marcom

DEVELOPMENT STAFF PRESENT:

Mr. Jerry Cook, Director of Economic & Community Development; 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 February 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 February 24, 2009 seconded by Mr. Sherman, with no further comments or discussions.

ROLL CALL: Mr. Landwehr – Yes; 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. Germantown Area Chamber of Commerce – 2195 South Germantown Road - Request a Three (3) Year Approval Temporary Event Banners for the Germantown Business Expo.
Pat Scroggs w/Germantown Area Chamber of Commerce - Applicant
- b. Subway – 9309 Poplar Avenue, Suite 103 – Request Approval for a Wall-Mounted Tenant Identification Sign.
Chris DuBois w/Holland Signs – Representative
- c. Hyatt Place at forest Hill Subdivision – Southeast corner of Winchester Road and forest Hill-Irene Road – Request Approval for a Sign Package.
Jason Cicalla w/H.A. Balton Sign Company - Representative
- d. Kiwanis Club of Germantown – 7771 Poplar Pike (Pickering Center) – Request a Three (3) Year Approval for Temporary Event Banners.
Don Eye w/Kiwanis Club – Applicant

- e. Holiday Inn Express – 7784 Wolf Trail Cove – Request Approval of Exterior Lighting.
Rick Patel - Applicant

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.

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

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

THE MOTION PASSED

STAFF'S COMMENTS / DISCUSSIONS REGARDING THE CONSENT AGENDA ITEMS

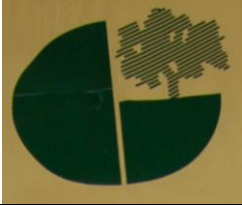
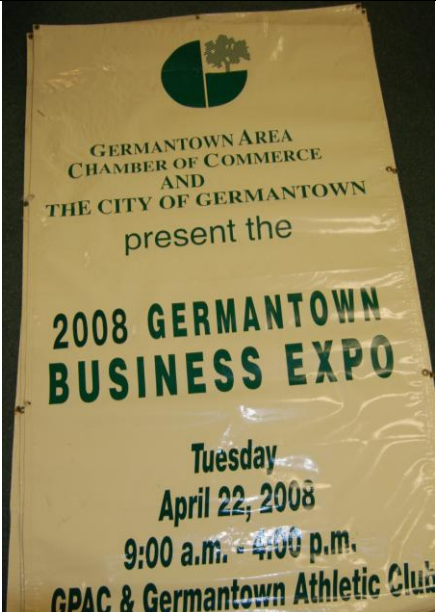
- a. **Germantown Area Chamber of Commerce – 2195 South Germantown Road – Request Three (3) Year Approval for Temporary Event Banners for the Annual Business Expo.**

BACKGROUND: In 1995, the Chamber of Commerce was first granted permission by the Design Review Commission (DRC) to place their banners advertising the Germantown Business Expo at the following five (5) 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 City Welcome sign);
3. Intersection of Poplar Avenue and Poplar Pike (next to City Welcome sign);
4. Entrance to Carrefour Shopping Center at Poplar Avenue (private property);
5. Germantown Road S. on southern edge of the City (next to the City Welcome sign).

In March, 2003, and March, 2006, the Chamber of Commerce was granted permission to use those same five locations for banner placement for the years of 2003, 2004 and 2005, and 2006, 2007 and 2008, respectively. Renewal is required for the placement of the banners in 2009, 2010 and 2011.

DISCUSSION: The City of Germantown is a co-sponsor with the Chamber of Commerce, of the Annual Business Expo, to be held on April 23, 2009. The applicant notes that the banners have been the primary way of generating awareness and attendance for the event, and thereby promote business in the community. The banners are to be erected two weeks prior to the event, beginning April 9th, and remain in place throughout the day of the event. The Chamber of Commerce requests approval for the years 2009, 2010 and 2011. On the next page are the specifics for the banners:

<u>Banners</u>	
Locations:	<ol style="list-style-type: none"> 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); 3. Intersection of Poplar Avenue and Poplar Pike (next to Germantown Welcome sign); 4. Entrance to Carrefour Shopping Center at Poplar Avenue (private property); 5. Germantown Road S. on southern edge of the City (next to the Germantown Welcome sign).
Size:	7' tall x 4' wide
Color:	Background: Off-white Lettering: Green
Logo:	
Mounting Structure:	Approved City metal banner frames
Content:	

Sign Subcommittee Report: The Sign Subcommittee met on March 12, 2009, and recommended this item for the consent agenda.

STAFF COMMENTS:

1. The DRC revised the policy on banners for municipal events at the June 2002 meeting. The policy is attached.


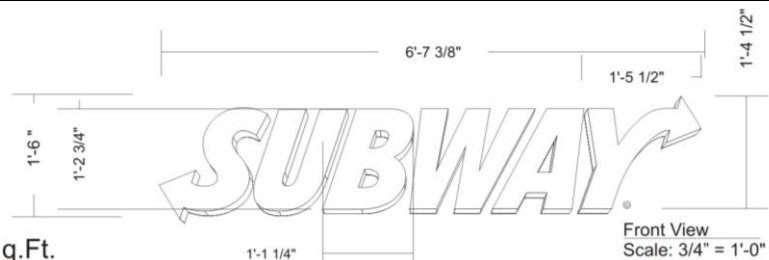
2. All banners will be placed next to the “Welcome to Germantown” entry corridors, with the exception of the Germantown Road and Farmington Boulevard intersection and the entrance to the Carrefour Shopping Center.
3. Article III of the City of Germantown Sign Ordinance, § 14-62 8(b) states in part that “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 three (3) year request for temporary event banners for the Annual Business Expo, subject to staff comments.

b. Subway – 9309 Poplar Avenue, Suite 103 – Request Approval for a Wall-Mounted Tenant Identification Sign.

BACKGROUND: The previous tenant was Bradley’s Famous Cheeseburgers.

DISCUSSION: The applicant is requesting approval of a wall-mounted tenant identification sign. The specifics of the request are as follows:

SIGN:	
Location & Height:	The height of the sign is approximately 17’ from the surrounding grade, oriented parallel to the building façade.
Message:	
Letter Size:	
Letter Style:	Subway: Arial Bold
Sign Area:	9.92 sq. ft.
Colors & Materials:	Letters: Subway: White Background: Existing Materials: Aluminum
Mounting Structure:	Stud mount
Logo:	n/a
Logo Area:	n/a
Lighting:	Reverse Channel Letters with Halo Illumination 45 Watts
Landscaping:	n/a

Sign Subcommittee Report: The Sign Subcommittee met on March 12, 2009, and recommended this item for the consent agenda.

STAFF COMMENTS:

4. The proposed sign meets all the requirements of the City of Germantown Code of Ordinance concerning signs in the “C-2” General Commercial zoning district.
5. The applicant shall repair any holes in the façade left by the removal of the previous sign.
6. 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 the wall-mounted tenant identification sign for Subway, located at 9309 Poplar Avenue, Suite 103, subject to staff comments.

c. **Hyatt Place at Forest Hill Subdivision – Southeast corner of Winchester Road and Forest Hill-Irene Road – Request Approval for a sign package for Hyatt Place at Forest Hill.**

BACKGROUND: The property is within the territory annexed into the City of Germantown in July 2000. The Forest Hill Heights PUD was approved by the Memphis and Shelby County Land Use Control Board on September 6, 1996, and by the Shelby County Commission on November 1, 1996. On August 7, 2001, the Planning Commission granted Final Plat approval for Forest Hill Heights PUD. On June 5, 2007, the Planning Commission granted preliminary and final site plan approval to the Hyatt Place Hotel. On June 26, 2007, the Design Review Commission granted preliminary and final plan approval to the Hyatt Place Hotel. On January 9, 2007, the Board of Mayor and Aldermen approved Project Development Contract #1156 for Hyatt Place Hotel.

DISCUSSION: The applicant is requesting approval of a sign package to allow two ground-mounted subdivision identification signs.

SIGN 1– Winchester Road

Location &

Height: Thirty feet behind and angled to the face of curb and 52 inches above the surrounding grade.

Message:



Letter Size: Hyatt Place: 9”
At: 4”
Forest Hill: 4.5”

Letter Style: Hyatt Corporate Font

Sign Area: 13.13 ft²

Colors &
Materials: Background: Brick, existing entrance feature
Letters: Black, Aluminum

Mounting
Structure: Stud mounted

Logo: None

Lighting: 175 watt flood lights (existing)

Landscaping: Existing Landscape

SIGN 2– Forest Hill-Irene Road

Location &
Height: Thirty feet behind and angled to the face of curb and 52 inches above the surrounding grade.

Message:



Letter Size: Hyatt Place: 9"
At: 4"
Forest Hill: 4.5"

Letter Style: Hyatt Corporate Font

Sign Area: 13.13 ft²

Colors &
Materials: Background: Brick
Letters: Black, Aluminum

Mounting
Structure: Stud mounted

Logo: None

Lighting: 175 watt flood lights (existing)

Landscaping: Existing Landscape

STAFF COMMENTS:

1. Section 14-34(e)(4) states that permanent project signs in commercial zones (C-1 and C-2) for development of two acres or more under single ownership ... shall be by special permit if recommended by the design review commission. The applicant is requesting two at each entrance of the development. The applicant is allowed 50 square feet per face per street frontage and is only requesting 13.13 per face per street frontage for a total of 52.52 square feet.

2. If approved, the applicant must obtain a permit from the Memphis / Shelby County Office of Code Enforcement prior to installing the signs.

SIGN SUBCOMMITTEE REPORT: The sign subcommittee met on March 12, 2009, and requested the applicant mount the sign in a way that would minimize damage to the brick if the sign were ever to be replaced.

PROPOSED MOTION: To approve the request for a sign package for Hyatt Place at Forest Hill Subdivision, located on the southeast corner of Winchester Road and Forest Hill-Irene Road in the "C-2" Commercial zoning district.

d. Kiwanis Club of Germantown – 7771 Poplar Pike (Pickering Center) – Request a Three (3) Year Approval for Temporary Event Banners.

BACKGROUND: The Kiwanis Club received Design Review Commission approval in 1999 (for 1-year), and in 2000, 2003 and 2006 (for 3 years) for a banner at the Pickering Center, which is the event location.

INTRODUCTION: Dan Eye, representing the Kiwanis Club of Germantown, is requesting Design Review Commission approval of temporary banners to announce the annual charity pancake day. The event is held at the Pickering Center at 7771 Poplar Pike, in the "R" Residential Zoning District.

DISCUSSION: The specific request by the applicant is for a three (3) year approval of temporary banners to announce the Kiwanis Club of Germantown's Annual Charity Pancake Day. The previous requests were for a single banner in front of the Pickering Center. The current request is for 2 banners: one at the Pickering Center and another by the Municipal Center at the Farmington Blvd. and Germantown Road intersection. The banner will be erected two weeks prior to Pancake Day, and removed immediately following the completion of the event. This year the event will be held March 28. The request complies with the DRC's banner policy.

The specifications of the proposed banner are as follows:

Location: In front of the Pickering Center at 7771 Poplar Pike, and by the Municipal Center at the Farmington Blvd/Germantown Rd. intersection. Both are to be setback thirty feet (30') from the face of the curb or edge of pavement. The banners will be mounted in the sign frames used for the Germantown Festival and the Germantown Charity Horse Show. The height of the banner will be six and a half (6'-6") feet from its surrounding grade.

Message: Kiwanis
Club of Germantown
Pancake Day
Saturday Morning
March 28
7:00 – 12:00

Pickering Center
7771 Poplar Pike

Sign Area: The height of the banner is six (6) feet, the width is four (4) feet, and the total square footage is twenty-four (24) square feet.

Colors & Materials: Cream/Beige vinyl background with blue lettering

Mounting

Structure: Sign will be attached to a metal frame

Logo: Kiwanis Club Logo – Globe with the letter K, surrounded by text stating, “Kiwanis International Foundation, A Permanent Share in Kiwanis Future”

Lighting: N/A

Landscaping: N/A

STAFF COMMENTS:

1. According to the Design Review Commission’s policy on banners, approval can be granted for up to three years. If this request is approved, the applicant or a representative from the Kiwanis Club shall submit a new application in February 2012.
2. The number, size and placement of the banners meet the criteria of the Design Review Commission’s policy on banners.

PROPOSED MOTION: To approve the request for a three-year approval of temporary banners for the Kiwanis Club Annual Pancake Day, subject to the comments contained in the staff report.

e. Holiday Inn Express – 7784 Wolf Trail Cove – Request Approval of Exterior Lighting.

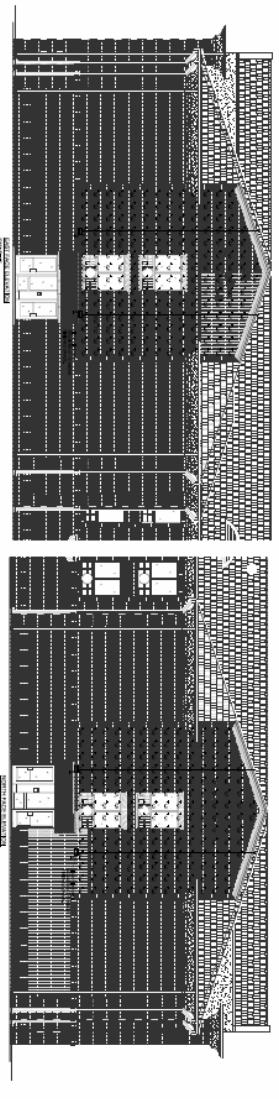
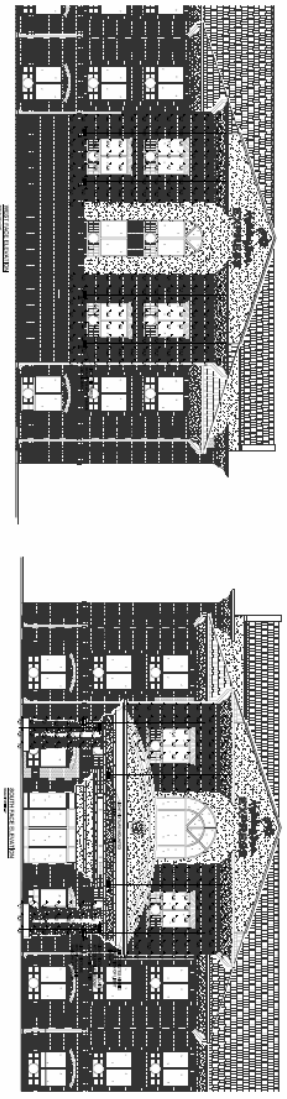
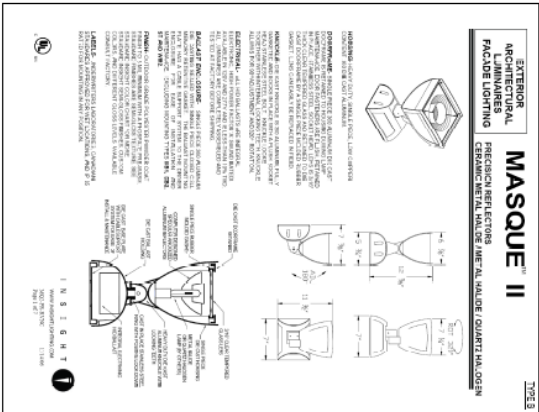
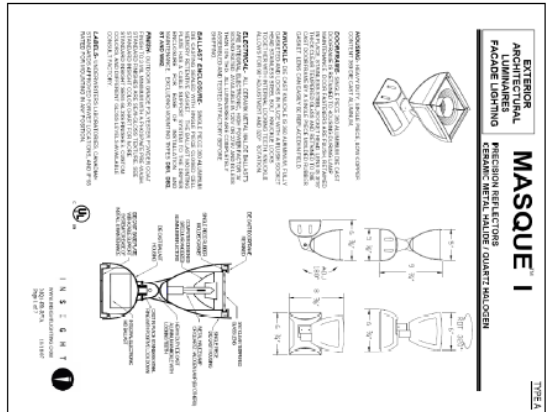
BACKGROUND: The Planning Commission gave preliminary and final subdivision plat approval to Lot 1 of the NOHAPA Trust Subdivision, and preliminary site plan approval for the Holiday Inn Express on September 5, 2006. The Planning Commission approved the final site plan on October 3, 2006. The DRC approved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

DISCUSSION: The applicant is requesting approval of a total of 14 decorative lights on the building exterior:

LOCATION	NUMBER	WATTAGE	TYPE	DETAILS
South building façade (main entrance)	two	70 – metal halide	downlights	“A” on porte-cochere columns
South building façade (main entrance)	four	150 – metal halide	uplights	“B” on elevation plan
North building façade	two	150 – metal halide	uplights	“B” on elevation plan
west building façade	four	150 – metal halide	uplights	“B” on elevation plan
east building façade	two	150 – metal halide	uplights	“B” on elevation plan

STAFF COMMENTS:

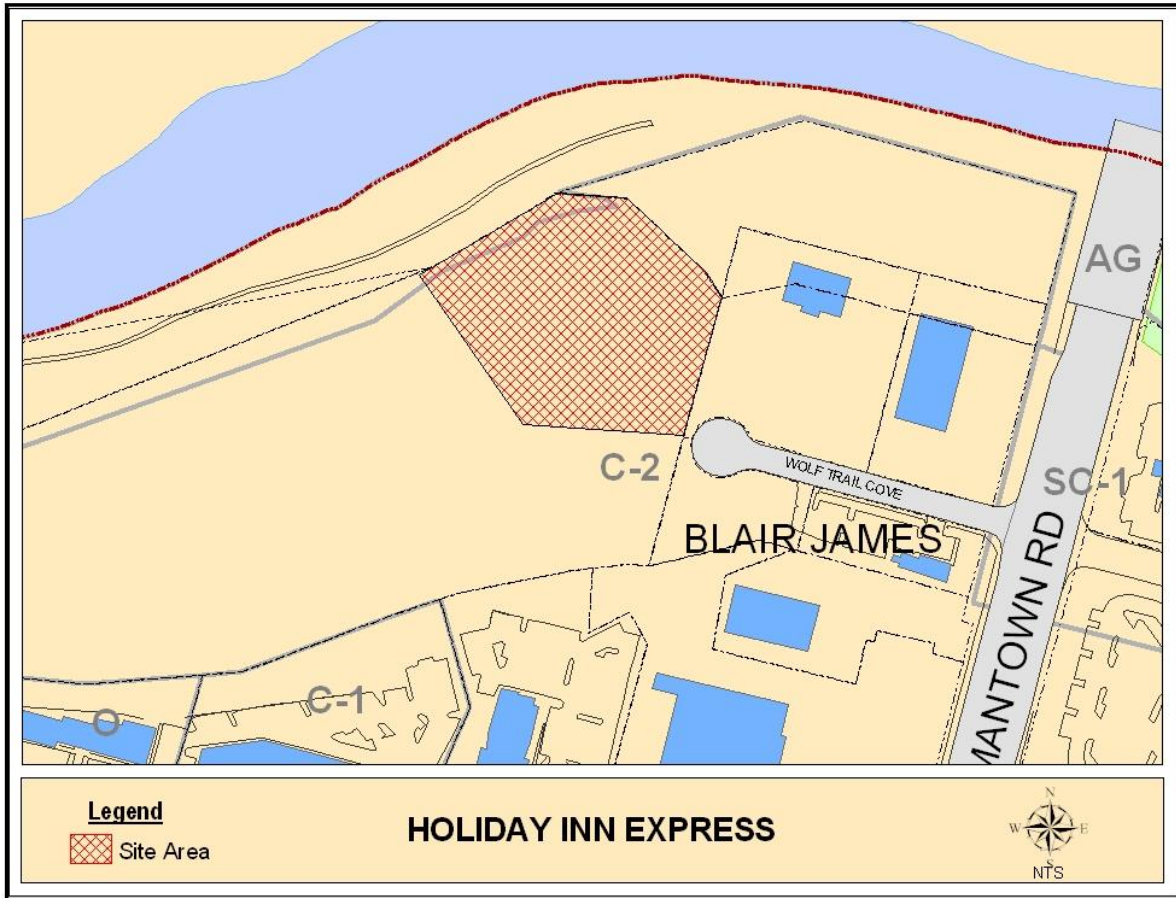
1. The signs shown on the elevation plans should be disregarded as signs have not yet been approved for the building.



LIGHTING FIXTURE SCHEDULE

MARK	INFO AND MODEL#	DESCRIPTION	LAMP	MOUNTING
1	MASQUE I	EXTERIOR QUARTZ HALOGEN FACADE LIGHTING	100 WATT QUARTZ HALOGEN	FIXED
2	MASQUE II	EXTERIOR QUARTZ HALOGEN FACADE LIGHTING	100 WATT QUARTZ HALOGEN	FIXED

ELECTRICAL CONSULTANT
 RICHARD E. KOHN
 LICENSE NO. 10010
 STATE OF NEW YORK







PROPOSED MOTION: To approve the request for decorative exterior lights at the Holiday Inn Express, subject to staff comments.

END CONSENT AGENDA

3. Hyatt Place Hotel – 9161 Winchester Road – Request Approval for Sign Variances and a Sign Package.

BACKGROUND: The property is within the territory annexed into the City of Germantown in July 2000. The Forest Hill Heights PUD was approved by the Memphis and Shelby County Land Use Control Board on September 6, 1996, and by the Shelby County Commission on November 1, 1996. On August 7, 2001, the Planning Commission granted Final Plat approval for Forest Hill Heights PUD. On June 5, 2007, the Planning Commission granted preliminary and final site plan approval to the Hyatt Place Hotel. On June 26, 2007, the Design Review Commission granted preliminary and final plan approval to the Hyatt Place Hotel. On January 9, 2007, the Board of Mayor and Aldermen approved Project Development Contract #1156 for Hyatt Place Hotel.

DISCUSSION: The applicant is requesting approval of a sign package and variances in total sign size and to allow internally illuminated signs.

SIGN 1 (Wall Sign – South elevation)

Location &
Height: On rear elevation, at a height of 45 feet above the surrounding grade.

Message:

HYATT PLACE

Letter Size: 18"

Letter Style: Hyatt Corporate Font

Sign Area: 34.33ft²

Colors &

Materials: Background: Aluminum

Letters: Black, Acrylic

Logo:



Mounting

Structure: Pin mounting with 2" spacers

Logo: 33.75" x 33.75" (7.9 square feet)



Lighting: Individually internally illuminated face lit channel letters and logo; LEDs, 60w.

Landscaping: N/A

SIGN 2 (Wall Sign – Winchester Road)

Location &

Height: Located above the main entrance, at a height of 45 feet above the surrounding grade.

Message:

HYATT PLACE

Letter Size: 3'

Letter Style: Hyatt Corporate Font

Sign Area: 115.6ft²

Colors &

Materials: Background: Aluminum
Letters: Black, Acrylic
Logo:



Mounting

Structure: Stud mounted

Logo: 38" x 38" (10 square feet)



Lighting: Individually internally illuminated face lit channel letters and logo; LEDs, 60w.

Landscaping: N/A

STAFF COMMENTS:

1. Section 14-34(c)(1) states that wall signs shall have a maximum total sign area of 50 square feet, or one-half square foot for each linear foot of building wall or lease space on which the sign is erected, whichever results in the smaller sign area. The total linear feet of the building frontage occupied by the business where the sign will be located is 240 feet and is on a corner lot. Therefore, the allowable size of each sign is 50 square feet for a total of 100 square feet. The applicant proposes signs with a total area of 149.93 square feet, so is therefore requesting a variance of 49.93 square feet. The applicant has provided a memo stating justification for the variance as well as a rendering showing the sign with the allowable square footage.
2. The logos proposed for each of the two wall signs equal 17.9 square feet, which is 12% of the requested sign area and 17.9% of the allowable sign area. Section 14-34(e)(7)(b) states that the area on the face of the sign that may be covered by a logo shall not exceed ten percent (10%) of the allowable sign area. If the variance for the total square footage of the wall sign is approved, the applicant will need variance of 7.9% for the proposed logo.
3. Section 14-5(7)(b) states that wall signs for the purpose of building identification only may be internally illuminated provided that any wall sign containing translucent letters is architecturally recessed into the building façade as approved by the DRC.
4. If approved, the applicant must obtain a permit from the Memphis / Shelby County Office of Code Enforcement prior to installing the signs.

SIGN SUBCOMMITTEE REPORT: The sign subcommittee met on March 12, 2009, and requested the applicant provide more information of the lighting of the signs, to provide photos of similar signs on existing Hyatt Hotels. They also questioned whether or not the signs were sufficiently recessed.

PROPOSED MOTION: To approve the request for a sign package with variances for Hyatt Place Hotel, located at 9161 Winchester Road in the “C-2” Commercial zoning district.

Mr. Jim Schumpert w/The Reaves Firm explained that their application is for two signs, one for the front and one for the rear of the building. He showed the board examples of how the signs would look and explained to them that there are differences between the new sign and the photographs being presented. This will be the first new Hyatt Place Hotel built in Tennessee. All other hotels that are already built have been retrofitted from existing hotels and their signage is a little bit different. He explained that the logo would not be as large as the picture that was being shown. The type face would be the same. However, the letters would be a little thinner, only 3 ½ inches deep, mounted 1/8 inch off the wall and constructed individually. He passed out the material sample that the sign would be made out of and explained that it would appear black during the day and at night it lets the light glow through the diffused acrylic face so it appears to be white. The reason for the variance and the signs is because this hotel will depend on its signage for its business and because it is so far off the road. From the street it is 350 feet to the face of the building.

Chairman Saunders explained that the board discussed this in the executive session and their biggest concern was the lighting and what it would look like at night. They wanted to make sure that the LED lighting will not come together with a sharp glow. After seeing the material that they are going to use, he feels confident it will give LED lighting a softer appearance. He also explained that the board really doesn't have a lot of experience with the LED's and they just need to make sure that the lighting is not too bright.

Mr. Jason Cicalla with H.A. Balton Sign Company explained that the bright light LED's are equivalent to 6500 neon.

After much discussion the board determined the lighting to be acceptable based on the material presented to them at the meeting and that they would be voting on the variance only.

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

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

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

MOTION PASSED

4. The Shops of Forest Hill – 9155 Poplar Avenue – Request Approval for an Addendum to the Shopping Center's Sign Policy.

BACKGROUND: The Board of Mayor and Aldermen approved the Village Shops of Forest Hill with Project Development Contracts 938 and 939 on December 18, 1990. On September 27, 2005, the DRC recommended approved an amendment to the sign ordinance to allow project directory signs. The Board of Mayor and Aldermen approved the amendment as Ordinance 2005- 19 on November 28, 2005. On January 24, 2006, the DRC approved the existing project directory sign that lists the primary tenants: Target, Schnucks, Malco and Marshalls. On August 26, 2008, the DRC approved the project directory signs for specialty tenants (the restaurant tenant's sign).

DISCUSSION: The applicant is requesting an amendment to the Shops of Forest Hill Sign Policy to include non-illuminated hanging tenant signs and four ground-mounted directional signs. The purpose of this signage is to enhance safe traffic flow of pedestrians and vehicles throughout the development.

STAFF COMMENTS:

1. The Shops of Forest Hill Sign Policy for hanging tenant signs and ground-mounted directional signs is attached.
2. The proposed hanging signs and directory signs are allowed by the sign regulations, but are not addressed by the center's sign policy. If approved, The Shops of Forest Hill Sign Policy will allow staff to grant administrative approval.

SIGN SUBCOMMITTEE REPORT: The sign subcommittee met on March 12, 2009, and requested the applicant reduce the total number of directory signs, reduce the number of tenants on each and move directory sign number 4. The applicant eliminated two of the directory signs from their application and moved sign number 4, but wishes to leave the number of tenants per sign as originally requested.

PROPOSED MOTION: To approve the request for a sign package with variances for Shops of Forest Hill, located at 9155 Poplar Ave. in the "SC-1" Shopping Center zoning district.

Mr. Jon Isbell w/Boyle Investments explained they were requesting an addendum to their sign criteria to allow for hanging tenant signs underneath the canopy and by doing this they are hoping to create more cross traffic shopping. With the request for directional signs they feel it will increase more store awareness as well as help the driver to locate the store in which they are wishing to shop.

After much discussion the board explained that they understood the need for the hanging tenant signs, but the directional signs are not necessary from a marketing point of view and feel that they would only clutter the area. The board explained to Mr. Isbell that his options were that he could either withdraw his request for the ground mounted directional signs and come back next month with a revised request or leave the request as is, in which case the chairman would call for a vote.

Mr. Isbell decided to withdraw his request for the ground mounted directional signs and will come back next month with a revised request.

Chairman Saunders advised Mr. Isbell to get with staff to see if there is something that can be done to utilize the ground mounted signs and take it to its fullest potential before they start looking at other avenues that may or may not be granted by the board.

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

Mr. Smith moved to approve with the above changes, seconded by Mr. Palazzolo.

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

MOTION PASSED

ADJOURNMENT

There being no further business, comments, or questions by the Commission, the Chairman adjourned the meeting at 7:02 p.m.