

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, April 7, 2015**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of the Municipal Center on April 7, 2015. Chairman Harless welcomed everyone and asked the Commission members as well as the audience to please speak into the microphone so they could be heard. Chairman Harless then called the meeting to order at 6:05 p.m., asking the secretary for the roll.

Commissioners Present: Susan Burrow, Hale Barclay, Mike Harless, George Hernandez, Alderman Forrest Owens, and Dike Bacon

Commissioners Absent: David Clark, and Rick Bennett

Staff Present: Alan Strain, David Harris, Wade Morgan, Tim Gwaltney, Cameron Ross, Sheila Pounder, and Pam Rush

2. Approval of Minutes for March 3, 2015

Chairman Harless 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 March 3, 2015. If there are no additions, corrections or deletions to the minutes of the March 3, 2015, meeting of the Planning Commission, he would entertain a motion for approval.

Ms. Burrow moved to approve the Planning Commission minutes of March 3, 2015, as submitted, seconded by Mr. Bacon.

Chairman Harless asked for a roll call.

Roll Call: Barclay – abstain; Burrow – yes; Hernandez – yes; Bacon – yes; Harless – yes; Owens – yes; Clark – absent; Bennett – absent; Palazzolo- absent. **The motion was passed**

3. Consent Agenda: Mr. Harless noted we have nothing on the consent agenda at the present time. However, he entertained a motion to put Regions Bank of Germantown on the consent agenda.

Chairman Harless made a motion to put Regions Bank of Germantown on the consent agenda, seconded by Ms. Burrow.

Chairman Harless asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez – yes; Bacon – yes; Harless – yes; Owens – abstain; Clark – absent; Bennett – absent; Palazzolo- absent. **The motion was passed**

Chairman Harless stated earlier that we voted and passed the consent agenda for adding the Regions Bank of Germantown. However, it was noted that we did not vote on the consent agenda. Therefore, at this point, I would like to have a motion to pass the consent agenda.

Ms. Burrow moved to approve the item on the Consent Agenda, subject to comments contained in the staff report, seconded by Mr. Hernandez.

Chairman Harless asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez – yes; Bacon – yes; Harless – yes; Owens – abstain; Clark – absent; Bennett – absent; Palazzolo- absent. **The motion was passed**

3. (a) Regions Bank Germantown – Lot 2, Wolf River Center Subdivision, Re-subdivision of Lot 3 and a part of Lot 2, Phase 1, 1st Addition - Request Preliminary and Final Site Plan Approval (Case#: 15-516)

INTRODUCTION:

Applicant Name:	Jack Marshall, w/BDG Architects – Representative
Location:	1284 Germantown Road
Zoning District:	“C-2” Commercial Zoning District

BACKGROUND: The subject site is Lot 2 in the Wolf River Center Subdivision, Re-subdivision of Lot 3 and a part of Lot 2, Phase 1, 1st Addition, (Plat Book 255, Page 2). The subject lot was originally platted as part of Lot 2 within the Wolf River Center Subdivision recorded in 1988. In 2004, the Planning Commission approved revisions to the subdivision plat of Lot 2 of the Wolf River Center Subdivision to create 6 lots, which included the subject site as a new Lot 2 in its current form. A similar site plan for AmSouth bank was approved in 2005, but was never built.

DISCUSSION: The plan proposes a 3,200 sq. ft., single story building to function as bank with 4 drive through lanes.

PLAN REVISIONS: The applicant has not made any changes to the proposed preliminary and final site plan. The applicant has submitted two exhibit: one exhibit addressing the Planning Commission Subcommittee’s comments concerning saving the four existing mature trees along Germantown Road and a second exhibit concerning the location and design of the entrance driveway into this site.

TOTAL SITE AREA	1.0868 ac.
BUILDING SIZES	3,200 s.f.
BUILDING HEIGHT	26’-10”
NUMBER OF PARKING SPACES	24 provided 20 required

STAFF COMMENTS:

A. PRIOR TO CONSTRUCTION PLAN APPROVAL

1. Revised the final plat title to read as follows: Wolf River Center Subdivision, Re-subdivision of Lot 3 and a part of Lot 2, Phase 1, 1st Addition.
2. Provide required fiscal impact information for this development.
3. Verify with Public Works if the water tap to this site is 6” or a regular service line.

B. GENERAL COMMENTS

1. All recorded easements shall be shown on the plat. A five (5) foot utility easement is required along all property lines, adjacent to and not within any other easement.

2. All survey data shall be tied to Tennessee State Plane Coordinates and the City of Germantown monumented survey control. The final plat, construction drawings and "as built" plans shall be submitted on electronic media in DXF format.
3. The developer shall enter into a Project Development Contract with the City of Germantown for this project after it has received Final approval from the Design Review Commission.
4. The applicant shall provide proof of TDEC approval for the water system and sanitary sewer system. Contact Bill Hinch with TDEC for information.
5. If approved, all materials shall be specified on the construction plans for the proposed project. The applicant must receive Final Construction Plan approval from the Department of Economic Community Development before the Memphis/Shelby County Office of Construction Code Enforcement may issue a building permit for the project.
6. The applicant is required to include the following formal written statement by a certified and licensed professional engineer to be placed on the grading and drainage plans, signed, dated and sealed:

I, _____, a duly licensed professional engineer in the State of Tennessee, hereby certify that I have designed the drainage in accordance with the Design Standards of the City of Germantown and have considered upstream and downstream conditions that affect drainage to include topography, present and future land use, existing zoning, and location of natural water courses.

7. No owner, developer, or tenant of property within the subdivision shall commit an act, or allow a condition to exist on property within the subdivision, which act or condition endangers life or health, violates the laws of decency, or obstructs or interferes with the reasonable and comfortable use of other property in the vicinity.
8. The Developer agrees to comply with the following requirements, unless otherwise authorized in writing by the City Engineer:
 - (a) All streets shall be kept clear and free of dirt and debris;
 - (b) All construction activity shall begin no earlier than 7:00 a.m. and end no later than 6:00 p.m., Monday thru Saturday, and no construction activity shall be permitted on Sundays; and
 - (c) The Developer and Lot Purchasers shall provide the Department of Community Development with the name, address and phone number of person(s) to be contacted and responsible for correcting any of the above should the occasion arise to do so.

STAFF RECOMMENDATION: Approval, subject to the Staff comments.

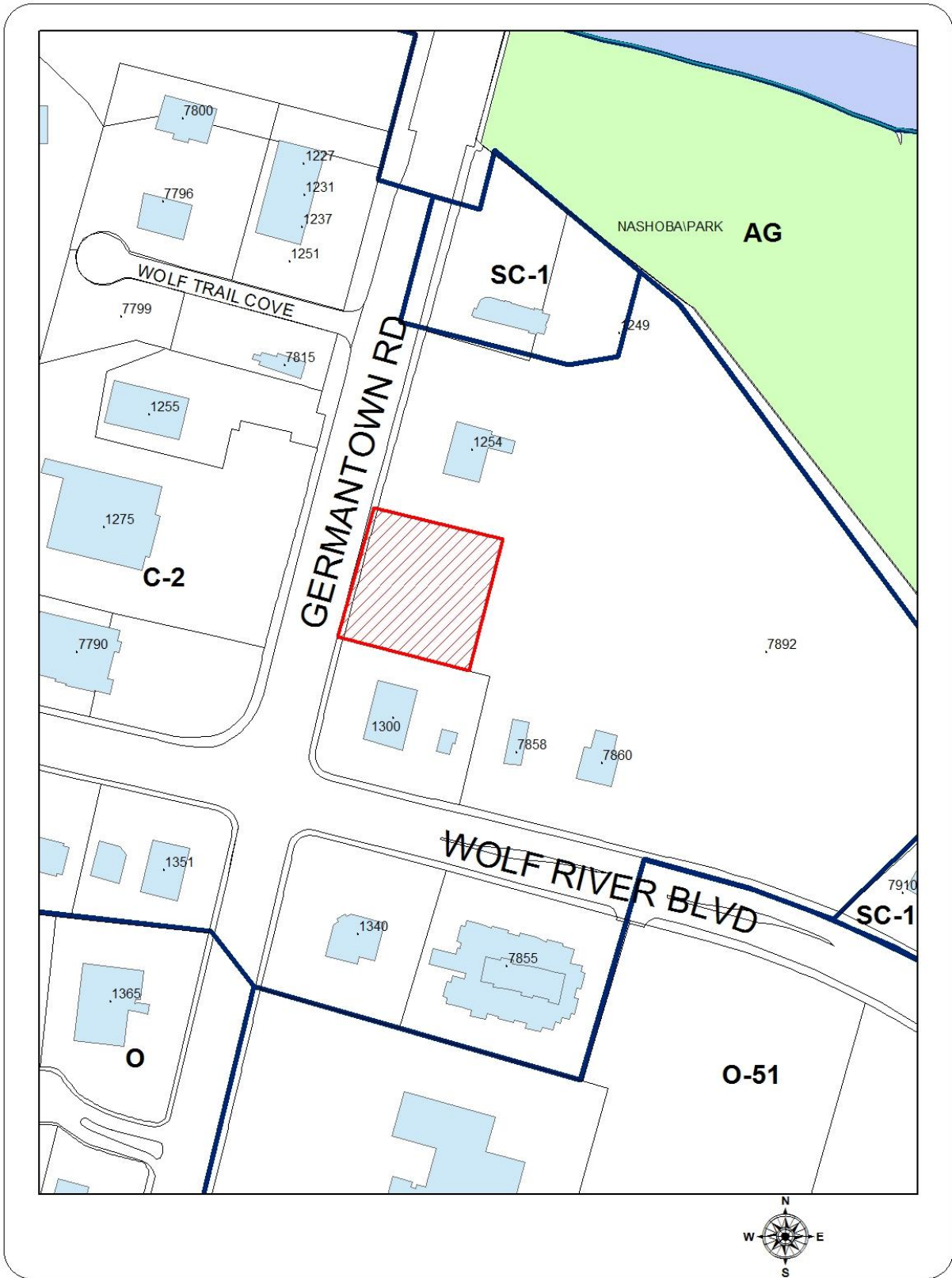
SUBDIVISION AND SITE PLAN SUBCOMMITTEE: The subcommittee met on March 18, 2015, and withheld a recommendation.

PROPOSED MOTION: To approve the preliminary and final site plan for the Regions Bank Germantown building at 1284 Germantown Road.

Ms. Burrow moved to approve the item on the Consent Agenda, subject to comments contained in the staff report, seconded by Mr. Hernandez.

Chairman Harless asked for a roll call.

Roll Call: Barclay – yes; Burrow – yes; Hernandez – yes; Bacon – yes; Harless – yes; Owens – abstain; Clark – absent; Bennett – absent; Palazzolo- absent. **The motion was passed**



4. VMS Germantown Office Building, Lot 2, Forest Hill Heights-Amended PUD, Phase 15, Request Final Site Plan Approval (Case #: 15-507)

INTRODUCTION:

Applicant Name:	Harvey Marcom, PE w/The Reaves Firm – Representative
Location:	9185 Crestwyn Hills Drive, East of Forest Hill Irene Road and South of Crestwyn Hills Drive
Zoning District:	“O-51” Office Zoning District

BACKGROUND: The subject site is Lot 2 in the Forest Hill Heights-Amended PUD, Phase 15, which is within the Forest Hill Heights Corporate Park Planned Development. The subject property was annexed as part of a larger land area (1,450 acres) by the City of Germantown in 2000. On September 11, 2000, the Board of Mayor and Aldermen approved a resolution accepting the Forest Hill Heights Corporate Park Planned Development, as previously approved by the City of Memphis and Shelby County, with certain exceptions. In an effort to maintain consistency throughout the partially developed PUD and incorporate the City of Germantown’s Ordinances and Regulations, the BMA approval of the resolution of acceptance included a set of conditions approved by the Planning Commission (shown on Attachment 1).

DISCUSSION: The plan proposes an 8,562 sq. ft., single story, office building.

PLAN REVISIONS: The applicant has not yet been able to reach an agreement with the owner of the adjacent Common Open Space area detention basin. The engineering consultant has prepared an alternative Grading and Drainage plan that provides underground detention on-site, routes storm drainage southeastward into an existing pipe in the property to the south, and avoids the necessity of an easement or construction in the adjacent COS.

TOTAL SITE AREA	1.139 ac.
BUILDING SIZES	8,562 s.f.
BUILDING HEIGHT	23’ .5” (To Top of Parapet)
NUMBER OF PARKING SPACES	42 provided 35 required

STAFF COMMENTS:

C. PRIOR TO FINAL SITE PLAN APPROVAL

1. Provide
 - a. A letter of agreement with property owner to the **east** concerning the new 15’x20’ drainage easement, or
 - b. A letter of agreement from the property owner to the **south** for the new drainpipe proposed on that property.

D. PRIOR TO CONSTRUCTION PLAN APPROVAL

1. Show the common access easement on the plat as a shared or hatched area.

2. Add BMA-approved conditions for the Forest Hill Heights PUD to the plat prior to recording (See attached BMA Resolution).
3. Include easement dedication plat for 5' utility easements and any drainage easements.

E. GENERAL COMMENTS

1. All recorded easements shall be shown on the plat. A five (5) foot utility easement is required along all property lines, adjacent to and not within any other easement.
2. All survey data shall be tied to Tennessee State Plane Coordinates and the City of Germantown monumented survey control. The final plat, construction drawings and "as built" plans shall be submitted on electronic media in DXF format.
3. The developer shall enter into a Project Development Contract with the City of Germantown for this project after it has received Final approval from the Design Review Commission.
4. The applicant shall provide proof of TDEC approval for the water system and sanitary sewer system. Contact Bill Hinch with TDEC for information.
5. If approved, all materials shall be specified on the construction plans for the proposed project. The applicant must receive Final Construction Plan approval from the Department of Economic Community Development before the Memphis/Shelby County Office of Construction Code Enforcement may issue a building permit for the project.
6. The applicant is required to include the following formal written statement by a certified and licensed professional engineer to be placed on the grading and drainage plans, signed, dated and sealed:

I, _____, a duly licensed professional engineer in the State of Tennessee, hereby certify that I have designed the drainage in accordance with the Design Standards of the City of Germantown and have considered upstream and downstream conditions that affect drainage to include topography, present and future land use, existing zoning, and location of natural water courses.
7. No owner, developer, or tenant of property within the subdivision shall commit an act, or allow a condition to exist on property within the subdivision, which act or condition endangers life or health, violates the laws of decency, or obstructs or interferes with the reasonable and comfortable use of other property in the vicinity.
8. The Developer agrees to comply with the following requirements, unless otherwise authorized in writing by the City Engineer:
 - (a) All streets shall be kept clear and free of dirt and debris;
 - (b) All construction activity shall begin no earlier than 7:00 a.m. and end no later than 6:00 p.m., Monday thru Saturday, and no construction activity shall be permitted on Sundays; and
 - (c) The Developer and Lot Purchasers shall provide the Department of Community Development with the name, address and phone number of person(s) to be contacted and responsible for correcting any of the above should the occasion arise to do so.

STAFF RECOMMENDATION: Approval, subject to the Staff comments (including either the original or alternate Grading and Drainage Plan).

Mr. Bacon noted when we discussed the original site plan and the existing 30-foot drainage easement to the south; as of now, it actually crosses the property corner. We really do not need an additional easement on that plat. The easement overlaps the property. Fortunately, it does not appear to need to be modified.

Mr. Morgan stated it might simply need to be enlarged.

Harvey Marcom with the Reaves Firm Inc., 6800 Poplar Avenue, Suite 101, Memphis, TN 38138, stated the technical aspect of the plat were reviewed and approved. The item about the detention easement came about; and in my years of practicing, he has never come across the situation where you had obtain an easement to drain your water into a detention common area open space. This has already been set aside with plat and that is where we find it. The detention area now belongs to a new owner; with some back and forth there, we did not seem like we were making any head way with that regards. Therefore, we went to the south and talked to people up there. We had conversation with the property owners, a company called Anchor Investment in Nashville, TN. They are interested in making sure that the common open space is viable, because that is part of their detention system.

Therefore, to that regard, we certainly seek approval of the Planning Commission. However, we would like to make sure that we have the option to go with either plan A or plan B. Plan B is more expensive, we don't really feel like there is a plan for plan B, because that was set aside as a detention facility.

Mr. Bacon commented I hope that we can resolve this situation in the future. I know we have had a lot of discussion about this; tonight we are approving unfortunately the more costly of plan B as the site plan.

Mr. Marcom asked if our plan is able to obtain access to the detention basin, would we be able to go back to plan A?

Mr. Morgan answered yes; the way the comments are written.

- a. A letter of agreement with property owner to the east concerning the new 15'x20' drainage easement, or
- b. A letter of agreement from the property owner to the south for the new drainpipe proposed on that property.

Chairman Harless asked is it clear in the proposed motion with the language, if we approve this proposal, which provides option A or B? It said subject to staff report.

Mr. Morgan said it is listed as comment "a" that the agreement of the property owner to the east or agreement of the property owner of the south. Either is acceptable.

SUBDIVISION AND SITE PLAN SUBCOMMITTEE: The subcommittee met on February 18, 2015, and withheld a recommendation.

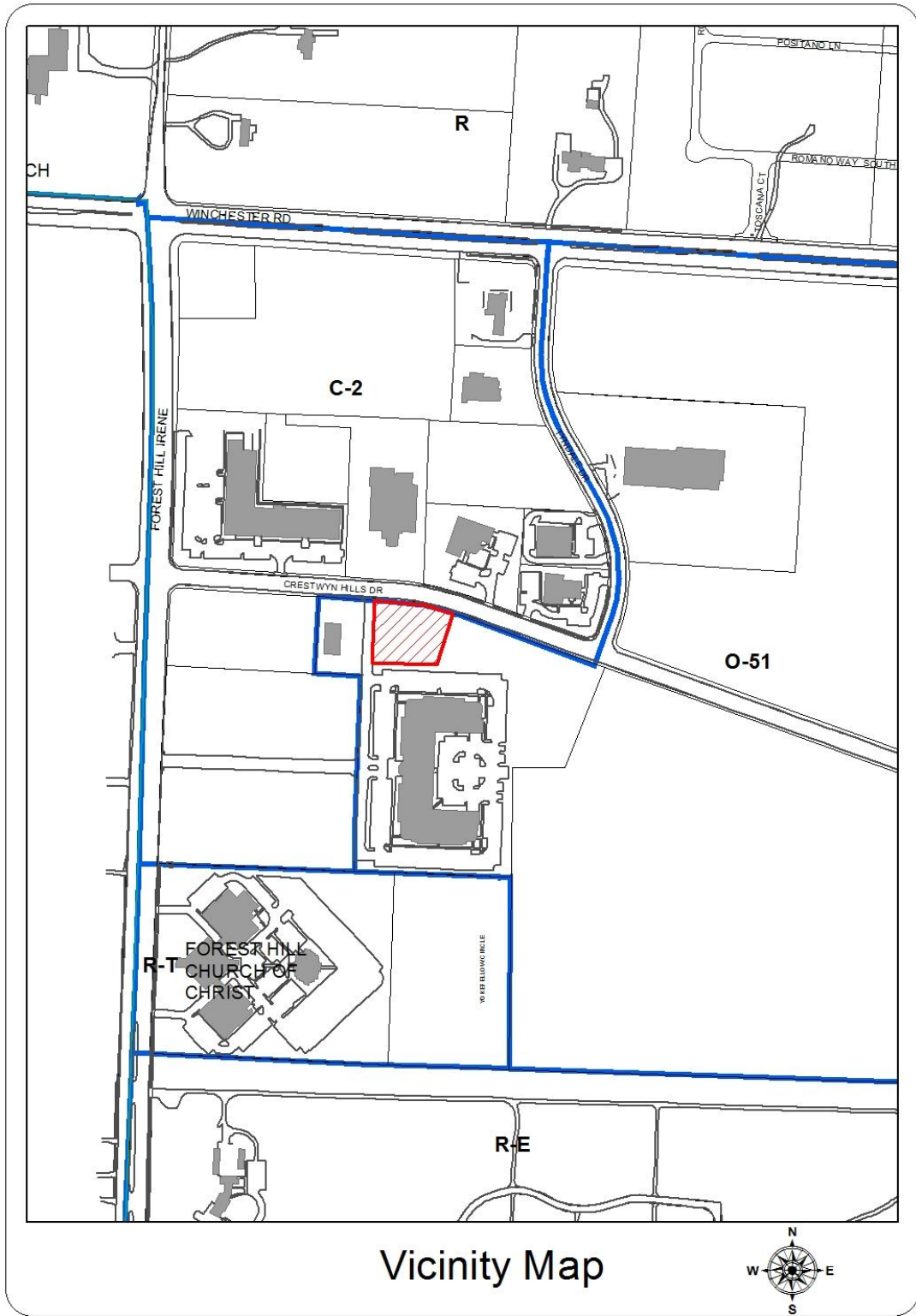
PROPOSED MOTION: To approve the final site plan for the VMS Germantown office building on Lot 2, Forest Hill Heights-Amended PUD, Phase 15, subject to the staff comments listed in the staff report.

Mr. Bacon moved to approve the final site plan for the VMS Germantown office building on Lot 2, Forest Hill Heights-Amended PUD, Phase 15, subject to the staff comments listed in the staff report, as submitted, seconded by Ms. Burrow.

Chairman Harless asked for a roll call.

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

Alderman Owens made a comment that was my understanding that we were approving A or B. I would encourage our staff to do whatever you can to assist in facilitating option A, so this developer does not have the needless expense of \$20,000 of pipe for the detention facility. That clearly proves, as the Planning Commission knows, of the intent of this facility to be used for detention, and now someone has purchased this on the Shelby County Courthouse step, and holds the developer hostage for some ransom amount.



Vicinity Map



February 6, 2015

Mr. Wade Morgan
Chief Planner
City of Germantown
1920 S. Germantown Road
Germantown, TN 38138

**RE: VMS – Germantown Office Building
9185 Crestwyn Hills Drive - Germantown, TN**

Dear Wade:

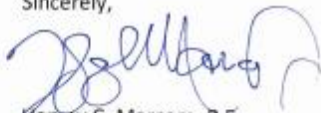
Please find enclosed an application seeking Preliminary and Final Site Plan approval from Germantown Planning Commission for the referenced project. Valenti Mid South Realty II, LLC (VMS) proposes to construct a one-story office building approximately 8,562 SF in size. The building is to be constructed on Lot 2 of Phase 16 of the Forest Hill Heights-Amended P.D. An existing detention facility serves Phases 15, 16 and 17.

Regarding the fiscal impact of the project on the City of Germantown, Valenti Management, whose corporate headquarters is located in Tampa, Florida, has 4,860 employees. The proposed Germantown office will be servicing the company's Valenti Mid-South LLC market. VMS has a total of 1,800 employees spread out in our different restaurants in the surrounding Memphis DMA. The proposed Germantown Office will have 16 full time employees that will work 100% out of the office. It will also have 9 District managers, 8 Maintenance, 6 Development and 2 Police/Security employees that work partially in this office and in the field. The building will also be used as an office training facility for 435 employees annually.

VMS's capital investment in the City of Germantown will include \$1.2 M to construct the proposed Germantown Office. In addition, VMS will be also be investing an extra \$1M in the City for two Germantown IA restaurant remodels that currently employ 56 people. The construction and maintenance of these projects will employ 50-75 additional people/subcontractors in the Germantown community.

We look forward to working with Staff and the Planning Commission on the successful approval of this project. Please feel free to contact me if you have any questions.

Sincerely,



Harvey C. Marcom, P.E.
President
Enc.

Cc: Troy Valenti, Joe Tomasello

DATE RECEIVED _____

CITY OF GERMANTOWN
PLANNING COMMISSION APPLICATION

(Check all that apply): Sketch Plan; Preliminary Site Plan; Final Site Plan
 Minor Subdivision; Preliminary Plat; Final Plat
 Grading/Tree Removal; WTF (Wireless Transmission Facility)
 Rezoning From: _____ To: _____
 Other: _____

PROJECT INFORMATION

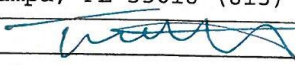
Project Name: VMS Germantown Office Building
 Address: 9185 Crestwyn Hills Drive & Tyndale-Germantown, TN
 Project Description: Construction of a new single story office building approximately 8,562 SF in area.
 No. of Acres: 1.139 acres Parcel Identification Number(s): G2043-00401

PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES FROM THE SUBDIVISION AND ZONING REGULATIONS.

OWNER INFORMATION

Name (Print): Technology Park Partners Address: 1750 Madison Avenue, Ste. 103
 Phone No.: (901) 335-8335 Fax No.: Memphis, TN 38103 (901) 272-0478
 Email Address: joelsmith200@icloud.com Signed _____

DEVELOPER INFORMATION

Name: Valenti Mid-South Realty II, LLC Address: 3450 Buschwood Park Dr. Ste. 195
 Phone No.: (813) 935-8777 Fax No.: Tampa, FL 33618 (813) 935-6446
 Email Address: troy@restmgt.com Signed 

AGENT/REPRESENTATIVE INFORMATION

Name: Harvey C. Marcom, P.E. Title: President
 Company Name: The Reaves Firm, Inc. Address: 6800 Poplar Ave. Suite 101
 Phone No.: (901) 761-2016 Fax No.: Memphis, TN 38138 (901) 763-2847
 Email Address: hmarcom@reavesfirm.com
 Who will represent this proposal at the Planning Commission meeting? Harvey C. Marcom P.E.-The Reaves Firm

ENGINEER/SURVEYOR INFORMATION

Engineer Name: Harvey C. Marcom, P.E. Address: 6800 Poplar Ave. Suite 101
 Phone No.: The Reaves Firm 901.761.2016 Fax No.: 901-763-2847
 Email Address: hmarcom@reavesfirm.com
 Surveyor Name: Michael K. Frye, R.L.S. Address: 6800 Poplar Ave. Suite 101
 Phone No.: The Reaves Firm 901-761-2016 Fax No.: 901-763-2847
 Email Address: mfrye@reavesfirm.com

DISCLOSURE OF OWNERSHIP INTERESTS

In order to assist staff and appointed and elected officials of the City of Germantown in complying with Ordinances of the City relating to conflicts of interest, the following information is required to be furnished:

1. For Profit Entities. If the applicant submitting this Application ("Applicant") is a for-profit entity, i.e. general partnership, limited partnership, corporation, limited liability company, R.E.L.T., a trust, or any other form of for-profit business entity, the authorized representative of the Applicant must list below the respective names and business or home addresses of all persons or entities which own 10% or more of the ownership interests in the Applicant. (If another business entity owns 10% or more of the ownership interests in the Applicant, all persons owning a 10% or more interest in such last mentioned entity must be identified by name and business or home address.) (If a trust owns a 10% or more interest in the Applicant, all beneficiaries of 10% or more of the trust assets must be identified by name and business or home address.) The amount of ownership interest does not have to be disclosed.

Applicant: Technology Park Partners

Persons or Entities Owning 10% or More of the Ownership Interests of the Applicant:

Name	Business or Home Address
<u>Ron Anderson</u>	<u>3106 Professional Plaza Germantown, TN 38138</u>
<u>Rhett Hailey</u>	<u>3440 Hollow Creek Rd Germantown, TN 38138</u>
<u>Joel Smith</u>	<u>5340 Sycamore Grove Memphis, TN 38120</u>
<u>Russell Gwatney</u>	<u>7300 Winchester Rd Memphis, TN 38125</u>
<u>Irving Weiss</u>	<u>5515 Ridgeway Ct. Westlake Village, CA 91362</u>

2. For Profit Entities: If the owner and any lessee of the land which is the subject of this Application ("Owner and Lessee") is a for-profit entity, i.e. general partnership, limited partnership, corporation, limited liability company, R.E.L.T., a trust, or any other form of for-profit business entity, the authorized representative of the Owner and Lessee must list below the respective names and business or home addresses of all persons or entities which own 10% or more of the ownership interests in the Owner and Lessee. (If another business entity owns 10% or more of the ownership interests in the Owner and Lessee, all persons owning a 10% or more interest in such last mentioned entity must be identified by name and business or home address.) (If a trust owns a 10% or more interest in the Owner and Lessee, all beneficiaries of 10% or more of the trust assets must be identified by name and business or home address.) The amount of ownership interest does not have to be disclosed.

Owner and Lessee: _____

Persons or Entities Owning 10% or More of the Ownership Interests of the Owner and Lessee:

Name	Business or Home Address
_____	_____
_____	_____
_____	_____
_____	_____
	35242

5. Rezoning of 2.79 Acres within The Enclave PUD, Phase 6 (Case #: 15-509)

INTRODUCTION:

Applicant Name:	City of Germantown - Applicant
Location:	North Side of Phase 6, North of Baynard Loop West and Baynard Loop North
Current Zoning District:	“AG” Agricultural Zoning District
Proposed Zoning District:	“R-3” Two Family Residential District

BACKGROUND: The subject site is part of Phase 6 of the Enclave PUD. The Enclave PUD was originally approved by the Planning Commission on January 6, 2004, and by the Board of Mayor and Aldermen on February 9, 2004. The Phase 6 preliminary and final plan was approved by the PC on July 6, 2014.

DISCUSSION: During the detailed mapping of Phase 6 into the City’s Geographic Information System (GIS), the GIS staff noticed that several lots within Phase 6 appeared to extend beyond the boundary of the R-3 zoning district, and into the Agricultural (AG) zoning district. More research into the original zoning of the surrounding area and the zoning of The Enclave confirmed that a 2.79-acre section of The Enclave was within the AG zoning district. All or parts of seventeen planned lots and a Common Open Space area are within the AG district.

Staff recommends the rezoning of the 2.79-acre area to the Two Family Residential (R-3) district, so as to match the zoning of the remainder of The Enclave.

STAFF COMMENTS:

1. The 2.79 acre, AG-zoned area is within the original area of the Enclave PUD master plan.

STAFF RECOMMENDATION: Approval.

ZONING AND ANNEXATION SUBCOMMITTEE: (SUSAN BURROW, CHAIRMAN) – the subcommittee met on March 18, 2015 and withheld a recommendation.

PROPOSED MOTION: To recommend the approval of the rezoning from the AG district to the R-3 district of 2.79 acres of the northern section of Phase 6 of the Enclave PUD.

Ms. Burrow recommend the approval of the rezoning from the AG district to the R-3 district of 2.79 acres of the northern section of Phase 6 of the Enclave PUD, subject to the staff comments listed in the staff report, as submitted, seconded by Mr. Hernandez.

Chairman Harless asked for a roll call.

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

Mr. Barclay voted yes; due to the over sight of the original zoning on the site.
Mr. Bacon voted yes; the planned area is too consistent with the over-all plan.
Ms. Burrow voted yes; due to the over sight of the original zoning on the site.



ENCLAVE P.D. - MASTER PLAN
GERMANTOWN, TENNESSEE
PROJECT BY:
DUNTREATH PARTNERS

1
1

DATE RECEIVED 2-20-15

CITY OF GERMANTOWN
 PLANNING COMMISSION APPLICATION

(Check all that apply): Sketch Plan; Preliminary Site Plan; Final Site Plan
 Minor Subdivision; Preliminary Plat; Final Plat
 Grading/Tree Removal; WTF (Wireless Transmission Facility)
 Rezoning From: AG To: R-3
 Other: _____

PROJECT INFORMATION

Project Name: ENCLAVE P.U.D, Phase 6
 Address: Northwest from Forest Hill-Treene & Wolf River Blvd. intersection
 Project Description: Rezoning of a portion of Enclave PUD, Phase 6
 No. of Acres: 2.79 Parcel Identification Number(s): D02 21 590
D02 21 598
 PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES FROM THE SUBDIVISION AND ZONING REGULATIONS.

OWNER INFORMATION

Name (Print): Enclave 5x6 Joint Venture Address: 955 Reddick Cove Memphis, TN 38119
 Phone No.: 901-570-5771 Fax No.: _____
 Email Address: jdukehome1@aol.com Signed _____

DEVELOPER INFORMATION

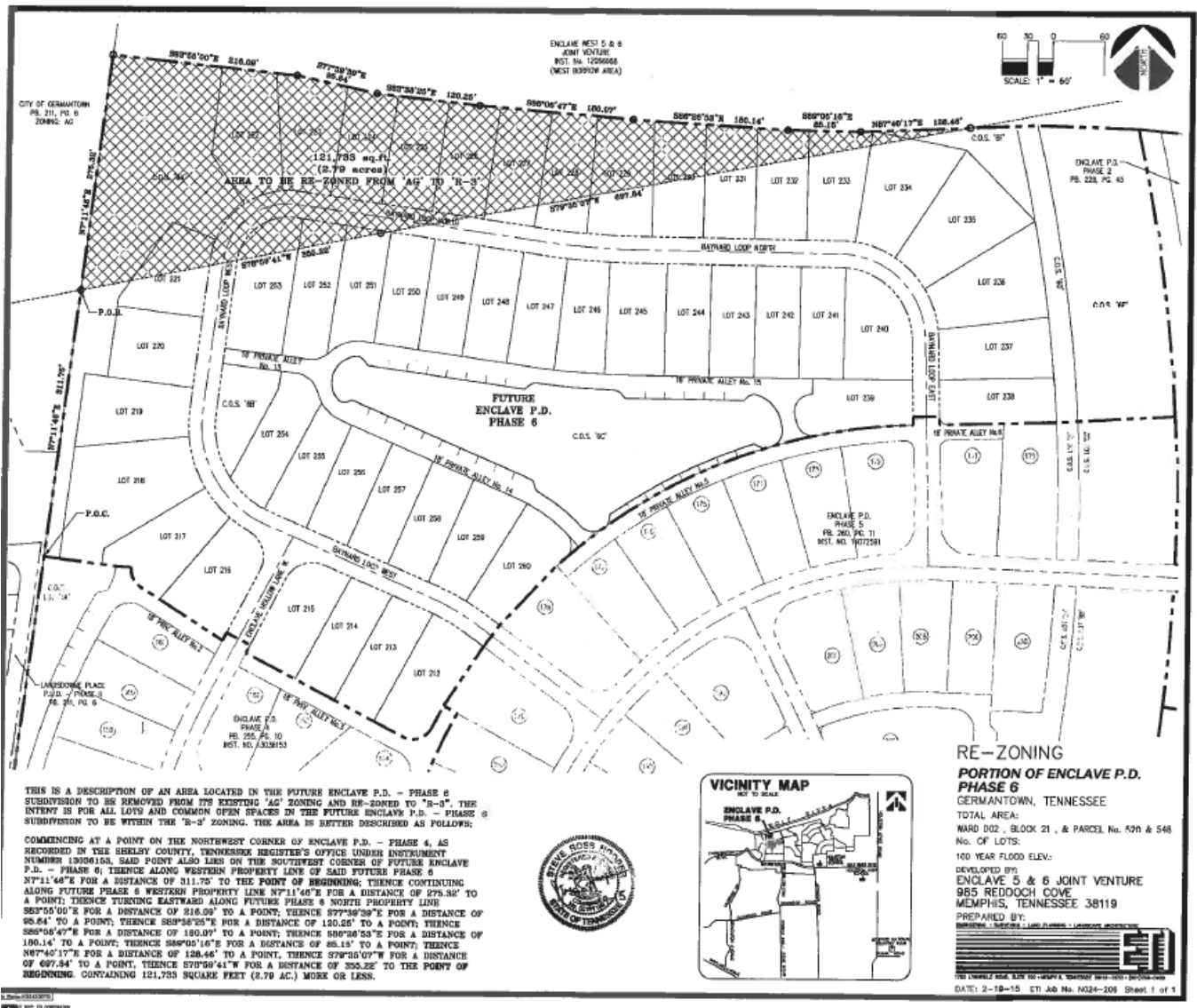
Name: SAME as above Address: _____
 Phone No.: _____ Fax No.: _____
 Email Address: _____ Signed _____

AGENT/REPRESENTATIVE INFORMATION

Name: Wade Morgan Title: Chief Planner
 Company Name: City of Germantown Address: 1920 S. Germantown Road Memphis, TN 38119
 Phone No.: 901-757-7295 Fax No.: 1
 Email Address: WMorgan@germantown-tn.gov
 Who will represent this proposal at the Planning Commission meeting? Wade Morgan

ENGINEER/SURVEYOR INFORMATION

Engineer Name: ETI Corp. Address: 1755 Lynafield Rd, Ste 100, Memphis TN 38119
 Phone No. 901-758-0400 Fax No.: _____
 Email Address: sheaper@eticorp.com
 Surveyor Name: ETI Corp. Address: Same as above
 Phone No.: 901-758-0400 Fax No.: _____
 Email Address: Cperry@eticorp.com



6. Modification of the Maple Grove Subdivision Plat

INTRODUCTION:

Applicant Name:	Ben Coletta and Katie Grown – Owners
Location:	2659 Sweet Maple Cove, Lot 29 of Maple Grove Subdivision
Zoning District:	“R” Low Density Residential Zoning District

BACKGROUND: The Maple Grove Subdivision was approved by the Planning Commission on November 1, 1994, and by the Board of Mayor and Aldermen on November 28, 1994 (Development Contract 377). There were numerous storm water drainage issues associated with the Maple Grove subdivision and the abutting Shady Creek subdivision, which were discussed during the PC’s

deliberations on the Maple Grove subdivision. The PC placed an “open space” designation on Lot 29 as part of its approval. The lot was part of the Shady Creek HOA common open space.

Jerry and Paula Coletta purchased the lot from the Shady Creek HOA on Feb. 28, 2000. Mr. Coletta’s children now own the lot.

DISCUSSION: The current lot owners, Ben Coletta and Katie Grown, request to have the open space designation removed. In the years since the open space, designation was placed on the lot, various drainage improvements to the Shady Creek Lake and area storm water facilities have been made. Those improvements have made the open space designation of Lot 29 unnecessary.

STAFF COMMENTS:

1. The Maple Grove Subdivision plat will be re-recorded with the “open space” designation on Lot 29 removed.
2. The minimum Finished Floor Elevation of 303.5 ft. shall be noted on the subdivision plat.

STAFF RECOMMENDATION: Approval, subject to the comment listed above.

Mr. Bacon stated the original intent for the subdivision was to approve and set aside this lot for drainage issues. We do not have any drainage plans associated with this application. Therefore, based on staff study of the improvements, those drainage issues from 1994 do not exist anymore?

Mr. Morgan answered yes that is correct.

Ms. Katie Grow Yokie, 6064 Jackson Street, Arlington, TN stated my father previously owned this property and I think he had every intention to building on this lot. It is a beautiful lot in the middle of Germantown. We inherited it upon my father’s death and we want to sell it. We believe it would help the subdivision.

SUBDIVISION AND SITE PLAN SUBCOMMITTEE: (DIKE BACON, CHAIRMAN): The subcommittee met on March 18, 2015 and withheld a recommendation.

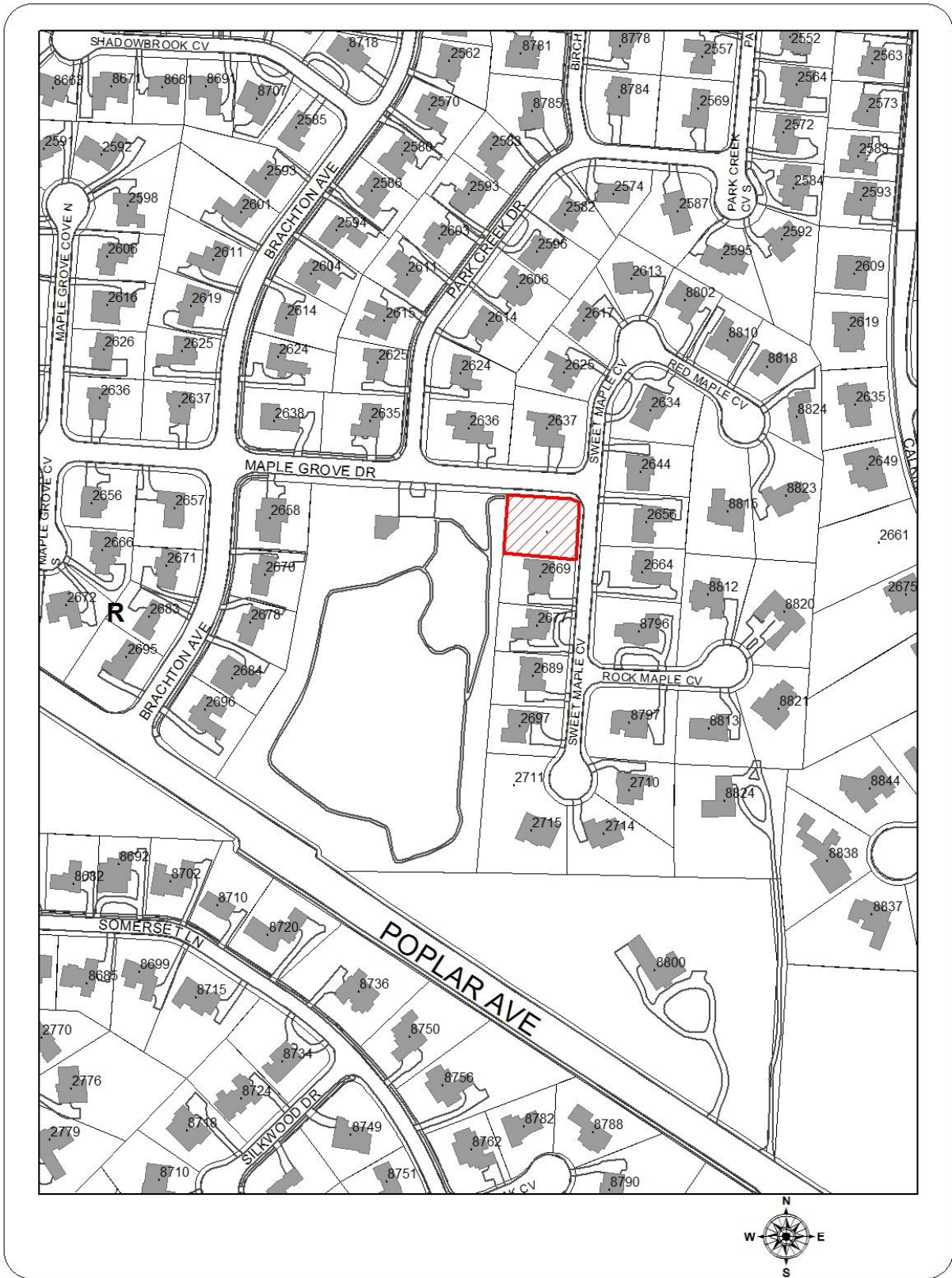
PROPOSED MOTION: To approve the modification to the Maple Grove Subdivision plat to remove the “open space” note on Lot 29, subject to staff comments noted above.

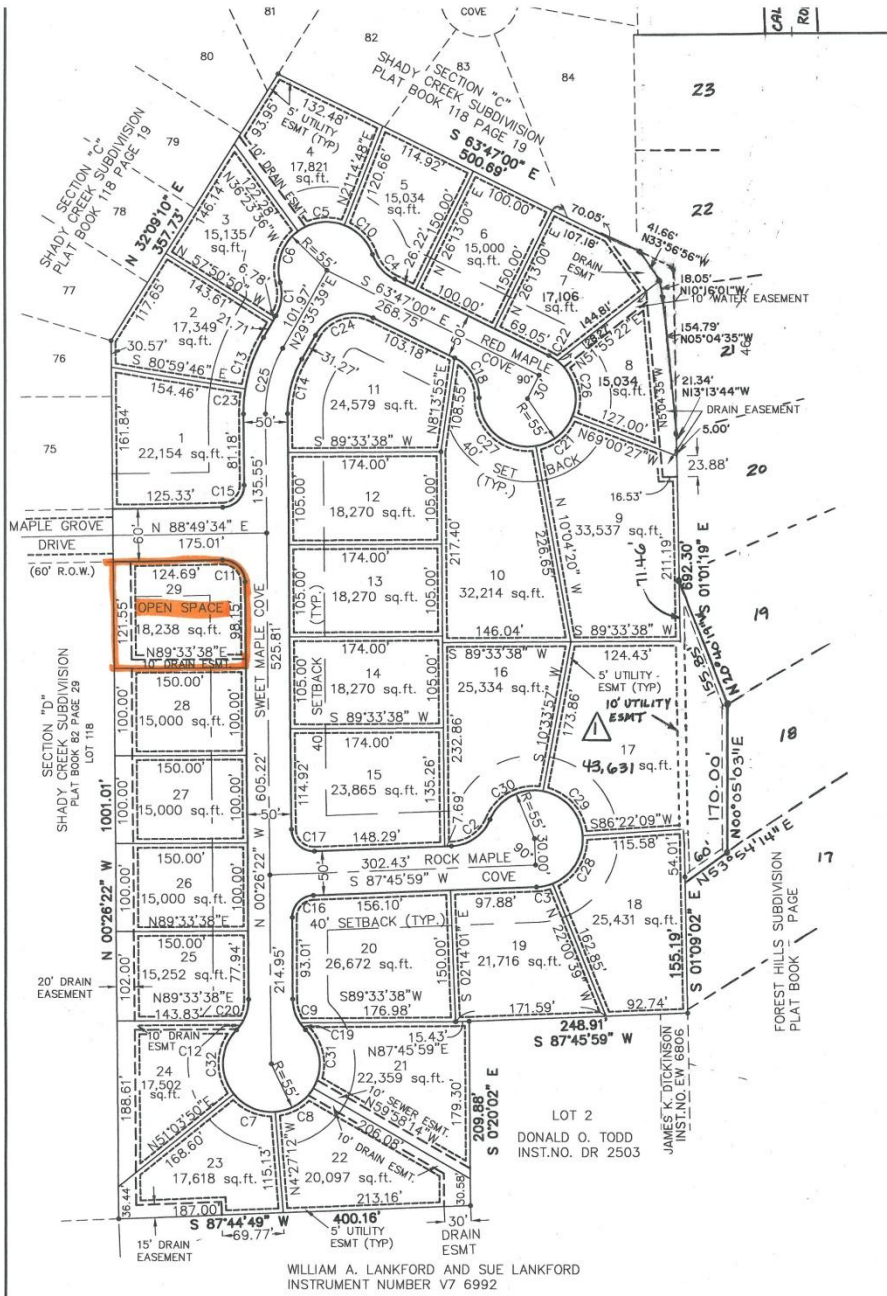
Mr. Bacon moved to approve the modification to the Maple Grove Subdivision plat to remove the “open space” note on Lot 29, subject to staff comments noted above, subject to the staff comments listed in the staff report, as submitted, seconded by Alderman Owens.

Chairman Harless asked for a roll call.

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

Mr. Bacon commented this used to be common open space that has changed ownership and hands. I hope that we can see these issues coming and not have any surprises again.





DATE RECEIVED _____

CITY OF GERMANTOWN
 PLANNING COMMISSION APPLICATION

(Check all that apply): Sketch Plan; Preliminary Site Plan; Final Site Plan
 Minor Subdivision; Preliminary Plat; Final Plat
 Grading/Tree Removal; WTF (Wireless Transmission Facility)

Rezoning From: Open space To: residential lot
 Other: _____

PROJECT INFORMATION

Project Name: Maple Grove subdivision
 Address: Lot 29- 2657 Sweet Maple Cove
 Project Description: property at the SW corner of Maple & Sweet Maple Cove Groves Dr.
 No. of Acres: 0.4 Parcel Identification Number(s): Plat Book 217
Page 14

PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES FROM THE SUBDIVISION AND ZONING REGULATIONS.

OWNER INFORMATION

Name (Print): Ben Coletta Address: Lot 29 maple Grove -
 Phone No.: 901-497-8437 Fax No.: 2657 Sweet Maple CV Germantown, TN
 Email Address: bencoletta@hotmail.com Signed: [Signature] 38139

DEVELOPER INFORMATION

Name: _____ Address: _____
 Phone No.: _____ Fax No.: _____
 Email Address: _____ Signed: _____

AGENT/REPRESENTATIVE INFORMATION

Name: _____ Title: _____
 Company Name: _____ Address: _____
 Phone No.: _____ Fax No.: _____
 Email Address: _____
 Who will represent this proposal at the Planning Commission meeting? _____

ENGINEER/SURVEYOR INFORMATION

Engineer Name: _____ Address: _____
 Phone No. _____ Fax No.: _____
 Email Address: _____
 Surveyor Name: _____ Address: _____
 Phone No.: _____ Fax No.: _____
 Email Address: _____

DATE RECEIVED _____

CITY OF GERMANTOWN
 PLANNING COMMISSION APPLICATION

(Check all that apply):
 Sketch Plan; Preliminary Site Plan; Final Site Plan
 Minor Subdivision; Preliminary Plat; Final Plat
 Grading/Tree Removal; WTF (Wireless Transmission Facility)
 Rezoning From: OPEN SPACE To: RESIDENTIAL LOT
 Other: _____

PROJECT INFORMATION

Project Name: MAPLE GROVE SUBDIVISION
 Address: LOT 29 - 2657 SWEET MAPLE COVE
 Project Description: PROPERTY AT THE SW CORNER OF MAPLE GROVE DR & SWEET MAPLE COVE
 No. of Acres: 0.4 Parcel Identification Number(s): PLAT BOOK 217
PAGE 14

PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES FROM THE SUBDIVISION AND ZONING REGULATIONS.

OWNER INFORMATION

Name (Print): ^{TORREY} ~~BOB~~ & KATIE COLETTA Address: P.O. BOX 381195 GERMANTOWN, TN
 Phone No.: 759-4011 Fax No.: _____
 Email Address: _____ Signed: [Signature] 381183

DEVELOPER INFORMATION

Name: _____ Address: _____
 Phone No.: _____ Fax No.: _____
 Email Address: _____ Signed: _____

AGENT/REPRESENTATIVE INFORMATION

Name: BOB REED Title: _____
 Company Name: BOB REED BUILDER, LLC Address: P.O. BOX 381405 GERMANTOWN, TN
 Phone No.: (901) 759-5117 Fax No.: (901) 759-5118 381183
 Email Address: bob@bobreedbuilder.com
 Who will represent this proposal at the Planning Commission meeting? _____

ENGINEER/SURVEYOR INFORMATION

Engineer Name: _____ Address: _____
 Phone No. _____ Fax No.: _____
 Email Address: _____
 Surveyor Name: _____ Address: _____
 Phone No.: _____ Fax No.: _____
 Email Address: _____

Planning Commission Minutes

April 7, 2015

Page 24

1. Chairman Harless asked if there was any old business to come before the Commission. There was none.
2. Chairman Harless asked if there was any new business to come before the Commission. There was none.
3. Chairman Harless asked if there were any liaison reports. There were none.
4. **ADJOURNMENT:** The meeting adjourned at 6:30 p.m.