

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, May 3, 2016**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of City Hall on May 3, 2016. Regular meetings of the Planning Commission are broadcast and recorded electronically. Minutes reflect a summary of the proceedings and actions taken.

1. 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 called the meeting to order at 6:15 p.m. requesting the roll call.
2. Ms. Pam Rush called the roll of the Commission and established a quorum.

Commissioners Present: Mike Harless, Susan Burrow, David Clark, Rick Bennett, and Alderman Forrest Owens

Commissioners Absent: Mayor Mike Palazzolo, and Dike Bacon

Staff Present: David Harris, Tim Gwaltney, Sheila Pounder, Cameron Ross, and Pam Rush

3. Approval of Minutes for April 5, 2016:

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 the April 5, 2016 meeting. If there are no additions, corrections or deletions to the minutes of the April 5, 2016, meeting of the Planning Commission, he would entertain a motion for approval.

Ms. Burrow moved to approve the Planning Commission minutes of April 5, 2016, seconded by Mr. Barclay.

Chairman Harless asked for a roll call.

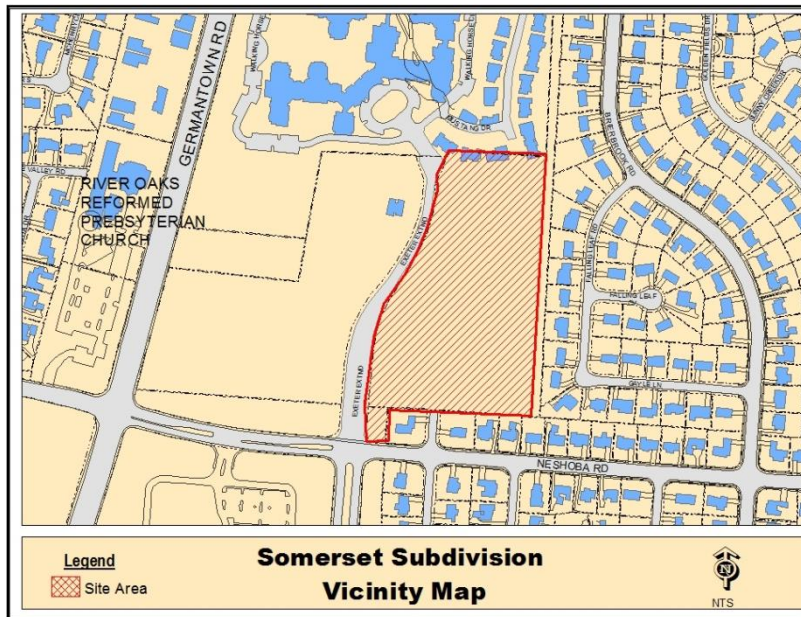
Roll Call: Barclay – yes; Burrow – yes; Hernandez – yes; Bacon – absent; Harless – yes; Owens – abstain; Clark – yes; Bennett – yes; Palazzolo- absent. **The motion was passed**

4.A. Request Revised Landscape Plan Approval for Somerset Subdivision

INTRODUCTION:

Development Case Number	(15-513)
Location:	Northeast corner of Neshoba and Exeter Roads
Owner Name/Applicant Name:	Sean Carlson, Regency Homebuilders, LLC
Representative Name:	Zachary Mobley w/ Regency Homebuilders, LLC
Zoning District:	T-3 Sub-urban and T-4 General Urban
Area:	10.43 Acres
Request:	Revised Landscape Plan Approval

*Refer to the Disclosure Form attached for more information



BACKGROUND: The property was rezoned to the “T-3” and “T-4” districts from the “R” Single Family Residential district in 2007. Somerset Subdivision was approved by the Planning Commission and the following warrants were approved by the Board of Mayor and Alderman in October 2013:

1. Lots 5 through 18 are within the T-3 district and are required to have a minimum 24 foot front yard setback and minimum 12 foot rear setback. A 15 foot minimum front building setback is requested.
2. Lots 5 through 18 are required to have minimum side yard setbacks of 6 feet. Minimum side yard setbacks of 3.5 feet are proposed, with a further provision that the total of both side yard setbacks equals a minimum of 12 feet.
3. Lots 1 – 22, and 43 could have side-loaded garages. The T-3 and T-4 districts require garages to be placed within the “Third Lot Layer”. (See attached diagram for explanation.)
4. Lots 1 – 5, within the T-4 District, are required to have a 50 foot building setback from an “R” district boundary. The 25 foot landscape buffer can be within the setback area. The plan proposes a 35 foot building setback.

DISCUSSION: The request is to revise the current landscaping plan for the two entrances (Lots 1, 23, 43 and COS B & C) for the Somerset Subdivision in order to better define the areas with improved landscaping and subdivision entrance features. These changes are within the requirements of the Smart Code as well as the previously approved warrants.

The Technical Advisory Committee (T.A.C.) met on April 14th and made the following comments:

PLAN REVISIONS:

The developer has provided an updated landscape plan and table for materials being used and all improvements will be placed in the easement for maintenance and ownership by the HOA. New cross sections for the wall section have been provided to engineering as part of the plans. Water service concerns have also been taken care of for water lines and irrigation. All sight line considerations have also been addressed.

STAFF COMMENTS:

A. PRIOR TO LANDSCAPE PLAN APPROVAL

1. The brick walls and new landscape areas (Lots 1, 23, & 43) are required to be placed in easement or COS to be owned and maintained by the HOA.
2. Provide a table to show what planting material is being replaced and with what.
3. Provide sight line visibility drawing for intersections.
4. Provide a sight triangle at intersection corners where the new landscape areas are proposed.
5. Provide detail cross section of walls on plans.
6. Water service lines cannot be under wall footing at Lots 1 and 23. Relocate any water services that interfere with proposed wall.

B. PRIOR TO CONSTRUCTION PLAN APPROVAL

1. All property owners will need to sign plat to re-record it because of new maintenance responsibility.
2. Provide a revised irrigation plan that includes new landscaped areas.
3. Fire hydrants should be 3' access visible from 100' in any direction.

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

Board Discussion:

Zachary Mobley at Regency Homebuilders, LLC, 1364 Cordova Road, made a presentation about the entrances into Somerset. Upgrading is being done to the landscaping to create more of a neighborhood entrance for the subdivision, as well as at the intersection at Exeter Road and Neshoba Road. The houses are selling for \$580,000 to \$800,000 with the square footage of 3,500 to 4,000.

Against Project

Robert Greene at 7840 Neshoba Road stated his concerns are the buffer zone and lights shining in his backyard from the common area; there was supposed to be a 25 foot buffer zone, which the developer has not completed. Our lot backs up to the T-4 zoning area.

Steve Langridge at 1725 Falling Leaf Drive asked what is being done on lots 5 and 18. It wasn't clear on what was happening on these lots.

Mr. Ross stated the enhancements are for the common open spaces on lots 1, 23, and 43.

Chairman Harless suggested setting up a landscaping meeting with the developers/builders, Mr. Greene, and City staff.

SMART CODE REVIEW COMMITTEE REPORT: (Dike Bacon, Chairman)

The subcommittee met on May 3, 2016, prior to the Planning Commission, to consider this item and recommended approval.

PROPOSED MOTION: To approve the revised landscape plan for Somerset Subdivision, subject to the Board's discussion, plans filed with the application, and the staff comments.

Ms. Burrow moved to approve the revised landscape plan for Somerset Subdivision, subject to the Board's discussion, plans filed with the application, and the staff comments, seconded by Mr. Barclay.

Planning Commission Minutes

May 3, 2016

Page 4

Chairman Harless asked for a roll call.

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



CITY OF
GERMANTOWN
TENNESSEE

1930 South Germantown Road • Germantown, Tennessee 38138-2815
Phone (901) 757-7200 Fax (901) 757-7292 www.germantown-tn.gov

July 30, 2014


Mike Harless, Chairman
Germantown Planning Commission
City of Germantown
1930 South Germantown Road
Germantown, TN 38138-2815

RE: Somerset Subdivision – 15-513
Revised Landscape Plan
Germantown, TN 38138

Based on the proposed submitted revised landscape plan provided by Regency Homebuilders, LLC, it is the opinion of the DRC members of the Smart Growth subcommittee that the plans submitted meet the requirements of the DRC in regard to plant materials, sizes of plants and arrangements of same. Further, the reason for the change in the original landscaping is a valid reason for change, ie, overhead power lines above the landscaping area along the street. It is currently the DRC policy to use planting materials that prevents the growth into the power lines causing the plants to be cut back producing an unshapely appearance.

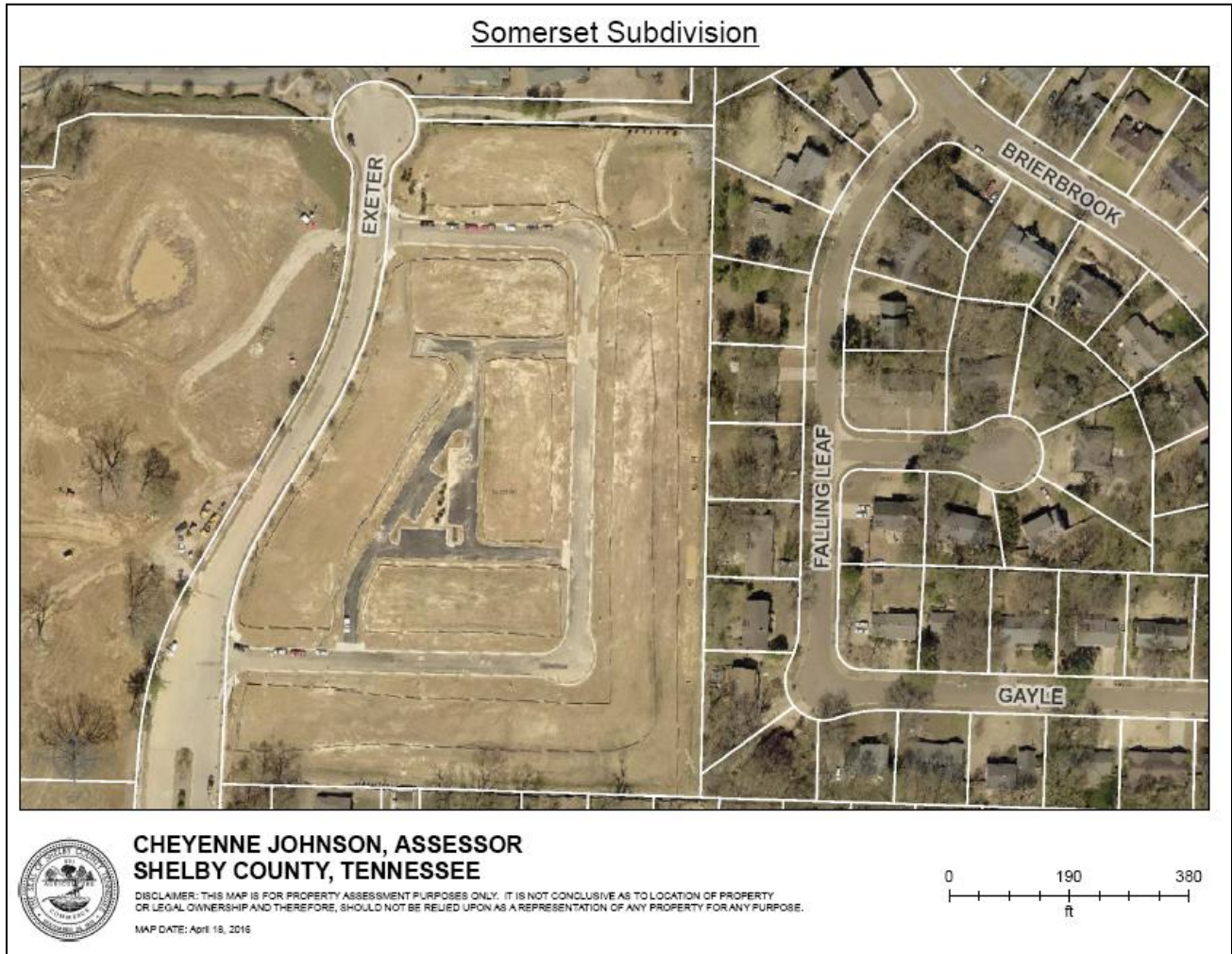
It is also the opinion of the members that all brick walls and columns proposed to be used within the landscape areas should all be constructed with proper vertical reinforcement from the footing into the brick wall or column itself to aid in the prevention of till over.

Sincerely,

By: 
Keith B. Saunders, LEED AP BD+C
Chairman, Design Review Commission

cc: Cameron Ross – Director of Economic and Community Development
Shelia Pounder – Chief Planner

AERIAL VIEW

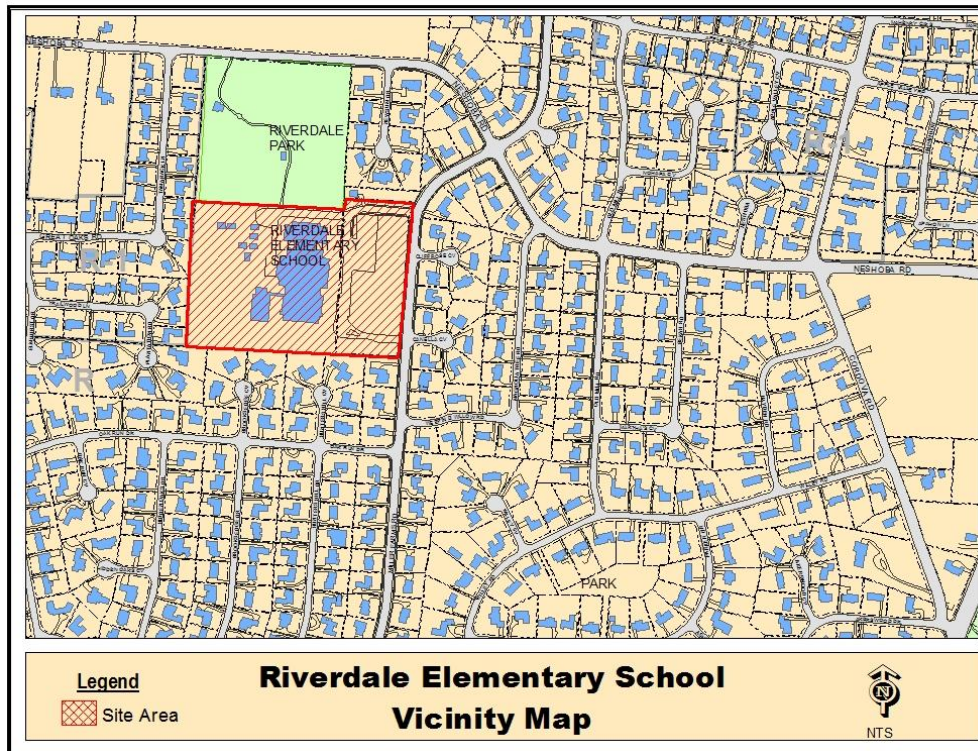


4.B. Riverdale Elementary School, 7391 Neshoba Rd. – Request Revised Preliminary and Final Site Plan Approval

INTRODUCTION:

Development Case Number	(15-551)
Location:	West side of Neshoba Rd., North of Oak Run Drive
Owner Name/Applicant Name:	Germantown Municipal School District
Representative Name:	David Smith, PE, w/A2H - Engineer/Agent
Zoning District:	R – Low Density Residential
Area:	15.35 Acres
Request:	Revised Preliminary and Final Site Plan Approval for the Addition of 107 Permanent Parking Spaces

*Refer to the Disclosure Form attached for more information



BACKGROUND: Riverdale Elementary School was constructed by the Shelby County Board of Education in 1969. It was transferred to the Germantown Municipal School District when that entity was created. The Board of Zoning Appeals approved on November 10, 2015, a use on appeal for the addition. The Planning Commission, on December 8, 2015, and Design Review Commission, on December 15, 2015, approved a preliminary and final site plan for the expansion of the school that consists of a 60,751 sq. ft. building addition and 135 parking spaces.

DISCUSSION: The applicant now seeks approval for an additional 107 permanent parking spaces on the west side of the existing school building. The applicant has also filed, with the Board of Zoning Appeal, an application for approval to expand the previous Use on Appeal to allow the additional parking spaces. The application is scheduled to heard at the May 10, 2016 BZA meeting.

The Section 23-235 of Zoning Ordinance requires schools in the R District to provide off-street parking as follows: Elementary schools (K through eight): 1.15 parking spaces per staff member. For computation purposes any fractional amount over one will be rounded to the next larger whole number.

TOTAL SITE AREA	15.35 ac.	No change
BUILDING FLOOR AREA	Current -132,254 sq. ft.	152,442 sq. ft. (Previous Approval)
NUMBER OF PARKING SPACES	Current – 134 (to be removed)	Total Proposed – 239 132 w/bldg. add't 107 w/current request
PERVIOUS AREA	Current – NA	Proposed – 54%

Members of The Technical Advisory Committee (T.A.C.) submitted the following comments:

STAFF COMMENTS:

A. PRIOR TO FINAL SITE PLAN APPROVAL

1. Approval of the BZA application for a Use on Appeal for this project must be granted prior to Final Site Plan approval.

B. PRIOR TO CONSTRUCTION PLAN APPROVAL

1. Emergency vehicle access is subject to approval of the Fire Marshal.
2. Show radius on the entrance drive and the corner of the grass pave area for fire truck turning on the site plan.
3. The entrance drive should be shaded to reflect this as a fire access drive. Also designate this area as “Heavy Duty Pavement”.
4. Fully dimension all areas of the parking lot for construction layout on the site plan, including curb radius. Typical width of parking spaces should be 10’ for 180 square foot parking space.
5. Provide information on what type of curb to be used in parking lot and spot elevations
6. Identify black objects between some of the parking spaces that are shown on the site plan.
7. Provide spot elevation on the Grading and Drainage plan.
8. Provide elevation of all finished grades.
9. Note: curb is to be flush with grass pave.
10. Show direction of drainage flow.
11. Entrance drive to parking lot is to be flush with existing asphalt.
12. Provide information on need for turf mat and rip-rap.
13. Lighting and landscaping for the parking lot to be approved by the Design Review Commission.

C. 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 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:
7. 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.
8. 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.
9. 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 holidays; 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.
10. Total acres disturbed shall be provided. A NOC is required for TDEC for the NPDES, Phase II. The NOC shall be posted on the site at all times and the stormwater reports/documentation/inspections shall be available at all times. The SWPP shall be posted at the site and available. Inspections must be performed by personnel who have completed the Level I – Fundamentals of Erosion Prevention and Sediment Control course.

11. 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.

STAFF RECOMMENDATION: Approval, subject to the comments noted above.

Board Discussion:

David Smith, PE with A2H, Inc., 3009 Davies Plantation Road, Lakeland, TN 38002, made a presentation. We are adding permanent parking for 107 spaces on the west side for teachers, so during the construction period, they will be able to park in the same place every day and after construction, long term, they would have permanent parking near the gym.

Chairman Harless stated when the matter came before the commission in the fall; you and the school board indicated that there was enough parking available to satisfy the expansion of the school. Now there is a proposal to add 104 permanent parking spots after the fact. Why?

Mr. Smith answered that the main purpose for this is for during the construction period, it will allow the teachers to have permanent parking spaces.

Chairman Harless stated if it is just for the construction period, you can make it temporary and it could convert back to ball fields or whatever is needed in the future.

Mr. Smith answered the applicant's preference be for convenience so that teachers didn't have to search for parking spaces.

Josh Cathey, Director of Operations with the Germantown Municipal School District, 6685 Poplar Avenue, Suite 202 replied that 132 spaces was thought to be enough. There were plans to come in front of this body to request addition parking next summer. It was in the additional plans. There have been several meetings with the school administration about not having enough parking when they have events. We also met with the neighborhoods, and the first thing they discussed was there is not enough parking. They suggested we get the parking off the street.

Chairman Harless stated the neighbors on both the south and west sides of the parking area have concerns about lighting and noise, etc. How are those issues being addressed?

Mr. Smith answered that regarding the light spillage, a DRC submittal package is being put together now. They are going with LED lights that provide more focus light patterns with shields and 12 foot standard height. He believes that this information is shown on the lighting plan.

Mr. Bennett asked if there is landscaping that will prevent headlights from somehow splashing into the neighbors as they come in and leave the parking lot.

Mr. Smith answered that they had not planned to provide a headlight screen. The neighbors on the south and the west both have 6 foot privacy fences for their backyards so at this time they have no plans to provide headlight screens.

Mr. Smith and Mr. Cathey both indicated they plan to meet with the neighbors by the end of May.

No one spoke against the proposal.

SUBDIVISION AND SITE PLAN SUBCOMMITTEE (DIKE BACON, CHAIRMAN):

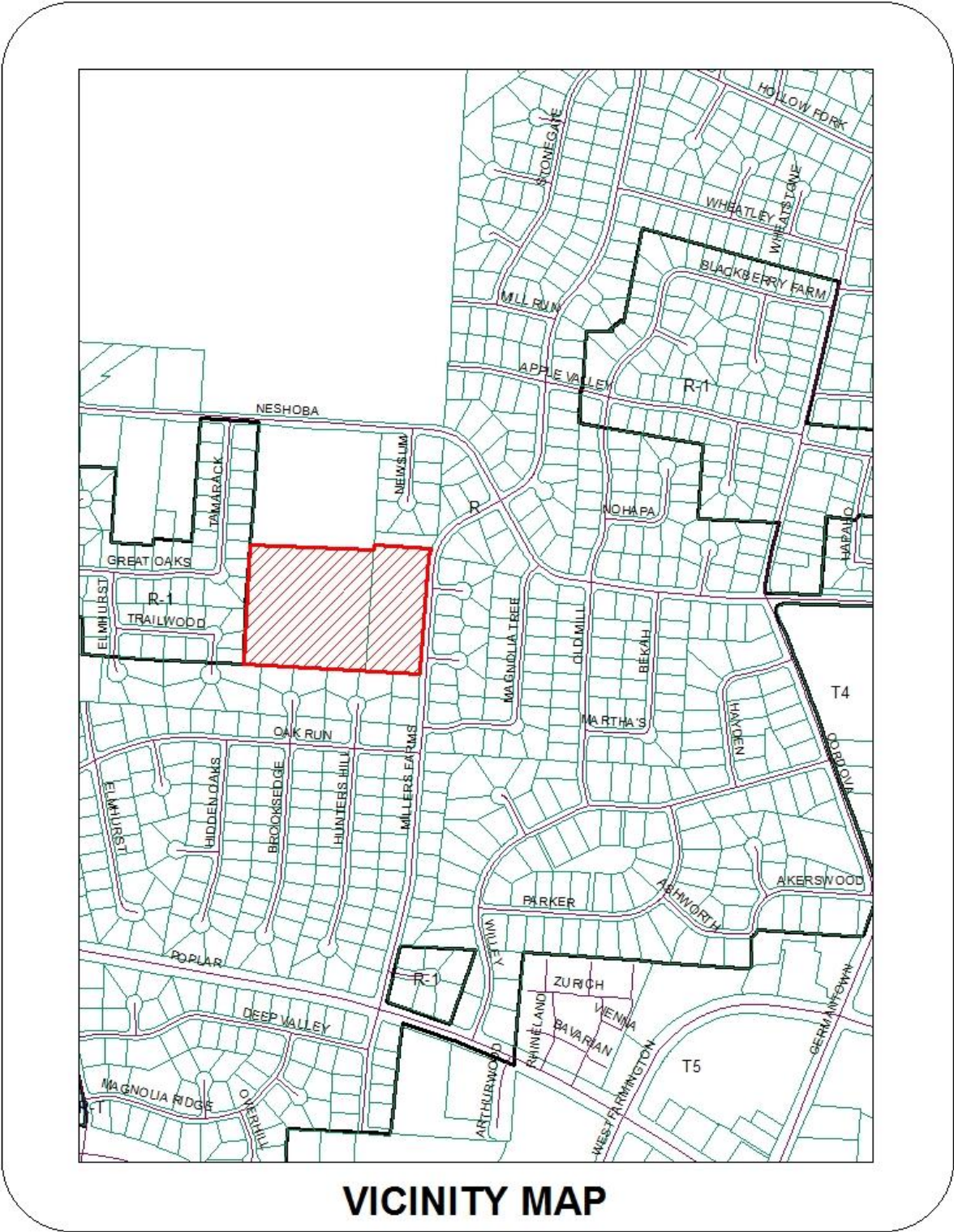
The subcommittee did not meet on April 20, 2016, due to a lack of a quorum.

PROPOSED MOTION: To approve the revised preliminary and final site plan for Riverdale Elementary School, at 7391 Neshoba Rd., subject to the Board's discussion, plans filed with the application, and the staff comments.

Ms. Burrow moved to approve the revised preliminary and final site plan for Riverdale Elementary School, at 7391 Neshoba Rd., subject to the Board's discussion, plans filed with the application, and the staff comments, and subject to the BZA and DRC approval; seconded by Mr. Bennett.

Chairman Harless asked for a roll call.

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





**CITY OF
 GERMANTOWN
 TENNESSEE**

1930 South Germantown Road • Germantown, Tennessee 38138-2815
 Phone (901) 757-7200 Fax (901) 757-7292 www.germantown-tn.gov

DATE RECEIVED: _____
 RECEIVED BY: _____

**PLANNING COMMISSION
 OFFICIAL APPLICATION FORM**

TYPE OF APPLICATION	
<p>(Check <input checked="" type="checkbox"/> all that apply):</p> <p> <input type="checkbox"/> Sketch Plan; <input type="checkbox"/> Preliminary Site Plan; <input checked="" type="checkbox"/> Final Site Plan <input type="checkbox"/> Minor Subdivision; <input type="checkbox"/> Preliminary Plat; <input type="checkbox"/> Final Plat <input type="checkbox"/> Grading/Tree Removal; <input type="checkbox"/> WTF (Wireless Transmission Facility) <input type="checkbox"/> Rezoning From: _____ To: _____ <input type="checkbox"/> Other: _____ </p>	
<p>IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) YES <input type="radio"/> NO <input checked="" type="radio"/> (Please note - if yes, than follow Smart Code Application Instructions to complete this form for submittal)</p>	
<p>PLANNED USE DEVELOPMENT'S (PUD) ONLY:</p> <p> <input type="checkbox"/> PUD Outline Plan (Master Plan); <input type="checkbox"/> PUD Amendment to Outline Plan; <input type="checkbox"/> PUD Preliminary Plan (individual phases); <input type="checkbox"/> Final Plan (individual phases); </p> <p>Phase: _____ of _____ Date of PUD Outline Plan (Master Plan) Approval: _____ Other: _____</p>	
PROJECT INFORMATION (Provide Additional Pages as Needed)	
<p>Project Name: <u>Riverdale Middle School Addition</u></p> <p>Address/Location: <u>7391 Neshoba Road, Germantown, TN 38138</u></p> <p>Project Description: <u>The addition of 107 permanent parking spaces to the school site.</u></p>	
<p>No. of Acres: <u>15.35</u> Parcel Identification Number(s): <u>G0219 00240 and G0219 00238</u></p>	
<p>PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES REQUESTED FROM THE SUBDIVISION AND ZONING REGULATIONS.</p>	
OWNER/LESSEE/DEVELOPER INFORMATION	
<p>Owner Name (Print): <u>Germantown Municipal School District</u> Address: <u>6685 Poplar, Ste. 202, Germantown, TN 38138</u> Phone No.: <u>901-752-7900</u> Email Address: <u>jason.manuel@gmsdk12.org</u> Signature of Owner: <u>[Signature]</u> </p> <p>Lessee Name (Print): <u>Jason Manuel</u> Address: _____ Phone No.: <u>901-752-7900</u> Email Address: _____ Signature of Lessee: _____ </p> <p>Developer Name (Print): _____ Address: _____ Phone No.: _____ Email Address: _____ Signature of Developer: _____ </p>	
<p>PLEASE ATTACH A COPY OF THE DEED REFLECTING OWNERSHIP OF THE SUBJECT REAL PROPERTY</p>	

AGENT/REPRESENTATIVE INFORMATION	
Name: <u>David Smith, Ph.D., PE</u>	Title: <u>Senior Civil Engineer - Manager</u>
Company Name: <u>A2H, Inc</u>	Address: <u>3009 Davies Plantation Road, Lakeland, TN 38002</u>
Phone No.: <u>901-372-0404</u>	Email Address: <u>davids@a2h.com</u>
Who will represent this proposal at the Planning Commission meeting? <u>David Smith, Ph.D., PE</u>	
ENGINEER/SURVEYOR INFORMATION	
Engineer Name: <u>David Smith, Ph.D, PE</u>	Address: <u>3009 Davies Plantation Rd, Lakeland, TN 38002</u>
Phone No. <u>901-372-0404</u>	Email Address: <u>davids@a2h.com</u>
Surveyor Name: <u>Mike McCulley, RLS</u>	Address: <u>3009 Davies Plantation Rd, Lakeland, TN 38002</u>
Phone No.: <u>901-372-0404</u>	Email Address: <u>mikem@a2h.com</u>



April 22, 2016

Cameron Ross
Economic and Community Development Director, City of Germantown
1930 Germantown Road South
Germantown, TN 38138

RE: Planning Commission Submittal – Item 16 – Fiscal Impact
Riverdale Middle School Addition, Germantown Municipal School District

A2H # 15208

Dear Mr. Ross,

The purpose of this letter is to provide a response to the Planning Commission Checklist regarding Item 16 – Fiscal Impact. The purpose of this project is to construct additional parking spaces for the existing Riverdale Elementary School. This project will not increase the school capacity. Since the school capacity is not increasing, it is not anticipated at this time that there will be jobs growth or jobs creation as a result of this project. As this is an improvement project for the Germantown Municipal School District, it is a non-taxable development.

Should there be any questions regarding this, please do not hesitate to contact me.

Sincerely,

A2H, Inc.

David M. Smith, Ph.D., PE
Senior Civil Engineer - Manager



April 22, 2016

Cameron Ross
Economic and Community Development Director, City of Germantown
1930 Germantown Road South
Germantown, TN 38138

RE: Planning Commission Submittal – Item 12 – Traffic Analysis
Riverdale Middle School Addition, Germantown Municipal School District

A2H # 15208

Dear Mr. Ross,

The purpose of this letter is to provide a response to the Planning Commission Checklist regarding Item 12 – Traffic Analysis. The purpose of this project is to construct an additional parking lot at the site. As you are aware, parking at the school has been at a premium for some time. This additional parking will allow for safe, convenient parking during and after the construction of the school addition. Since the school capacity is not increasing, the traffic demand generated by the school will not be increasing.

This parking lot will allow for teachers and staff to have a parking area away from the construction efforts and from the children drop-off and pick-up areas. Once construction is complete and additional parking spaces are available, this parking area will allow for additional parking for special events, such as concerts, plays, basketball games, and other school functions.

We believe that this project will not increase traffic issues but will have a positive effect on the surrounding streets and intersections due to increasing the available parking. Should there be any questions regarding this, please do not hesitate to contact me.

Sincerely,

A2H, Inc.

David M. Smith, Ph.D., PE
Senior Civil Engineer - Manager

4.C. Request Outline Plan Approval of Pike View Estates PUD

INTRODUCTION:

Development Case Number	(16-601)
Location:	South side of Poplar Pike, East of Oakleigh Lane
Owner Name/Applicant Name:	Richard Leike
Representative Name:	Henry L. Porter w/W.H. Porter & Company - Agent/Representative
Zoning District:	R – Low Density Residential
Area:	12.03 Acres
Request:	Outline Plan Approval for 7 Residential Lots

*Refer to the Disclosure Form attached for more information



BACKGROUND: The property was annexed into Germantown in 1975.

DISCUSSION:

PROPOSED NUMBER OF LOTS: 7 lots

MINIMUM LOT SIZE: 33,176 sq. ft.

AVERAGE LOT SIZE: 74,052 acres

PHASES: one

COMMON OPEN SPACE: The private street.

EXCEPTIONS FROM STANDARD REGULATIONS: 15 ft. front yard setbacks, instead of 40 ft.

OTHER: The applicant requests that the required improvements to Poplar Pike be waived. 36 ft. from the centerline will be dedicated for future improvements and a box culvert.

REVISIONS TO TAC AND SUBDIVISION SUB-COMMITTEE COMMENTS: W. H. Porter and Co. provided 1) a determination from TDEC of the sections of the stream that are a wet weather conveyance and a blue line stream; 2) the hydraulic studies (HEC-2, etc.) to determine the 100 Year Flood elevations;

3) the setback distances of the existing structures that are to remain. See the attached letter, dated January 25, 2016, for additional information.

Staff had further discussions with the consultant about the remaining information.

On April 7, 2016, a revised outline plan was submitted that reflects a proposed traffic stripping plan for Poplar Pike and a pedestrian walking trail across Lots 1 & 2 with standard sidewalks proposed along the front of Lots 3, 6, & 7.

PLAN REVISIONS: None since TAC Review.

STAFF COMMENTS:

A. PRIOR TO OUTLINE PLAN APPROVAL

1. Identify the buildable area of each lot.
2. Provide the finished floor elevation on all lots. The finished floor elevation shall be a minimum of 30 inches above the base flood elevation.
3. Provide the standard 5 ft. utility easements along the property lines of lots 1 and 2, or alternative locations acceptable to Germantown.
4. Indicate that all drain easements are to be private and maintained by an HOA.
5. TAC recommends that Poplar Pike be improved with curb, gutter, sidewalk and storm drainage infrastructure as necessary to match the cross-section to the west.
6. The eastern stream has been determined to be a "wet weather conveyance". TAC recommends the construction of a concrete-lined channel to contain the stream. If the stream is to remain in a natural state (the applicant's preference), then provide a 30 foot-wide riparian buffer, measured from the top of bank, with the stream and buffer placed within a common open space area owned and maintained by a homeowners association.
7. The western stream has been determined to be a "blue line stream". It shall be placed within a 30 foot-wide riparian buffer, measured from the top of bank, with the stream and buffer placed within a common open space area owned and maintained by a homeowners association.

B. PRIOR TO FINAL PLAN APPROVAL

1. Revise the proposed private street cross-section and/or Grading & Drainage Plan to be consistent. The cross-section shows the street to be super-elevated, while the Grading and Drainage Plan has a different design.
2. Correct the existing grades in adjacent properties: Preserve PUD and Church of Christ.
3. Provide stormwater detention area as needed.

C. PRIOR TO CONSTRUCTION DRAWING APPROVAL

1. Provide a structural assessment of the existing bridge to Lot 1.
2. Evaluate the existing sanitary sewer lines and improve as needed.

D. GENERAL COMMENTS

1. Part of this site is within the FLOODPLAIN according to the FEMA maps. Appropriate flood protection measures must be taken to prevent flood damage. The 100 Year Base Flood elevation shall be graphically shown on the final plat and grading plan.
2. If a Letter of Map Revision is required, a LOMR must be submitted to FEMA before the final plat is recorded.
3. If an ARAP permit is required, the Developer is responsible for any design modifications that result from the requirements of said permit. Substantial modifications of the plans resulting

- from the ARAP permit shall require re-application and approval by the Planning Commission.
4. This project must comply with the Tennessee Department of Environment and Conservation NPDES Regulations governing Stormwater discharge. The construction drawings shall include an erosion control plan, which is in conformance with these regulations, and provide a copy of the Developer's Notice of Intent (N. O. I.) as submitted to the Tennessee Department of Environment and Conservation (TDEC).
 5. Part of this site is within the FLOODWAY according to the FEMA maps. No construction shall be permitted within the floodway. The floodway boundary line shall be graphically shown on the final plat and grading plan.
 6. 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.
 7. Plans for any entrance treatment and common area landscaping shall be submitted to the Design Review Commission for its approval. The development shall obtain the necessary approvals from the Design Review Commission prior to development contract approval.
 8. Any entrance feature/landscaping shall be contained in a landscape easement.
 9. The subdivision covenants shall include a provision for an owner's association that shall be responsible for the maintenance of the fence/entrance structures, landscaping, irrigation, and common open space.
 10. An improved driving surface shall be provided prior to the commencement of construction, so as to provide a hard surface parking area for emergency vehicle access.
 11. 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. Concrete monuments shall be placed at all corners of the subdivided property.
 12. The Developer agrees to include in all contracts between the Developer and purchaser of any part of the property (Lot Purchasers) the following, 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 holidays; 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: Revise the outline plan to address the comments listed above.

Board Discussion:

Henry Porter with W.H. Porter Consultants, PLLC, 6055 Primacy Parkway, Suite 115, Memphis, TN 38119, made a PowerPoint presentation. He stated there will be a minimal increase in traffic over the next 10 years. A drainage study has been done, and there will be no impact on the streams from the Pike View PUD. There are 7 lots on 12 acres and it should be an attractive place to live.

W. H. Porter and Co. provided 1) a determination from TDEC of the sections of the stream that are a wet weather conveyance and a blue line stream; 2) the hydraulic studies (HEC-2, etc.) to determine the 100 Year Flood elevations; 3) the setback distances of the existing structures that are to remain. See the attached letter, dated January 25, 2016, for additional information. On April 7, 2016, a revised outline plan was submitted that reflects a proposed traffic stripping plan for Poplar Pike and a pedestrian walking trail across Lots 1 & 2 with standard sidewalks proposed along the front of Lots 3, 6, & 7.

For Project

Joe Hines at 2941 Belfort Drive stated he was for the project. It would increase the property values in the neighborhood. The neighbors do not want a three lane road, due to the center line being 18 feet now, and it would go to 10 feet if changed. Mr. Hines is concerned for the safety and traffic when crossing the street with children going to the park. The road should remain the same.

Against Project

Bruce Hackler at 2888 Oakleigh Manor Lane stated the road should be an open lane. There is concern for safety and traffic when crossing the street to the park.

Mr. Montsinger at 8530 Deauville Cove asked if road changes could be reviewed to deal with the safety and traffic issues.

Ms. Mitchell at 8644 Poplar Pike has some concerns about the safety of the road; it needs to be widened, along with traffic, flooding, and safety issues.

SUBDIVISION AND SITE PLAN SUBCOMMITTEE REPORT: (Dike Bacon, Chairman)

The subcommittee did not meet on April 20, 2016, due to a lack of a quorum. The subcommittee will meet on May 3, 2016, prior to the Planning Commission, and consider this item and withheld recommendation.

PROPOSED MOTION: To approve the outline plan for the Pike View Estates PUD, subject to the plans filed with the application and the staff comments.

Ms. Burrow moved to approve the outline plan for the Pike View Estates PUD, subject to the plans filed with the application and the staff comments, seconded by Mr. Bennett.

Chairman Harless asked for a roll call.

Roll Call: Barclay – no; Burrow – no; Hernandez – no; Bacon – absent; Harless – no; Owens – no; Clark – no; Bennett – no; Palazzolo - absent. **The motion was failed.**

The Planning Commissioners indicated that they have concerns about Poplar Pike Road improvements, existing stream/ditch, drainage, and the Fire Department access to lot 2.

W. H. PORTER CONSULTANTS, PLLC

6055 Primacy Parkway, Suite 115
Memphis, Tennessee 38119
(901) 363-9453 FAX: (901) 363-2722

Engineers, Planners, Surveyors, Consultants

January 25, 2016

Mr. Wade Morgan, Chief Planner
City of Germantown
Department of Community Development
1920 S. Germantown Rd.
Germantown, TN 38138

RE: Pike View Estates P.D. (Formerly The Leike Subdivision) Staff Comments

Dear Mr. Morgan,

Thank you for reviewing the Pike View Estates P.D. (formerly The Leike Subdivision) P.D. Preliminary Plan. We have received the Staff Comments and would like to address them as follows:

1. Indicate how access from a street will be provided to lots 1 and 2.

Access to lot 1 and lot 2 is provided by an existing driveway along the west boundary of the property. An existing bridge provides a way across the stream conveying water from the Oakleigh Subdivision to the West. Lot 2 will be served by a new driveway and proposed 50' Access Easement south of the bridge. Given the depths of these lots, driveway is not expected to cause in issues to the homeowner of Lot 1.

2. Justify the proposed 25 ft. front yard setbacks on the lots, especially along Poplar Pike.

All property setbacks fronting Poplar Pike have been revised to 40 foot setback.

Lots 3, 4, and 5 have been amended to a 15 foot front yard setback. By moving the homes closer to the street, this will provide the subdivision with a more intimate feel and encourage more interaction between neighbors.

3. Identify the buildable area of each lot.

There shall be no restrictions to lots 5, 6 and 7 as to where a home may be placed. For lots 1 through 4, the homes shall not be allowed to be constructed within the floodplain, nor over any easements.

4. Provide a determination of what sections of the stream are wet weather conveyance and blue line stream

A stream determination conducted on the site has been proved with this document. It states that tributary conveying water from Oakleigh Subdivision is Jurisdiction. However, the ditch conveying water from the south to the north is a wet weather conveyance.

5. The plan places the access easement to Lot 2 so as to be in front of the dwelling on Lot 1. Staff suggests a connection/bridge to the internal private street be investigated.

Due to the expense of building a bridge connecting to Street 1 and the depth of Lot 1, it is our opinion that providing an Access Easement through Lot 1 will not harm the value of that property.

6. TAC recommends that Poplar Pike be improved to 36 feet from the centerline with curb, gutter, sidewalk and storm infrastructure.

We understand the city's position.

Thank you for your time and assistance with this project.

Sincerely,



Henry L. Porter, P.E.

We are proposing to develop a 7 lot Planned development. The minimum lot size will be 33,176 square feet (3/4 acre) and the largest lot being 112,534 square feet (2.5 acres). The average lot size for the 7 lots is 68,193 square feet. All lots within this development meet the minimum lot size required for R zoning.

The existing R, Low Density Residential zoning contains a requirement for lots of 15000 square feet or greater. In a typical subdivision, there would be 2.1 lots per acre or a total of 46 lots. However, this is not practical due to a ditch that runs from the along the south property line through the middle of the property to a point beneath Poplar Pike. In addition, there is a ditch on the western property line conveying water from Oakleigh Subdivision to the same point beneath Poplar Pike. To maintain the natural feel of the property, we propose to only grade the minimum amount of property necessary for the purpose of constructing the private road. The existing ditches will be left in the natural state and the minimum number trees will be removed for the home sites.

Within the vicinity of the site, there are few properties along Poplar Pike that are undeveloped. The majority of these were developed during the 1980's and 90's. During this time large areas of land were being developed into subdivisions with 100s of lots. Since then, few large developable properties exist leaving small Infill projects as seen here. This puts a greater burden on the developer when considering public improvements. To maintain a financially viable development, we are proposing to dedicate approximately 36 feet along Poplar Pike for future expansion of the road and box culvert.

This plan seeks to keep the natural feel of the current property. Smart development of this property allows for a more seamless transition from the wooded property to a residential planned development. This development is expected to be of the highest quality.

Thank you for your time and assistance with this project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'H. Porter', is written over a horizontal line.

Henry L. Porter, P.E.



**CITY OF
 GERMANTOWN
 TENNESSEE**

DATE RECEIVED: _____
 RECEIVED BY: _____

1930 South Germantown Road • Germantown, Tennessee 38138-2815
 Phone (901) 757-7200 Fax (901) 757-7292 www.germantown-tn.gov

**PLANNING COMMISSION
 OFFICIAL APPLICATION FORM**

TYPE OF APPLICATION	
(Check <input checked="" type="checkbox"/> all that apply): <input type="checkbox"/> Sketch Plan; <input type="checkbox"/> Preliminary Site Plan; <input type="checkbox"/> Final Site Plan <input type="checkbox"/> Minor Subdivision; <input type="checkbox"/> Preliminary Plat; <input type="checkbox"/> Final Plat <input type="checkbox"/> Grading/Tree Removal; <input type="checkbox"/> WTF (Wireless Transmission Facility) <input type="checkbox"/> Rezoning From: _____ To: _____ <input type="checkbox"/> Other: _____	
IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) YES NO (Please note - if yes, than follow Smart Code Application Instructions to complete this form for submittal)	
PLANNED USE DEVELOPMENT'S (PUD) ONLY: <input checked="" type="checkbox"/> PUD Outline Plan (Master Plan); <input type="checkbox"/> PUD Amendment to Outline Plan; <input type="checkbox"/> PUD Preliminary Plan (individual phases); <input type="checkbox"/> Final Plan (individual phases); Phase: _____ of _____ Date of PUD Outline Plan (Master Plan) Approval: _____ Other: _____	
PROJECT INFORMATION (Provide Additional Pages as Needed)	
Project Name: <u>Pike View Estates</u> Address/Location: <u>8643 Poplar Pike</u> Project Description: <u>Residential Development consisting of 7 single family lots</u> No. of Acres: <u>12.03</u> Parcel Identification Number(s): <u>G0231 00605C, G0231 00488</u>	
PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES REQUESTED FROM THE SUBDIVISION AND ZONING REGULATIONS.	
OWNER/LESSEE/DEVELOPER INFORMATION	
Owner Name (Print): <u>Richard H. Leike</u> Address: <u>8643 Poplar Pike</u> Phone No.: <u>901.486.2070</u> Email Address: <u>dickleike@crye-leike.com</u> Signature of Owner:	
Lessee Name (Print): _____ Address: _____ Phone No.: _____ Email Address: _____ Signature of Lessee: _____	
Developer Name (Print): _____ Address: _____ Phone No.: _____ Email Address: _____ Signature of Developer:	
PLEASE ATTACH A COPY OF THE DEED REFLECTING OWNERSHIP OF THE SUBJECT REAL PROPERTY	

Planning Commission – Official Application Form
Page 2

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

ENGINEER/SURVEYOR INFORMATION	
Engineer Name: <u>Henry L. Porter</u>	Address: <u>6055 Primacy Parkway, Suite 115</u>
Phone No. <u>901.363.9453</u>	Email Address: <u>hporter@whporter.com</u>
Surveyor Name: <u>William D. Porter</u>	Address: <u>same</u>
Phone No.: <u>same</u>	Email Address: <u>wporter@whporter.com</u>

Planning Commission – Official Application Form
Page 3

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 (including all owners, lessees and developers) submitting this Application ("Applicant") is a for-profit entity, i.e. sole proprietor, general partnership, limited partnership, corporation, limited liability company, RE.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: RICHARD LEIKE, RICHARD H. LEIKE LIVING TRUST
Address: 8643 POPLAR PIKE, GERMANTOWN, TN 38138

Owner: RICHARD LEIKE TRUST, RICHARD H. LEIKE LIVING TRUST
Address: 8643 POPLAR PIKE, GERMANTOWN, TN 38138

Lessee: N/A
Address: _____

Developer: RICHARD LEIKE TRUST, RICHARD H. LEIKE LIVING TRUST
Address: 8643 POPLAR PIKE, GERMANTOWN, TN 38138

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

Name	Business or Home Address
<u>RICHARD H. LEIKE LIVING TRUST (100%)</u>	<u>8643 POPLAR PIKE</u>
_____	<u>GERMANTOWN, TN 38138</u>
_____	_____
_____	_____

Last Revision Date: 6/2015

Chairman Harless asked if there was any old business to come before the Commission. There were none.

Chairman Harless asked if there was any new business to come before the Commission. There were none.

Chairman Harless asked if there were any liaison reports. There were none.

ADJOURNMENT: The meeting adjourned at 7:35 p.m.