

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, June 7, 2016**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of City Hall on June 7, 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 6:18 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, George Hernandez, Hale Barclay, and Dike Bacon

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

3. Approval of Minutes for May 3, 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 May 3, 2016 meeting. If there are no additions, corrections or deletions to the minutes of the May 3, 2016, meeting of the Planning Commission, he would entertain a motion for approval.

Ms. Burrow moved to approve the Planning Commission minutes of May 3, 2016, seconded by Mr. Clark.

Chairman Harless asked for a roll call.

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

Consent Agenda:

Mr. Harless stated at the Executive Session this evening, the following item was placed on the Consent Agenda by the Planning Commission: Request Preliminary and Final Plat Approval of Kingsway Christian Church Subdivision. As part of the Consent Agenda, these items will *not* be presented, discussed or voted upon individually. If you would like to have the Request Preliminary and Final Plat Approval of Kingsway Christian Church Subdivision discussed before the Planning Commission this evening, please come forward at this time.

Again, the Request Preliminary and Final Plat Approval of Kingsway Christian Church Subdivision have been placed on the Consent Agenda and will be voted upon as one motion and will not be discussed individually unless someone on the Commission or in the audience comes forward to remove that item from the Consent Agenda. Does anyone interested in any of these matters wish to be heard?

Seeing no one come forward, I would like to note that on all matters concerning the Consent Agenda, the vote of each member of the Planning Commission will constitute an acknowledgement that the member has read the application or proposal, the staff reports and the Subcommittee report. I am prepared for a motion for approval of the Consent Agenda.

Alderman Owens moved to approve the item on the Consent Agenda, subject to comments contained in the staff report, seconded by Mr. Bennett.

Chairman Harless asked for a roll call.

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

Request Preliminary and Final Plat Approval of Kingsway Christian Church Subdivision

INTRODUCTION:

Development Case Number	(16-617) Kingsway Christian Church Subdivision
Location:	South side of Poplar Avenue at the intersection of Brierbrook Road
Owner Name/Applicant Name:	Kingsway Christian Church of Memphis
Representative Name:	Michael Rogers w/Fisher Arnold - Agent/Representative
Zoning District:	R – Low Density Residential
Area:	10.377 Acres
Request:	Preliminary and Final Subdivision Plat Approval of 2 Lots

*Refer to the Disclosure Form attached for more information



BACKGROUND: On May 14, 2002, the Board of Zoning Appeals granted a Use on Appeal to allow the construction of a church facility in an “R” residential zoning district. On May 4, 2004, the Planning Commission granted Final Site Plan approval for the Kingsway Christian Church. On June 22, 2004, the Design Review Commission (DRC) granted Final Plan approval with the exception of the Landscape and Lighting Plans. On July 27, 2004, the DRC approved the revised Lighting Plan but withheld approval of the revised Landscape Plan. The Landscape Plan was administratively approved at a later date. On May 10, 2016, the Board of Zoning Appeals granted a variance to allow a School Building to be Located on a Lot Less Than the Minimum Lot Area Required in the “R” Low Density Residential District. On May 10, 2016, the BZA granted approval of a variance to allow a School Building to be Located on a Lot Less Than the Minimum Lot Area Required in the “R” Low Density Residential District.

DISCUSSION:

PROPOSED NUMBER OF LOTS: 2 lots
MINIMUM LOT SIZE: 3.137 ac.
PHASES: One
COMMON OPEN SPACE: none.

EXCEPTIONS FROM STANDARD REGULATIONS: 3.137 ac. lot area, instead of 5 ac. minimum required for schools in the "R" District (Variance granted by BZA – May 10, 2016)

PLAN REVISIONS: None.

STAFF COMMENTS:

A. PRIOR TO CONSTRUCTION DRAWING APPROVAL

1. Detention Note Reads as follows: "...Maintained by property owner and/or property owners association." Designate one or the other.
2. Note on this plat "Subdivision of property recorded in Plat Book 218 Page 42.
3. All easements to be dimensioned on plat. Need descriptive geometry for all easements.
4. The 10' wide private utility easement created for a water line to whole foods is shown in the wrong location. Correct on the plat.
5. Corner monument locations must be shown on plat.
6. Water line easement chart is not referenced on plan.
7. Total lot coverage information should be shown on the plat.
8. Is utility plan needed for final plat recording?
9. On page 2 or 3 label detail properly – "Detail B' Detail 'C' as referenced on page 1.
 - a. Detail B - 10' water line table – line referenced not found
Where is WL1 or WL3 etc...?
 - b. Detail C same as above – Where is C6?
 - c. Where is Detail "E" Landscape Easement – no information here
 - d. Where is Detail "D"
10. Reference to original plat – (PL 218-PG 42) shouldn't be voided or revoked because it dedicated ROW but a not stating this is same property as recorded in PL 218-PG 42 in SCRO...
11. Common area? Responsibility of shared access maintenance? Property owners association along w/ covenants/Restrictions?
12. Instrument # 14029876 is warranty deed not an ingress easement. Correct Instrument # is 14044670.
13. Owner shown on west side of property is incorrect – should be Cypress Realty (PL 260-4).

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. 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.
3. Any entrance feature/landscaping shall be contained in a landscape easement.
4. 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.
5. 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.
6. 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.
7. 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:

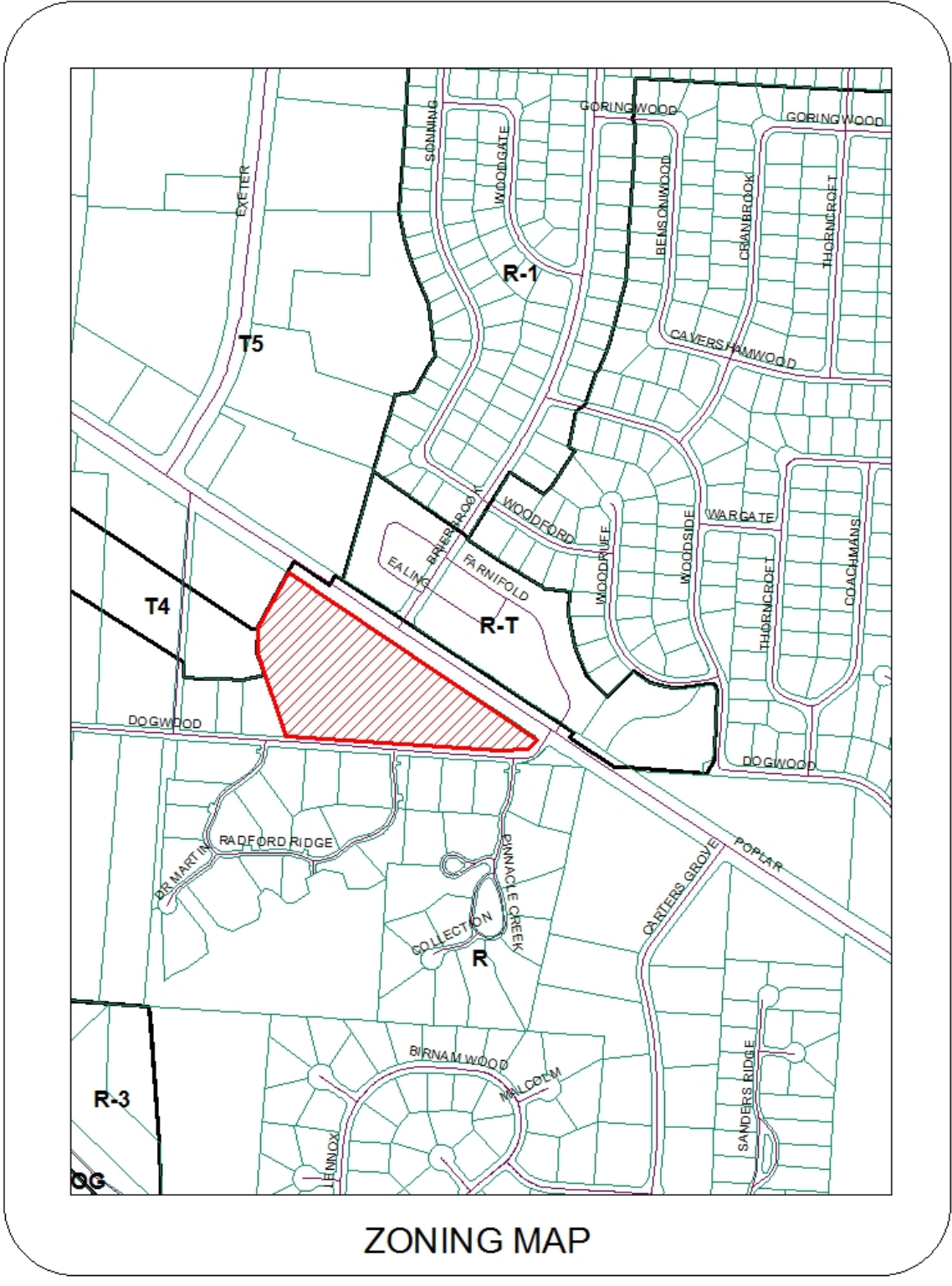
- (a) All streets shall be kept clear and free of dirt and debris;
- (b) All construction activity shall begin no earlier than 7:00 a.m. and end no later than 6:00 p.m., Monday thru Saturday, and no construction activity shall be permitted on Sundays; and
- (c) The Developer and Lot Purchasers shall 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 preliminary and final subdivision plat to address the comments listed above.

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

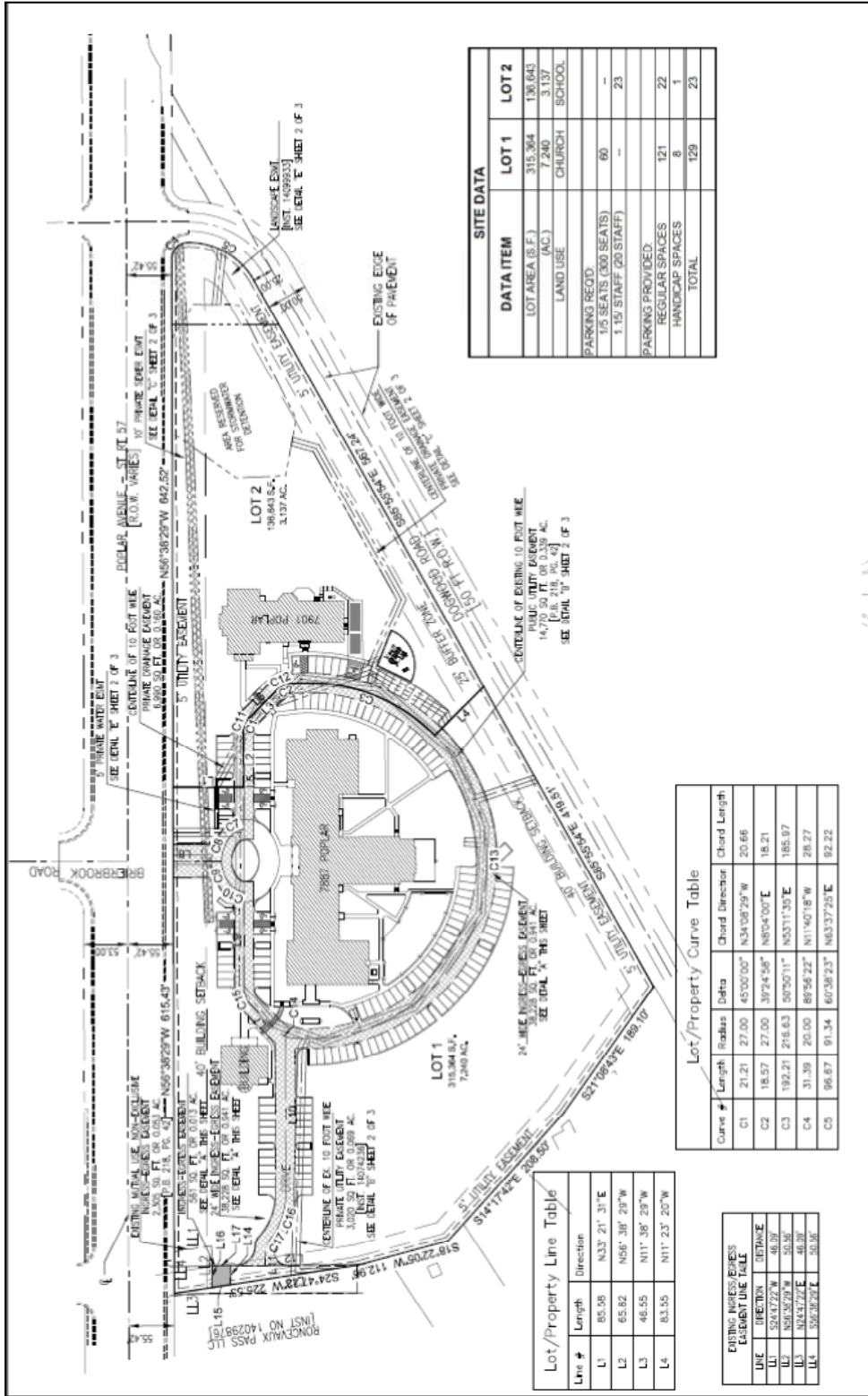
The subcommittee met on May 18, 2016, and withheld a recommendation.

PROPOSED MOTION: To approve the preliminary and final subdivision plat with 2 Lots for Kingsway Christian Church Subdivision, subject to the Board's discussion, plans filed with the application and the staff comments.



Tom Leatherwood Shelby County Register of D





SITE DATA		
DATA ITEM	LOT 1	LOT 2
LOT AREA (S.F.)	315,364	136,643
LAND USE	CHURCH	SCHOOL
PARKING PROVIDED:		
1/5 SEATS (300 SEATS)	60	--
1.15/ STAFF (20 STAFF)	--	23
PARKING PROVIDED:		
REGULAR SPACES	121	22
HANDICAP SPACES	8	1
TOTAL	129	23

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	21.21	27.00	45°00'00"	N34°08'29"W	20.66
C2	18.57	27.00	39°24'58"	N89°04'00"E	18.21
C3	192.21	216.63	50°50'11"	N03°11'35"E	185.97
C4	31.39	20.00	89°56'22"	N11°40'18"W	28.27
C5	96.67	91.34	60°38'23"	N63°37'20"E	82.22

Line #	Length	Direction
L1	85.95	N33° 21' 31"E
L2	55.82	N66° 38' 29"W
L3	46.55	N11° 38' 29"W
L4	83.95	N11° 23' 20"W

LINE	DIRECTION	DISTANCE
LL1	S24°17'22"W	46.39
LL2	N58°39'29"W	50.58
LL3	N24°17'22"E	46.39
LL4	S58°39'29"E	50.58

Kingsway Christian Church - 7887 Poplar Avenue



Memphis Oral School for the Deaf – 7901 Poplar Avenue





FISHER ARNOLD
ENGINEERING INTEGRATION

April 7, 2016

Ms. Shelia Pounder, City Planner
Department of Economic and Community Development
City of Germantown
1920 S. Germantown Road
Germantown, Tennessee 38138

**RE: Kingsway Christian Church
Minor Subdivision & Final Plat Submittal**

Dear Ms. Pounder:

On behalf of Kingsway Christian Church, Fisher Arnold hereby submits an application for a Final Plat of a Minor Subdivision that will subdivide the Kingsway Christian Church property into two lots. As you are aware, currently the property supports two users, the Kingsway Christian Church and the Memphis Oral School for the Deaf. The purpose for this subdivision is to create separate lots for the two users. The two users already have separate addresses, and utilities will be separated so that each user is independent of the other. A ingress-egress easement will be recorded as part of the proposed Final Plat to ensure Lot 2 has ingress/egress through Lot 1 for access to Poplar Avenue via both existing access points the Kingsway Christian Church currently has, and of which will be on Lot 1. Prior to recording of the proposed subdivision Final Plat, a Declaration of Covenants and Restrictions for the Kingsway Christian Church Subdivision will be recorded and so noted with the recordation instrument number on the Final Plat.

In association with this application, please find this original and twenty-eight (28) copies of this cover letter, along with twenty nine (29) copies of the following: completed Planning Commission application form (including ownership disclosure form), completed Final Plat Checklist, and fourteen (14) full sized copies and fifteen (15) half-sized copies of the Final Plat and the Utility Plan. Additionally please find attached two (2) copies of the draft Declaration of Covenants and Restrictions for the Kingsway Christian Church Subdivision, a check made payable to the City of Germantown in the amount of \$340.00 for the application fee, a set of adhesive mailing labels along with a paper copy of addresses for property owners within the notification area, and a disk with electronic copies of all submitted material.

9180 Crestwyn Hills Drive
Memphis, TN 38125

901.748.1811
Fax: 901.748.3115
Toll Free: 1.888.583.9724

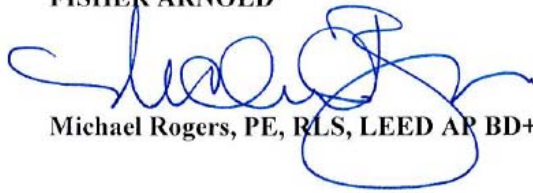
www.fisherarnold.com

Ms. Shelia Pounder
April 7, 2016
Page 2

We look forward to working with City staff as we move forward to record this subdivision plat. If you have any questions or need additional information, please let me know.

Sincerely,

FISHER ARNOLD



Michael Rogers, PE, RLS, LEED AP BD+C, CPESC

Attachments

Cc: Mr. Bob Brawner, Kingsway Christian Church
Mr. Ken Glenn, Kingsway Christian Church



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	
<p>(Check <input checked="" type="checkbox"/> all that apply):</p> <p> <input type="checkbox"/> Sketch Plan; <input type="checkbox"/> Preliminary Site Plan; <input type="checkbox"/> Final Site Plan <input checked="" type="checkbox"/> Minor Subdivision; <input type="checkbox"/> Preliminary Plat; <input checked="" 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>*****</p> <p>IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) YES <input type="radio"/> NO <input checked="" type="radio"/></p> <p>(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>Kingsway Christian Church Subdivision</u></p> <p>Address/Location: <u>7887 Poplar Avenue - Germantown, TN 38138</u></p> <p>Project Description: <u>To subdivide the church property into two lots - one for the church and one for the Memphis Oral School for the Deaf (MOSD)</u></p> <p>No. of Acres: <u>10.377</u> Parcel Identification Number(s): <u>G0231 00593</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>Kingsway Christian Church of Memphis</u> Address: <u>7887 Poplar Avenue - Germantown, TN 38138</u> Phone No.: <u>(901) 683-3505</u> Email Address: <u>bbrowner@comcast.net</u> Signature of Owner <u>by Sandra M Allen, Board Chair</u></p> <p>Lessee Name (Print): <u>N/A</u> Address: _____ Phone No.: _____ Email Address: _____</p> <p>Signature of Lessee _____</p> <p>Developer Name (Print): <u>N/A</u> Address: _____ Phone No.: _____ Email Address: _____</p> <p>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>Michael Rogers</u>	Title: <u>Principal</u>
Company Name: <u>Fisher Arnold</u>	Address: <u>9180 Crestwyn Hills Drive - Memphis, TN 38125</u>
Phone No.: <u>(901) 748-1811</u>	Email Address: <u>mrogers@fisherarnold.com</u>
Who will represent this proposal at the Planning Commission meeting? <u>Michael Rogers</u>	
ENGINEER/SURVEYOR INFORMATION	
Engineer Name: <u>Fisher Arnold</u>	Address: <u>9180 Crestwyn Hills Drive - Memphis, TN 38125</u>
Phone No.: <u>(901) 748-1811</u>	Email Address: <u>mrogers@fisherarnold.com</u>
Surveyor Name: <u>Fisher Arnold</u>	Address: <u>9180 Crestwyn Hills Drive - Memphis, TN 38125</u>
Phone No.: <u>(901) 748-1811</u>	Email Address: <u>mrogers@fisherarnold.com</u>

2. **Not for Profit Entities.** If the Applicant (including all owners, lessees and developers) submitting the Application ("Applicant") is a not for profit entity, the authorized representative of the Applicant must list below the name and business or home address of the President (or equivalent chief executive officer) and the members of its board of directors:

Applicant: Kingsway Christian Church of Memphis
Address: 7887 Poplar Avenue - Germantown, TN 38138

President or Equivalent
Chief Executive Officer: Sandra Allen, Board Chair
Address: 354 North Mc Neil, Memphis, TN 38112

Members of the Board of Directors of the Applicant:

Name	Business or Home Address
<u>Robert E. Brawner</u>	<u>167 West Porter Run Drive, Collierville, TN 38017</u>
<u>Debbie Glenn</u>	<u>3041 Steeplegate, Germantown, TN 38138</u>
<u>Sandra Harper</u>	<u>5905 Savannah Crossing, Southhaven, MS 38672</u>
<u>Dale Kehr</u>	<u>9308 Mulkins Lane, Germantown, TN 38139</u>

Mary Ann Mears 9538 Collingswood Drive, Olive Branch, MS 38654 (Continued)

Note that approval of the application is based upon information provided herein and any change in this information including any change in ownership interests of the subject real property, after filing the application may result in reconsideration of any approval.

The Applicant/Owner/Lessee acknowledges and agrees that if the developer of a project is not the owner of the subject real property, the owner/lessee and developer shall be required to join in the project development contract with the City and the obligations of the project development contract shall be the joint and several obligations of the developer, owner, and lessee.

Joe Patterson	8988 Hickory Trail Drive, Cordova, TN 38018
Pat Pitts	5400 Park Avenue #408, Memphis, TN 38119
Kathy Pruett	5457 Irvin Park Cove, Memphis, TN 38119
Stan Pruett	5457 Irvin Park Cove, Memphis, TN 38119
Jim Rickman	2705 McVay Road, Memphis, TN 38119
Jan Vogelfanger	4035 Dumaine Way, Memphis, TN 38117

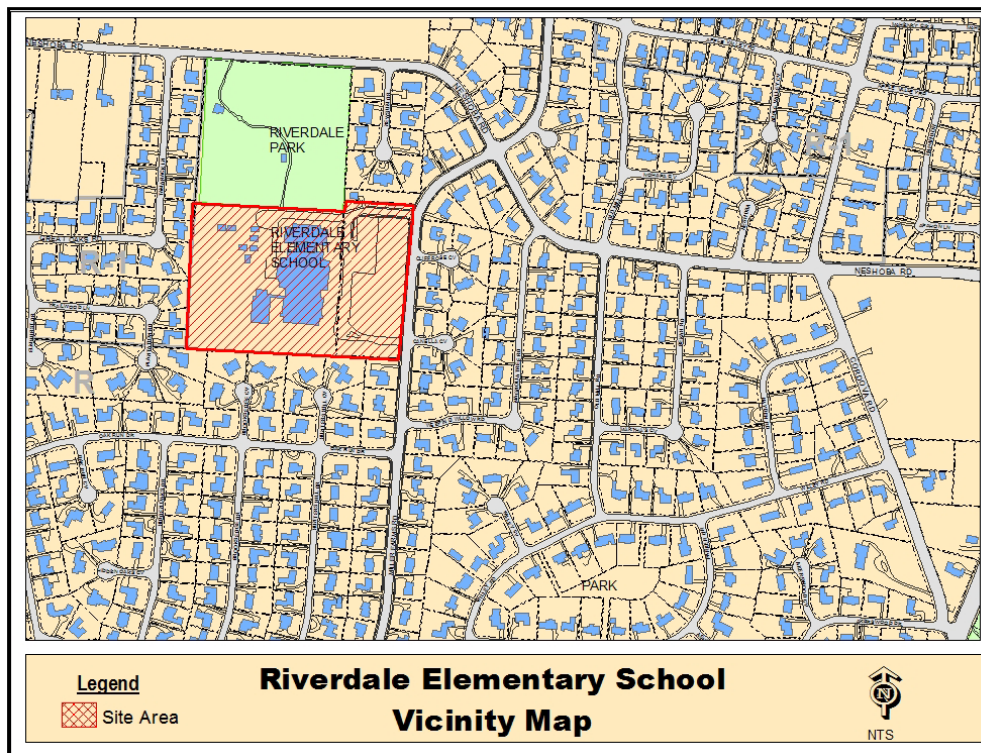
4.a. Riverdale Elementary School, 7391 Neshoba Rd. – Request Revised Preliminary and Final Site Plan Approval

Mr. Ross made a presentation of the application to the Planning Commission.

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%

PLAN REVISIONS: The site plan has been revised to reduce the number of parking spaces down from 107 to 97 to allow for a wider buffer separation and landscape screen between the parking lot and residential properties along the south property line.

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 an 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 85 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 asked why this parking lot addition wasn't made a part of the previous revise site plan that was recently approved the Commission.

Josh Cathey, Director of Operations, 2576 Hollyhock Drive, with the Germantown Municipal School District, 6685 Poplar Avenue, Suite 202 replied that 85 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. The landscaping plan will be moved 15 feet off the property line. The neighbors want more than that. The school and administration want less than that.

Mr. Cathey stated 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 noted 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.

Chairman Harless stated he would like to commend both parties. They agreed to the need for more parking, privacy, and security. The Planning Commission can only approve the site plan for the parking lot and where it's located tonight. We cannot approve the landscaping plan. The Design Review Commission will approve that.

Support:

Joseph Bond Principal of Riverdale School, 430 Duscoe Street, Collierville, TN, stated we want to be good neighbors to everyone. Mr. Smith and Mr. Cathey have work very hard with the neighbors trying to develop a plan that will provide adequate landscaping and screening.

Lisa Parker Germantown Board of Education, PTA President, 1649 Kimbrough Road, The green space will be up against the Riverdale Park. We have 22 portables and they are 10 feet from the neighbors. The neighbors asked us to keep the traffic off the street.

Opposition:

Ron Sklar at 1794 Brooksedge Cove made a presentation. (See below)

To Members of the Germantown Planning Commission:

In our previous e-mails we have made the point that we don't want the screening privet hedge planted next to our property lines. We want it planted next to the asphalt parking lot, some 50' away from our property. We don't want high, thick shrubs blocking light and view next to us.

The attached picture is an illustration of this point. This is a picture of the plantings (including a labelled arboretum tree) on the west property line of the Riverdale School property.

We do not want this next to our fences. We can't imagine who would.

Brooksedge Neighbors
c/o Ron Sklar



We have agreed and compromised with the School District regarding distance of asphalt from our property line, style and placement of post lights, school's promise of limited use of said lights.

However, we still don't have the landscaping worked out. Josh Cathey and I agreed verbally on the floor at the DRC that we would work diligently to create an acceptable landscape planwe even held hands in a friendship circle and sang Kumbaya, but his landscape consultants have changed the landscape plans significantly, and they are not acceptable to us neighbors.

I have included my extensive letter back to Mr. Cathey below for your reading pleasure, however, the executive summary of the main 3 points that we will argue at the PC are:

1. We do not want a 15' tall green wall of privet hedge next to our fence to cut out all light, air, and view from our property. We want the screening type shrubs to be next to the asphalt. The point is to screen the parking lot from us neighbors, not to screen us neighbors from the parking lot. My letter below also contains info regarding better choices of plant material.
2. They need a better irrigation system than a school employee with a hose. Nothing sophisticated, just something realistic.
3. We want their promised post light policy in writing, as part of the approval.... no having to go back and listen to tapes, if there's a question in the future.

RON SKLAR

Letter to Josh Cathey and his consultants:

The attached landscape plan has clever touches. I assume that the variety of trees proposed is to help with amassing the “tree points” needed for the arboretum certification, which we certainly endorse.

We still have a couple of requests that are consistent with our previous point of view, as stated at the DRC.

They are:

1. We still do NOT want a future “green wall” formed by Waxleaf Ligustrum 5’ away from our properties. We don’t want a light and view blocking “green wall” next to our fence. We want to see light and sky. Waxleaf ligustrum is just a fancy name for a Japanese privet hedge that will grow 15’ tall in the blink of an eye. We request that any shrubs be placed about 10’ away from the asphalt to effectively screen the parking lot from the neighbor’s view. This will leave a nice open space with easy visibility between the shrubs and our fences. This makes sure that you haven’t created those hiding places that Principal Bond was so concerned about.
2. We would also like to point out that no one thinks privets are a good solution to anything. They grow like crazy and require extensive maintenance, which the school probably can’t afford. I have talked extensively to two Landscape Architects, a plant wholesaler, and a second generation landscape company. They all recommend Pfitzer Juniper about 10’ from the asphalt, but agreed that they are expensive in a 4’-5’ size.... although smaller plants on a 2’ berm might work.
3. The general consensus is Robin Holly or Oakleaf Holly or Bluepoint Juniper are probably the best affordable choices. Very hardy, like the sun, and don’t require being pruned 4x a year like the privet.
4. The parking lot seems to be correctly spaced from our rear fence line by graphic scale, but just to have belt and suspenders, please put a 66’ dimension on the plan from the Dudley’s fence to the asphalt.
5. Other folks in the landscape business and my own experience still leads me to believe that you need a more sophisticated irrigation system than a person with a hose for these plants to survive. I have previously mentioned the very inexpensive battery operated irrigation valves that are available. It would cost you next to nothing to bury a PVC line through the landscaping with a few heads and this or similar valve. https://www.amazon.com/Orbit-WaterMaster-Battery-Operated-Sprinkler/dp/B004LPBS6K/179-2251346-5755269?ie=UTF8&*Version*=1&*entries*=0
6. The post light by the corner of the old gym is not screened from the Sklar home by shrubs; the eastern most shrubs of the eastern grouping of 7 shrubs don’t screen much. Maybe moving that grouping westwardly will block the view of the post light.
7. Please add in the appropriate place the Board’s intentions expressed about the parking lot lights being used on school days only, when the staff would come and go in darkness and used in a limited fashion on school nights in conjunction with theatrical rehearsals/productions in the old gym and the intention that they not be used after 9pm at all.

Thank you for your consideration.

Cordially,
Brooksedge Cove Neighbors

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

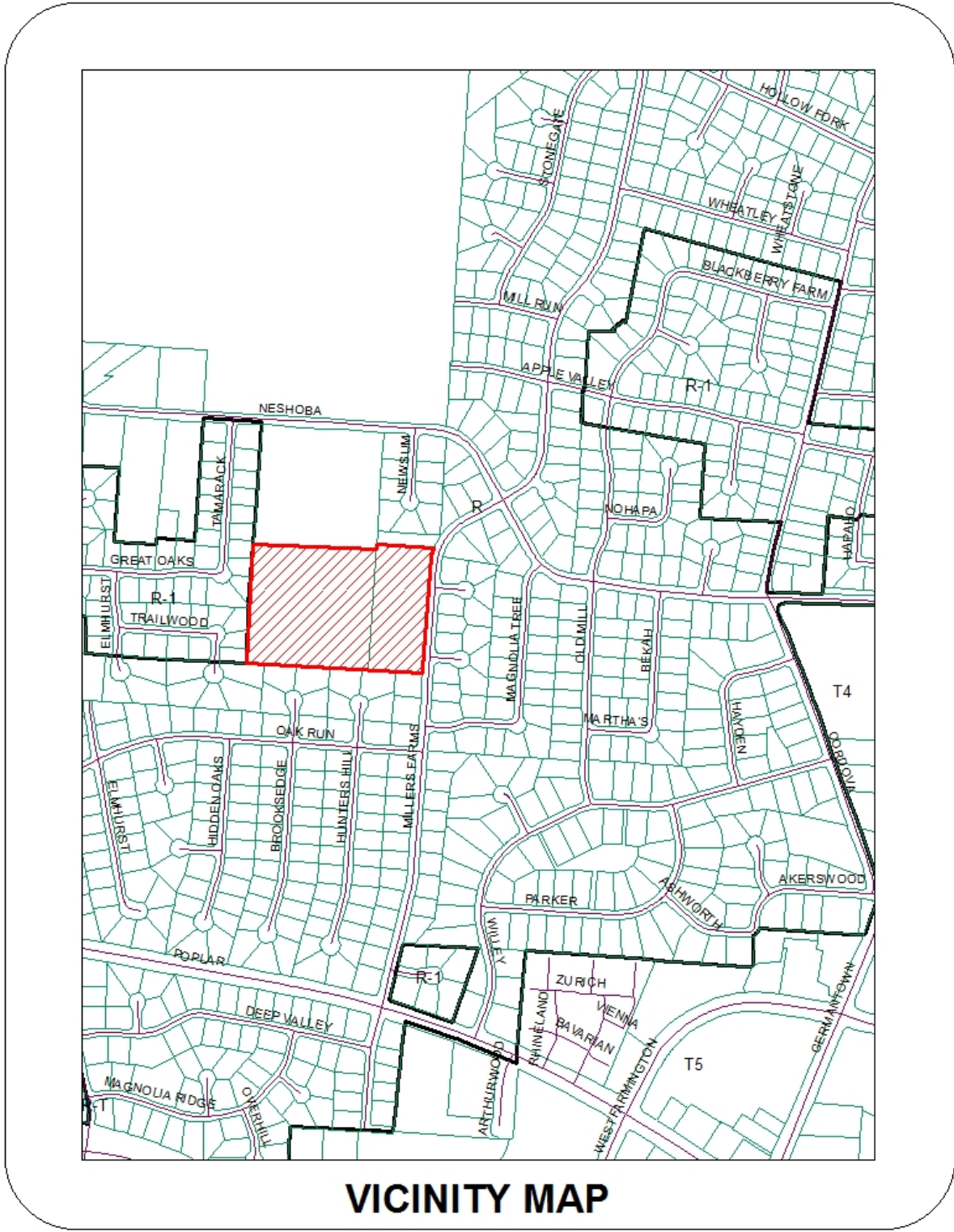
The subcommittee met on May 18, 2016, and withheld a recommendation.

PROPOSED MOTION: To approve the revised preliminary and final site plan that reflects a new parking lot with 85 spaces on the west side of the building for Riverdale Elementary School, at 7391 Neshoba Rd., subject to the Board's discussion, plans filed with the application, and the staff comments.

Mr. Bennett moved to approve the revised preliminary and final site plan that reflects a new parking lot with 85 spaces on the west side of the building for Riverdale Elementary School, at 7391 Neshoba Rd., subject to the Board's discussion, plans filed with the application, and the staff comments, seconded by Ms. Burrow.

Chairman Harless asked for a roll call.

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



VICINITY MAP



**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	
<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"/></p> <p>(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></p> <p>Signature of Owner: <u><i>[Signature]</i></u></p> <p>Lessee Name (Print): <u>Jason Manuel</u> Address: _____ Phone No.: <u>901-752-7900</u> Email Address: _____</p> <p>Signature of Lessee: _____</p> <p>Developer Name (Print): _____ Address: _____ Phone No.: _____ Email Address: _____</p> <p>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

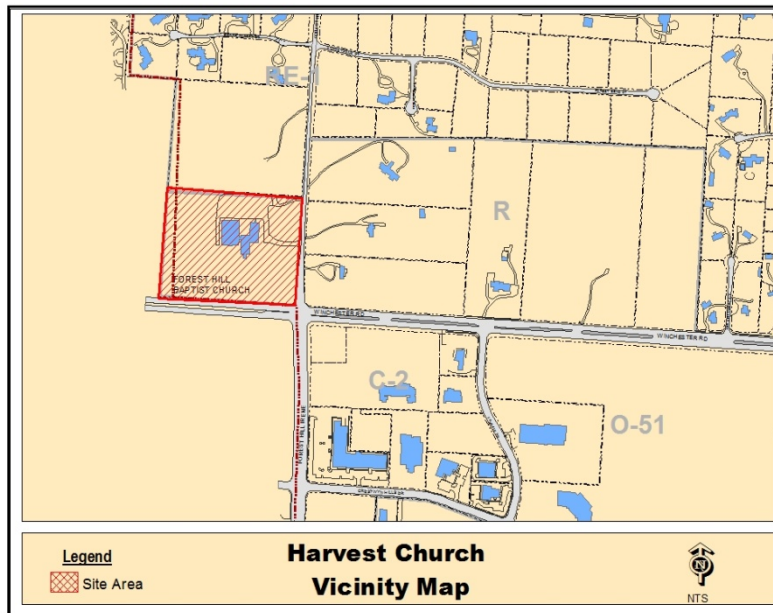
4.b. Request Revised Preliminary and Final Site Plan Approval of Harvest Church Classroom Addition

Ms. Pounder made a presentation of the application to the Planning Commission.

INTRODUCTION:

Development Case Number	(15-560)
Location:	3645 Forest Hill Irene Road
Owner Name/Applicant Name:	Harvest Church of Memphis
Representative Name:	Michael Rogers w/Fisher Arnold - Agent
Zoning District:	R - Low Density Residential Zoning District
Area:	14.37 Acres
Request:	Preliminary and Final Site Plan Approval for a classroom addition

*Refer to the Disclosure Form attached for more information



BACKGROUND: The property was annexed into Germantown on July 26, 2000, as part of the annexation of a 1,450 acre area in the vicinity of Forest Hill-Irene Rd. and Winchester Rd. The property was originally the site of Forest Hill Baptist Church that was built in 1998, according to the Shelby County Assessor Records. Additions and alterations to the existing educational building for the church were approved as Project Development Contract #47 in 1980. The BZA approved on May 13, 2014 a Use on Appeal for the expansion of the church’s parking lot. A second Use on Appeal was approved by the BZA on January 12, 2016 for expansion of the church building. The church was recently purchased by Harvest Church, which is the current user of the facilities.

DISCUSSION: The current request is to revise the existing site plan to include a 10,350 sq. ft. expansion of the existing fellowship building, a new 20,000 sq. ft. free-standing building, and a new parking area.

TOTAL PROJECT SITE AREA	14.37 ac.
NEW BUILDING SIZES	36,843 S.F
Fellowship building expansion	10, 350 S.F.
New building construction	26,493 S.F.

(Existing bldg = 34,102 S.F.)

BUILDING HEIGHT (above grade)

48'2 1/4"

NUMBER OF PARKING SPACES

260 Required (1
space/5 seats)

553 Provided

PLAN REVISIONS: The applicant has submitted revised plans that include a fire truck access plan and an irrigation plan. They have also provide staff with email confirmation of the City of Memphis approval of their drainage plan to discharge stormwater into existing detention basin and existing drainage line from City of Memphis. An official letter from the City of Memphis concerning this issue is still needed prior to Construction Plan Approval.

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

STAFF COMMENTS:

A. PRIOR TO PRELIMINARY SITE PLAN APPROVAL

1. Provide City of Memphis and MLGW approvals for use or improvement to the existing utilities (including detention) facilities and parking improvements located in their easements as per proposed plans prior to City of Germantown's approval of the revised preliminary and final site plan. (MLGW has requested that "the City of Germantown make the MLGW Encroachment Agreement a condition for approval of the development, such that, if the Owner does not submit an executed encroachment agreement, the City would not approve the development").

B. PRIOR TO FINAL SITE PLAN APPROVAL

1. Provide a copy of the re-recorded Offices of Southwind Planned Development Outline/Final Plat that reflects the City of Memphis's approval of Parcel 4 as an accessory use parking lot for Harvest Church that abuts it to the east prior to City of Germantown's approval of the revised final site plan.
2. The drawings sent to Memphis OPD stamped "copy of Official Plan" are different from that submitted to this office. Correct the discrepancy.
3. Label and show existing ROW and property lines. Show existing and proposed dedication for all adjacent roads. Forest Hill Irene: show dedicated full cross section on all plans.
4. Improve Forest Hill Irene southward through south driveway and improve drainage.
5. Parking lot entrance on Southwind Cove is only one lane wide, will provide ingress/egress from Parcel 5's owner in Offices of South Wind P.D. Provide documentation of owners consent.

C. PRIOR TO CONSTRUCTION PLAN APPROVAL

1. Need agreement to discharge stormwater into existing detention basin and existing drainage line from City of Memphis. Provide permission/documentation from the City of Memphis for work on Parcel 5.
2. Show existing gravel parking lots and corporate limit line on Existing Condition Plan.
3. 15' public sewer easement (PL247-1) – states no shrubs, structures, etc. allowed within easement. Move dumpster pad shown on site plan.
4. Sanitary sewer plan – show existing sewer line to north with the 15' ss easement.
5. Add isolation valves to 6" water loop and provide an 8" water loop instead of 6".
6. Make new mains 8" instead of 6".
7. Install 2" meter instead of 3".
8. Provide irrigation plan for landscaping.

9. Label all drainage easements as private.
10. Washed gravel is not sufficient for curb opening stabilization with all sheet flow.
11. Show existing contours from proposed parking 100 foot offsite on grading and drainage plan.
12. Show grade to drain note. Show proposed contours with swale detail.
13. Handicap parking spaces should be 160 sq. ft. Revise plan to clearly reflect this. Show dimension on all parking spaces including handicap spaces.
14. Show side yard setback, utility easements, and landscape buffers along the east and north side of the property. Provide buffer on north property line.
15. On the "existing conditions" sheet, it is not clear what part of Forest Hill Road has curb and gutters. Provide clear information and details on the plans.
16. Revise Sheet 3 to show the western edge of Forest Hill Irene pavement completely on the plan.
17. Label all easements shown on the plans.
18. Move fire hydrant to median where PIV & FDC are located. Each shall have 3' clearance around the circumference. Check landscaping plan.
19. Provide fire truck access plan (Auto Turn Program).
20. Recommend fire hydrant for lower parking lot at the mouth of the entrance at Southwind Park Cove.
21. Provide a minimum of 26 feet drive around building for fire lane access.
22. Provide additional fire hydrants. Fire hydrant spacing is greater than 300 feet at southeast corner of existing building.
23. Provide drainage calculations for discharge into existing detention basin.
24. Provide details on Southwind Park Cove tie in (width). Provide commercial apron.

D. GENERAL COMMENTS

1. 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.
2. 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.

3. 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.
4. 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 of the revised preliminary and final site plan, subject to staff

comments.

Opposition:

Vincent and Victoria Hatch 9025 Telluride Cove stated we have some questions. We live directly behind the church and the building is moving closer to our house. It appears to be 3 to 4 stories tall and there are no windows on that side. But the plans we saw seem to have windows that look directly into our back yard. The lights that are at the top of the church throw a lot of light in our backyard. I need to know the lighting and landscaping plan for the parking lot for privacy. We don't know when the project is starting and would be finished. We also need to know when the construction is starting on Forest Hill Irene Road. At this point what decisions have been made and have not been made.

Chairman Harless noted we like to encourage the developer (the church) to meet with the residents to go through all the details with lighting, landscaping, building, and parking lot. So you have the full understanding of the project and what's going to happen. The landscaping and lighting will be handled at the Design Review Commission.

Spence Ray at 7700 Wolf River Boulevard stated we have met with Mr. & Mrs. Hatch about the plans of the building on the setbacks and we will send them a copy of the landscape plan. Mr. Ray has agreed to meet with them before we go to the Design Review Commission.

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

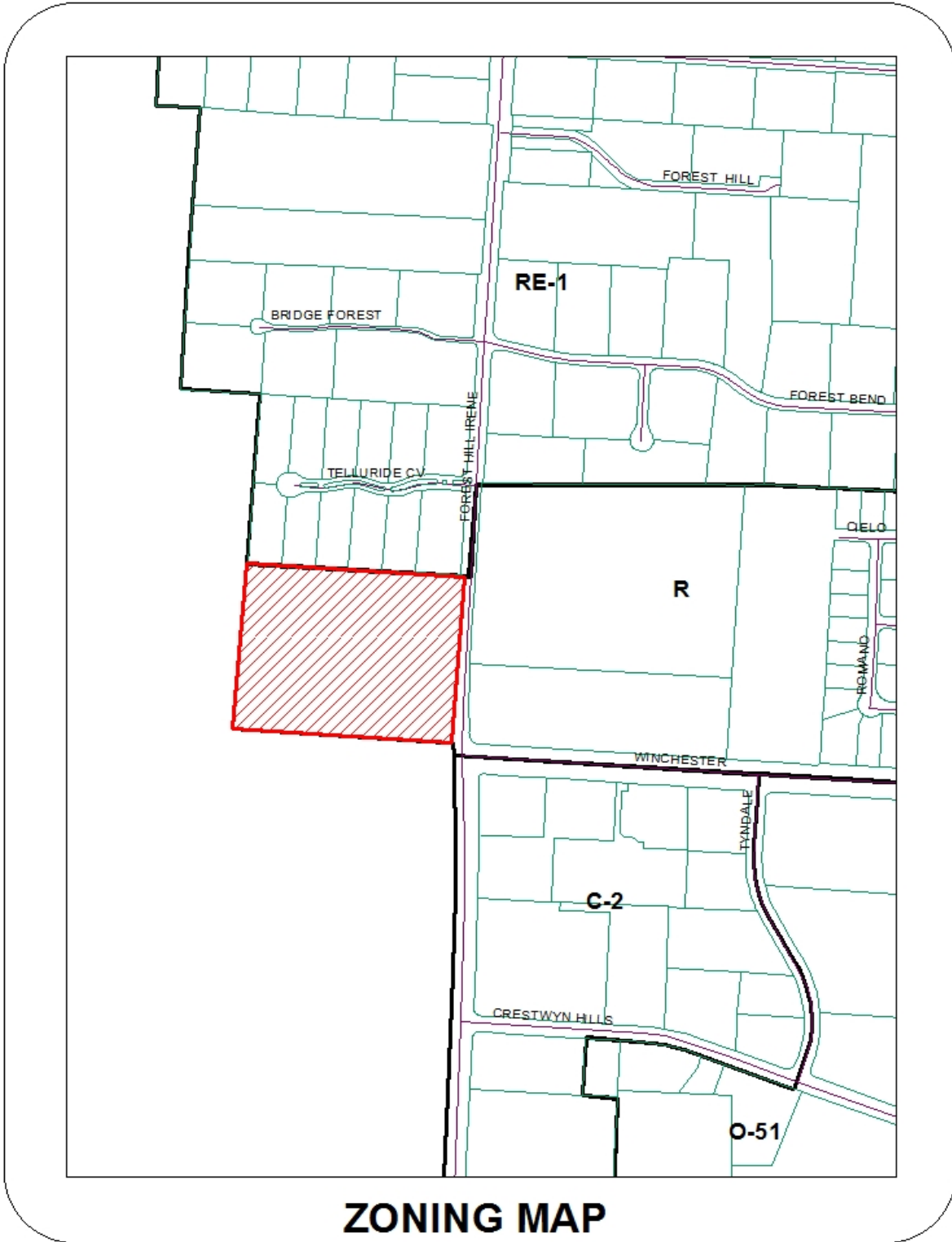
The subcommittee met on May 18, 2016, and withheld a recommendation.

PROPOSED MOTION: To approve the preliminary and final site plan for Harvest Church Classroom Addition, subject to the Board's discussion, plans filed with the application and the staff comments.

Ms. Burrow moved to approve the preliminary and final site plan for Harvest Church Classroom Addition, subject to the Board's discussion, plans filed with the application and the staff comments, seconded by Alderman Owens.

Chairman Harless asked for a roll call.

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



AERIAL VIEW





May 5, 2016

Ms. Shelia Pounder, City Planner
Department of Economic & Community Development
City of Germantown
1920 S. Germantown Road
Germantown, Tennessee 38138

**RE: Harvest Church Classroom Addition
Preliminary & Final Site Plan Application**

Dear Ms. Pounder:

Fisher Arnold, on behalf of Harvest Church, hereby re-submits the Preliminary & Final Site Plan application for the proposed addition of classroom space for the existing facilities being used by the applicant, Harvest Church. The subject property is now owned by Harvest Church, although both Harvest Church and Forest Hill Baptist Church still utilize the existing facilities. Harvest Church has experienced significant growth. As you know, we submitted this application last month, then pulled it to make some modifications to the site layout. Specifically, due to safety concerns with children crossing a vehicular drive between the main building and the proposed classroom addition, we have chosen to connect the classroom addition to the main facility. The proposed additions still consist of an approximate 10,350 square foot expansion of the existing fellowship building and the addition of a new, approximate 20,000 square foot classroom building, plus an approximate 1,500 SF connector between the two buildings. In association with this expansion, some existing parking will be reconfigured and new parking will be added. The temporary, gravel parking will be removed and/or paved so that no gravel parking remains. On January 12, 2016 the Board of Zoning Appeals approved a Use on Appeal request for the church in conjunction with this anticipated Site Plan application.

In addition to the proposed classroom addition and expansion of the multi-purpose portion of the existing building on the Germantown property, the church will be constructing expanded parking and an access to Southwind Park Cove. These improvements are proposed on Parcel 4 of the Offices of Southwind P.D. in Shelby County, a parcel owned by Harvest Church that is adjacent to and abuts the west line of their

Ms. Shelia Pounder

May 5, 2016

Page 2

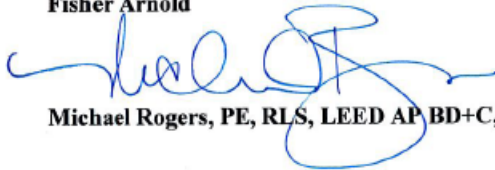
Germantown property. Please find attached with this letter, a letter from the Memphis and Shelby County Office of Planning and Development (OPD) confirming that these improvements are an allowed use. Upon approval of this Site Plan by the City of Germantown, we will proceed to file a Minor Modification to the Offices of Southwind P.D. Outline Plan as dictated in the letter from OPD. We have also submitted the proposed Grading & Drainage Plan to the County Engineer's office and have received approval of the drainage. We will forward confirmation of the County Engineer's approval separately. The sewer plans have been submitted to the City of Memphis for review, and upon their approval, we will send a confirmation of their approval as well.

In association with this Preliminary and Final Site Plan application, please find the original plus twenty-eight copies of this cover letter (including OPD letter), and twenty-nine (29) copies of the completed Planning Commission application form (including the Disclosure of Ownership Interests), the completed Preliminary and Final Site Plan Checklist, and fourteen (14) full-sized and fifteen (15) half-sized copies of a complete set of the Final Site Plan drawings (site construction plans, landscape plans, site lighting plans and architectural building elevations). Also attached please find a CD with electronic copies of the re-submitted materials. Previously submitted was a notification packet consisting of a vicinity map with adjacent property owner names within a 300' radius of the subject properties, one set of adhesive address labels, one printed copy of the addresses, a check made payable to the City of Germantown in the amount of \$600.00 for the Preliminary Site Plan and Final Site Plan application fees. The project architect will be submitting material samples separately.

We look forward to working with City staff as we move forward with this application. If you need any additional information or have any questions, please don't hesitate to call.

Sincerely,

Fisher Arnold



Michael Rogers, PE, RLS, LEED AP BD+C, CPESC

Attachments

Cc: Mr. Bill Garner, Harvest Church
Mr. Spence Ray, McNeil Investments



Memphis and Shelby County
Office of Planning and Development
CITY HALL - 125 N. MAIN STREET, SUITE 468 - MEMPHIS, TENNESSEE 38103

04/01/16

Mr. Michael Rogers, Principal
Fisher Arnold
9180 Crestwyn Hills Drive
Memphis, TN 38125

RE: Harvest Church Parking Expansion & Access Drive

Dear Mr. Rogers:

Please reference the two attachments to this letter. The first is the currently-recorded Final Plat (noted as "Copy of Official Plan") which highlights the parcel that is the purpose of this letter (Parcel 4 of the Offices of Southwind Planned Development Outline/Final Plat, recorded in Plat Book 247, Page 1). The second attachment is provided by you (noted as "Preliminary Draft") to illustrate the proposed use of Parcel 4 as an accessory use parking lot for the Harvest Church abutting Parcel 4 to the east.

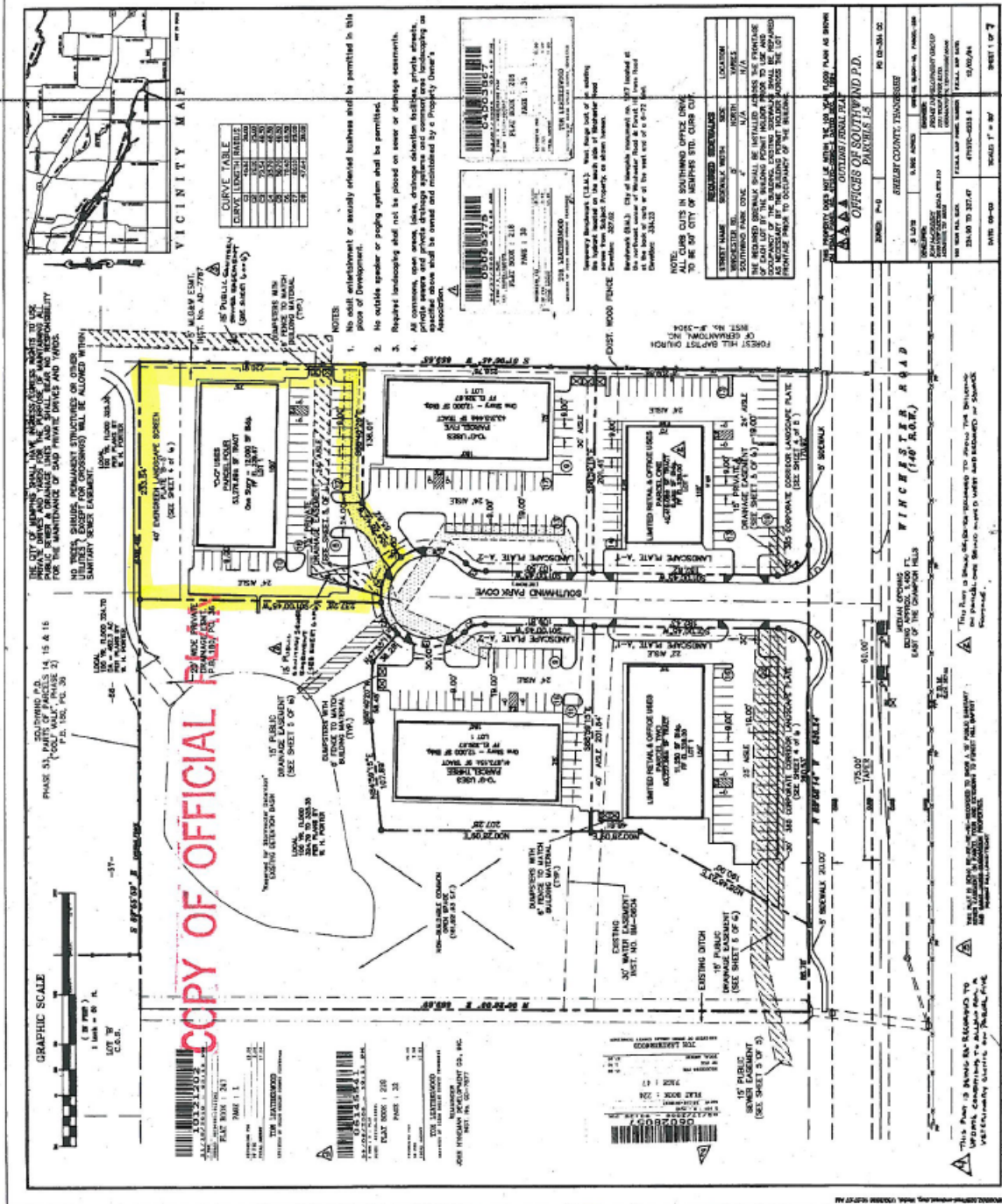
Our office has previously discussed with you whether Parcel 4 could be used as accessory parking for Harvest Church. We are confirming by this letter that it can based on the following. Sub-Section 2.7.1B of the Memphis and Shelby County Unified Development Code states that accessory structures and uses can be located on a contiguous lot or tract in the same ownership as long as the lot or tract permits the principal use the parking lot is being established for. A church is a permitted principal use on Parcel 4. Additionally, Sub-Section 3.2.2B further allows for a "site" to include any lot, tract, or group of connected lots, tracts and/or parcels owned or functionally controlled by the same person or entity, assembled for the purposes of development.

In order to accomplish the parking use on Parcel 4, the Offices of Southwind Planned Development Outline/Final Plat will require re-recording as a Minor Modification (administrative approval only) to be processed through our office.

Sincerely,

Norman R. Saliba, Jr.
Land Use Controls Manager

cc: Josh Whitehead, Planning Director



OFFICES OF SOUTHWIND P.D.
 PARCELS 15

PLANNING COMMISSION
 JUNE 7, 2016
 PLANNING COMMISSION
 1500 W. 1000 SOUTH
 SALT LAKE CITY, UT 84119
 PHONE: 801-474-1000
 FAX: 801-474-1001
 WWW: WWW.PLANCOM.UTAH.GOV

PLANNING COMMISSION
 JUNE 7, 2016
 PLANNING COMMISSION
 1500 W. 1000 SOUTH
 SALT LAKE CITY, UT 84119
 PHONE: 801-474-1000
 FAX: 801-474-1001
 WWW: WWW.PLANCOM.UTAH.GOV



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 checked="" 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>*****</p> <p>IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p>(Please note - if yes, than follow Smart Code Application Instructions to complete this form for submittal)</p>	
<p>PLANNED USE DEVELOPMENT'S (PUD) ONLY: N/A</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>Harvest Church Classroom Addition</u></p> <p>Address/Location: <u>3645 Forest Hill - Irene Road - Germantown, TN 38138</u></p> <p>Project Description: <u>Classroom addition and expansion of church facilities, including parking lot expansion</u></p> <p>No. of Acres: <u>14.37</u> Parcel Identification Number(s): <u>G0242 00273</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>Harvest Church of Memphis</u> Address: <u>3645 Forest Hill - Irene Rd - Germantown, TN 38138</u></p> <p>Phone No.: <u>(901) 754-7455</u> Email Address: _____</p> <p>Signature of Owner: <u><i>William L. Garner IV</i></u></p> <p>Lessee Name (Print): <u>N/A William L. Garner IV</u> Address: _____</p> <p>Phone No.: _____ Email Address: _____</p> <p>Signature of Lessee: _____</p> <p>Developer Name (Print): <u>Harvest Church of Memphis</u> Address: <u>3645 Forest Hill - Irene Rd - Germantown, TN 38138</u></p> <p>Phone No.: <u>(901) 754-7455</u> Email Address: <u>bill@harvestmemphis.com</u></p> <p>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>Michael Rogers</u>	Title: <u>Principal</u>
Company Name: <u>Fisher Arnold</u>	Address: <u>9180 Crestwyn Hills Drive - Memphis, TN 38125</u>
Phone No.: <u>(901) 748-1811 Ext 213</u>	Email Address: <u>mrogers@fisherarnold.com</u>
Who will represent this proposal at the Planning Commission meeting? <u>Michael Rogers</u>	
ENGINEER/SURVEYOR INFORMATION	
Engineer Name: <u>Michael Rogers</u>	Address: <u>9180 Crestwyn Hills Drive - Memphis, TN 38125</u>
Phone No.: <u>(901) 748-1811 Ext 213</u>	Email Address: <u>mrogers@fisherarnold.com</u>
Surveyor Name: <u>Fisher Arnold</u>	Address: <u>9180 Crestwyn Hills Drive - Memphis, TN 38125</u>
Phone No.: <u>(901) 748-1811 Ext 213</u>	Email Address: <u>mrogers@fisherarnold.com</u>

2. **Not for Profit Entities.** If the Applicant (including all owners, lessees and developers) submitting the Application ("Applicant") is a not for profit entity, the authorized representative of the Applicant must list below the name and business or home address of the President (or equivalent chief executive officer) and the members of its board of directors:

Applicant: Harvest Church
Address: 3645 Forest Hill - Irene Road - Germantown, TN 38138

President or Equivalent
Chief Executive Officer: Bill Garner
Address: _____

Members of the Board of Directors of the Applicant:

Name	Business <u>or</u> Home Address
<u>Kennon Vaughan</u>	<u>4883 Lorece Avenue - Memphis, TN 38117</u>
<u>Steve Winstead</u>	<u>1558 Marcey Pointe Lane - Memphis, TN 38120</u>
<u>Bill Garner</u>	<u>3080 Laurinburg Circle, Germantown, TN 38138</u>
_____	_____

Note that approval of the application is based upon information provided herein and any change in this information including any change in ownership interests of the subject real property, after filing the application may result in reconsideration of any approval.

The Applicant/Owner/Lessee acknowledges and agrees that if the developer of a project is not the owner of the subject real property, the owner/lessee and developer shall be required to join in the project development contract with the City and the obligations of the project development contract shall be the joint and several obligations of the developer, owner, and lessee.

4.c. Amendment of the Code of Ordinances to Regulate Transient Guest Dwellings

Mr. Ross made a presentation of the application to the Planning Commission.

INTRODUCTION: Germantown's current regulations do not address concerns that have been raised regarding short term transient housing in the neighborhoods of Germantown. The following amendment to the Germantown Zoning Ordinance is proposed to preserve the existing character of Germantown's neighborhoods and manage any transient dwellings that may be operating within the City's neighborhoods.

DISCUSSION: Staff researched other community's regulations on transient dwelling, short term rental and short term residential operations for comparison purposes and found that there are a variety of ways to manage this use. Staff looked at the operations of the Economic and Community Development Neighborhood Services Division, which manages Code Compliance, and determined that the following was the most appropriate way to facilitate this use in the City.

GERMANTOWN TRANSIENT GUEST ORDINANCE PROPOSAL:

The City of Germantown proposes to add to all Residential zoning districts (R Districts, 23-151, 23-176, 23-201, 23-226, 23-251, 23-276, 23-301, 23-326, 23-346 *et seq.*) and Old Germantown zoning districts (O-G, O-G1, 23-516, 23-541, *et seq.*) the follow provision:

No Transient Dwelling or portion thereof may be occupied by any Transient Guest(s) for a period of less than thirty (30) continuous days.

The following definition would also be added to 23-2 of the City Code:

Transient Dwelling: Homes, condominiums, apartments, rooms and/or other residential accommodations that are occupied for dwelling, lodging, or sleeping purposes by Transient Guest(s) for any consideration.

Transient Guest(s): One or more persons who occupies a Transient Dwelling or portion thereof, other than his or her usual place of residence, in exchange for any consideration.

STAFF RECOMMENDATION: Approval.

ZONING SUBCOMMITTEE: (SUSAN BURROW, CHAIRMAN): The committee met on May 18, 2016, and withheld a recommendation.

PROPOSED MOTION: To approve the amendment of the Code of Ordinances to Regulate Transient Guest Dwellings, subject to the Board's discussion and staff comments.

Mr. Bennett moved to approve the amendment of the Code of Ordinances to Regulate Transient Guest Dwellings, subject to the Board's discussion and staff comments; seconded by Mr. Clark.

Chairman Harless asked for a roll call.

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

Ms. Burrow voted yes; for the overall integrity of the neighborhood.

Mr. Clark voted yes; on public safety for the City of Germantown and to maintain the overall integrity of the City.

Mr. Bennett voted yes; to maintain the residential character of the City, and safety of the residents and the City.

Alderman Owens voted yes; to protect the residential character of the City.

Chairman Harless voted yes; on quality and safety in the community.

4.d. Code of Ordinances to Regulate Wireless Transmission Facility

Mr. Ross made a presentation of the application to the Planning Commission.

INTRODUCTION: Germantown's current regulations limit the height of Wireless Transmission Facilities to 100 feet and require a "fall zone" of 10 feet higher than the antennae. Working with Germantown residents and stakeholders as part of the Forward 2030 Strategic Plan process and discussions with Germantown Police and Fire it became apparent that there are many areas of the City that are underserved in coverage and capacity by wireless transmission facilities.

DISCUSSION: Staff researched other community's regulations on wireless transmission facilities for comparison purposes and found that there are a variety of height requirements and engineering analyses to manage this use. Germantown IT staff looked at the operations of both Police and Fire/EMS and their needs as well as those of the Municipal School District at school facilities around the City as it relates to this use in the City. The City based on this research and other analysis relative to height is proposing for the height of Wireless transmission facilities to be raised to 140 feet from the existing 100 feet [23-86 (h)(3)a] and for flexibility within fall zone requirements [23-86 (h)(1)]. The flexibility for these requirements would be predicated on the applicant demonstrating that the engineering and construction technology of a proposed wireless transmission facility is built in such a way that if it were to fall it could be contained within smaller area than is required by the current Code.

STAFF RECOMMENDATION: Approval.

Chairman Harless asked if we implement this proposal going to 140 feet is there going to be sufficient improvement of our coverage?

Mr. Ross answered yes the service providers stated that would be sufficient enough.

ZONING SUBCOMMITTEE: (SUSAN BURROW, CHAIRMAN): The committee met on May 18, 2016, and withheld a recommendation.

PROPOSED MOTION: To approve the amendment to the Code of Ordinances to Regulate Wireless Transmission Facility, subject to the Board's discussion and staff comments.

Ms. Burrow moved to approve the amendment to the Code of Ordinances to Regulate Wireless Transmission Facility, subject to the Board's discussion and staff comments; seconded by Mr. Clark.

Chairman Harless asked for a roll call.

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

Ms. Burrow voted yes; I think we have a need for the height of the tower for all our residents, police, fire, and the schools for their computer system.

Mr. Clark voted yes; the quality of service for our City, along with public service, and public safety as well.

Mr. Bennett voted yes; for safety of the emergency responder (fire and police) to have coverage for their cell phones and computers.

Alderman Owens voted yes; for the reasons stated preciously, and safety of the first responders as well as our school system.

Chairmen Harless voted yes; for the reasons stated preciously. We have had complaints from the residents about dead zones and not being able to reach the emergency provider.

4. e. Forest Hill Heights Smart Code Overlay – T-5 Urban Center, T-4 General Urban and T-3 Sub-Urban Zone

Mr. Ross made a presentation of the application to the Planning Commission.

Development Case Number	16-607
Location:	South side of Winchester Road, between the east City Limit and Forest Hill-Irene Road
Owner Name/Applicant Name:	City of Germantown
Zoning District:	O-51 – Office; O-Office; C-2-Commerercial; C-1-Neighborhood Commercial; R-T-Residential Townhomes; R-Residential
Area:	310.7 Acres
Request:	Smart Code Overlay T-5 Urban Center, T-4 General Urban and T-3 Sub-Urban Zone

INTRODUCTION:

The purpose of this agenda item is to approve the Smart Code overlay for the Forest Hill Heights Small Area Plan encompassing all the properties located between Forest Hill and the east City limits south of Winchester Drive and the area between the western boundary of 9540 Winchester and the eastern boundary of the City of Germantown north of Winchester to Poplar. Forest Hill Heights, constituting 310.7 acres near the southern City limits and 385, is strategically positioned to play a significant role in the future of Germantown’s economic growth and vitality.

BACKGROUND:

On August 13, 2007, the BMA approved Ordinance 2007-13, whereby the “Germantown Smart Growth Plan” was developed to fulfill the Guiding Principles of the “Germantown Vision 2020” Strategic Plan (adopted 2005); and specifically to achieve the objectives of Goal 7 of the Economic Sustainability Plan: Redevelopment of the Central Business District. The guiding principles set the framework for the strategy and goals for economic development to support its vision, mission and core values. On September 24, 2012, the Board of Mayor and Aldermen (BMA) approved the Economic Development Strategic Plan which developed nodes, and with an approved small area plan - districts, for the five (5) targeted mixed-use areas in the City. The original “Smart Growth Area” is now referred to as the Central Business District. The second mixed-use node, the Western Gateway, was approved by the BMA on November 11, 2013. With the adoption of the Forest Hill Heights Small Area Plan, a holistic and cohesive vision will be put into motion for future development in this area that will contribute to the financial, environmental and economic sustainability of the City.

DISCUSSION:

This process was funded by a public/private partnership between the City and a consortium of private property owners, and is based on Smart Growth principles that encourage higher density, mixed-use, walkable districts, similar to those in the City’s Central Business District and Western Gateway. On March 1, 2016, LRK and its team (Fisher Arnold – Transportation and Infrastructure analysis and RCLCO – Economic Impact analysis) presented the complete future land use plan for the Forest Hill Heights area of the City to the Germantown Planning Commission where it received unanimous approval. On April 11, 2016 the Board of Mayor and Alderman unanimously passed the Small Area Plan.

The plan recommended various public improvements, urban design plans, transportation and infrastructure impact analysis, regulatory changes, economic impact analysis, and implementation

strategies. The general public, immediate stakeholders, public officials and other representatives guided the design team in its work and were primary determinants of the plan's outcomes. The plan supports the creation of a distinctive district, with strong public spaces, where people want to live, work, shop and play. In summary, the plan identifies short term (10 year) and long term (25 year) development strategies for the 303 acre area; an economic impact analysis illustrating the financial benefit for the City and market study to correlate with recommended densities; recommendations for the mobility options on the public streets and streetscapes, and an infrastructure analysis to help determine any future needs for the area.

Forest Hill Heights encompasses five properties; all zoned differently, from O-51(Office-51 feet) to R-T (Residential Townhomes) to C-1 (Neighborhood Commercial) to C-2 (General Commercial) and finally the O (Office) and Residential (R) Districts. The recommended application for the Smart Code is to apply T-3 Sub-Urban and T-4 General Urban to the properties north of Winchester (approximately 32.7 acres) and apply T-5 Urban Center to the properties south of Winchester and east of Forest Hill Irene (approximately 278 acres) as per attached proposed overlay map.

STAFF RECOMMENDATION: Approval of the Germantown Smart Code application to the Forest Hill Heights area to implement approved Small Area Plan for the area.

Chairman Harless asked Mr. Ross to comment on T-3 north of Winchester, and why that is T-3 versus T-4?

Mr. Ross stated T-3 offers a better form, function and use configuration under the use chart that supplies the Smart Code and the T-3 is more for live and work or office condominium units or single family residential detached or attached. It is a less intense, less dense application but serves as a positive transition along the Transect, which is the foundation of the Smart Code.

John Inman at 3655 Green Forest Cove has some concerns about the traffic on Winchester Road and Forest Hill Irene. He asked Mr. Ross to discuss changes from 6 lanes to 4 lanes to slow the traffic down on these roads.

Mr. Ross answered that there was some discussion about slimming down the lanes from 6 to 4 in certain places and adding streetscape features. The current traffic volumes could increase traffic projection and the illustrated streets at Winchester Road and Forest Hill Irene could accommodate those.

ZONING SUBCOMMITTEE: (SUSAN BURROW, CHAIRMAN): The committee met on May 18, 2016, and withheld a recommendation.

PROPOSED MOTION: To approve the Germantown Smart Code application to the Forest Hill Heights area to facilitate implementation of the approved Small Area Plan, subject to the Board's discussion and staff comments.

Ms. Burrow moved to approve the Germantown Smart Code application to the Forest Hill Heights area to facilitate implementation of the approved Small Area Plan, subject to the Board's discussion and staff comments, seconded by Mr. Bennett.

Chairman Harless asked for a roll call.

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

Ms. Burrow voted yes.

Mr. Clark voted yes; it will promote some new developments in this area.

Mr. Bennett voted yes; this will promote investment and development in this part of the City, in a good way and I think it's needed.

Alderman Owens voted yes; to move development in this area with the Smart Growth zoning, as well as the quality.

Chairman Harless voted yes; I'm very excited about this project with the Smart Growth concept and the amount of time that's been spend by the residents and the City staff on working on this project. It will be a world class project.

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. These are new Saddle Creek additional (Sephora, American Threads, Sur La Table the art & soul of cooking, and Beautiful Soul Boutique). The Horse Show is this month.

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

ADJOURNMENT: The meeting adjourned at 8:05 p.m.