

**PLANNING COMMISSION MEETING  
MUNICIPAL CENTER COUNCIL CHAMBERS  
Tuesday, September 6, 2016**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of City Hall on September 6, 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 6:03 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, Dike Bacon, David Clark, Alderman Forrest Owens, Hale Barclay, and Mayor Mike Palazzolo

**Commissioners Absent:** George Hernandez, and Rick Bennett

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

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

Mayor Mike Palazzolo moved to approve the Planning Commission minutes of July 5, 2016, seconded by Ms. Burrow.

Chairman Harless asked for a roll call.

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

**Approval of Minutes for August 2, 2016:**

The next order of business is the approval of the minutes for the August 2, 2016 meeting. If there are no additions, corrections or deletions to the minutes of the August 2, 2016, meeting of the Planning Commission, he would entertain a motion for approval.

Mayor Mike Palazzolo moved to approve the Planning Commission minutes of August 2, 2016, seconded by Mr. Barclay.

Chairman Harless asked for a roll call.

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

---

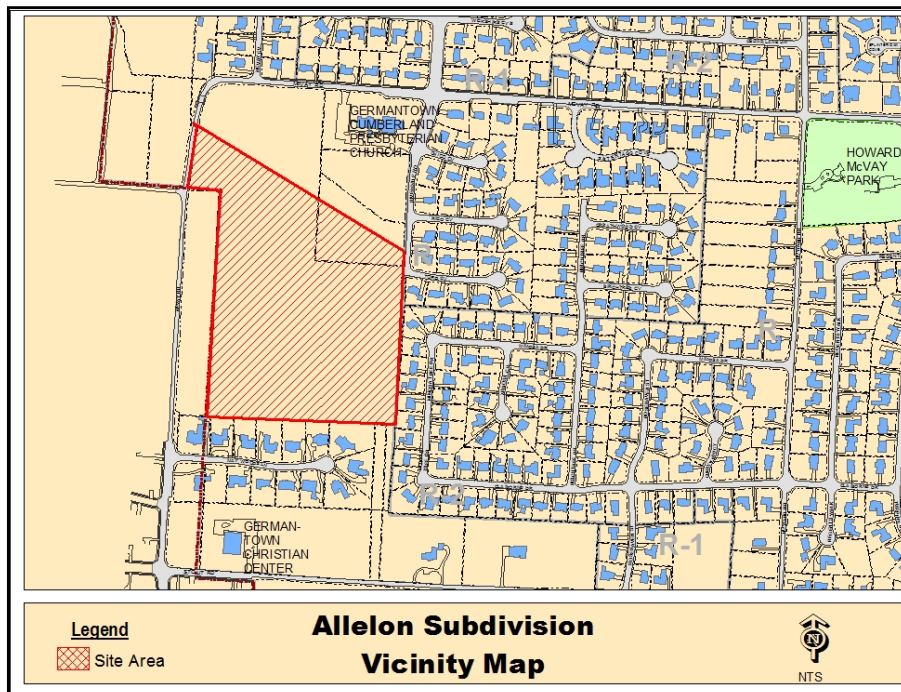
**4. Request Preliminary and Final Plat Approval of Allelon Subdivision**

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

**INTRODUCTION:**

Development Case Number	16-638
Case Name:	Allelon Subdivision
Location:	2411 McVay Road
Owner Name:	Lucie May Thompson
Applicant Name:	Boyle Investment Co. - Developer
Representative Name:	Blair Parker w/Blair Parker Design, LLC.- Agent/Representative
Zoning District:	R - Low Density Residential
Area:	25.828 Acres
Request:	Preliminary and Final Subdivision Plat Approval of 50 Lots

\*Refer to the Disclosure Form attached for more information



**BACKGROUND:** The majority of the property was annexed into Germantown in 1969. A portion of the property at the northwest corner of the site, along McVay Road was annexed in 1955.

**DISCUSSION:**

PROPOSED NUMBER OF LOTS: 50 Residential Lots

MINIMUM LOT SIZE: 15,000 sq. ft.

PHASES: One

COMMON OPEN SPACE: 1 COS (Detention Basin) at northwest corner of property at intersection of existing McVay Road and proposed Allelon Circle North. 2 Additional COS areas located within the City of Memphis, along the McVay Road frontage of the site.

EXCEPTIONS FROM STANDARD REGULATIONS: Request waiver of road improvements along the portion of McVay Road within Germantown City limits.

*PLANS REVISIONS IN RESPONSE TO TAC AND SUBDIVISION SUB-COMMITTEE COMMENTS: The preliminary and final plats have not been revised; however, the applicant has been in discussion with the City Engineer and Fire Marshall to address a number of site plan issues raised by TAC. Staff comments have been revised to reflect those discussions.*

**STAFF COMMENTS:**

**A. PRIOR TO FINAL PLAT APPROVAL**

1. Provide a vicinity map that reflects the remainder of the property that this site is being petitioned from to create this subdivision.
2. The typical 5' utility easement needs to be shown along the side and rear property lines and/or a note stating such. The 5' utility easement is a requirement of Section 17-61 of the Subdivision Regulations. If you do not wish to show the easements as required, you must request a waiver in writing from the Planning Commission. This request is to be submitted to the Planning Department with Final Plat submittal.
3. The final plat should show the current zoning of property.
4. Show lot size for Lot 24 on plat.
5. Label Messick and McVay Roads on plat. Label dedication width.

**B. PRIOR TO FINAL CONSTRUCTION PLAN APPROVAL**

1. Subdivisions require possible parkland dedication or a fee in lieu payment.
2. As Howard Road Creek Outfall is an impaired stream, TDEC's normal requirements is for a 60' construction buffer, however the buffer may be reduced to required permanent 30' width upon approval of same by TDEC and issuance of a NPDES permit with the reduced 30' buffer.
3. Provide erosion control plan. Sites over 10 acres will require sediment basin with wet and dry storage area.
4. Show floodway boundary on final plat.
5. An approved CLOMR will be required prior to construction plan approval.
6. Two water feeds are required for this subdivision. Preferably along McVay to north and can attach to bridge.

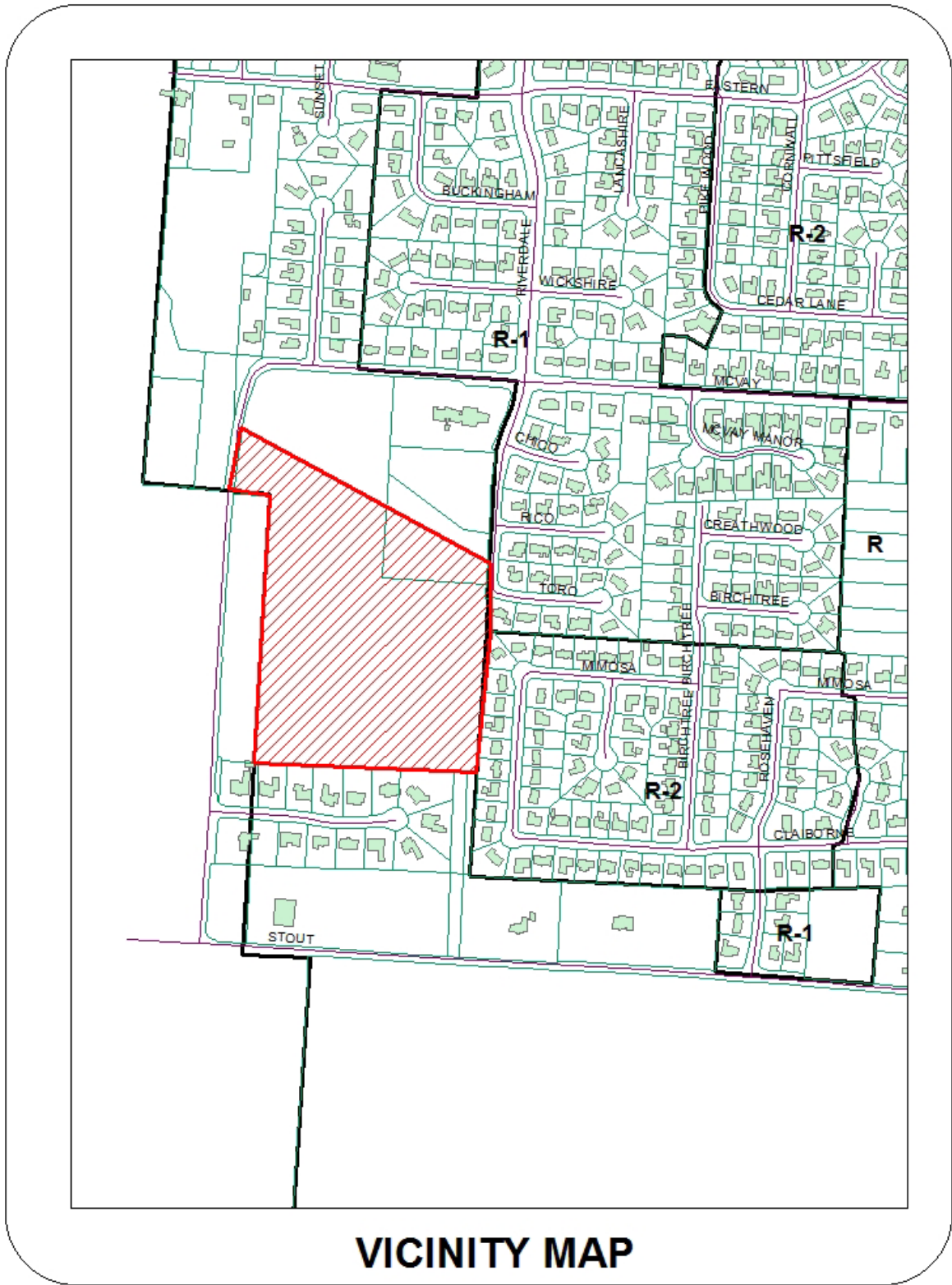
7. Add verbiage to plat that COG to maintain stub streets up to new ROW of McVay. Culverts and headwalls under stub streets to be in COG public drainage easements. Also note that positive flow shall be established along McVay side ditch.
8. Provide adequate site distance at entrances to McVay.
9. Use a minimum of 0.75% grade for all subdivision roads.
10. Add curb improvements to the Riverdale/Toro Cove intersection area and address any drainage issues.
11. Do not show drainage swales on property lines.
12. The roadway plan and profile sheets shall indicate top of curb spot elevations for all proposed curb and gutter at all end of radii (ER's), horizontal angle points and at vertical transition locations (break points).
13. 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.
14. If a Letter of Map Revision is required for:
  - a. Residential Development: A LOMR must be submitted to FEMA before the final plat is recorded (Initial Acceptance).
15. Minimum finished floor elevations shall be indicated on the plat and grading and drainage plan sheets.
16. 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).
17. The areas denoted as "reserved for Stormwater detention" may not be altered without first obtaining the written permission from the City Engineer's. The Stormwater detention system located in this area shall be owned and maintained by the property owner or a homeowner's association. Such maintenance shall be performed to ensure that the system operates in accordance with the approved drainage plans on file in the City Engineer's office. Such maintenance shall include, but not be limited to: Removal of sedimentation, fallen objects, debris, trash, mowing, and outlet cleaning. A statement to this effect shall be noted on the final plat.

Detention basins are to be designed for the 50-year storm with intermediate controls for the 2,5,10 and 25-year storms.

18. Fire hydrant spacing shall be 500 feet between each hydrant with the hydrant being visible from 100 feet away without obstructions.
19. Water supply to the subdivision shall be looped to ensure the needed fire flow and to remove the existing dead end main on McVay.
20. Addresses of the homes shall change street names and numbers at Lots 9 & 46 from Allelon Circle North and Allelon Circle East.
21. Lot 15 shall be the change of address numbers and street names from Allelon Circle East to Allelon Circle South.
22. There shall be a 3 foot circumference clearance around the fire hydrants.

### **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. 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.



**VICINITY MAP**



NOTE:  
 THIS PROPERTY LIES WITHIN THE LIMITS OF A FIRM SPECIAL  
 IDENTIFIED FLOOD HAZARD ACCORDING TO FIRM PANEL  
 47157C0459F DATED SEPTEMBER 26, 2007. BASE FLOOD  
 ELEVATION IS BETWEEN 305 AND 312.  
 TBM - TOP OF CURB AT CENTER OF 6-72 DRAINAGE  
 INLET ON THE NORTH SIDE OF POPLAR PIKE 85.7'  
 EAST OF THE EAST PROPERTY LINE AS  
 PROJECTED. ELEVATION = 333.51





# 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	
<b>(Check <input checked="" type="checkbox"/> all that apply):</b> <input type="checkbox"/> Sketch Plan; <input type="checkbox"/> Preliminary Site Plan; <input type="checkbox"/> Final Site Plan <input type="checkbox"/> Minor Subdivision; <input checked="" 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: _____	
<b>IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) YES <input type="radio"/> NO <input checked="" type="radio"/></b> (Please note - if yes, than follow Smart Code Application Instructions to complete this form for submittal)	
<b>PLANNED USE DEVELOPMENT'S (PUD) ONLY:</b> <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); Phase: _____ of _____ Date of PUD Outline Plan (Master Plan) Approval: _____ Other: _____	
PROJECT INFORMATION (Provide Additional Pages as Needed)	
Project Name: <u>Allelon</u> Address/Location: <u>2411 McVay Road, Memphis, TN 38138</u> Project Description: <u>The proposed project is a single family residential subdivision comprised of fifty (50) lots. The proposed COS along McVay Road including the detention area are to be maintained by an HOA.</u> No. of Acres: <u>25.828 ac</u> Parcel Identification Number(s): <u>G0230 00354</u>	
<b>PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES REQUESTED FROM THE SUBDIVISION AND ZONING REGULATIONS.</b>	
OWNER/LESSEE/DEVELOPER INFORMATION	
Owner Name (Print): <u>Lucie May Thompson</u> Address: <u>424 Winton Place South, Memphis, TN 38117</u> Phone No.: <u>901-766-5548</u> Email Address: <u>maytom@bellsouth.net</u> Signature of Owner: <u><i>Lucie May Thompson</i></u> Lessee Name (Print): <u>N/A</u> Address: _____ Phone No.: _____ Email Address: _____ Signature of Lessee: _____ Developer Name (Print): <u>Boyle Investment Co.</u> Address: <u>5900 Poplar Ave., Ste. 100 Memphis, TN 38119</u> Phone No.: <u>901-766-4246</u> Email Address: <u>garyt@boyle.com</u> Signature of Developer: <u><i>[Signature]</i></u>	
<b>PLEASE ATTACH A COPY OF THE DEED REFLECTING OWNERSHIP OF THE SUBJECT REAL PROPERTY</b>	



Planning Commission – Official Application Form  
Page 2

AGENT/REPRESENTATIVE INFORMATION	
Name: <u>R. Blair Parker</u>	Title: <u>R. Blair Parker</u>
Company Name: <u>Blair Parker Design, LLC.</u>	Address: <u>5159 Wheelis Drive, Ste. 107 Memphis, TN 38117</u>
Phone No.: <u>901-767-6555</u>	Email Address: <u>blairp@blairparkerdesign.com</u>
Who will represent this proposal at the Planning Commission meeting? <u>Blair Parker</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</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>

**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:

- 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: Boyle Investment Co.  
Address: 5900 Poplar Avenue, Ste. 100, Memphis, TN 38119

Owner: \_\_\_\_\_  
Address: \_\_\_\_\_

Lessee: \_\_\_\_\_  
Address: \_\_\_\_\_

Developer: Boyle Investment Co.  
Address: 5900 Poplar Avenue, Ste. 100, Memphis, TN 38119

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

Name	Business or Home Address
<u>Paul Boyle</u>	<u>5900 Poplar Avenue, Ste. 100, Memphis, TN 38119</u>
<u>Henry Morgan, Jr.</u>	<u>5900 Poplar Avenue, Ste. 100, Memphis, TN 38119</u>
<u>Bayard Morgan</u>	<u>5900 Poplar Avenue, Ste. 100, Memphis, TN 38119</u>
_____	_____

Blair Parker with Blair Parker Design, 5159 Wheelis Drive, Suite 107, Memphis, TN 38117, stated we have reviewed the staff comments and discussed them amongst our team. There are a few tweaks or changes we request based on discussions we had either at the Planning Subcommittee meeting or with Germantown Engineering.

A. Prior to final plat approval:

A.2. Revise comment to read “The typical 5’ utility easement needs to be shown along the front, side and rear property lines of all lots or a note stating such, except where the City Engineer may grant a waiver. A waiver to this rule may be granted by the City of Germantown when a plan from Memphis Light Gas and Water (MLG&W) denoting no need for such easement is provided.”

B. Prior to Final Construction Plan Approval:

B.9. They would prefer this note to read: “Use a minimum of 0.5% grade for all subdivision roads”, which is the accepted street minimum in this region.

B.10. Request this comment be rewritten to read: “Add curb improvements to the Riverdale/Toro Cove intersection in such a manner to not impede drainage in this intersection.”

B.13. Change the wording from Floodway to Flood Plain in the first sentence. Strike the second line: “~~Part of this site is within the Floodway according to the FEMA maps~~” since no portion of this property is within the Floodway, we ask that this sentence be removed. Change wording to Flood Plain in the last sentence.

B.19. Concern about this comment because the impacts to the existing tree cover is unknown. Staff will take care of this prior to construction plan approval.

C. Staff Comments & C. General Comments:

1. Remove this comment entirely: as it potentially conflicts with Staff Comment A.2.
2. Remove this comment entirely: It is our intent to remove as little vegetation as possible during construction. The developer may decide not to make any landscape related improvements here. So we do not want to hold up the start of construction based on an unnecessary DRC review. Staff wants to keep this comment but want to allow for administrative approval from the Director at a later date.
3. Remove this comment entirely: If landscape improvements are made, they will be made in COS of the development, not on individual lots. Staff wants to keep this comment but want to allow for administrative approval at a later date.

Staff agrees as revised to the applicant’s proposed changes to staff comments.

**Support:**

Ann Geissler at 7211 Creathwood Cove, Germantown, TN 38138, she attended the neighborhood meeting about a month ago. A concern that came up during the meeting was adding a walkway out to Riverdale Road. She can’t tell from the map, rather it was added or not. My neighborhood thought it was a good plan. There are people riding bikes, walking, and jogging on Riverdale Road and McVay Road.

Mr. Ross answered a walkway to Riverdale Road has not been added to the plan. There are no plans to add it at this time.

Sharad Jugal at 7064 May Woods Lane, Germantown, TN 38138, wants to save as many trees as possible, due to the beautiful scenery. He doesn’t want anything to block the scenery.

Chairman Harless noted a lot of people have concerns about the trees. The developer has made a very conservative effort to point out to us, how important it is for them to save the trees.

John McNary at 2361 McVay Cove, Germantown, TN 38138, he lived on McVay Road for 30 years. He is very concern about the traffic on McVay Road. This development is great. He wants to note a couple of things, there are only two exits and entrances from that development on McVay Road. When you have about 50 houses that have two vehicles then that will be 100 vehicles total. The way its setup now one of the entrances comes in off Messick Road onto McVay Road with the curb being there, please fix that entrance. It will throw a lot of traffic on that road. He is yet to hear what has been done with the City of Memphis and City of Germantown working together on how to make sure that the traffic is adequately run through with the curb, and approaches to handle the volume with necessary stop signs and lights.

Mr. Gwaltney stated yes, with 50 lots there is no doubt traffic will increase. As far as the location for the entrances, typically you want the proposed entrances to line up with established streets. In this case, the proposed northern entrance will line up with Messick Road. The site distances will be improved with this project. There are no improvements for the curb along McVay Road being proposed.

Chairman Harless asked Mr. Gwaltney to talk about the CIP program with the widening of the right of way and putting in a roundabout and feedback we got from the neighbors.

Mr. Gwaltney stated you are correct, in that one of the alternatives was a roundabout on this property that's being proposed for this development with the extension of Messick Road to the roundabout. That alternative was abandoned. What did go through the design phase was a realignment of McVay Road to soften the 90 degree bend and install a new bridge farther upstream on the ditch, which would be south and east of the existing bridge. A widening of the roadway did not include additional travel lanes, but just adding shoulders and bike lanes to McVay Road.

**Opposition:**

Bill Flanigan at 7122 Rico Cove, Germantown, TN 38138, stated my house is at the edge of the flood ditch and he pays flood insurance. The ditch overflows when it rains, the drainage is coming from the park, the dirt is not good (clay) to build on. How much is City of Memphis going to help out with the entrance at Messick Road and McVay Road? He thinks to build on a flood area isn't a good idea.

Chairman Harless asked Mr. Parker to talk about what being done to ensure that we are not going to have increased runoff water and flooding of that creek. The commissioners brought this up in our executive session because we had the same concerns.

Mr. Rogers answered there will be no changes to the flow within the creek. We are putting the detention basin at the lower end of our development. All the drainage within the subdivision and all the streets will drain in that detention basin and will be released at a controlled rate. We can't do anything about the drainage that upstreams at Rico and Chico they still remain in a floodplain. The homes we will be building will be up and above and out of the floodplain. The concerns about soil, if you get in the lower part of the area there could be bad soils, which has to be undercut or treated in some kind of way. We have certain standards for the City of Germantown. You have a very high compaction rate that we have to meet on homes and lots. Every one of the lots is anywhere from 2 feet normal, and above 100 year flood elevation. He assures that lots will not flood in the same conditions as some of the others have flooded.

Mr. Bacon asked if they are taking any flood storage out of that area.

Mr. Rogers answered where you have the floodway and floodplain, the base flood elevations are based on the floodplain being entirely filled and flooding limited to the floodway. So, that's why you can't build in and fill in a floodway, that strictly forbidden.

Felicia Knowes stated she has some concerns about safety for children, riding bikes, jogging, floodplain, a new bridge, and low residential density. Also, entrances not going in and out on the same street, exits back to McVay Road because there are no sidewalks or shoulders on the plans for a two lane road and people. What schools will these children be going to from this new subdivision?

Ann Geissler stated she is not opposed to this project. She walks a lot, and has some concerns about safety for joggers, people walking, bike riders and stroller's. So, her suggestion is to put some kind of entrance or egress onto Riverdale Road.

**Board Discussion:**

Mr. Clark asked can we have someone address these issues on what schools the children would go to. He believes it's all Germantown schools. Also, he asked someone to address the question about access to Riverdale.

Mr. Parker answered there are three issues to address, first is safety and two entrances into the subdivision. As he understands the subdivision regulates, we are well within the design guidelines with one entrance for a 50 lot subdivision. The developer has suggested two entrances into the development, so you have greater access into the property. In the City of Memphis, the design guideline he believes is 80 lots would be the maximum for one entrance. They feel like with two entrances onto the same street, McVay Road; access is more than adequate. With regards to the schools, it is within the Germantown city limits so the children would go to the Germantown schools or private school if they so desire. With regards to the sidewalks from this development over to the neighboring property on the east, our main concern is connecting with Riverdale Road where there is not a sidewalk or pedestrian connection. We too are concern about safety. We felt that it was a better design to go without a connection to the east. We cannot connect to the south it's an existing development. To connect to the north we would have to go across a large creek and we don't own that property.

Mayor Palazzolo asked if Mr. Ross could go over and give us a little detail on the traffic study. Some of the projects will not create certain numbers, but please help us understand how we look at that as a City.

Mr. Ross answered while he appreciates the confidence in his authority, on this subject it may be better served by the City Engineer.

Mr. Gwaltney answered the minimum requirement for a traffic study is any development that is anticipated to generate hundreds of trips either in the a.m. or p.m. peak. This proposed 50 lot subdivision is anticipated to generate approximating 500 total trips per day. Of those total 500 trips, 50 trips would be expected in a.m. and p.m. peak, which is well below the threshold for a traffic study.

Mayor Palazzolo asked if the standard is created by us or where?

Mr. Gwaltney answered by the Manual of Uniform Traffic Control Devices (MUTCD) as well as the Institute of Transportation Engineers (ITE); what we use for our guidelines.

**STAFF RECOMMENDATION:** Approval, subject to Staff comments.

**SUBDIVISION AND SITE PLAN SUBCOMMITTEE REVISIONS & RECOMMENDATION:**

The subcommittee met on August 17, 2016, and withheld a recommendation on this item.

**PROPOSED MOTION:** To approve the Preliminary and Final Subdivision Plat with 50 Lots for Allelon Subdivision, subject to the Board's discussion, staff comments, and the plans filed with the application.

Mr. Bacon moved to approve the Preliminary and Final Subdivision Plat with 50 Lots for Allelon Subdivision, subject to the Board's discussion, staff comments, and the plans filed with the application, and the staff comments, seconded by Mr. Clark.

Chairman Harless asked if there were any questions or comments.

Chairman Harless asked Mr. Harris are making this motion subject to the comments that staff and the developer have worked out and assuming that they reach an agreement on a couple of open items.

Mr. Harris answered that is correct and that will be reflected in the minutes.

Alderman Owens stated he have some sympathy for the neighbors surrounding that common open space, the detention area. He thinks we touched on it, but would like for it to be fully flushed out, if we can. For the record, Mr. Rogers with Fisher and Arnold is a register engineer and your firm have submitted drainage calculation regarding the detention on the lot to our City Engineer. You have reviewed the detention calculation and determine that there will be no greater flow or rate of runoff will not be any greater than predevelopment than post development.

Mr. Rogers stated we have submitted preliminary calculations on the plan showing the peck flows, but as stated in the conditions, with the part of getting approval from your City Engineer, we will submit a full drainage report based of the final design to show exactly what you said. We will not be increasing the flows and will be designing this subdivision in a manner that it will cause no drainage problems within this development or outside this development.

Alderman Owens asked Mr. Gwaltney if he had reviewed the drainage calculations, as well as if the size is adequate for the detention storage?

Mr. Gwaltney answered that's correct based on what has been submitted so far. Prior to construction plan approval we will review all of the final drainage calculations at that time.

Alderman Owens noted so the construction plan will not be approved, unless it's showing that adequate storage is available.

Mr. Gwaltney noted that is correct and any deficiencies that are found will be corrected in the construction drawings.

Mayor Palazzolo commented that he was grateful to the neighbors and residents who came forward this evening to speak, especially John Johnson, President of English Meadows, organized many people to come to the meeting tonight. He appreciates that; getting information out is so important and feedback as well. He stated that he grew up in this neighborhood and that stretch of McVay and Messick is a very iconic and very much a rural setting. As much as we would like to have more walk ability or sidewalks or bike lanes there, that would change the entire character of that entire segment of that portion of the city, with Messick and McVay. It's not safe to walk there and hopefully no one does walk there. It's a rural cut road. The tree line canopy being saved he thinks it's very special. The development of, which sometimes developments are always controversy; it's something new for the community. But he thinks this particular developer has a track record. If you go to Dogwood Road in Old Germantown in the Central Business District area they did a development that was similar to these lots but were much bigger. They were able to use the natural topography and keep the character in tack and use that as an access to make that a very attractive community. He thinks they will be able to do so with this particular development as well. Saving that canopy and that tree lined road to him is of great value for this community and that development as well. As far as drainage goes it will be looked at carefully, with traffic there will always be new traffic but he thinks that will be diminished if you work in Memphis you have two Memphis



access points and if you are coming back to Germantown you got one easy path that is to go down McVay. He is really appreciative that they did not connect to the back side of Riverdale and have more exposure in the traffic for the coves that are back there. It's a good development and he certainly appreciates the work of staff and developers and including the neighbors.

Ms. Burrow asked my only question is about the safety; will there be a stop sign at Messick?

Mr. Gwaltney answered there will be a stop sign coming westbound out of the subdivision and there currently is a stop sign for eastbound Messick Road at McVay Road. At this point, we have not made that final decision on a four-way stop, but it can be something we looked at.

Chairman Harless made a couple of comments one to the developers. He knows you met with the neighbors and he appreciates it very much. But he thinks there are a couple of neighbors here who have some concerns and he would like to encourage you to meet with them just to help alleviate their fears, and help them understand some of the issues they are addressing. The drainage issue; he heard what everybody said and there is still some skepticism. He knows Mr. Gwaltney will hold the developer to the letter of the law to ensure there isn't any increase. He would like to see some sort of a walkway between the proposed subdivision out to Riverdale Road; it would allow the residents in the subdivision to have a place to walk outside their neighborhood.

Chairman Harless asked for a roll call.

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

Mr. Bacon voted yes; He echo's the comments that have been made along with the Mayor comments. He thinks it's a creative plan. It's a creative way of addressing a challenge of shared jurisdiction with City of Memphis. He thinks addressing this way preserves the tree canopy almost entirety with a fairly large common open space. He trusts that staff and the city engineer, and Mr. Rogers will address the drainage issues accordingly.

Mr. Barclay voted yes; He would also like to commend the developer on working with the City of Germantown and the City of Memphis for addressing these issues on this site.

Ms. Burrow voted yes; she thinks this will be good and it will help make this area even more desirable then it is now.

Mr. Clark voted yes; he thanks the residents for coming out and voicing concerns. Also to, the history of this company and their track record of leaving things better than they found them; he fully expect no less here.

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 7:25 p.m.