

DESIGN REVIEW COMMISSION
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, March 28, 2017
6:00 p.m.

The regular meeting of the Design Review Commission was scheduled and held in the Council Chambers of the Municipal Center on March 28, 2017.

1. Chairman Bruns called the meeting to order at 6:00 p.m.
2. Chairman Bruns requested the roll call. Ms. Regina Gibson called the roll of the Commission and established a quorum:

COMMISSIONERS PRESENT:

Mr. Paul Bruns, Chairman; Mr. Christopher Schmidt, Vice Chairman; Mr. Steve Landwehr, Secretary; Ms. Burrow; Mr. Neil Sherman; Mr. Smith; and Mr. Neeraj Kumar

DEVELOPMENT STAFF PRESENT:

Mr. Cameron Ross, Economic and Community Development Director; Ms. Sheila Pounder, Planning Manager; Ms. Sarah Goralewski, Planner; Ms. Regina Gibson, Administrative Secretary and Robert McLean, City Attorney

3. Approval of Minutes for February 28, 2017

Mr. Sherman moved to approve the Design Review Commission minutes of February 28, 2017, seconded by Mr. Landwehr, with no further comments or discussions.

ROLL CALL: Mr. Landwehr – Yes; Mr. Kumar – Yes; Mr. Sherman – Yes; Mr. Smith – Recused; Ms. Burrow – Yes; Mr. Schmidt – Yes; Chairman Bruns – Yes.

MOTION PASSED

4. CONSENT AGENDA

- a. City of Germantown – Request approval of a Sign Policy for Decorative SD Identification Street Signs (Case No. 17-702)
City of Germantown – Neighborhood Services - Agent/Representative

Comment: The Chairman stated he would like to remind the Commissioners that voting on all matters on the Consent Agenda constitutes an acknowledgement that the member has read and reviewed the application materials/plans/staff reports and determines further discussion or presentation of an item is not necessary. He stated if there was anyone in the audience that would like an item pulled, please request so at this time, and in seeing none, he asked for a motion.

Mr. Landwehr made a motion to approve the Consent Agenda as presented and seconded by Mr. Smith.

ROLL CALL: Mr. Landwehr – Yes; Mr. Kumar – Yes; Mr. Sherman – Yes, Mr. Smith – Yes; Ms. Burrow – Yes; Mr. Schmidt – Yes; Chairman Bruns – Yes

MOTION PASSED

STAFF'S COMMENTS / DISCUSSIONS REGARDING THE CONSENT AGENDA ITEMS

- a. City of Germantown – Request Approval of a Sign Policy for Decorative SD Identification - Street Signs (Case No. 17-702).

BACKGROUND: A number of subdivisions/neighborhoods do not have subdivision entrance features or neighborhood identification signs. The Neighborhood Services staff has received requests from existing neighborhoods requesting that the City install signage similar that at the entrances into the Germantown Heights Neighborhood, which is the reason for seeking the approval of the proposed sign policy. The proposed sign design is based on signs installed by the City for the Germantown Heights Neighborhood Association, which were used to replace their subdivision entrance feature sign that was removed due to the Poplar Avenue widening project. Rather than replacing the one subdivision entrance feature, a smaller (and less costly) alternative – with smaller identification signs at multiple entrances was allowed administratively by the City.

DISCUSSION: The specific request is approval of a Decorative SD Identification Street Sign Policy specifically for neighborhoods that do not currently have subdivision entrance signs. However, this policy will allow neighborhoods with existing ground mounted entrance feature signs that may have multiple entrances into them to also apply for additional signage and be reviewed for approval with justification on a case by case basis. The approved policy would provide for a cohesive and consistent look throughout the City of Germantown for these types of neighborhood identification signs. See attached cover letter and sign policy for detailed information and associated drawings/pictures on this request.

STAFF COMMENTS:

1. The Sign Policy for Decorative SD Identification Street Sign Policy with graphics is attached to this report.
2. This policy was review and approved by the Neighborhood Preservation Commission on February 16, 2017.
3. If approved, this sign policy will allow the Neighborhood Service's staff as the designee of the Director of Economic and Community to grant administrative approval of signs that meet the criteria of the Policy and the City Sign Ordinance, as applicable.

PROPOSED MOTION: To approve a sign policy for Decorative SD Identification Street Signs, subject to the Board's discussion, staff comments and the documents submitted with the application.

Memo

To: Sheila Pounder
From: Joe Nunes
CC: Cameron Ross
Date: 3/24/2017
Re: Decorative Neighborhood Subdivision Sign

Please find attached the proposed policy for the installation of decorative neighborhood subdivision identification signs.

Background:

The City has had a policy for subdivision entrance features for an extended period of time. However there are a number of subdivisions/neighborhoods that do not have subdivision entrance features and staff had received a request for the installation of signs that would fulfill this purpose.

Similar to the decorative street signs, it was felt that a standard design for the sign would be a better approach rather than allowing individual signs for each neighborhood.

The design came from the project with the Germantown Heights Neighborhood Association and the replacement of their subdivision entrance feature which was removed due to the Poplar Avenue widening project. Rather than replacing the one subdivision entrance feature, a smaller (and less costly) alternative – with smaller identification signs at multiple was approved. This design is what the DRC is reviewing. It would become the standard design for the current request and any future requests.

Discussion:

The policy seeks to address, as noted, a standard design; when the signs are allowed; the installation locations that would be permitted and responsibility for fabrication and ongoing maintenance.

SUGGESTED POLICY: (red text indicates additions and ~~strike-through~~ indicates deletions by Staff)

GERMANTOWN DECORATIVE SUBDIVISION IDENTIFICATION STREET SIGN POLICY

The approval of this policy by the Design Review Commission will allow the administrative review and approval of sign requests that conform to the policy by the Director Economic and Community Development (Director).

Revised February 16, 2017

Section 1: Allowability: One subdivision identification street sign shall be allowed in lieu of a subdivision entrance identification sign where an approved decorative sign post has been installed; where the project fronts on two or more major or collector streets or has more than one major entrance on the same major or collector street, the identification sign shall be allowed at each entrance. Neighborhoods with existing subdivision entrance signs shall not be allowed to install subdivision identification street signs at those locations. Subdivision identification street signs may be installed at other entrances to the neighborhood subject to the provisions of this policy.

Section 2: Location: The signs shall be located at the intersections of neighborhood streets and designated major or collector roads. Signs not located on major or collector roads ~~are~~ shall be reviewed by the Director on a case by case basis.

Section 3: Number Allowed: There shall be a limit of two signs per major or collector road per neighborhood. Exceptions to the number ~~are~~ shall be reviewed by staff on a case by case basis. There ~~is~~ shall not be more than one subdivision identification street sign per allowable location.

Section 4: Size and Mounting Structure: The approved signs (see page 2) shall be on the City's designated bracket which shall be mounted to an existing decorative street sign post (page 3). The approved sign area is approximately 4 square feet (2ft x 2ft).

Section 5: Content: The content for each sign is limited to subdivision name and approved logo. Content is approved for two sides of the sign and area of the content should allow for at least one inch of border around the entire sign.

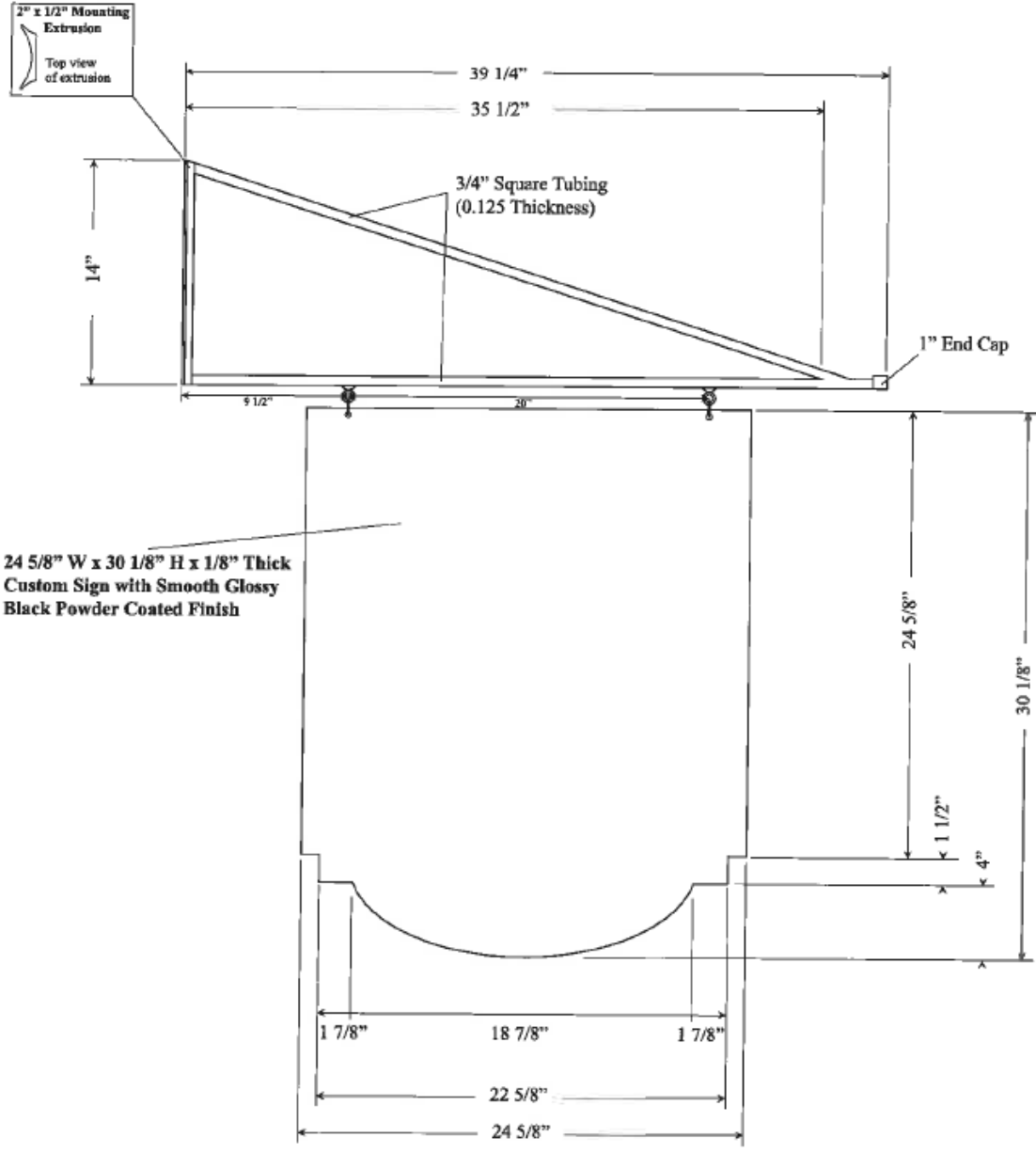
Section 6: Colors and Material: Sign letters and logo shall be white. Vinyl material shall be Avery 900 Supercast with an outdoor durability of 10-12 years or similar.

Section 7: Installation and Maintenance: Installation shall be on decorative street sign posts **by the City. The requesting neighborhood** is responsible for all fabrication, installation costs and for ongoing maintenance and replacement, if necessary, of the subdivision identification street sign. The City shall be responsible for maintenance of the street signpost.

**Custom Sign Bracket with Eye Hooks / Custom Sign Blade
 for Germantown Heights Plantation - Germantown, TN**

Revised Date: 08/31/2016
 Drawing Number: 10831

** Note Chain provided by others






1634 Latrobe-Derry Road • Loyahanna, PA 15661
 Phone: (724) 537-4711 • Fax: (724) 537-9313
 www.specialliteproducts.com
 customer_service@specialliteproducts.com

****NOTE** FABRICATION TO BEGIN AFTER DRAWING
 HAS BEEN APPROVED, SIGNED AND FAXED OR EMAILED
 BACK TO SPECIAL LITE PRODUCTS LLC.**
 Signature: _____ Date: _____

Revised 5/22

DECORATIVE STREET POLE
12' Smooth Pole with Decorative Base
& Pole Topper

<p>12'</p> <p>10'</p> <p>11 1/4"</p> <p>2'-3"</p> <p>3" O/D Smooth Pole (0.188" Wall Thickness)</p> <p>Del Flora Wrap Around Base</p> <p>Square Base 10" Wide x 2" High</p> <p>Direct Burial</p> <p>2'</p> <p>Solid Square Bar Welded to Post</p>	<p>6063 T6 Alloy Pole- 3" O/D x 12' Smooth Pole - .188 Wall Thickness - Direct Burial</p> 
	<p>WRB2 - Decorative Del Flora Wraparound Base - Decorative base for a 3" O/D round pole - 10" W x 2" H Square Base welded to the bottom diameter of the base - Made of Cast Aluminum</p> 
	<p>Pole Topper - Decorative Pole Topper that fits 3" O/D round pole. - 11 1/4" H - Made of Cast Aluminum.</p> 
	<p>Finish - The fixture will be finished with a premium quality thermoset polyester powdercoat for a durable finish. - TGIC UV Resistant - 2.5 - 3.0 mils minimum.</p>
	<p>Installation Instructions for Direct Burial Posts:</p> <p>Bar at 45° to Post</p> <p>Ground Line</p> <p>Fill Ground</p> <p>1/2" Solid Square Bar</p> <p>Concrete Footing</p> <p>24"</p> <p>18"</p> <p>4"</p> <p>8"</p> <p>To Below local Frost Line or Local Code</p> <p>Rocks or Stones</p>



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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: 2/2/2017
 RECEIVED BY: Gerald W. [Signature]

DESIGN REVIEW COMMISSION APPLICATION FOR PERMANENT SIGN

Action Requested (Please circle one): Administrative Sign Approval / Design Review Commission Approval
 If request is for administrative sign approval does this sign meet every criteria included in the sign policy for this location? Yes: ___ No: ___ If no, explain: _____

- *****
- Sign Owner: City of Germantown Phone No: 757-7229
 - Sign Owner's Address: 1920 S. Germantown Rd Email Address: JNUNES@germantown-TN.GOV
 - Sign Location Address and Name of Shopping Center: Varies
 - Zoning District: Commercial ___; Residential X; Old Germantown ___; Office ___
 - Sign will be mounted on: Wall ___; Ground X on decorative street sign
 - Type Sign: ___ Tenant Identification ___ Project Identification
 ___ Building Identification ___ Traffic Directional
 ___ Exterior Directory ___ Subdivision Identification
 ___ Service Station Sign X Other (If other, explain on separate page)
 - Number of Sign Faces: One ___; Two X
 - Linear feet of building frontage occupied by business where sign will be located: ___ feet NA
 - Size of Sign: Width: ___ feet 24 1/8 inches; Height: ___ feet 30 1/8 inches
TOTAL AREA OF SIGN IN SQUARE FEET: _____
 - Height of sign at its highest point above the surrounding grade: 10 feet ___ inches.
 - Size of Letters: 1) Height ___ Width ___ Font: Varies
 2) Height ___ Width ___ Font: Varies
 3) Height ___ Width ___ Font: Varies
 - Colors: Letters: White SUBMIT COLOR SAMPLES
 Background: Black SUBMIT COLOR SAMPLES
 - Orientation of Sign to the Street: Parallel X; Perpendicular ___; Angled ___
 - Distance sign is set back from street curb or edge of pavement (corner lots, provide distance from both streets). In city right of way on decorative street sign post
 ___ Feet ___ Inches Name of Street: _____
 ___ Feet ___ Inches Name of Street: _____
 - Distance building is set back from street curb or edge of pavement (corner lots, provide distance from both streets).
 ___ Feet ___ Inches Name of Street: _____
 ___ Feet ___ Inches Name of Street: _____
 - Sign Content (words, letters, logos): Neighborhood identification which is specific to each neighborhood
 - Size of logo: Horizontal ___ feet ___ inches; Vertical ___ feet ___ inches.
 - Sign Materials: Letters Vinyl; Sign Face Every 900 Supercast
 Mounting Structure (type and materials): decorative street sign bracket
 - Sign Illumination, if applicable (type, location and wattage): none
 - Sign Landscaping, if applicable landscape plan shall be submitted
 - Additional Comments: This is a neighborhood identification sign

Name of Applicant (please print) City of Germantown
Address: 1920 S. Germantown Rd
Phone No: 757-7229 Email Address: J.Nunes@Germantown-TN.GOV
Applicant Signature: [Signature]

Name of Owner (please print) _____
Address: _____
Phone No: _____ Email Address: _____
Owner Signature: _____

Name of Developer (please print) _____
Address: _____
Phone No: _____ Email Address: _____
Developer Signature: _____

Name of Sign Erecting Company City of Germantown
Address: _____
Phone No: _____ Email Address: _____

***ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE SUBMITTER MUST RECEIVE
A RECEIPT FROM STAFF**

**Please Note: Following approval of your sign application from the City of
Germantown, a sign permit must be obtained from Shelby County Construction
Code Enforcement for the installation of the approved sign(s) on the subject
property. SCCCE may be contacted at 901-222-8374.**

FOR APPROVING AUTHORITY ONLY

- APPROVED COMMENTS:

- DISAPPROVED

Date Signature Title



5. Landmark Bank – 2245 S. Germantown Road – Request Approval of a Building Demolition in the Old Germantown (OG) Zoning District (Case No. 17-711).



BACKGROUND

Approval is requested for the demolition of a building at 2245 S. Germantown Rd. (the Checkerberry Building) to accommodate a surface parking lot expansion of neighboring Landmark Community Bank. Below is a summary of the applicant’s research regarding the history of this building and the immediate surrounding area:

“Each of the Old Germantown Markers along South Germantown Road and near the Checkerberry Building were inspected to determine their respective subjects. Each display had a picture taken some time ago, but do not indicate on the marker what the subject is. Some of the markers have an identification number on the sides. In the search to determine the subject of each marker, the website for the Germantown Museum (www.germantownmuseum.org) provided simple descriptions for a few of the images. The marker near the South-East corner of the Checkerberry Building depicts the ‘Original City Hall,’ located on the east side of Germantown Road. The next marker south depicts the first ‘Post Office’, also located on the east side of Germantown Road (across the street from the Checkerberry Building). The next-to-last marker before reaching the railroad tracks depicts the ‘Oakley Store,’ located south of the Checkerberry Building. The last marker before reaching the railroad tracks depicts the train depot. In each case, the marker does not address the property of the Checkerberry Building.

The Germantown Museum website also provides a map locating sites of historical significance (http://www.germantownmuseum.org/germantown_markers_map.html). Some of the locations are near the Checkerberry Building, but none address that property. A similar map is provided by the Shelby County Register of Deeds, once the ‘Historical Markers (List in Legend)’ layer has been selected (<http://gis.register.shelby.tn.us/?parcelid=G0231%20%20%2000129>). It also displays locations near the property, but none address the property itself. The National Historic Landmarks Survey for Tennessee

provides a list of National Historic Landmarks. There are no current listings for the City of Germantown. (<https://www.nps.gov/nhl/find/statelists/tn/TN.pdf>)

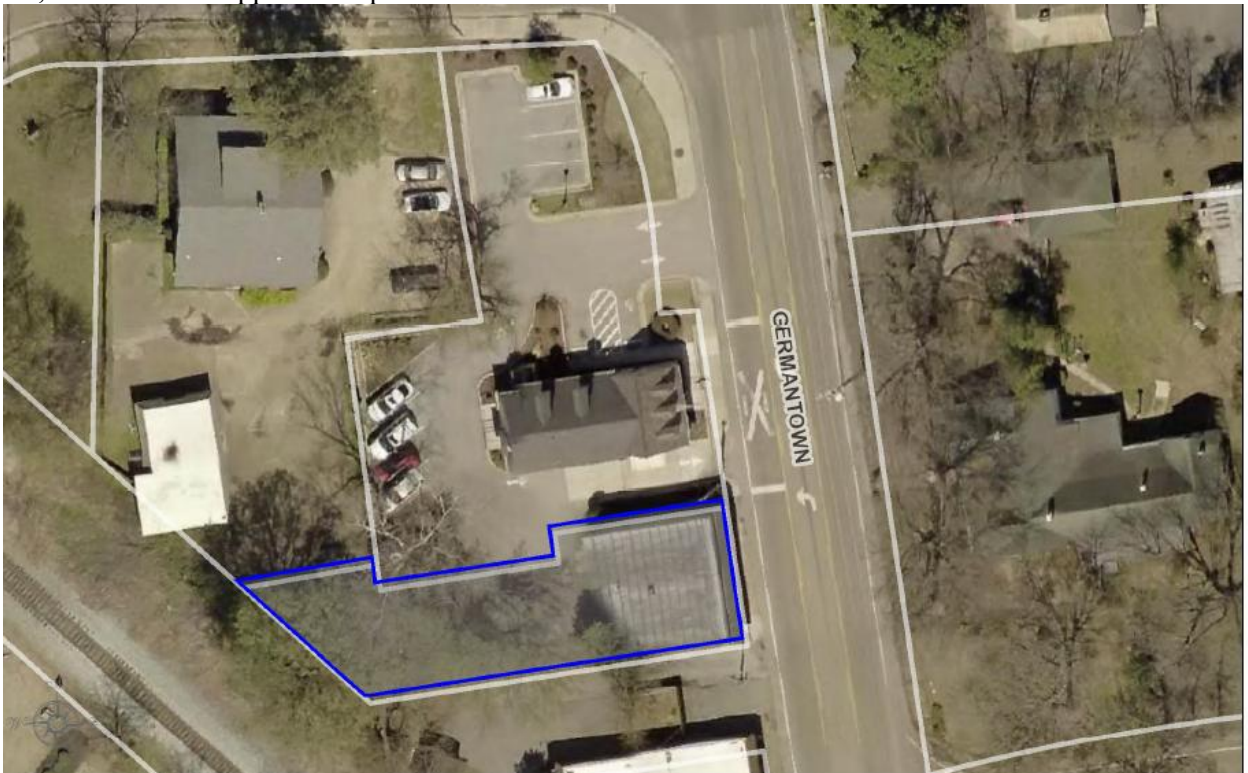
No transaction history is provided for the property on the Shelby County Register of Deeds website.

Neither the design team nor Andy Pouncey (City Historian) has found evidence of historical significance for this building.”

DISCUSSION

Per Section 23-522 of the Municipal Code, the DRC must review the written justification for the proposed demolition, as well as a development plan detailing the proposed redevelopment of the property. Per the building analysis in the letter submitted by McGehee, Nicholson, Burke Architects, there are numerous issues with the Checkerberry Building which warrant its demolition (see attached). In conjunction with this demolition request, the applicant submitted a change of use request to allow the property to be developed as a parking lot, should the demolition be approved. A concept development plan of the parking lot is included with this report.

Per Section 23-522, should the DRC determine that the proposed demolition is not in the best interest of the city, the DRC shall submit a written recommendation to the BMA that “the city acquire a specified appropriate protective interest in the property, or promote such acquisition by other private civic groups, interested citizens or public boards. If the BMA votes against such recommendation, or within 90 days after transmission of such a recommendation no action has been initiated to acquire such protective interest, a notice to the applicant to proceed shall be issued.”



STAFF COMMENTS:

1. The applicant has also applied for approval from the DRC for a change of use (from retail/commercial to a surface parking lot) at 2245 S. Germantown Rd., in conjunction with the building demolition request.
2. The building demolition of the Checkerberry Building (2245 S. Germantown Rd.) would allow for an expansion of the parking lot for Landmark Community Bank (located at 2241 S. Germantown Rd). Please see enclosed site plan.

3. The applicant has submitted a letter with a building analysis of the Checkerberry Building (2245 S. Germantown Rd.)
4. Per research by both the applicant and Planning Division staff, no information regarding the historical significance of the building was found.
5. If approved by the DRC, the applicant shall submit to Shelby County Code Compliance for a building demolition permit.
6. If both the building demolition and the change of use requests are approved, the applicant shall submit to the DRC for approval of a site plan that reflects parking, lighting and landscaping to accommodate the change in use.

PROPOSED MOTION: To approve a building demolition (Checkerberry Building) at 2245 S. Germantown Rd. in the “OG” Zoning District, subject to the Commission’s discussion, staff comments in the staff report, and the documents and plans submitted with the application.

David H. McGehee
Deceased

Lee A. Nicholson
Deceased

James L. Burke, Jr.
Retired



James H. Boggan, AIA
0100169 TN

Curtiss H. Doss, AIA
2721 AR
4666 AL
AR-0015701 FL
RA010598 GA
5231 KY
2699 MS
12883 NC
8598 SC
00020546 TN
25436 TX

March 10, 2017

City of Germantown Planning Staff
City of Germantown
1930 South Germantown Road
Germantown, TN 38138

RE: Landmark Bank Application
"Checkerberry Building"
MNB #16-125

Dear Sirs:

The explanation requested with the application for demolition of this building and the subsequent parking expansion to serve the adjacent bank's additional parking needs is included below. The building has numerous issues which will require demolition by whomever purchased the structure. Many of them are cited below for your benefit and have been created in a bullet format with explanation below each item for clarity.

Issues and Concerns

The structure does not sit on the property correctly as it is actually across the property line as can be seen from the survey.

As can be seen on the survey documents the verified building line is slightly over the property line on the southern side. This issue could prove difficult to a prospective purchaser and their financial institution unless resolved. Due to the structural issues of this wall, a substantial cost would be incurred to remove the wall and reconstruct it to bring into compliance.

The structure does not have access to the parking that is necessary to serve it without crossing adjacent neighbor's lots.

The property lines clearly depict that access to the parking located on the west side of the property is from the north or south sides which requires crossing adjacent property not owned by this owner. This is problematic depending on the adjacent property owners and how they could develop or utilize their properties and could render this building without parking.

The structure does not meet current local ordinances.

The subject property does not provide adequate parking for the building use and while there are very loose parking requirements for the Old Germantown zone, this has proven problematic for the adjacent bank at times when patrons and employees of the subject property would use bank parking.

The property does not currently comply with various other ordinances related to building envelope, landscaping, storm water management, pavement standards, parking lot striping, garbage container screening, to mention a few. To create compliance, if even possible, would be costly.

The structure does not meet current building codes.

The property is not in compliance with the current seismic design requirements. The property is not in compliance with building codes related to fire walls on the north and south building faces. The property is not in compliance with handicapped design for building access and toilet facilities. The mechanical systems and electrical systems are not code compliant.

The structure is in disrepair and in need of extensive alterations and corrective measures for usability by a new owner.

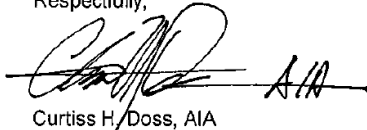
The exterior walls (north, south, and west) are concrete block which show signs of significant cracking and settlement and could be structurally suspect but at the least must be addressed and then refinished in a compliant envelop system. The roof appears ready for a complete removal and replacement. The boarded-up windows on the west face appear to have some water damage and should be removed and replaced. The mechanical system and electrical systems are not code compliant and with any renovation work would be required to be brought up to code. The interiors must be completely removed and replaced for any other use. The building floor is lower than the street which could prove problematic in heavy rains given the lack of storm water management systems in the Old Germantown area.

These items carry significant costs if implemented and more importantly some of them are not possible to accomplish due to the very nature of the property conditions. The better solution, more functional solution, and more area friendly solution is demolition.

The new property owner and adjacent tenant, Landmark Community Bank, has need for expanded parking to serve their branch location and this parking would be available to local merchants when the bank is not in operation on nights and weekends. Given the lack of adequate parking for the area, this would be a win for the bank as well as the adjacent businesses.

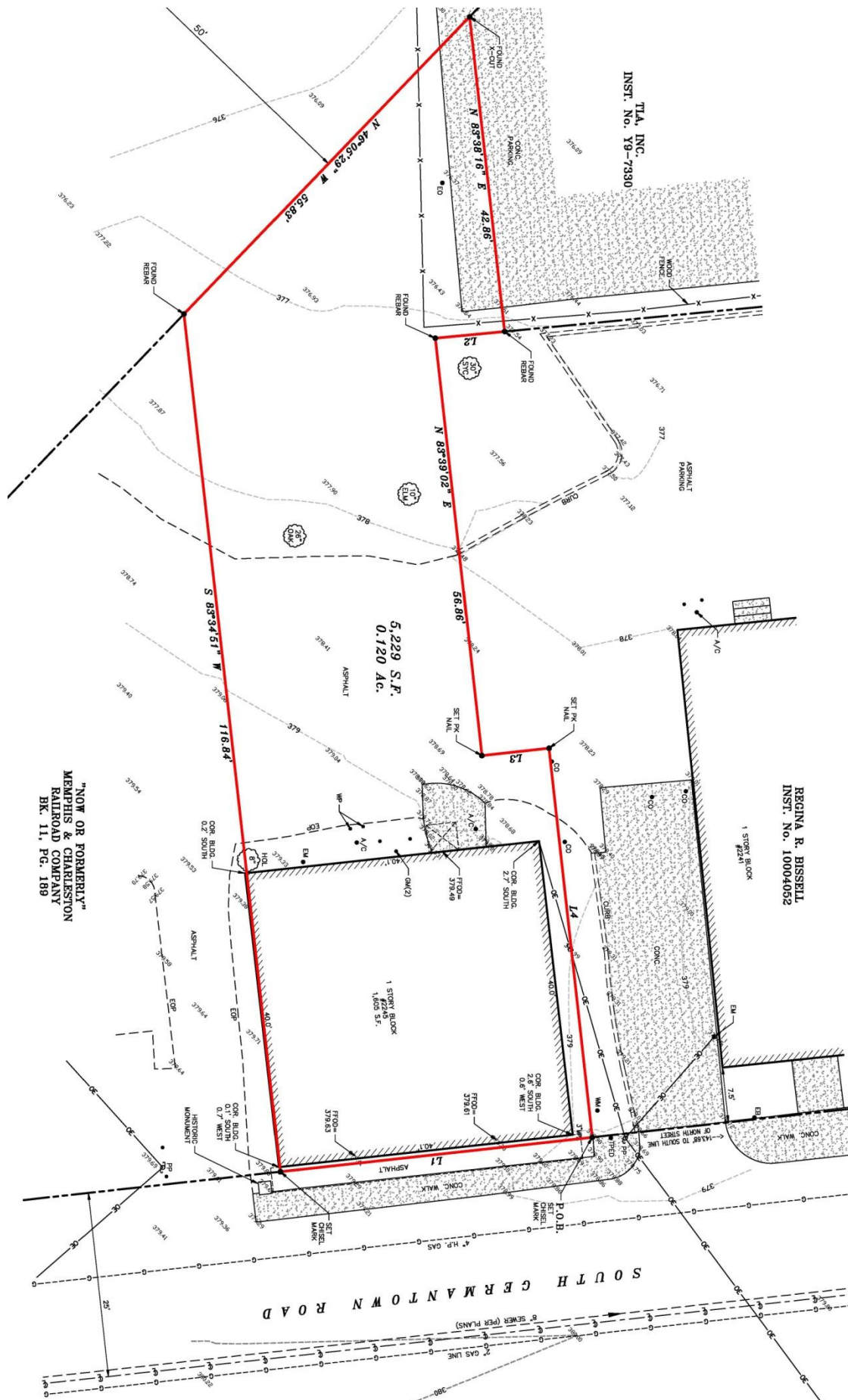
Therefore, our request to be allowed to demolish this structure is submitted.

Respectfully,

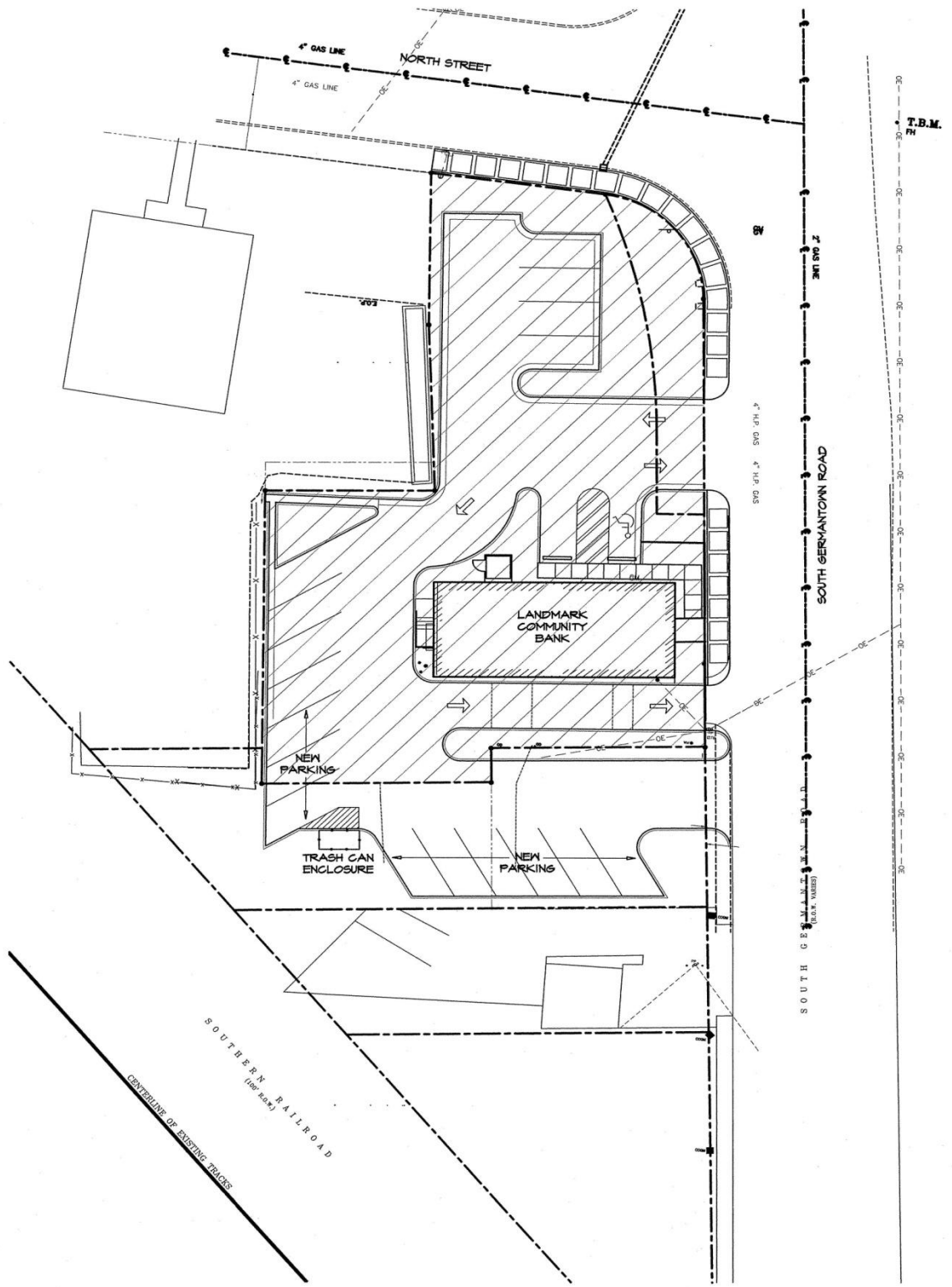


Curtiss H. Doss, AIA
McGehee Nicholson Burke Architects, PC

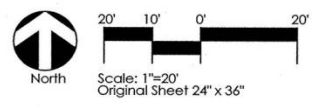
llp



"NOW OR FORMERLY"
MEMPHIS & CHARLESTON
RAILROAD COMPANY
BK. 11, PG. 189



A PRELIMINARY SITE PLAN
SCALE: 1:20





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: _____

DESIGN REVIEW COMMISSION PROJECT REVIEW APPLICATION

Specific Approval requested:

Preliminary Plan Final Plan Change in Use
(Site plan, building elevations, landscaping, lighting, etc.) (Complete "OG" Checklist)

Wireless Transmission Facility Landscaping (only) Lighting (only)

Revision/amendment to an approved plan
Description of requested change: _____

Other; Explain Building Removal in the OG zoning district

Project Name: Landmark Bank Parking Expansion

Project Address: 2245 S Germantown Road, Germantown, TN 38138

Previous Tenant: The Book Depot and Checkerberry Shoppe

Applicant's Name: Curtiss H. Doss, AIA

Mailing Address: 6750 Lenox Center Court, Suite 100 Memphis, TN 38115

Email Address: curtiss@mnbarchitects.com Telephone: 901-683-7667

Owner's Name: Landmark Community Bank

Mailing Address: 5880 Ridge Bend Road Memphis, TN 38120

Email Address: _____ Telephone: _____

Developer's Name: same as above

Mailing Address: _____

Email Address: _____ Telephone: _____

Lessee's Name: same as above

Mailing Address: _____

Email Address: _____ Telephone: _____

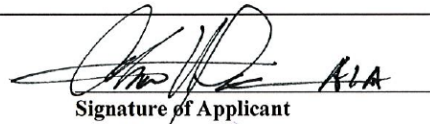
DRC Project Review Application
Page 2

Zoning District where project is to be located: OG zoning district

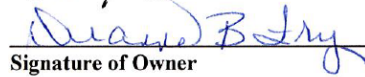
Describe project item(s) to be reviewed: *(please attach additional sheets or letter of description if needed)*

See attached write-up

Curtis H. Doss
Print Name of Applicant


Signature of Applicant

Landmark Community Bank
Print Name of Owner


Signature of Owner

Print Name of Developer

Signature of Developer

Print Name of Lessee

Signature of Lessee

By my signature, I attest that all of the required information associated with this application has been submitted to the Department of Community Development by the scheduled deadline date. Any failure on my part not to submit any of the required information may result in the removal of the application from the agenda.

DRC Project Review Application
Page 3

DISCLOSURE OF OWNERSHIP INTERESTS

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

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

Owner: Landmark Community Bank
Address: 2245 S Germantown Road, Germantown, TN 38138

Lessee: _____
Address: _____

Developer: _____
Address: _____

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

Name	Business <u>or</u> Home Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

*See language in parenthesis above.

Last Revision Date: 6/2015

Mr. Curtis Doss w/MNB Architects explained that the owner of the bank building has written a letter to this commission through her power of attorney supporting the bank acquiring additional parking. This bank is growing and is one of the largest branches in the Landmark system, and quite frequently runs out of parking spaces. The bank has agreed to purchase the Checkerberry Building property a year ago, and allowed the previous owner to continue to run her business until she chose to retire. He further explained

that the building's exterior walls were cracked and in serious need of substantial repair. The building actually sits over the property line, so the only entity that could afford to buy this property would be a bank institution who could write a check for it because they couldn't get it financed since the building doesn't presently sit on its own property. Further, you can't get to its parking lot without crossing someone else's property. Therefore, no one else could buy this property and utilize it without making a correction to these things. Once you started correcting these things, the building would have to be torn down. The bank doesn't need the building; they need the property for parking. To their knowledge, this building was constructed in 1955, and after researching this property they have found no historical significance other than the fact that it has existed since 1955. All markers and any related to the building all reference things on the other side of the street. Landmark Bank will remove, protect, and reinstall the marker after construction, if the city agrees. They will work with staff on planting trees and installing necessary landscape, and will not restrict anyone from parking on their property.

Mr. Andy Pouncey, City Historian, agreed with Mr. Doss concerning the historical significance of this building. There is an historical marker on the corner, and he would like to see the city remove this marker before the demolition and replace it afterwards so it doesn't get damaged. By standing at this marker, you are standing in the photographer's footsteps, and you see the first City Hall across the street which is beside the Berry House, which belonged to Mayor Berry who was the City of Germantown Mayor from 1928-1954 and is part of our history.

Ms. Wilma Ridner explained that the Checkerberry name has nothing to do with the Berry's. Checkerberry is actually the name of a small plant. Ms. Ridner stated that this is her first DRC meeting, and that she likes the Checkerberry Building.

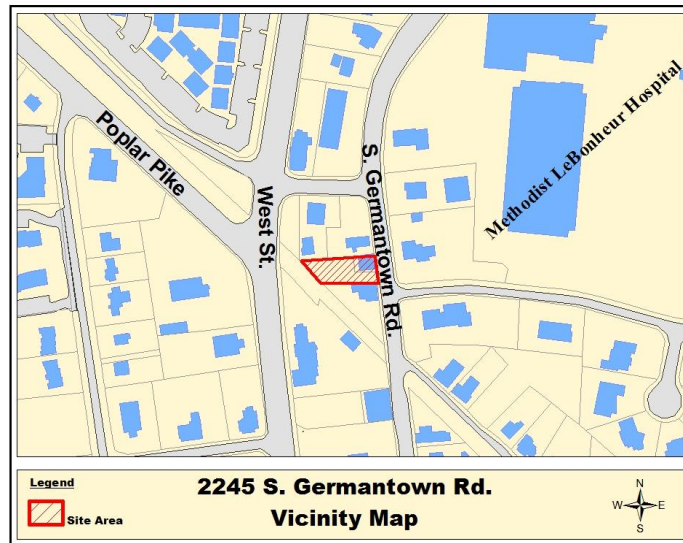
After much discussion, Chairman Bruns called for a motion.

Mr. Sherman moved to approve a building demolition (Checkerberry Building) at 2245 S. Germantown Rd. in the "OG" Zoning District, subject to the Commission's discussion, staff comments in the staff report, and the documents and plans submitted with the application, seconded by Mr. Smith.

ROLL CALL: Mr. Smith – Yes; Ms. Burrow – Yes; Mr. Schmidt – Yes; Mr. Landwehr – Yes; Mr. Kumar – Yes; Mr. Sherman – Yes; Chairman Bruns – Yes

MOTION PASSED

6. Landmark Bank – 2245 S. Germantown Road – Request Approval of a Change of Use from retail/commercial to a parking lot in the Old Germantown (OG) Zoning District (Case No. 17-711)



BACKGROUND:

Approval is requested to change the use of a site from retail/commercial (antique and book stores) to a surface parking lot. The 0.11-acre property includes a small structure which contains antique and book stores and a primitive parking lot of gravel and asphalt.

DISCUSSION:

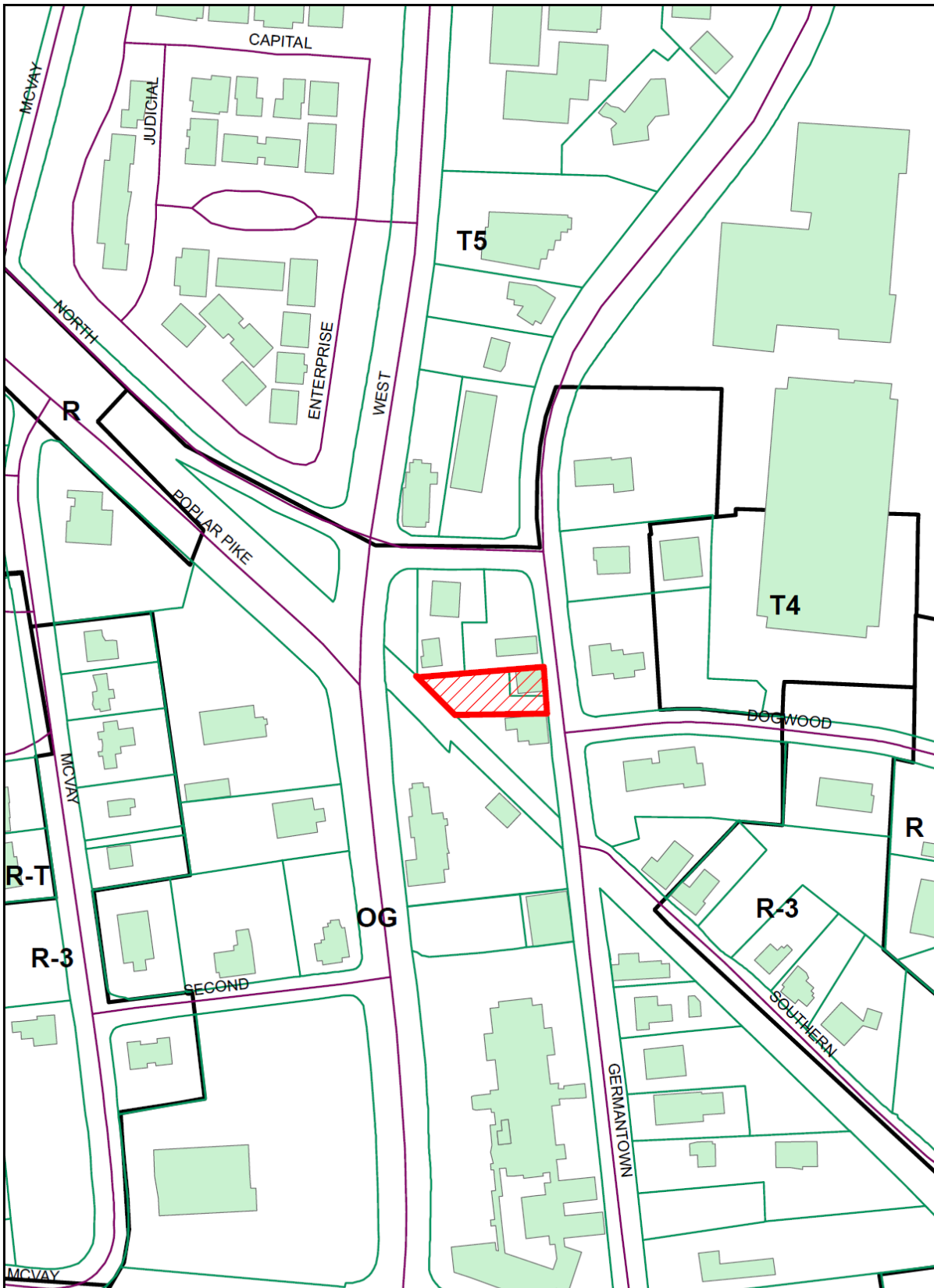
Section 23-517(4) of the City of Germantown Code of Ordinances permits a change in use “provided...that any change in use shall be subject to review and approval by the Design Review Commission and to the Design Review Commission finding that the proposed change in use shall have no negative impact upon surrounding properties or upon the character of the District.” Additionally, per Section 2-171, all applications for permit approval with Old Germantown (OG) shall be submitted to the DRC for review. The Municipal Code does not outline specific parking requirements for the Old Germantown (OG) zoning district. However, Section 23-519(a) states that: “The requested building or occupancy permit will be denied if the development plan does not provide adequate parking for the proposed use consistent with parking requirements for similar uses in other zoning districts as described in this chapter.”

The subject site is bordered on the north by Landmark Community Bank at 2241 S. Germantown Rd. and the Germantown News at 7545 North St., to the south by a doctor’s office at 2255 S. Germantown Rd. and to the west (rear) by the railroad tracks.

STAFF COMMENTS:

1. The change in use will allow an expansion of the parking lot for Landmark Community Bank (located at 2241 S. Germantown Rd).
2. The applicant has also applied for approval from the DRC for demolition of the Checkerberry Building (2245 S. Germantown Rd.) in conjunction with the change of use request.
3. If both the change of use and building demolition requests are approved, the applicant shall submit to the DRC for approval of a site plan that reflects parking, lighting and landscaping to accommodate the change in use.

PROPOSED MOTION: To approve a change in use from retail/commercial to surface parking lot use at 2245 S. Germantown Rd. in the "OG" Zoning District, subject to the Commission's discussion, staff comments in the staff report, and the documents and plans submitted with the application.



ZONING MAP



Landmark Bank Parking Expansion
2245 S Germantown Road
Design Review Commission Submittal
3/3/17

Vicinity Map and Information

This property is located on the west side of S Germantown Road, south of North Street, and north of the railroad. The property is currently identified as the Checkerberry Building. This application encompasses only that property.



The general property boundaries are shown in the aerial below. It is important to note that the property directly south of this is a railroad access easement. Immediately north of this property is the existing Landmark Community Bank.





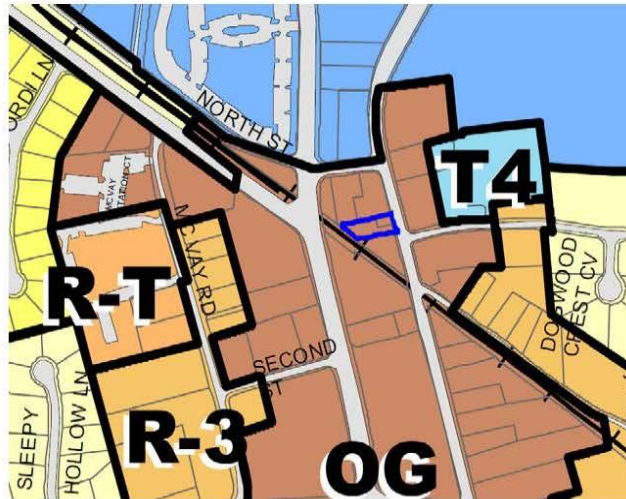
Land Use - Exhibit B

The property is located in Germantown's Old Germantown (OG) zoning district as illustrated in this Zoning Map.

Existing Site Conditions

The site is currently the Checkerberry Shoppe and The Book Depot building.

Parking for the site is located behind the building and is only accessed through the surrounding properties. There is currently greenspace at the rear of the property with a few trees as shown on the survey.



Explanation of this Request

The purpose of this application is two-fold. First, we are asking to remove the existing building. The building is very old, and according to the team architect, MNB Architects, has begun to reach a state of dis-repair.

Attached to this write-up you will find two letters; one by Ms. Nancy Grider, the previous owner of the property, and one by Ms. Dianne Fry, a representative of Landmark Bank. When the idea of selling the building to retire and spend more time with family came up, the bank, being interested in expanding their presence in Old Germantown, began working on a deal. The bank and Ms. Grider reached an agreement for the bank to purchase this property.

The bank's primary goal is to expand their parking area to better service their existing customers while also being able to expand their reach to the community. That is the second request of this application: a change of use from the current retail/commercial use to a parking lot.

As we discovered during the planning process, parking is not a permitted stand-alone use in the Old Germantown (OG) zoning district. Because of that, the bank and (the current property owner) have partnered to submit a joint application. The bank does



Landmark Bank Parking Expansion
2245 S Germantown Road
Design Review Commission Submittal
3/3/17

not own their current location just north of this property, but they do own this parcel. That is why a joint application was necessary.

This parking area will serve as an accessory use to the existing bank building. Below are some figures provided by the bank explaining the current parking lot usage on a per work-week basis.

Visitor Use	Number of Visitors
Drive-thru	113
Parked	59
Other	28

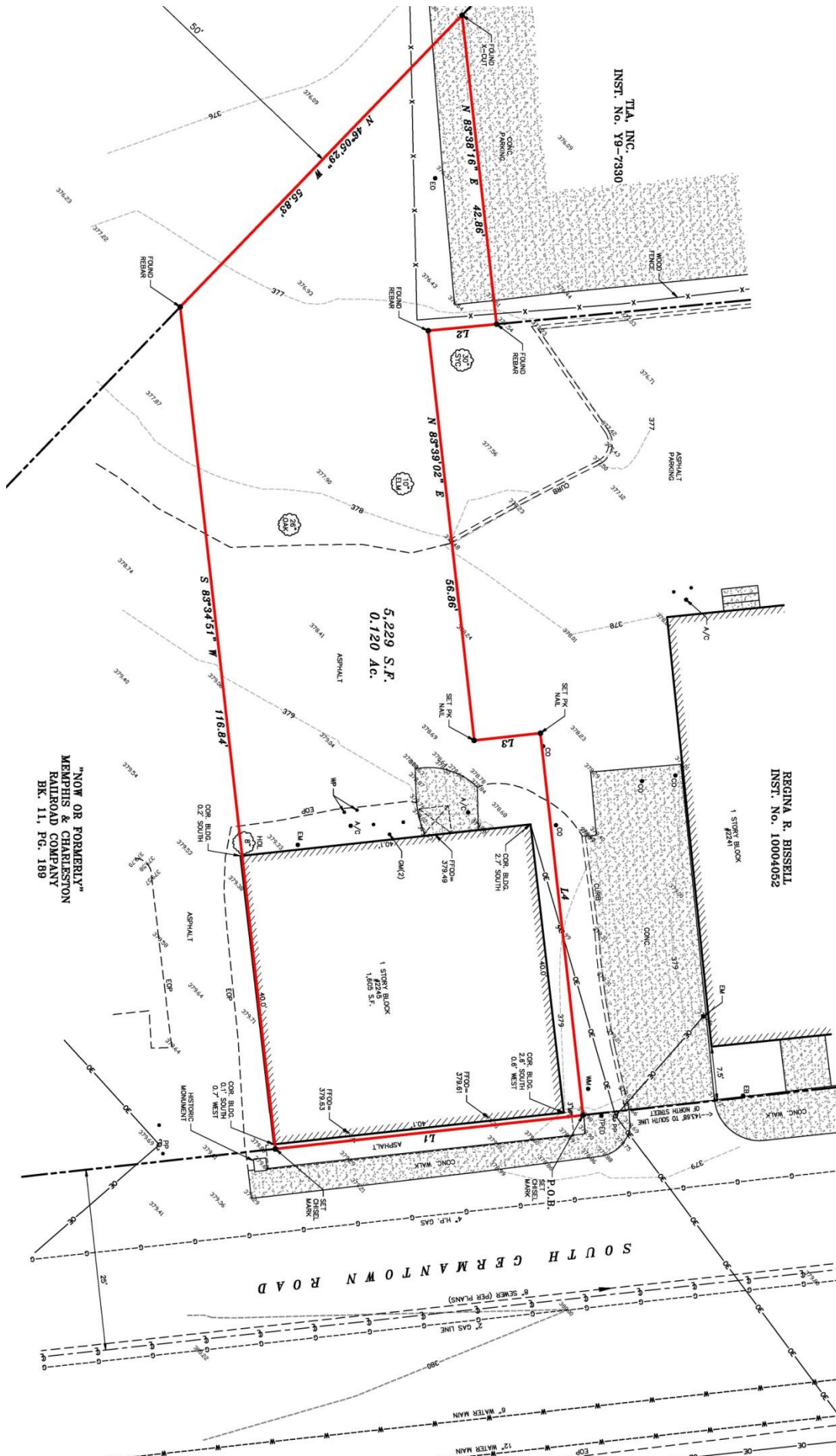
Landscape & Site Plan Drawings

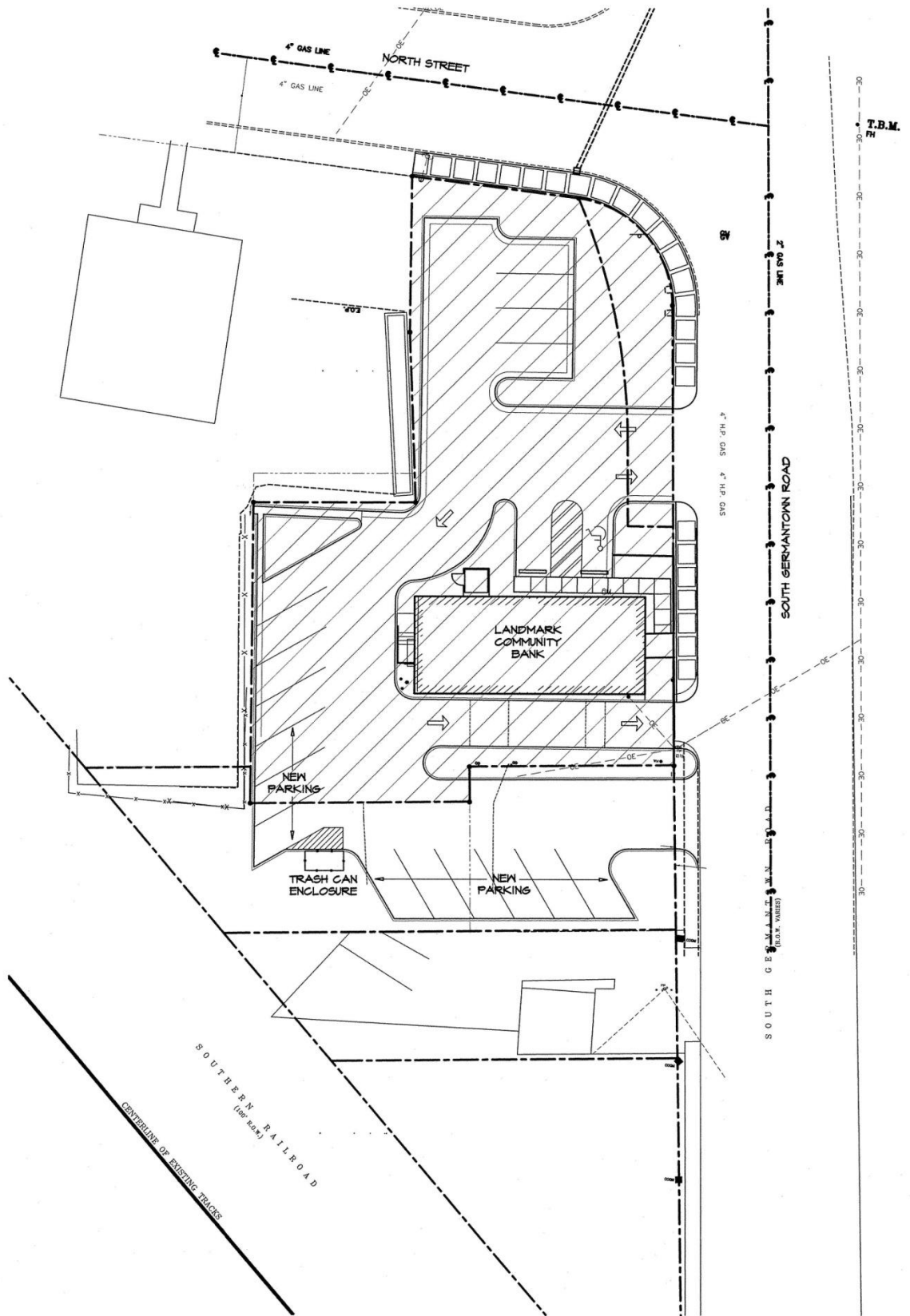
This application is for the Building Demolition and a Change of Use only. If approved, a full site plan and landscape package will follow in the coming months for review and approval by the DRC.

A list of Plans prepared and included in this submittal are noted below:

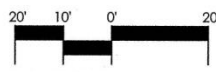
Sheet No.	Sheet Name
DRC-0	Cover Sheet
DRC-1	Existing Conditions Survey
DRC-2	Preliminary Site Plan

We look forward to reviewing this proposal with you.





A PRELIMINARY SITE PLAN
SCALE: 1:20



Scale: 1"=20'
Original Sheet 24" x 36"



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: _____

DESIGN REVIEW COMMISSION PROJECT REVIEW APPLICATION

Specific Approval requested:

Preliminary Plan Final Plan Change in Use
(Site plan, building elevations, landscaping, lighting, etc.) (Complete "OG" Checklist)

Wireless Transmission Facility Landscaping (only) Lighting (only)

Revision/amendment to an approved plan
Description of requested change: _____

Other; Explain Building Removal in the OG zoning district

Project Name: Landmark Bank Parking Expansion

Project Address: 2245 S Germantown Road, Germantown, TN 38138

Previous Tenant: The Book Depot and Checkerberry Shoppe

Applicant's Name: Curtiss H. Doss, AIA

Mailing Address: 6750 Lenox Center Court, Suite 100 Memphis, TN 38115

Email Address: curtiss@mnbarchitects.com Telephone: 901-683-7667

Owner's Name: Landmark Community Bank

Mailing Address: 5880 Ridge Bend Road Memphis, TN 38120

Email Address: _____ Telephone: _____

Developer's Name: same as above

Mailing Address: _____

Email Address: _____ Telephone: _____

Lessee's Name: same as above

Mailing Address: _____

Email Address: _____ Telephone: _____

DRC Project Review Application

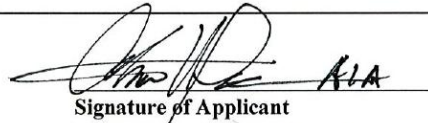
Page 2

Zoning District where project is to be located: OG zoning district

Describe project item(s) to be reviewed: *(please attach additional sheets or letter of description if needed)*

See attached write-up

Curtis H. Doss
Print Name of Applicant


Signature of Applicant

Landmark Community Bank
Print Name of Owner


Signature of Owner

Print Name of Developer

Signature of Developer

Print Name of Lessee

Signature of Lessee

By my signature, I attest that all of the required information associated with this application has been submitted to the Department of Community Development by the scheduled deadline date. Any failure on my part not to submit any of the required information may result in the removal of the application from the agenda.

DRC Project Review Application
Page 3

DISCLOSURE OF OWNERSHIP INTERESTS

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

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

Owner: Landmark Community Bank
Address: 2245 S Germantown Road, Germantown, TN 38138

Lessee: _____
Address: _____

Developer: _____
Address: _____

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

Name	Business <u>or</u> Home Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

*See language in parenthesis above.

Last Revision Date: 6/2015

Mr. Curtis Doss, w/MNB Architects was there to answer any questions the Commission might have. The lady that owns the parcel on which Landmark Bank is located uses that for rental income in a retirement fashion. The bank has an offer on the table to purchase the property on which the bank building is located, and has since the bank moved in and signed the lease. The current property owner has the option to execute this offer at any time she wants. She has not chosen to execute it at this time. The deal is already signed, sealed, and delivered that the bank will buy this property. The bank has already paid for all of the

improvements to this property and has no intention of going anywhere. Once the bank acquires this piece of property, they will come back to this Commission and dissolve the property line and it will become 1 parcel together with 2245 S. Germantown Rd. (where the Checkerberry Building is to be demolished for an accessory parking lot).

Mr. Sherman expressed his appreciation for their attention to detail, and respect for the historical nature of the property and how it impacts the Old Germantown area. He also appreciated their thoroughness in researching the property and the overall professionalism of the whole presentation from the beginning until now.

Planning Division staff clarified that only an accessory use of a parking lot, in tandem with the principal use of the bank next door, would be allowed. A stand-alone parking lot, which is not connected to a neighboring business, would not be allowed.

Chairman Bruns called for a motion.

Mr. Landwehr moved to approve the Landmark Bank parking expansion which is going to be an accessory use at 2245 S. Germantown Rd. in the "OG" Zoning District, subject to the Commission's discussion, staff comments in the staff report, and the documents and plans submitted with the application, seconded by Mr. Schmidt.

ROLL CALL: Ms. Burrow – Yes; Mr. Smith – Yes; Mr. Sherman – Yes; Mr. Kumar – Yes; Mr. Landwehr – Yes; Mr. Schmidt – Yes; Chairman Bruns – Yes

MOTION PASSED

ADJOURNMENT

There being no further business, comments, or questions by the Commission, the Chairman adjourned the meeting at 6:37 p.m.