

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, May 2, 2017**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of City Hall on May 2, 2017. 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 6:00 p.m. requesting the roll call.
2. Pam Rush called the roll of the Commission and established a quorum.

Commissioners Present: Mike Harless, Dike Bacon, Alderman Forrest Owens, Rick Bennett, David Clark, and Keith Saunders

Commissioners Absent: Hale Barclay, George Hernandez, and Mayor Mike Palazzolo

Staff Present: David Harris, Cameron Ross, Sarah Goralewski, Jody Dwyer, Tim Gwaltney, and Pam Rush

Chairman Harless stated for those people who just arrived, tonight's agenda is on the front table.

3. Approval of Minutes for April 4, 2017:

Chairman Harless stated that the next order of business is the approval of the minutes for the April 4, 2017, meeting. If there are no additions, corrections or deletions to the minutes of the April 4, 2017, meeting of the Planning Commission, he would entertain a motion for approval.

Mr. Bennett noted he had a correction to the minutes, and requested the minutes to be amended on item four regarding the Part of Lot 2, Wolf River Center – Phase 1, 1st Addition – Request rezoning from ‘C-2’ (General Commercial) to “R-H” (Retirement Housing). He stated, “I recused myself from the discussion, because one of my law partners is involved. I stepped out of the room and did not vote on this item. This needs to be accurately reflected in the minutes.

Mr. Clark moved to approve the amended Planning Commission minutes of April 4, 2017, seconded by Mr. Bacon.

Chairman Harless asked for a roll call.

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

4. The Village at Germantown-Common Areas Expansion, 7820 Walking Horse Circle – Request Revised Preliminary and Final Site Plan Approval

Alderman Owens stated his mother resides at the Village of Germantown and for full disclosure, it will have no bearing upon my vote this evening.

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

Board Discussion:

Chairman Harless asked if there were any questions of staff.

Chairman Harless invited the applicant up to discuss the project. The applicant stated the staff report was sufficient enough.

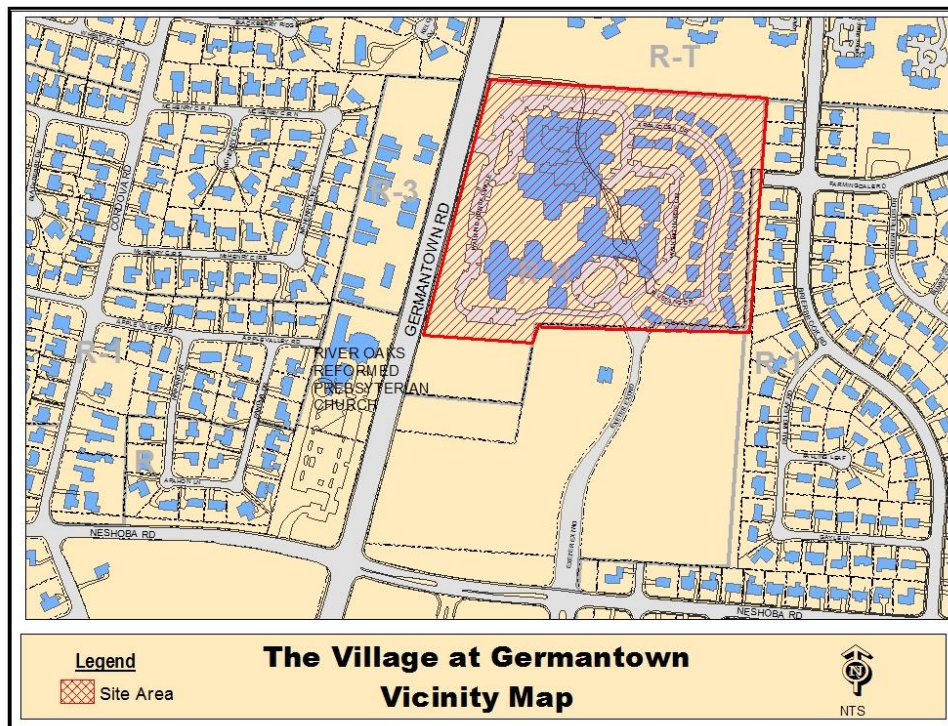
Chairman Harless asked if anyone in the audience would like to speak in favor on this project. There were none.

Chairman Harless asked if anyone in the audience would like to speak against this project. There were none.

INTRODUCTION:

Development Case Number	(14-490)
Project Name:	The Village at Germantown-Common Areas Modification
Owner Name/Applicant Name:	The Village at Germantown, INC (Donald P. Selheimer, CFO)
Representative Name:	Brian Martinelli w/ANF Architects
Location:	7820 Walking Horse Circle
Zoning District:	“R-H” Retirement Housing Zoning District
Area:	0.17 Acres = Project Area (27.49 Acres = Total Site)
Request:	Revised Preliminary and Final Site Plan Approval for modification to add two new common areas (Private Dining Room and Billiards Room)

*Refer to the Disclosure Form attached for more information



BACKGROUND: The Village at Germantown was initially approved as Project Development Contract #1098 by the Board of Mayor and Aldermen on June 23, 2003. It is currently a 247-unit continuing care retirement community for seniors and contains varying levels of housing and care, including single-family cottages, independent living apartments, assisted living, skilled care and special care units, and a rehabilitation facility.

On February 19, 2014, the Planning Commission approved an expansion plan that included the following: New Memory Care and Assisted Living Facility – a new 3-story building that will contain 49,705 sq. ft. of floor area. The building contains 30 assisted living dwelling units, 16 memory care dwelling units and 2 skilled care units; Rehabilitation Facility – a 1,760 sq. ft. building located in the existing northern courtyard. Kitchen Facility Expansion – the existing building footprint was expanded by approx. 2,968 sq. ft. Parking Area Expansion – an additional 17 parking spaces to be constructed along the southern portion of Walking Horse Circle. These spaces were approved with the original site plan but were not constructed.

On July 7, 2015, the Planning Commission approved a preliminary and final site plan that included a new 4-storey building with 31 independent living units and underground parking for 38 vehicles. The Design Review Commission approved the final site plan that included the new facility on July 28, 2015. On January 5, 2016, the Planning Commission approved revisions to the July 7, 2015 site plan that included reducing the building height to 3-storey, increasing the number of units to 33, removing the underground parking garage and adding 19 additional new surface parking spaces in front of the building along Walking Horse Circle. The new site plan also reflects the inclusion of a new courtyard that will be surrounded on all sides by buildings.

On July 5, 2016, the Planning Commission approved a revised preliminary and final site plan to allow 6,336 sq. ft expansion area that included four common areas, the fitness room, activity room, maintenance facility, and bar/bistro. The Design Review Commission approved the revised preliminary and final site plan for the common areas expansions on July 26, 2016.

DISCUSSION: The current request seeks to revise the preliminary and final site plan to allow modification to add two relocated common areas that will change the approved building footprint for this project. The two common areas to be added are the facility’s private dining room and billiards room. Detailed information about each common area is as follows:

	Private Dining Room	Billiards Room	Total Project Expansion	OVERALL DEVELOPMENT AREA
Development Size			0.17 ac.	27.49 ac.
BUILDING SIZES				
Existing	378 sq. ft.	225 sq. ft.		216,407 sq. ft
Relocated Addition	508 sq. ft.	399 sq. ft.	907 sq. ft.	217,314 sq. ft
BUILDING HEIGHT (above grade)	31.3’	20’	N/A	35’
NUMBER OF PARKING SPACES	No Change	No Change	No Change	No Change

PLAN REVISIONS TO TAC AND SUBDIVISION SUB-COMMITTEE COMMENTS: NONE NEEDED

The Technical Advisory Committee (T.A.C.) made the following comments:

STAFF COMMENTS:

A. GENERAL COMMENTS

1. All domestic water, fire lines and sewer line modifications and relocations must be designed and inspected per City of Germantown construction standards.
2. Existing utilities requiring relocation or removal shall be the developer's responsibility.
3. 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.
4. 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.
5. 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.
6. 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: Approval of Revised Preliminary and Final Site Plan, subject to Staff comments.

SUBDIVISION AND SITE PLAN SUBCOMMITTEE REVISIONS & RECOMMENDATION:

The subcommittee met on April 19 2017, and recommended approval, subject to staff comments.

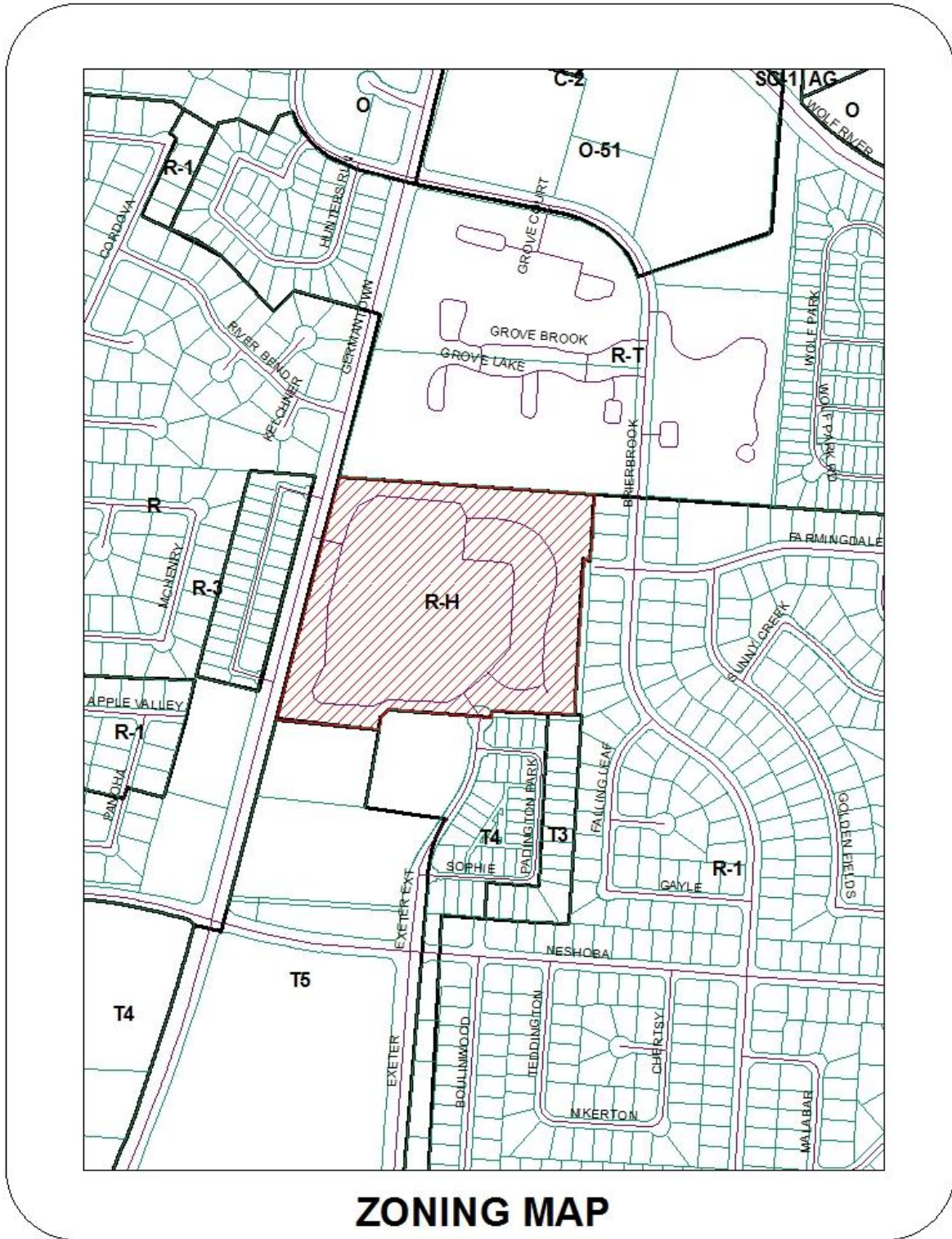
PROPOSED MOTION: To approve a revised preliminary and final site plan for modification to add two new common areas (Private Dining Room and Billiards Room) for The Village at Germantown located at 7820 Walking Horse Circle, subject to the Board's discussion, staff comments, and plans filed with the application.

Mr. Bacon moved to approve a revised preliminary and final site plan for modification to add two new common areas (Private Dining Room and Billiards Room) for The Village at Germantown located at 7820 Walking Horse Circle, subject to the Board's discussion, staff comments, and plans filed with the application, seconded by Mr. Bennett.

Chairman Harless asked for a roll call.

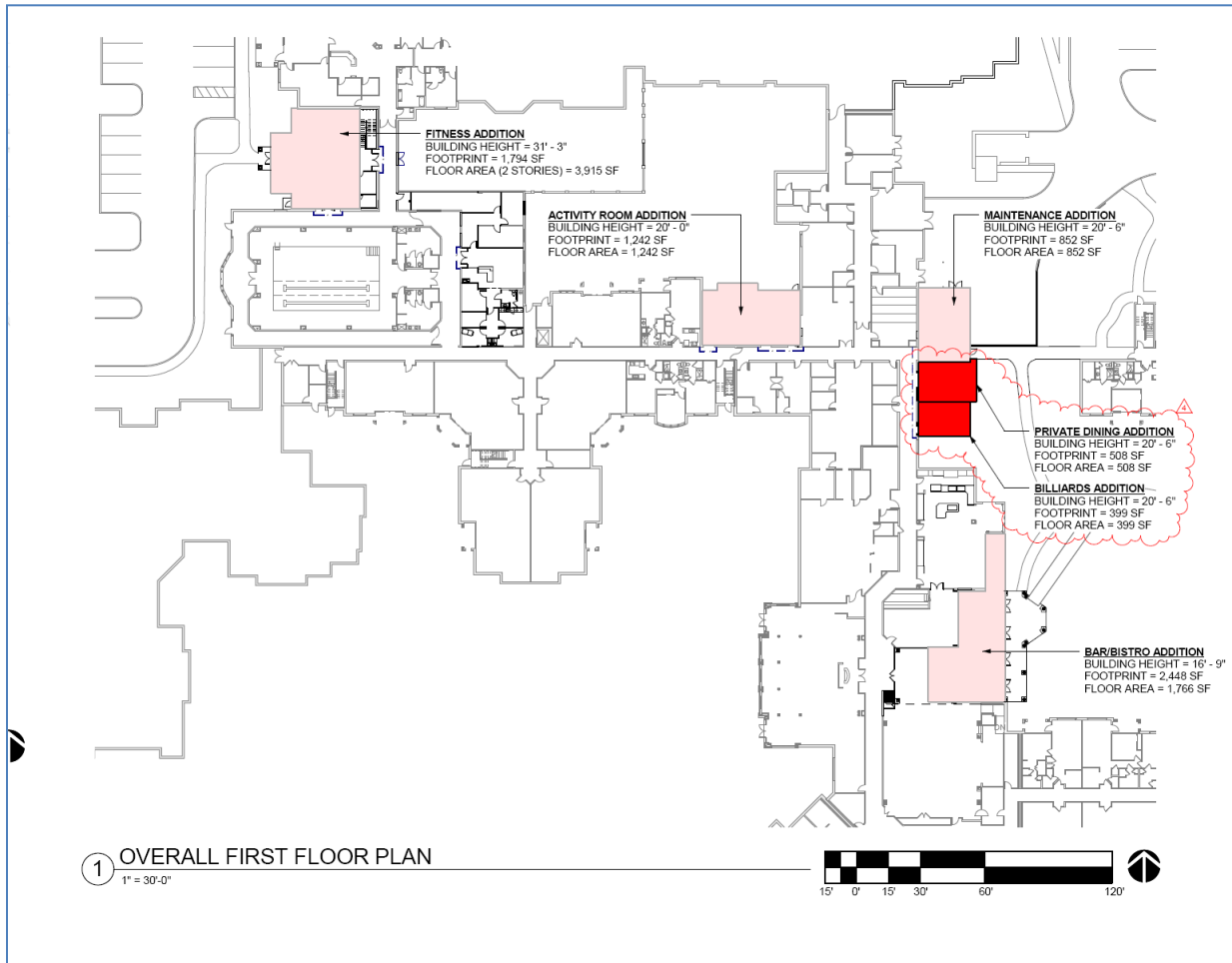
Roll Call: Barclay –absent; Saunders – yes; Hernandez – absent; Bacon –yes; Harless – yes; Owens – yes; Clark – yes; Bennett – yes; Palazzolo- absent. **The motion was passed**

Chairman Harless said congratulations and the motion passes.



ZONING MAP

REVISED SITE PLAN



An enlarged detailed plan is attached this report for review.

Village at Germantown Common Area Expansion

Addition Sizes

Red Text below indicates proposed modifications

Fitness Addition

The two-story fitness addition relocates and expands the Village's existing exercise spaces. Currently, their equipment and aerobics rooms are a total of 1,230 SF. The new addition will be 2,685 SF larger, for a total of 3,915 SF. The area previously used for fitness activities will be absorbed by the Clinic as part of a separate interior re-model.

Activity Room Addition

This addition adds a new function – activity space for meetings, crafts, games, etc. – as well as expands the existing wood shop. The new activity space is 906 SF. The wood shop, which is currently 656 SF, will be increased by an additional 336 SF, for a new total area of 992 SF.

Maintenance Addition

This addition gives the Village's maintenance department a second area to perform their work nearby their existing space. Their existing space is 484 SF, with the new addition adding another 852 SF, for a new total area of 1,336 SF. **This addition also relocates the Village's Private Dining and Billiards Room to this location so that the existing Private Dining may become additional space for the Auditorium and the Billiards Room may be used for storage. The current Private Dining Room is 378 SF, and the new Private Dining Room will be 436 SF. The current Billiards Room is 225 SF, and the new Billiards Room will be 362 SF. The total area of the Maintenance, Private Dining, and Billiard addition will be 1,759 SF.**

Bar/Bistro Expansion

This expansion will enlarge the existing Bar and Bistro, **as well as expanding the Auditorium by taking over the area currently occupied by Private Dining.** This area is currently 3,198 SF, and will be expanded by an additional 1,766 SF, for a new total area of 4,964 SF. This work will also relocate and expand the size of an exterior covered patio by 382 SF from its current 300 SF, for a new total area of 682SF.



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 NO (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>The Village at Germantown Common Areas Expansion</u></p> <p>Address/Location: <u>7820 Walking Horse Circle</u></p> <p>Project Description: <u>Additions to the campus in four areas to expand the size and type of existing common spaces. Areas include a two-story fitness addition, a one-story activity room addition, a maintenance/private dining/billiards addition, and an expansion of the bar/bistro</u></p> <p>No. of Acres: <u>0.17 - Project Size</u> Parcel Identification Number(s): <u>G0220 0044C</u> <small>27.49 - Total Property Area</small></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>The Village at Germantown</u> Address: <u>7820 Walking Horse Circle</u></p> <p>Phone No.: <u>(901) 752-2508</u> Email Address: <u>dselheimer@village-germantown.com</u></p> <p>Signature of Owner: <u><i>Donald P. Selheimer</i></u></p> <p>Lessee Name (Print): _____ Address: _____</p> <p>Phone No.: _____ Email Address: _____</p> <p>Signature of Lessee: _____</p> <p>Developer Name (Print): _____ Address: _____</p> <p>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>Brian Martinelli</u>	Title: <u>Project Manager</u>
Company Name: <u>ANF Architects</u>	Address: <u>1500 Union Ave., Memphis, TN 38104</u>
Phone No.: <u>(901) 278-6868</u>	Email Address: <u>brianm@anfa.com</u>
Who will represent this proposal at the Planning Commission meeting? <u>Brian Martinelli</u>	
ENGINEER/SURVEYOR INFORMATION	
Engineer Name: <u>Tiffany Heard</u>	Address: <u>2650 Thousand Oaks Blvd., Suite 3200, Memphis, TN 38118</u>
Phone No. <u>(901) 683-3900</u>	Email Address: <u>theard@ssr-inc.com</u>
Surveyor Name: _____	Address: _____
Phone No.: _____	Email Address: _____

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.LT., 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: _____
Address: _____

Owner: _____
Address: _____

Lessee: _____
Address: _____

Developer: _____
Address: _____

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

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

- 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: The Village at Germantown
 Address: 7820 Walking Horse Circle

President or Equivalent
 Chief Executive Officer: Don Selheimer
 Address: 7820 Walking Horse Circle

Members of the Board of Directors of the Applicant:

Name	Business <u>or</u> Home Address
<u>SEE ATTACHED SHEET</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.

**The Village at Germantown
Board of Directors**

William Kenley, FACHE Chairman
Sr. Vice President/CEO
Methodist Germantown Hospital
7691 Poplar Avenue
Germantown, TN 38138

Donna Abney
Executive Vice President
Methodist Le Bonheur Healthcare
1211 Union Avenue, Suite 700
Memphis, TN 38104

Chris McLean
CFO Methodist Healthcare
1211 Union Avenue, Suite 700
Memphis, TN 38104

Dr. James W. Harless, M.D.
Campbell Clinic
1458 West Poplar Suite # 100
Collierville, TN 38017

Mark Halperin
Executive Vice President & Chief Operating Officer
Boyle Investment Company
5900 Poplar Avenue
Memphis, Tennessee 38119

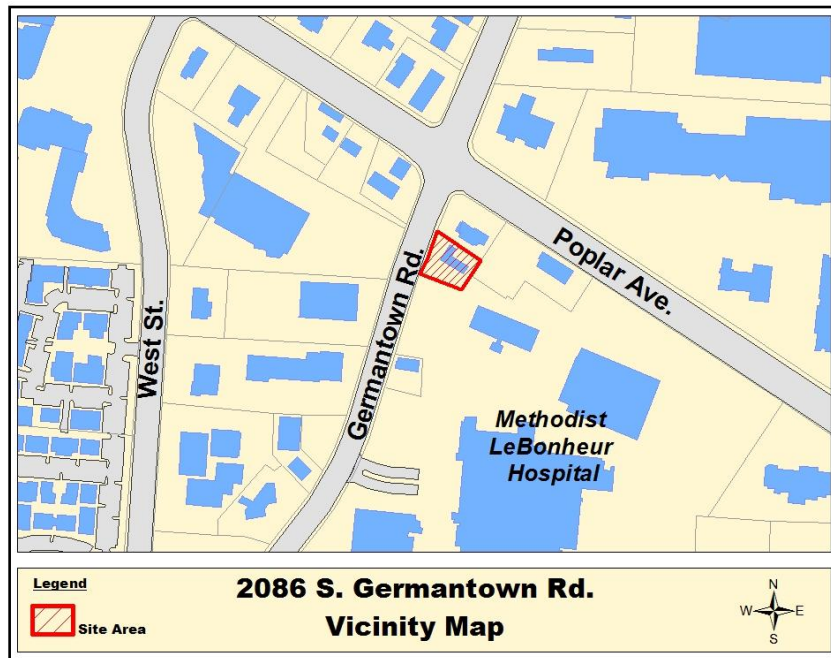
5. Domino's Pizza (former Castrol/GTX 10-Minute Oil Change), 2086 S. Germantown Rd. – Request Revised Preliminary and Final Site Plan Approval

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

INTRODUCTION:

Development Case:	17-721
Owner Name:	Alice Cartwright Allen
Developer/Applicant Name:	20/20 Memphis, LLC (dba Domino's Pizza)
Representative Name:	S. Berry Jones w/ S. Berry Jones Architects - Agent/Representative
Location:	2086 S. Germantown Rd.
Area:	0.344
Zoning District:	"T5" Urban Center Zoning District (Utilizing the underlying C-2 Zoning District)
Request:	Revised Preliminary and Final Site Plan Approval (Adaptive Reuse of Former Castrol/GTX 10-Minute Oil Change)

*Refer to the Disclosure Form attached for more information



BACKGROUND: Per City business license records, this site was originally occupied in 2001 as XPert Tune Oil Change. On November 26, 2002, the Design Review Commission granted approval for revisions to a landscape plan and storefront renovations for Castrol/GTX 10-Minute Oil Change, the new tenant. From 2008-2011, the tenant was the Lube Shop. Per City business license information, the site has been vacant since 2011. The applicant submitted a Limited Phase II Environmental Site Assessment Findings Report, completed on May 9, 2016, which stated that while contaminants were found, their levels were below the EPA screening levels. Per this report, no further action is recommended.

DISCUSSION: The property's "C-2" General Commercial District was overlaid by the T-5 Urban Center District in response to the Germantown Smart Growth Plan in 2007, which allows the property owner a choice to redevelop using the requirements of either district. The current project is being proposed using the underlying zoning of "C-2" General Commercial.

The proposed site plan proposes to upgrade the property (including parking and landscaping), and renovate the existing building, converting it to a pizza bake shop and delivery (Domino's). The pizza bake shop will have indoor and outdoor seating areas, as well as offer pick-up and delivery of pizza. The renovations to the existing building will include façade improvements to paint as well as necessary repairs, such as to gutters and downspouts. The parking lot will be improved, brought into ADA compliance and landscaping will be added.

TOTAL SITE AREA	0.34 ac.
BUILDING SQUARE FOOTAGE	1,988 sq. ft. footprint
BUILDING HEIGHT	17' (1 story)
Maximum building height	35'
NUMBER OF PARKING SPACES (1/300)	
Parking Provided (8 + 4 = 12)	12
Parking Required	8 spaces (per 16 seats)
(C-2=1 space/2 seats, plus 1 per employee during peak shift)	4 spaces (per 4 employees at peak shift)
LOT BUILDING COVERAGE	13.3%
Minimum Lot Building Coverage	25%

PLAN REVISIONS TO TAC AND SUBDIVISION SUB-COMMITTEE COMMENTS:

The Planning Commission Sub-Committee met on April 19, 2017. The preliminary and final site plans have been revised to address the comments listed below. The applicant has provided responses, which are in *italics*.

1. Show how the parking calculation was generated, including the number of seats and the number of employees during peak shift.
 - a. *Employee Peak 4 = 4 Spaces*
 - b. *Dining Capacity 14 (8 Inside + 8 Outside) = 8 Spaces*
 - c. *Total (we were able to increase to 12 spaces) = 12 Spaces*
2. Verify the height of the building.
17 feet to top of mansard
3. Provide a utility plan with water and sewer services.
Utility plan included with revised submittal.

4. The proposed trash container (dumpster) location is not going to work for this site. The truck cannot make the turn at the rear of the building and the height of the existing canopy restricts the truck from going through to exit the site.

The dumpster has been repositioned in the SE corner (see revised plans). The truck comes between 4AM and 5AM so the driver can back into the parking spaces to the south of the building and maneuver to exit head first.

5. It is unlawful for the owner of a higher elevation property to collect storm water and discharge it in a concentrated (pipe), form onto the adjacent, lower elevation property. Provide an alternative solution for storm water collection and mitigation.

See revised grading plans that now include on-site detention.

6. The existing corrugated pipe discharging onto the IBM bank is 6" not 10" as they have indicated on the plans. They do not need to increase runoff flow onto the IBM bank property. Post flow rate needs to meet Pre. On-site detention is required. The proposed 10" corrugated pipe running from the proposed catch basin to the existing catch basin, at the rear of the property, should be increased to a 15", which is our minimum pipe size, which would also serve as inline detention. An orifice or restrictor plate can be added inside the existing catch basin on site to allow for the detention requirement.

Per the revised plans, the pipe size has increased from 6" to 8", however discharged reduced by 25% from roughly 2.2cfs to 1.6 cfs. Refer to revised plans for exact numbers.

7. The plans should show the existing underground "lift station sump" installed for the previous XPert Tune business with a 3" PVC connection to the storm drain in the northeast corner of the parking lot.

The project engineer nor the surveyor could find any physical evidence of the lift station on this site.

8. The grading and drainage plan shows a new drain inlet at the southeast corner of the parking lot with a "15" invert" and a 10" pipe exiting the inlet. This should be clarified.

Completed.

9. The developer should investigate the possible need for underground storm pipe detention given the challenge of discharging storm water above ground onto the property to the north.

Completed.

10. Show the grease trap on the plans, if the restaurant requires it.

The Shelby County Health Department does not require Domino's to provide in-ground grease traps. They are allowed to use 70-100 lbs. under-sink units.

11. Verify that the existing water service be adequate for the new restaurant.

The existing service is 3/4", which should be sufficient.

12. The developer shall verify that the proposed site plan layout will handle possible large delivery trucks.

Deliveries will come from Domino's corporate delivery at 2AM and will unload along the curb with flashers and cones engaged.

13. The applicant submitted a Traffic Analysis statement which concluded that there would be minimum impact to existing traffic conditions, and that no improvements to public streets or traffic controls will be needed.

The proposed restaurant is a low-volume use. 60 trips per day each way are expected, with a total of 120 trips. A right-in/right-out driveway is not being proposed.

14. The applicant has submitted a Limited Phase II Environmental Site Assessment (ESA) that states no action is recommended regarding contaminants on this site.

Per the applicant and the ESA, no environmental remediation is required.

The Technical Advisory Committee (T.A.C.) reviewed the preliminary and final plans for this project.

STAFF COMMENTS

B. PRIOR TO CONSTRUCTION PLAN APPROVAL

The applicant's responses are in *italics*.

1. The following plan review comments are requirements of the International Fire Code (IFC) 2012, National Fire Protection Association (NFPA) 2010 codes and Germantown City Ordinances that apply. Comments do not remove the contractor's responsibility to fully comply with all applicable codes and ordinances. Final approval is subject to field verification and tests.

a) ADMINISTRATION:

No sprinkler or fire alarm system will be required (see dining capacity comments below).

- i. Permits shall be applied for and three full sets of architectural plans shall be submitted to the Fire Marshal's Office.
- ii. Permits shall be applied for and plans submitted by a licensed Tennessee Sprinkler Contractor and Fire Alarm Contractor at the fire marshal's office located at 2700 Cross Country, Germantown, TN.

Dining capacity as follows:

- a) *Dining floor area = 435 s.f./15 s.f. = 29 persons*
 - b) *Kitchen & work areas = 1360 s.f./100 s.f. = 14 persons*
 - c) *Sprinkler requirement not met as total person count <100*
- iii. Construction documents, for the fire alarm system, shall be submitted to the fire marshals' office for review and approval prior to system installation. The documents shall be submitted meeting the criteria outlined in the IFC, Chapter 9, and Section 907.1.1

b) ACCESS:

All portions of building are within 150 ft. of access road, therefore fire fighters and fire-fighting equipment would not enter this small site, as verified with Fire Marshal Dwyer. The project engineer will submit for Fire Marshal review at the construction drawing phase.

- i. Fire apparatus access roads shall have a minimum pavement width of 24 feet unobstructed (Germantown City Ordinance, GCO), (IFC D103.1)
- ii. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet exclusive of shoulders. (IFC D103.1)
- iii. Fire Department access roads shall have a minimum vertical clearance of 13 feet 6 inches. (IFC 503.2.1)
- iv. The access roadway shall be within 50 feet of the normal point of entry to the structure for the fire department. (GCO)
- v. The fire department access roadway shall be extended to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building (IFC 503.1.1)
- vi. Turns in fire lanes shall be constructed to provide sufficient width to accommodate the largest piece of fire apparatus available to be operated on the fire lane, but in no case shall the radius to the outside curb line be less than 50 ft. (NFPA 1141)

- vii. Where access to the interior of a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire fighting purposes a Knox key box shall be installed. (This shall include all sprinkler protected buildings)
 - viii. All key boxes shall be manufactured by the Knox Box Company.
- c) PREMISES IDENTIFICATION:
1. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 2. Numbers shall be a minimum of 4 inches high with a minimum stroke width of .5 inches and contrast with the background.
- d) UTILITIES/WATER:
- i. No portion of any building, structure or facility shall be more than 400 feet from a fire hydrant (IFC 507.5.1)
There is a fire hydrant within the distance (see survey).
 - ii. The fire hydrant servicing the building shall be located a minimum of 40 feet from the structure.
The existing fire hydrant is outside of this distance from the building (see survey).
 - iii. The Fire Department Connection shall be located a minimum of 40 feet from the structure and within 100 feet of a fire hydrant.
Non-applicable. See response A.2.
 - iv. The Post Indicator Valve shall be located a minimum of 40 feet from the structure.
Non-applicable. See response A.2.
- e) STRUCTURE:
- i. Combustible awnings attached to the structure shall be protected by an automatic sprinkler system per NFPA 13 section 8.15.7.5 and IFC section 315.4.1
See A.2.
 - ii. Combustible materials shall not be stored or displayed under non-sprinkler protected eaves, canopies, or other projections or overhangs in accordance with IFC section 315.4.1
 - iii. Umbrellas used for patio seating shall have a flame retardant rating. A certificate indicating the rating or a label attached to the umbrella shall be available to the fire code official at the time of inspection as defined in NFPA 702.
- f) FIRE PROTECTION:
- No sprinkler requirement. See A.2.*
- i. Restaurants are an A-2 occupancy classification (IFC Chapter 2).
 - ii. A-2 occupancies with an occupant load of 100 or more shall have an automatic sprinkler system. (Occupant load for proposed location 133) (IFC 903.2.1.2)
 - iii. The automatic sprinkler system shall meet the requirements of NFPA 13, IFC, and local ordinances.

2. Drainage. A drainage manhole is needed at the “inline bend” in the new 30” drain pipe.
3. Curb. It is recommended running a curb around the rear of the building to protect the building, the rear porch, the gas meter and the electric meter. It can abut the end of the porch and provide a turning radius at the northeast corner of the building.
4. ADA compliance.
 - a. The existing north driveway apron is ADA compliant. However, the south driveway apron is not. It shall be brought into compliance.
 - b. A concrete wheel stop is needed in the handicapped parking space.
5. Cross-tie wall. The northern-most cross-tie wall along the Independent Bank appears to be in good condition, and the proposed site plan does not indicate any disturbance. The existing eastern-most cross-tie along the proposed Domino’s site towards the hospital is relatively tall (5’-6’), and is not in good condition. A new retaining wall is being proposed along this portion of the site, which will include tree removal. A structural analysis of the existing cross-tie wall is needed.

The footing of the eastern wall will most likely be lowered by one foot to make sure the lines of influence do not intersect their wall. This will be addressed during the construction design phase.

C. STANDARD COMMENTS

1. Following Planning Commission approval, the applicant shall submit to the Design Review Commission for façade modification, parking lot and landscaping plan approvals.
2. 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.
3. 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.
4. 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.
5. The applicant shall provide proof of TDEC approval for the water system and sanitary sewer system. Contact Bill Hinch with TDEC for information.
6. 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.
7. 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:
8. 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.
9. 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.
10. The Developer agrees to comply with the following requirements, unless otherwise authorized in writing by the City Engineer:
 - (a) All streets shall be kept clear and free of dirt and debris;

- (b) All construction activity shall begin no earlier than 7:00 a.m. and end no later than 6:00 p.m., Monday thru Saturday, and no construction activity shall be permitted on Sundays; and
- (c) The Developer and Lot Purchasers shall provide the Department of Community Development with the name, address and phone number of person(s) to be contacted and responsible for correcting any of the above should the occasion arise to do so.

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

Board Discussion:

Chairman Harless asked if there were any questions of staff.

Mr. Bacon stated he was concerned about the movement to the south with a left turn and a right turn in both driveways. There was a comment or a request at the Planning Commission Subcommittee meeting to possibly consider a right in/right out. From the City's standpoint, he asked "are we concerned about any people turning south from that driveway and impacting traffic at that location?"

Ms. Goralewski stated she was driving south and was able to make a left into the site at 7:30am.

Mr. Gwaltney stated from a City liability standpoint he doesn't see that the city should be concerned with the liability. It is not necessary to formally make the second driveway south a right-in/right-out, as it may operate by default as a right in/right out.

Mr. Saunders asked if the first driveway to the north would be a one way out only. It would. The other driveway would function with full movement.

Ms. Goralewski answered, that's correct and that signage will help to signify that the northern driveway will only be one-way (turning out of the site onto Germantown Rd.).

Chairman Harless invited the applicant to discuss the project.

Cindy Reaves with SR Consulting, 5909 Shelby Oaks Drive, Suite 200, Memphis, TN 38134, made a presentation. We have worked extremely hard with staff and we appreciate everything staff has done in order to repurpose this building. Dominos is taking a big risk and they are very excited about their new site, with the visibility and the traffic from the Methodist Hospital. This site will be productive. We are concerned with making that southern driveway a right in/right out only. People are turning into the Independent Bank curb cut and it is not right in/right out. We just feel like it would damage the site's circulation to enforce a right-in/right-out, so we would appreciate if you would consider not making this a condition.

Chairman Harless stated, I go to the Independent Bank and I can only come out right. I know you are going to add customers from the Methodist Hospital, is there an easy way for the customers to get to the site on foot? I notice there is a five foot retaining wall and I didn't see any stairs. What about deliveries from your warehouse?

Mr. Bacon noted, obviously you don't have a customer drive thru, because you would lose two parking spaces if you did. The northern driveway is really close to the intersection with Poplar Ave. for making a left turn out of the site and going south on Germantown Road.

Mr. Clark asked is this where you go and order the pizza and eat on site? How many employees will be working there?

Ms. Reaves answered, we are going to work closer with the hospital on site access. Patrons could walk on the sidewalk down to Dominos. The trucks will deliver about 2:00 a.m. in the morning. There is not going

to be a drive thru there. We have discussed the option of picking up a pizza from your car and employees can bring the pizza to you at a designated parking spot. You can pick up the pizza and sit at a table and eat it. We allocated four parking spaces for the drivers.

Phillip Pedigo with Dominos, 3596 Southlinks Cove, Memphis, TN 38125, stated our delivery truck is an 18 wheeler; they come to the Germantown site at about 2:00-3:00 a.m. during the slow time. They have two drivers; one driver gets out, helps the other driver back in and unload. They do this twice a week. The drivers are gone a lot with multiple deliveries. It's primarily the manager who takes care of the customers in the restaurant. We are not busy during the morning rush hour time. It gets busy after work hours. Most Dominos stores do not have a full drive thru. Most of our orders come from an app or phone call. The customers pick it up or we deliver it. There are three to four tables/booths to eat on or wait for your pizza. We don't have servers, waiters, or fountain drink machines. We have napkins, paper plates, bottles or can drinks. Customers can sit in the booths to wait on the pizza and play with their kids, or eat on site. It's a quick turnaround. The store opens with one manager and one inside employee, and then it does depend on the volume of the store in terms of how many additional employees are working. It might be two to three employees at one time. The manager cooks and greets the customers. We have three to four drivers at night. We do have a lot of kids working under 18 for us from Collierville and Germantown and their parents drop them off for work, so they would not be parking on site.

Chairman Harless asked if anyone in the audience would like to speak in favor on this project. There were none.

Chairman Harless asked if anyone in the audience would like to speak against this project. There were none.

SUBDIVISION AND SITE PLAN SUB-COMMITTEE: (DIKE BACON, CHAIRMAN)

The Sub-Committee met on April 19, 2017, and requested that the applicant provide more information regarding the following: the dumpster accessibility, drainage and stormwater retention, parking calculation, building capacity for fire prevention calculations and the potential traffic impact. These items have been addressed as part of a revised application submittal.

PROPOSED MOTION: To approve a revised preliminary and final site plan for Domino's Pizza (formerly Castrol/GTX 10-Minute Oil Change), located at 2086 S. Germantown Rd., subject to the Commission's discussion, staff comments as contained in the staff report, and documents and plans submit with the application.

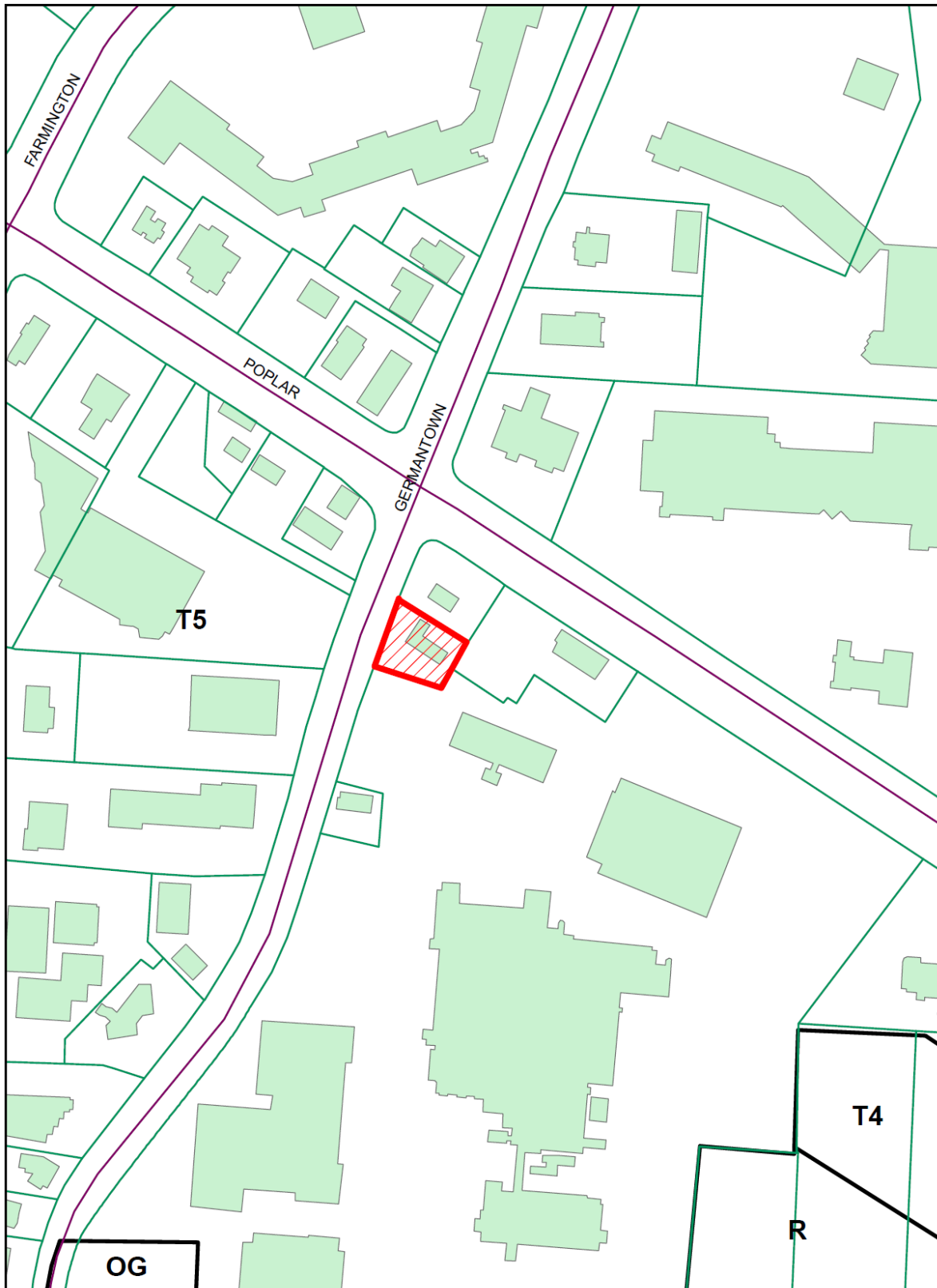
Mr. Bacon moved to approve a revised preliminary and final site plan for Domino's Pizza (formerly Castrol/GTX 10-Minute Oil Change), located at 2086 S. Germantown Rd., subject to the Commission's discussion, staff comments as contained in the staff report, and documents and plans submit with the application, seconded by Mr. Bennett.

Chairman Harless asked for a roll call.

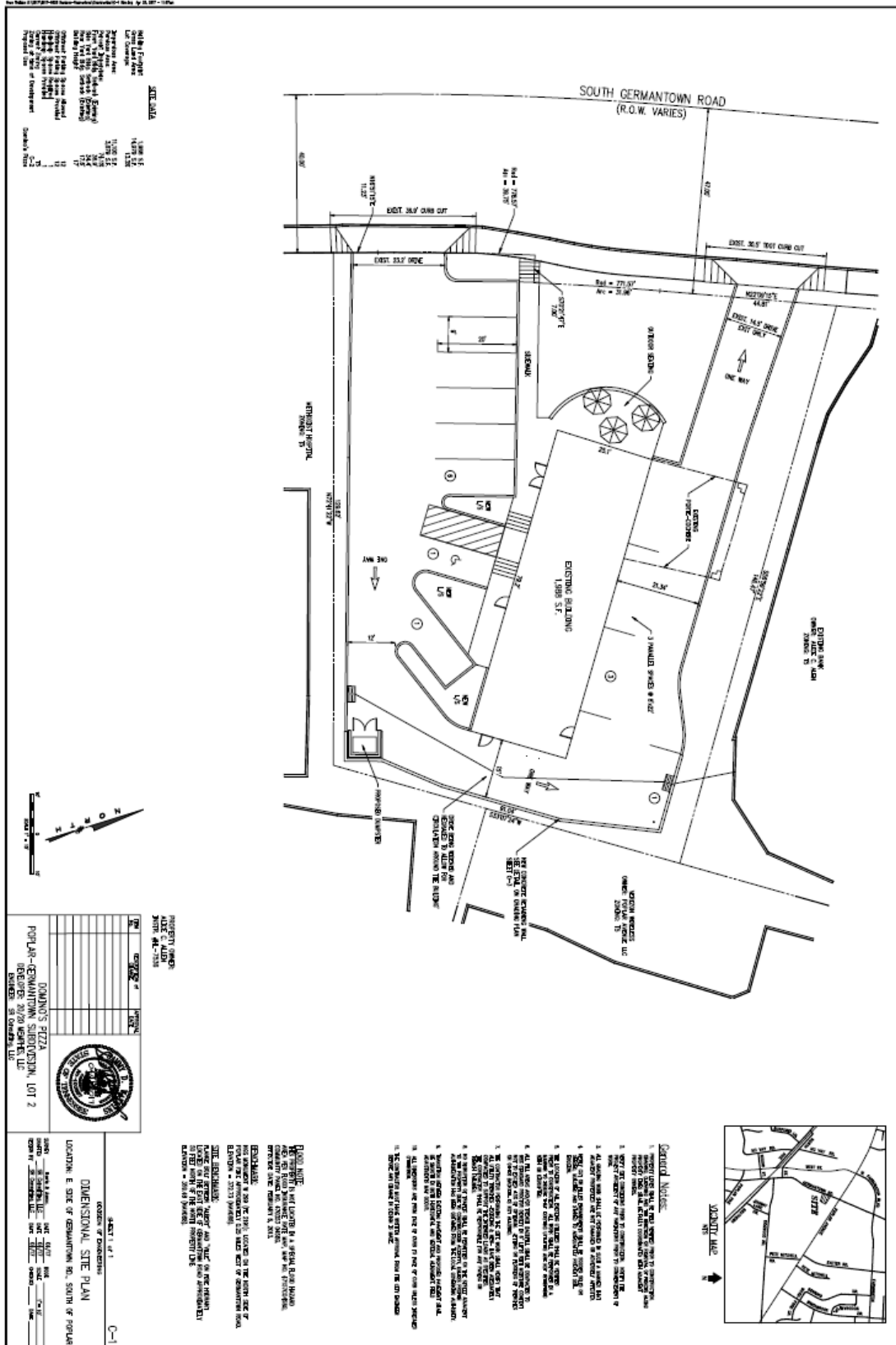
Roll Call: Barclay –absent; Saunders – yes; Hernandez – absent; Bacon –yes; Harless – yes; Owens – yes; Clark – yes; Bennett – yes; Palazzolo- absent. **The motion was passed**

Chairman Harless said congratulations and the motion passes.

Mr. Bacon voted yes; the City finally has an adaptive repurposing of the oil change facility and I think it's a great use. I wish you success. As to the traffic problems with turning in and out of driveways, we will certainly find that out with time.



ZONING MAP



See Enlarged Plans Attached To Report.



Traffic Analysis

Currently there is no ITE model for projecting trip count estimates for this particular use. Based on Domino's © experience at existing locations, they anticipate up to 60 trips per day each way, or 120 trips per day. Approximately 33 % of those trips will be customers and the remaining being employee and deliveries.

The proposed use is similar to previous retail uses on the property. Those sites operated without right in/right out drives. The site would only warrant the restricted ingress/egress during peak traffic conditions on the public streets. Most of the day the restricted movements will only hinder the day to day operation of the proposed user.

There will be minimum impact to existing traffic conditions on the surrounding streets and intersections. We do not anticipate improvements to public streets or traffic controls will be needed for this project.



**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 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>***** IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) YES <input type="radio"/> NO <input checked="" type="radio"/> (Please note - if yes, than follow Smart Code Application Instructions to complete this form for submittal) </p>	
<p>PLANNED USE DEVELOPMENT'S (PUD) ONLY:</p> <p> <input type="checkbox"/> PUD Outline Plan (Master Plan); <input type="checkbox"/> PUD Amendment to Outline Plan; <input type="checkbox"/> PUD Preliminary Plan (individual phases); <input type="checkbox"/> Final Plan (individual phases); </p> <p>Phase: _____ of _____ Date of PUD Outline Plan (Master Plan) Approval: _____ Other: _____</p>	
PROJECT INFORMATION (Provide Additional Pages as Needed)	
<p>Project Name: <u>2086 S. Germantown Road</u></p> <p>Address/Location: <u>2086 S. Germantown Road</u></p> <p>Project Description: <u>Adaptive Re-use of Expert Tune to Domino's Pizza</u></p> <p>No. of Acres: <u>0.34</u> Parcel Identification Number(s): <u>G02-31Y-B00002</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>Alice Cartwright Allen</u> Address: <u>48 East Chickasaw Pkwy. Memphis, TN 38111</u> Phone No.: <u>901-458-8383</u> Email Address: <u>attorneyaa@att.net</u> Signature of Owner: <u><i>Jason A. Palmer, Agent for Alice Cartwright Allen</i></u> Lessee Name (Print): <u>20/20 Memphis, LLC dba Domino's Pizza</u> Address: <u>P.O. Box 236 Olive Branch, MS 38654</u> Phone No.: <u>662-895-2137</u> Email Address: <u>jason@mydominos.com</u> Signature of Lessee: _____ Developer Name (Print): _____ Address: _____ Phone No.: _____ Email Address: _____ Signature of Developer: _____</p>	
<p>PLEASE ATTACH A COPY OF THE DEED REFLECTING OWNERSHIP OF THE SUBJECT REAL PROPERTY</p>	



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

(Check all that apply):

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

IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) YES NO
 (Please note - if yes, than follow Smart Code Application Instructions to complete this form for submittal)

PLANNED USE DEVELOPMENT'S (PUD) ONLY:

- PUD Outline Plan (Master Plan); PUD Amendment to Outline Plan;
 PUD Preliminary Plan (individual phases); Final Plan (individual phases);
 Phase: _____ of _____ Date of PUD Outline Plan (Master Plan) Approval: _____
 Other: _____

PROJECT INFORMATION (Provide Additional Pages as Needed)

Project Name: 2086 S. Germantown Road
 Address/Location: 2086 S. Germantown Road
 Project Description: Adaptive Re-use of Expert Tune to Domino's Pizza
 No. of Acres: 0.34 Parcel Identification Number(s): G02-31Y-B00002

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

OWNER/LESSEE/DEVELOPER INFORMATION

Owner Name (Print): Alice Cartwright Allen Address: 48 East Chickasaw Pkwy. Memphis, TN 38111
 Phone No.: 901-458-8383 Email Address: attorneyaa@att.net

Signature of Owner _____

Lessee Name (Print): 20/20 Memphis, LLC dba Domino's Pizza Address: P.O. Box 236 Olive Branch, MS 38654
 Phone No.: 662-895-2137 Email Address: jason@mydominos.com

Signature of Lessee [Signature]

Developer Name (Print): _____ Address: _____
 Phone No.: _____ Email Address: _____

Signature of Developer _____

PLEASE ATTACH A COPY OF THE DEED REFLECTING OWNERSHIP OF THE SUBJECT REAL PROPERTY

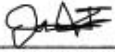
Planning Commission – Official Application Form
Page 2

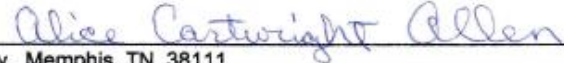
AGENT/REPRESENTATIVE INFORMATION	
Name: <u>S. Berry Jones, AIA</u>	Title: _____
Company Name: <u>S. Berry Jones Architects</u>	Address: <u>1861 Madison Ave. Memphis, TN 38104</u>
Phone No.: <u>901-340-1229</u>	Email Address: <u>berry@sbjarchitects.com</u>
Who will represent this proposal at the Planning Commission meeting? <u>S. Berry Jones, AIA</u>	
ENGINEER/SURVEYOR INFORMATION	
Engineer Name: <u>SR Consulting, LLC</u>	Address: <u>5909 Shelby Oaks Drive, Suite 200 Memphis, TN 38134</u>
Phone No. <u>901-373-0380</u>	Email Address: <u>cindy@srce-memphis.com</u>
Surveyor Name: _____	Address: _____
Phone No.: _____	Email Address: _____

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.LT., 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: 
Address: PO Box 236 Olive Branch, MS 38654

Owner: Alice Cartwright Allen 
Address: 48 East Chickasaw Pkwy. Memphis, TN 38111

Lessee: 20/20 Memphis LLC dba Domino's Pizza
Address: P.O. Box 236 Olive Branch, MS 38654

Developer: _____
Address: _____

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

Name	Business or Home Address
<u>Jason Shifflett</u>	<u>PO Box 236 Olive Branch, MS 38654</u>
_____	_____
_____	_____
_____	_____

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

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

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

ADJOURNMENT: The meeting adjourned at 8:10 p.m.