

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, June 5, 2018**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of City Hall on June 5, 2018. 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 called the meeting to order at 6:10 p.m.
2. Pam Rush called the roll of the Commission and established a quorum.

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

Commissioners Absent: Mayor Mike Palazzolo, Rick Bennett, and George Hernandez

Staff Present: Cameron Ross, Tim Gwaltney, Jody Dwyer, Sheila Pounder, Sarah Goralewski, David Harris, (PC Attorney), and Pam Rush

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3. Chairman Harless stated for those people who just arrived, tonight's agenda is on the front table. There are no changes in the agenda tonight.

4. Approval of Minutes for April 3, 2018:

Chairman Harless stated that the next order of business is the approval of the minutes for the April 3, 2018, meeting. If there are no additions, corrections or deletions to the minutes of April 3, 2018, meeting of the Planning Commission, he would entertain a motion for approval.

Mr. Bacon moved to approve the Planning Commission minutes of April 3, 2018, seconded by Mr. Saunders.

Chairman Harless asked for a roll call.

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

5. Revised Final Site Plan Approval for a Parking Lot Expansion

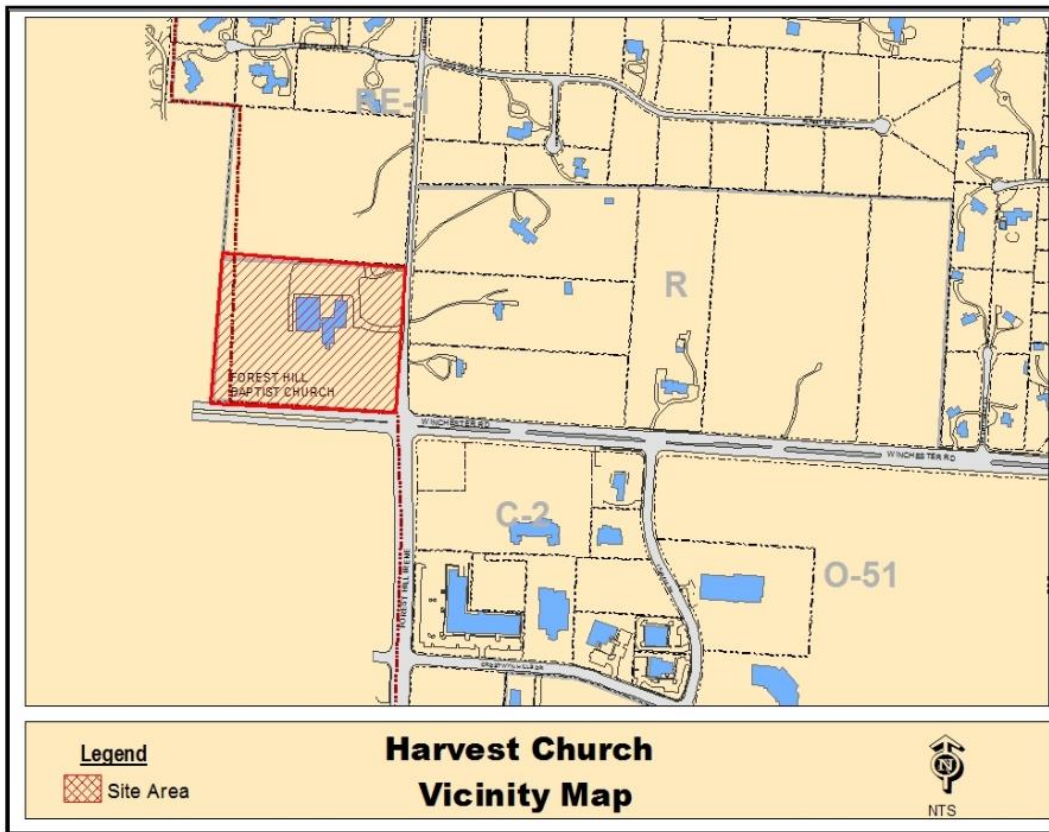
Ms. Goralewski made a presentation of the application to the Planning Commission.

INTRODUCTION:

Development Case Number	(15-560)
Case Name:	Harvest Church Parking Expansion
Location:	3645 Forest Hill-Irene Road
Owner Name/Applicant Name:	Harvest Church of Memphis - William Garner (Lead Pastor)
Representative Name:	Fisher Arnold – Michael Rogers (Agent)

Zoning District:	R - Low-Density Residential Zoning District
Area:	14.37 Acres
Request:	Revised Final Site Plan Approval for a Parking Lot Expansion by 130 Spaces

*Refer to the Disclosure Form attached for more information



BACKGROUND: The property was annexed into Germantown on July 26, 2000, as part of the annexation of a 1,450-acre area in the vicinity of Forest Hill-Irene Rd. and Winchester Rd. The property was originally the site of Forest Hill Baptist Church that was built in 1998, according to the Shelby County Assessor Records. Additions and alterations to the existing educational building for the church were approved as Project Development Contract #47 in 1980. The BZA approved on May 13, 2014, a Use on Appeal for the expansion of the church’s parking lot. A second Use on Appeal was approved by the BZA on January 12, 2016, for expansion of the church building. On January 3, 2016, the church property was purchased by Harvest Church, who was using the facilities together with Forest Hill Baptist Church. On June 7, 2016, the Planning Commission approved a revised preliminary and final site plan for the expansion of the church facilities. On July 27, 2016, the Design Review Commission approved the revised preliminary and final site plan. On April 24, 2017, development contract #1195 was approved by the Board of Mayor and Alderman for the church expansion work.

On March 13, 2018, the Board of Zoning Appeals considered the following requests: Use on Appeal to expand the church’s parking lot and a variance to allow parking in the front yard setback. The BZA denied the Use on Appeal (and thus the variance was not considered). On April 10, 2018, the applicant requested that the BZA waive the 6-month waiting rule for reapplication and allow the applicant to re-file a Use on Appeal application for the next regularly scheduled Board meeting. This request was pursuant to Article V.5 of the BZA’s Rules and

Procedures, which states, “No reapplication for the same request which relates to all of the same property involved in a former case shall be accepted by the Board or staff within six (6) months of the decision of the Board on the former application unless the Board, at a regular or special meeting, by the affirmative vote of at least four (4) members, waives this rule subsequent to a written petition filed by the applicant.” The BZA granted this request. The applicant redesigned the proposed parking expansion so that it is no longer in the front yard setback and a variance is no longer required. On May 8, 2018, the Board of Zoning Appeals granted a use on appeal request for a parking expansion of 130 spaces (rather than the previously requested 157).

DISCUSSION: Harvest Church is a quickly growing congregation whose parking needs cannot be met on Sundays. In order to accommodate the congregation, as well as the other two churches that meet at the same worship time, a parking lot expansion is requested. The current request is to revise the existing site plan to add 130 new parking spaces, with a revised location for the landscape buffer facing Winchester Rd.

TOTAL PROJECT SITE AREA	14.37 ac.
NUMBER OF PARKING SPACES	260 Required (1 space/5 seats) 677 Provided

The applicant has also provided a landscaping plan to show how the proposed parking lot expansion would be screened from Winchester Rd.

The Technical Advisory Committee (T.A.C.) met on May 9th and made the following comments:

STAFF COMMENTS:

A. GENERAL COMMENTS (To be placed on all final site plans, PD plans, or subdivision plats)

1. The applicant shall revise the information table on the proposed, revised site plan to show the correct parking calculation.
2. Following Planning Commission, this application shall be reviewed and approved by the Design Review Commission.
3. With the Design Review Commission submittal, the applicant shall provide a detail of fencing/safety feature along headwall.
4. Following Planning Commission and Design Review Commission approvals, the plat shall be revised and re-recorded to show the revised locations of the landscape buffer.
5. 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.
6. All survey data shall be tied to Tennessee State Plane Coordinates and the City of Germantown monumented survey control. The final plat, construction drawings and "as built" plans shall be submitted on electronic media in DXF format.
7. The developer shall enter into an amended Project Development Contract #1195, if applicable, with the City of Germantown for this project after it has received final approval from the Design Review Commission.
8. 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.

9. The applicant is required to include the following formal written statement by a certified and licensed professional engineer to be placed on the grading and drainage plans, signed, dated and sealed:

I, _____, a duly licensed professional engineer in the State of Tennessee, hereby certify that I have designed the drainage in accordance with the Design Standards of the City of Germantown and have considered upstream and downstream conditions that affect drainage to include topography, present and future land use, existing zoning, and location of natural water courses.

10. 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.
11. 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.

B. DEPARTMENTAL STAFF COMMENTS (to be addressed prior to construction plan approval)

Engineering:

1. Sidewalk extension. The sidewalk shall be extended along Winchester Rd., to match property to the west.
2. Should a parking lot expansion be approved, this would require new fees and a new development contract.
3. Provide fencing/safety feature along headwall.
4. Obtain all City of Memphis/Shelby County approvals for drainage and drive connections.

Public Works:

Utility Comments:

1. Please provide documentation that MLG&W has reviewed the additional parking area that is over their existing easement and is in agreement, as well as the proposed water main and a fire hydrant that is to be located within the easement.

Drainage Comments:

2. Please explain how the proposed development addresses water quality.
3. Please provide further explanation of how the 30" RCP pipe will be able to accommodate the additional flow discharge from the proposed development.

City Fire Marshal:

1. Fire apparatus access roads shall have a minimum pavement width of 26 feet exclusive of curb and gutter. (24 feet unobstructed) (Germantown City Ordinance, GCO), (IFC D103.1)

2. Landscaping on islands where hydrants or FDC's are located must provide a minimum 3-foot clearance around devices at full growth.
3. Hydrant spacing requirements per City of Germantown standards. (300' travel distance for commercial areas).
4. Please refer to the general comments listed below for additional fire department requirements.

Fire Department General Requirements

ACCESS:

"Chapter 33, Section 3310, Access for Fire Fighting

- *3310.1 Required Access: Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available."*

NOTE: An approved driving surface shall consist of an all weather surface with a minimum of a single layer of asphalt.

- Fire apparatus access roads shall have a minimum pavement width of 26 feet exclusive of curb and gutter. (24 feet unobstructed) (Germantown City Ordinance, GCO), (IFC D103.1)
- Fire Department access roads shall have a minimum vertical clearance of 13 feet 6 inches. (IFC 503.2.1)
- The access roadway shall be within 50 feet of the normal point of entry to the structure for the fire department. (GCO)
- 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)
- The grade of the fire department access road shall be no greater than 10%. (IFC D103.2)
- Buildings or facilities exceeding three stories or 30 feet in height shall have at least two means of fire apparatus access for each structure. (IFC D104.1)
- Buildings or portions of buildings exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial fire apparatus. (IFC D105.1)
- 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)
- Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet, approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. (IFC D105.1)
- 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)

- Multi-family residential developments having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads. (IFC D106.1)
- Dead-end fire apparatus access roads in excess of 150 feet shall be provided with a turnaround cul-de-sac of 96' diameter cul-de-sac. (IFC D103.4)
- Buildings exceeding 62,000 square feet or the sum of buildings within a development shall have two separate and approved fire apparatus access roads. *(Exception: buildings or the sum of square footage within a development will be permitted not to exceed 124,000 square feet if protected throughout with an automatic sprinkler system designed to NFPA 13 standards)* (IFC D104.2)
- Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. (IFC D104.3)
- Security gates across fire department access roadways, when open, shall provide an unobstructed width of 24 feet. *(See the City's Private Street Policy for additional requirements on gate features)* (IFC D103.5)
- Fire lane signs shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide. (IFC D103.6.1)

PREMISES IDENTIFICATION:

- 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.
- Numbers shall be a minimum of 4 inches high with a minimum stroke width of .5 inches and contrast with the background.
- This standard shall also apply to suite numbers.
- In a multi tenant building address numbers and/or suite numbers shall be posted on all doors allowing access to the suite.

UTILITIES/WATER:

- Fire hydrants shall be located within 3 feet of roadway access with the 4 inch outlet facing the roadway access
- Fire hydrants shall be installed so that there is a minimum of 18 inches between the center of the 4 inch steamer cap and the surrounding finish grade, for a radius of at least 5 feet.
- Fire hydrants along street or fire access routes or at intersections shall be visible for a minimum of 100 feet in all directions.
- Fire hydrants shall be free from obstructions on all sides by a minimum clearance of not less than 3 feet. i.e. landscape, light poles, signs, fences
- Fire hydrants shall be installed, for commercial buildings not greater than 300 feet apart. In residential communities, excluding multifamily occupancies, fire hydrants shall be installed not greater than 500 feet apart.
- Fire hydrants shall be placed at a minimum of 40 feet from any structure.
- Fire hydrants installed within the City of Germantown shall be silver in color.
- Plans submitted must identify that the underground main installed meets the requirements of NFPA 24.
- The underground main must have a hydraulic test performed and recorded at 200 psi for 2 hours.
- Dead end mains are not permitted unless approved by the fire code official.
- Piping shall not be installed under buildings unless approved by the fire code official.
- Required fire flows shall be calculated with 20 psi residual pressure for a minimum flow of 2 hours.

FDC:

- The fire department connections (FDC) shall consist of two 2 1/2 inch connections using NH internal threaded swivel fittings with 2.5-7.5 NH standard thread.
- The fire department connections (FDC) shall consist of two 2 1/2 inch connections using NH internal threaded swivel fittings with 2.5-7.5 NH standard thread. There shall be a 2 1/2 inch fire department connection for each 250 gpm required for the fire pump. Where more than (2) connections are required to meet the demand of the fire pump, a 5" Storz connection may be used.
- The fire department connection should be located not less than 18 in. (457 mm) and not more than 4 ft (1.2 m) above the **finished** grade.
- The FDC shall be located a minimum of 40 feet from the structure and within 100 feet of a fire hydrant.
- The FDC shall be located on the address side of the structure.

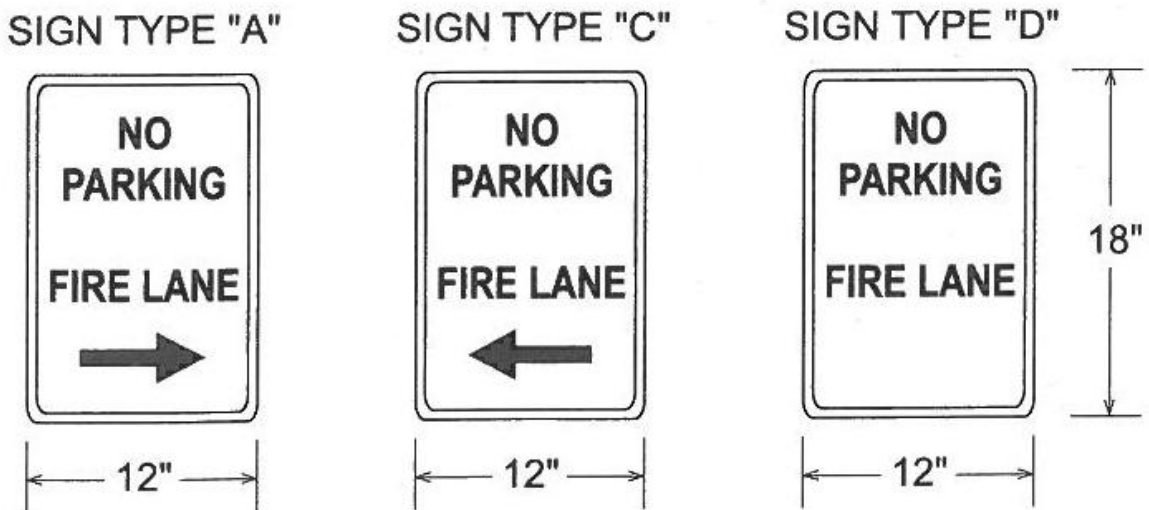
- The fire department connection shall be painted red with white address numbers. (not required if the FDC is mounted on the structure)
- For hydraulically calculated systems, the fire department connection shall not be less than the size of the system riser.

PIV:

- The post indicator valve (PIV) shall be set so that the top of the post will be 36 in. (0.9 m) above the final grade.
- The PIV shall be located a minimum of 40 feet from the structure.
- The PIV shall be located on the address side of the building.
- The PIV shall be red with white address numbers (not required if the PIV is mounted on the structure)

FIRE LANE SIGNS:

- Where required by the fire code official NO PARKING FIRE LANE signs shall be installed.
- Signs shall have a minimum dimension of 12 inches wide by 18 inches high.
- Signs shall have red letters on a white reflective background.
- Reference the City of Germantown sign ordinance for height requirements



APPENDEX

NFPA 1141:

5.4 Parking Lots.

5.4.1* The minimum lengths of parking lot stalls shall be measured end to end as shown in Figure 5.4.1, and the minimum stall length and aisle widths shall be as shown in Table 5.4.1.

Table 5.4.1 Minimum Parking Lot Stall Dimensions and Minimum Aisle Lengths

Parking Angle	Minimum Stall Length		Minimum Aisle Width One Way Traffic Flow		Minimum Aisle Width Two way Traffic Flow	
	ft	m	ft	m	ft	m
45 degrees	27.5	8.4	16	4.9	24	7.3
60 degrees	23.7	7.2	16	4.9	24	7.3
75 degrees	20.9	6.4	23	7.0	24	7.3
90 degrees	18.5	5.6	26	7.9	26	7.9

5.4.2 Parking lot aisles adjacent to any building shall provide a travel lane with a minimum 24 ft (7.3 m) clear width.

5.4.3 The minimum turning radius for parking lot aisles necessary for fire department apparatus access shall be determined by the fire department having responsibility.

Chairman Harless asked if there were any questions of staff. There were none.

Chairman Harless invited the applicant up to discuss the project.

Michael Rogers stated that the presentation of the project from Ms. Goralewski was sufficient.

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.

Chairman Harless asked if there were any questions of commissioners. There were none.

STAFF RECOMMENDATION:

Approval of Revised Final Site Plan for Harvest Church Parking Lot Expansion, subject to the staff comments and conditions listed above, and the documents submitted with the Revised Final Site Plan for a new 130 parking space expansion.

SUBDIVISION & SITE PLAN REVIEW COMMITTEE ACTION: (DIKE BACON, CHAIRMAN)

The Subcommittee met on May 16, 2018, and recommended that the application be considered by the Planning Commission, subject to the subcommittee discussion, staff comments in the staff report, and the plans and documents filed with the application.

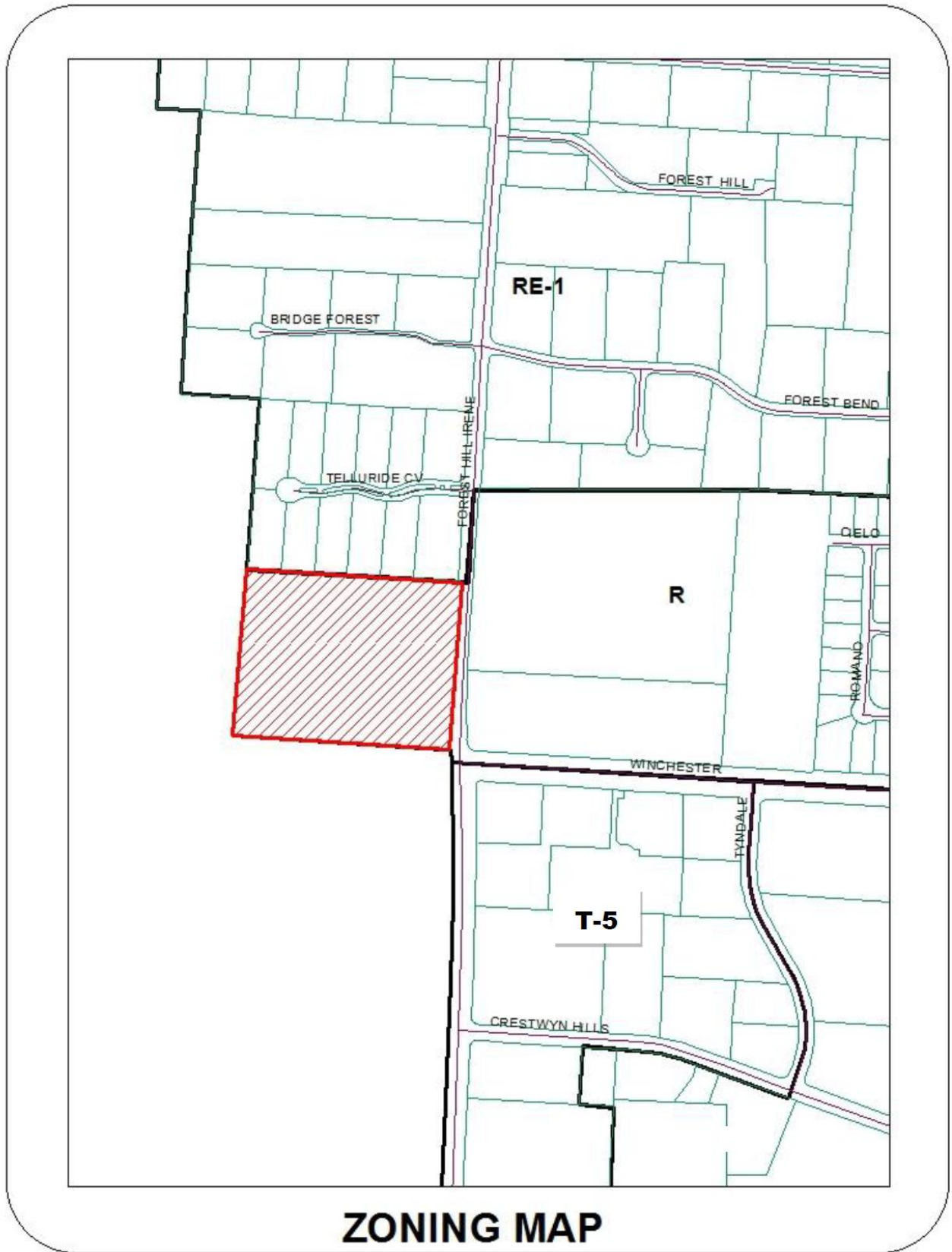
MAIN MOTION: To approve the revised final site plan for Harvest Church parking lot expansion (130 parking spaces), subject to the Commission’s discussion, staff’s conditions and comments in the staff report, and the documents and plans filed with the application.

PROPOSED MOTION: Mr. Bacon moved to approve the revised final site plan for Harvest Church parking lot expansion (130 parking spaces), subject to the Commission's discussion, staff's conditions and comments in the staff report, and the documents and plans filed with the application, seconded by Mr. Saunders.

Chairman Harless asked for a roll call.

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

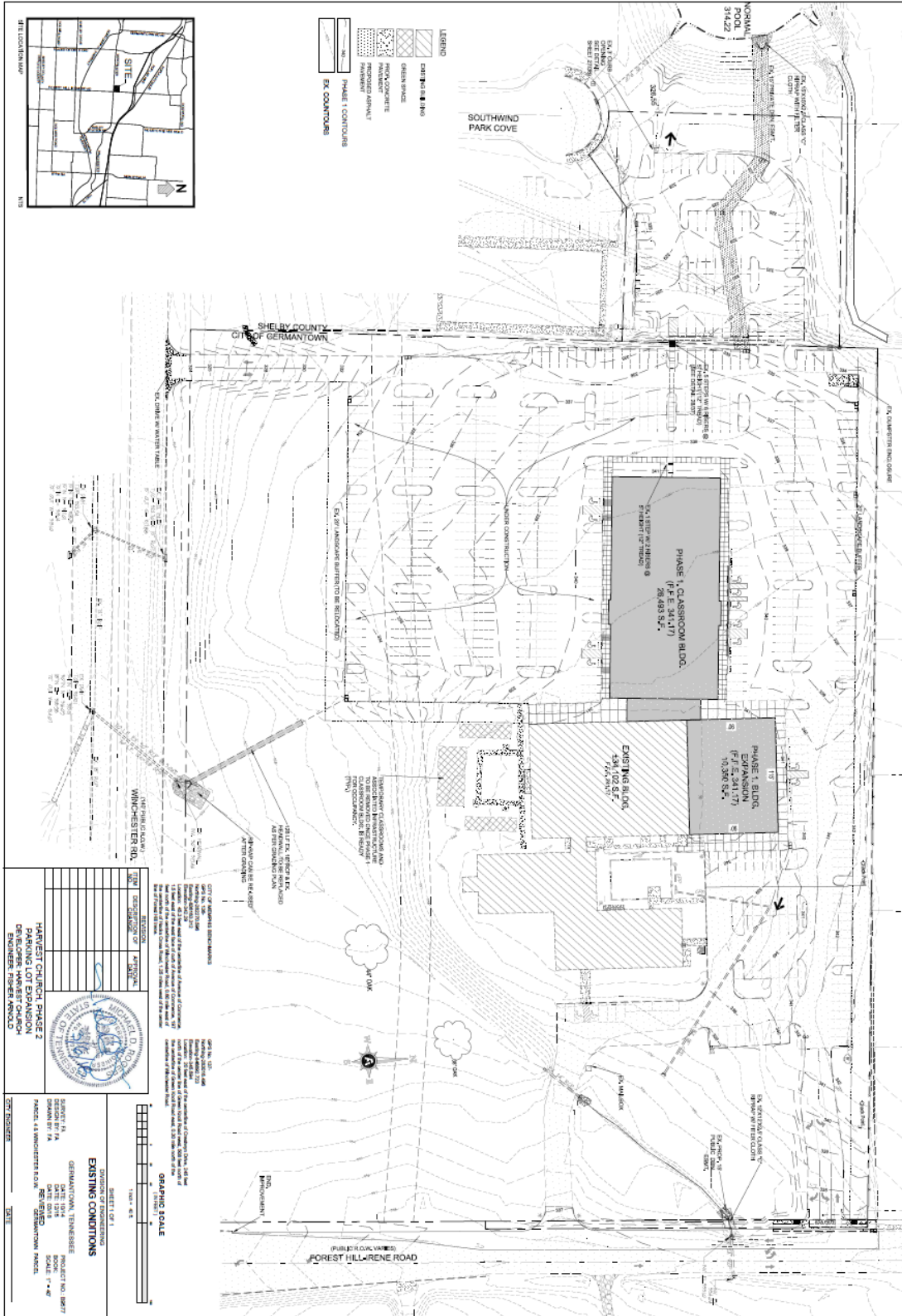
Chairman Harless said congratulations and the motion passes.



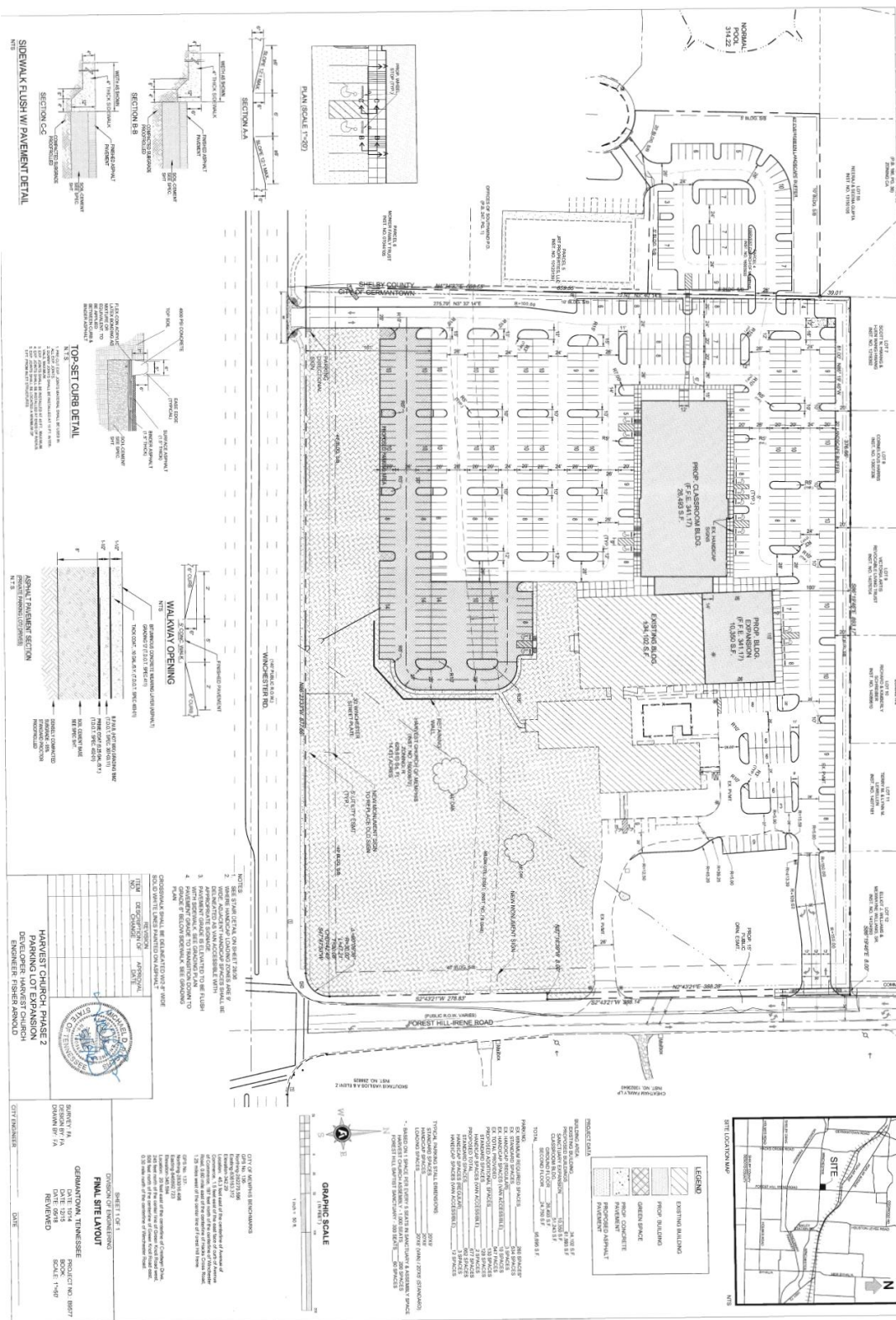
AERIAL VIEW



ORIGINALLY APPROVED SITE PLAN



PROPOSED REVISED SITE PLAN (ENLARGED COPY OF PLANS ARE INCLUDED WITH THIS REPORT)



NOTES:
 1. THE SITE PLAN SHALL BE CONSIDERED AS SHOWN.
 2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF GERMANTOWN.
 3. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE STATE OF TENNESSEE.
 4. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE FEDERAL GOVERNMENT.
 5. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT.
 6. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE STATE GOVERNMENT.
 7. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE FEDERAL GOVERNMENT.
 8. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE LOCAL GOVERNMENT.
 9. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE STATE GOVERNMENT.
 10. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE FEDERAL GOVERNMENT.

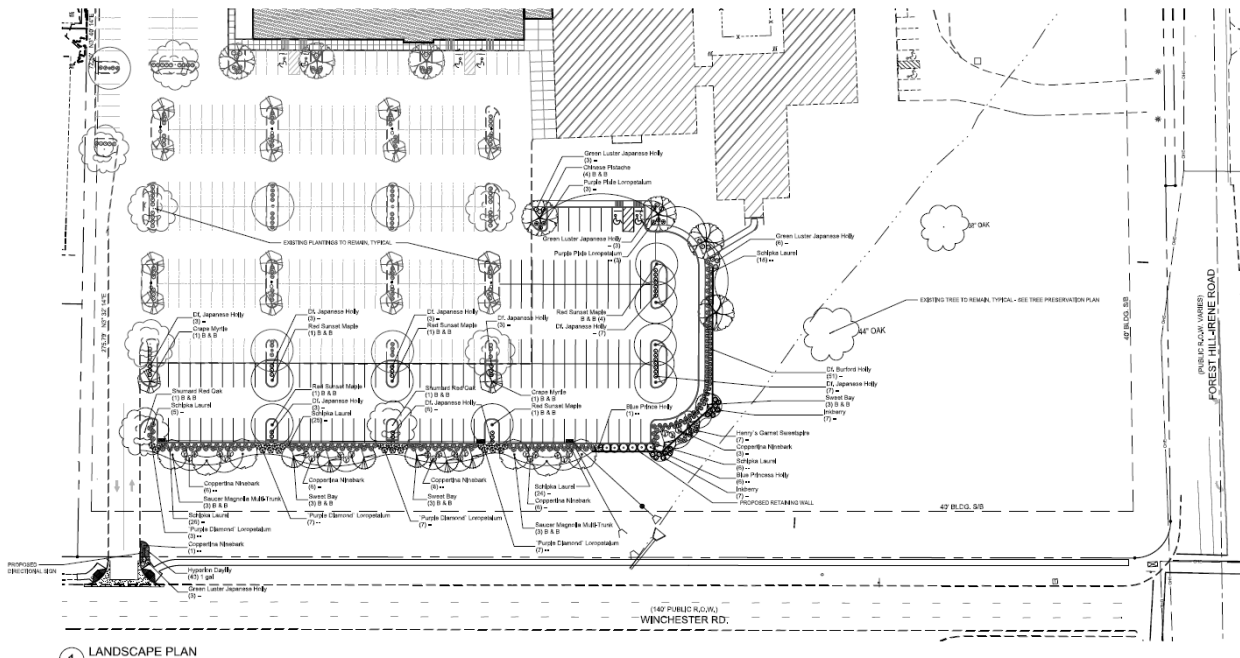
LEGEND:
 EXISTING BUILDING
 PROPOSED BUILDING
 CURB
 SIDEWALK
 PAVEMENT
 PROPOSED PAVEMENT

GRAPHIC SCALE:
 1" = 10' - 0"

CITY ENGINEER:
 [Stamp]

ENGINEER:
 FISHER ARCHITECT
 1234 MAIN ST
 GERMANTOWN, TN 37875
 (615) 555-1234
 WWW.FISHERARCHITECT.COM

PROPOSED LANDSCAPE PLAN
 (ENLARGED COPY OF EXISTING CONDITION PLAN ARE INCLUDED WITH THIS REPORT)





May 22, 2018

Ms. Sarah Goralewski, AICP, CNU-A
Senior Planner
Department of Economic & Community Development
City of Germantown
1920 S. Germantown Road
Germantown, Tennessee 38138

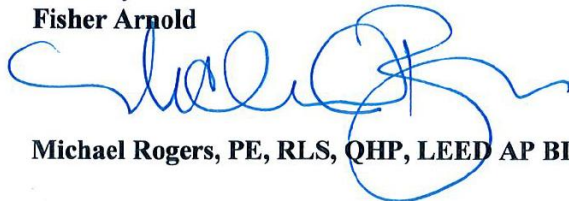
**RE: Harvest Church – Parking Lot Expansion
Planning Commission Application - Preliminary & Final Site Plan**

Dear Sarah:

As requested, please find attached one (1) full-sized set and five (5) half-sized sets of the following plans: Existing Conditions, Final Site Layout, Grading & Drainage Plan, Tree Plan, Utility Plan, Vehicle Circulation Plan, Landscape Plan, Site Lighting Plan and Site Lighting Cutsheets. The Final Site Layout Plan and Landscape Plan has been updated since the previous submittal to add a directional sign at the Winchester Road driveway and to add landscaping around said sign and in front of the retaining wall, as discussed at the Planning Commission subcommittee meeting. Additionally, the parking data has been corrected to reflect the correct total proposed amount of parking. Attached is a disk with electronic copies of the application forms and the updated drawings.

We look forward to continuing to work with staff as this application proceeds to the June 5th Planning Commission. We are also submitting separately DRC applications for the signage and this Site Plan. If you have any questions or need additional information, please let us know.

Sincerely,
Fisher Arnold



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

Attachments

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

9180 Crestwyn Hills Drive
Memphis, TN 38125

901.748.1811
Fax: 901.748.3115
Toll Free: 1.888.583.9724

www.fisherarnold.com



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>*****</p> <p>IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) YES <input type="radio"/> NO <input checked="" type="radio"/></p> <p>(Please note - if yes, than follow Smart Code Application Instructions to complete this form for submittal)</p>
<p>PLANNED USE DEVELOPMENT'S (PUD) ONLY:</p> <p> <input type="checkbox"/> PUD Outline Plan (Master Plan); <input type="checkbox"/> PUD Amendment to Outline Plan; <input type="checkbox"/> PUD Preliminary Plan (individual phases); <input type="checkbox"/> Final Plan (individual phases); </p> <p>Phase: _____ of _____ Date of PUD Outline Plan (Master Plan) Approval: _____</p> <p>Other: _____</p>
PROJECT INFORMATION (Provide Additional Pages as Needed)
<p>Project Name: <u>Harvest Church, Phase 2 - Parking Lot Expansion</u></p> <p>Address/Location: <u>3645 Forest Hill - Irene Road</u></p> <p>Project Description: <u>Expansion of parking lot</u></p> <p>No. of Acres: <u>14.36 Ac</u> Parcel Identification Number(s): <u>G0242 00273</u></p> <p>PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES REQUESTED FROM THE SUBDIVISION AND ZONING REGULATIONS.</p>
PROPERTY OWNER/LESSEE/DEVELOPER INFORMATION (All applicable parties shown below must sign the application)
<p>Property Owner Name (Print): <u>Harvest Church of Memphis</u> Address: <u>3645 Forest Hill Irene Road - Germantown, TN 38138</u></p> <p>Phone No.: <u>(901) 754-7455</u> Email Address: <u>bill@harvestmemphis.org</u></p> <p>Signature of Property Owner <u></u></p> <p>Lessee Name (Print): <u>N/A</u> Address: _____</p> <p>Phone No.: _____ Email Address: _____</p> <p>Signature of Lessee _____</p> <p>Developer Name (Print): <u>N/A</u> Address: _____</p> <p>Phone No.: _____ Email Address: _____</p> <p>Signature of Developer _____</p>

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

AGENT/REPRESENTATIVE INFORMATION

Name: Michael Rogers Title: Director - Land Development
Company Name: Fisher Arnold Address: 9180 Crestwyn Hills Drive - Memphis, TN 38125
Phone No.: (901) 748-1811 Email Address: mrogers@fisherarnold.com
Who will represent this proposal at the Planning Commission meeting? Michael Rogers

ENGINEER/SURVEYOR INFORMATION

Engineer Name: Fisher Arnold Address: 9180 Crestwyn Hills Drive - Memphis, TN 38125
Phone No. (901) 748-1811 Email Address: mrogers@fisherarnold.com
Surveyor Name: Fisher Arnold Address: 9180 Crestwyn Hills Drive - Memphis, TN 38125
Phone No.: (901) 748-1811 Email Address: mrogers@fisherarnold.com

Planning Commission – Official Application Form
Page 4

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

Applicant: Harvest Church of Memphis
Address: 3645 Forest Hill Irene Road - Germantown, TN 38138
Authorized Signature for Applicant: _____

President or Equivalent
Chief Executive Officer: William L. Garner
Address: 3645 Forest Hill Irene Road - Germantown, TN 38138
Signature:  _____

Members of the Board of Directors of the Applicant:

Name	Business or Home Address
<u>Kennon Vaughan</u>	<u>4863 Lorece Avenue - Memphis, TN 38117</u>
<u>Steve Winstead</u>	<u>1558 Marcey Pointe Lane - Memphis, TN 38120</u>
<u>William L. Garner</u>	<u>3080 Laurinburg Circle - Germantown, TN 38138</u>
_____	_____

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

The Applicant/Owner/Lessee acknowledges and agrees that if the developer of a project is not the owner of the subject real property, the property 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, property owner, and lessee.

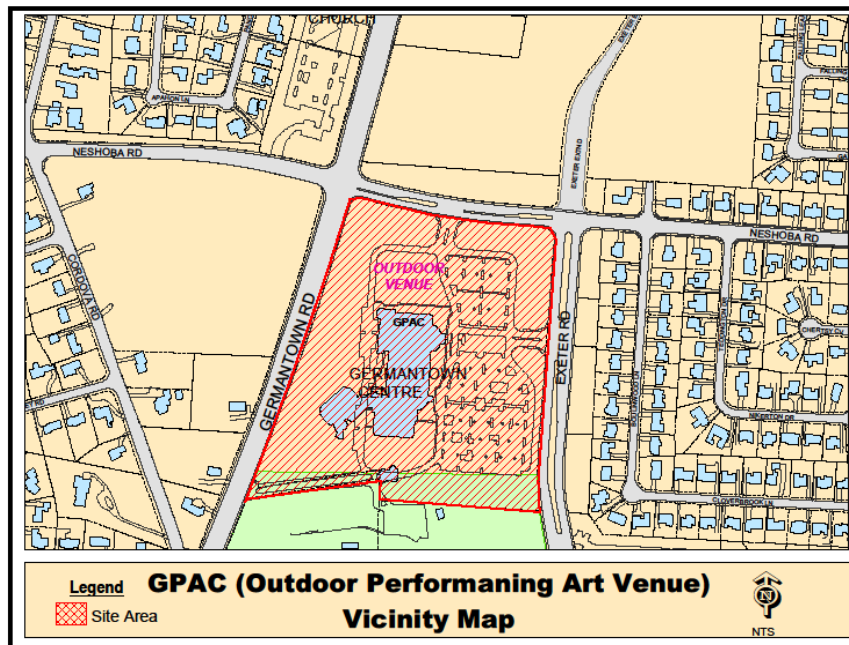
5. The Grove at Germantown Performing Arts Center (GPAC)– Request Revised Preliminary and Final Site Plan Approval

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

INTRODUCTION:

Development Case Number:	18-814
Case Name:	The Grove at Germantown Performing Arts Center (GPAC)
Location:	1801 Exeter Rd.
Owner Name:	City of Germantown
Applicant/Developer Name:	Germantown Performing Arts Center – Paul Chandler
Representative Name:	Archimania – John Halford
Zoning District:	“T5” Urban Center Zoning District
Area:	1.5 acres
Request:	Approval of a Revised Preliminary and Final Site Plan to add an Outdoor Performing Arts Venue

*Refer to the Disclosure Form attached for more information



BACKGROUND: The property was rezoned from the “R” Residential District to the “T5” Urban Center District as part of the Germantown Smart Growth Plan in 2007. This site was originally developed as the Germantown

Performing Arts Center (GPAC) in 1989 and opened in 1994. GPAC is now seeking approval of a revised preliminary and final site plan that will meet their goals and needs for this site.

DISCUSSION: The plan proposes: 1) an outdoor venue with capacity of approximately 1200 classified as new civic space in accordance with the T5 District regulations; and 2) the development of the civic space will include a performance area with a simulcast capable video wall, food truck pads, architectural screened perimeter that will serve to separated the ticketed events area; and plaza for community gathering and food and beverage service. The existing 60' buffer along Germantown Road and Neshoba Road, behind the existing building, will remain undisturbed by this project.

WARRANTS:

Per Section 23-745, any requested deviation from the Smart Code District's regulations must be granted by approval of a warrant. The following warrants from the standard development regulations are required for this project:

In those instances where reasons are shown that would justify a deviation from the strict requirements of the provisions of the Smart Code, the Planning Commission shall have authority to permit such deviations. A warrant is an official decision that permits a practice that is not consistent with a specific provision(s) of this Code, but is justified by its "intent" and is consistent with the urban design guidelines and/or development concepts in the "Germantown Smart Growth Plan".

The following is from the Smart Code section of the zoning regulations: "In determining justifiable reasons for granting a warrant, the PC shall take into account, among other relevant factors that may be applicable, the relationship of the property to other properties, whether the deviation would be in accord with the intent of the Smart Code, principles of good land use planning as same may evolve over time, the topography of the property, and peculiar and exceptional practical difficulties or undue hardship upon the owner of the property. In determining whether to grant a warrant, financial hardship shall not alone be considered sufficient to justify a deviation. In all events, the PC shall take into consideration whether the proposed deviation may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Smart Code provisions."

WARRANTS: Two Identified by staff; Applicant to submit a warrant application for PC consideration.

WARRANT 1: Sec. 23-758 – Civic Space. Civic space may be approved by warrant in any Smart Code zoning district. The warrant request is to allow civic space within an area not designated on the regulating plan.

WARRANT 2: Sec. 23-792 – Parking Requirement. Parking for Civic space is to be determined by warrant in any Smart Code zoning district. The warrant request is to allow the existing parking for GPAC to remain as is and to be used for the new Outdoor Performing Arts Venue.

STAFF COMMENTS:

A. DESIGN REVIEW CHECKLIST:

1. *Site Layout:*
New outdoor community entertainment venue to be located at northwest corner of GPAC property on approximately 1.5 acres in the area commonly referred to as the "Grove".
2. *Building Elevations:*

Elevations have been provided that illustrate the materials including existing red brick with dark bronze metal details and tinted glazing, dark bronze structure, black horizontal plank siding on stage and pavilion, and black metal trim. A stained cedar architectural screen feature is proposed on the perimeters of the site. A detailed sheet, including all dimensions, for the architectural screen, shall be provided as part of the final construction plans. See May 14, 2018 Review Set included with the packet.

3. *Street Improvements and Curb Cuts:*

There will be no new or existing street improvements or curb cuts associated with this project.

4. *Parking Lots:*

Required-

No minimum is required for civic uses. Parking for Civic Space is determined by Warrant.

Provided-

618 spaces at existing GPAC and GAC parking

172 spaces at Great Hall and Tennis lots

53 spaces at Municipal Park

Proposed-

89 spaces on Exeter in future ROW improvements

300 spaces for retail at Market Row in Thornwood (only a portion of overall Thornwood Parking)

Summary -

843 spaces in current and 389 as part of the future infrastructure improvements and parking agreements

5. *Exterior Lighting:*

The photometric plan meets lighting requirements per the Ordinance. Lighting fixture cut sheets have been provided, however, more information is needed, including a number of fixtures, the height of the pole, color, and finishes.

6. *Garbage Collection Area:*

Garbage collection areas have been relocated on the west side of the improved vehicular turnaround behind the main GPAC building.

7. *Vents:*

Vents not shown on building elevations but must be shielded from public view as part of construction drawing approvals.

8. *Gas, Electric, and Water:*

Meters are not shown on building elevations but must be shielded from public view as part of construction drawing approvals.

9. *Mechanical Units:*

Mechanical units are shown on building elevations to shield from public view by building façade. Any others that may be included as part of construction drawing, must be illustrated for final approvals.

10. *Emergency Generators:*

None are shown on plans at this time.

11. *Landscaping:*

See Sheet L0.1 of the packet.

The Technical Advisory Committee (T.A.C.) met on May 9th and made the following comments:

B. TAC COMMENTS: (*Applicant responses to the TAC comments have been provided as part of the packet materials.*)

Planning:

Application Deficiencies (not provided)

1. Submittal of: samples/materials board, color elevation drawings, traffic circulation plan, existing noise study and parking evaluation/study

Process

2. This project will be reviewed under Smart Code zoning district regulations and shall comply with Sec. 23-785.
3. Proposed process:
 - a. PC Smart Code Review Committee/Planning Commission –Site Plan Approval (required per T.C.A. §13-4-104)
 - b. BMA – Site Plan Approval & Warrant Approval, if any (Mayor may approve if no warrants are required)
 - c. ECD - Construction Plan Approval & Pre-construction Meeting
4. Possible warrants:
 - a. Sec. 23-758(a)(1): Civic space approved by warrant
 - b. Sec. 23-792: parking to be determined by warrant (additional warrants may apply to the parking standards and location, amount of bicycle parking, etc.)
 - c. Sec. 6-102: if the fence is over 6'

Site Plan

5. Revise site plan to show entire site including the complete parking area with parking counts, new and existing trash collection areas, loading area, etc.
6. Provide additional information on the food truck staging area, including an exit strategy. Consider a turnaround at the end of the drive aisle. Are power outlets provided, so that generators do not have to run (especially during performances)?
7. Provide bicycle parking and show location on plan (required Sec. 23-792(f))
8. Provide color elevations with notes about materials

Additional Notes

9. Any signage shall require a separate application before the DRC.

Engineering:

Response on revised plans:

1. Show additional trees that need to be removed due to conflicts with utilities as indicated on plans.
2. Add "Structure" table to Grading and Drainage plan next to "Pipe" table.
3. On sheets other than the tree removal sheet, don't show the trees that are to be removed.
4. More separation is needed for the water and electric lines serving the food trucks.
5. Cannot save the 26" oak that has the water and electric lines running through it serving the food trucks.

Previous comments on original plan submittal:

6. All drawings should reflect the same proposed design for fences, walkways, door locations, stairs, roadway design, utilities, etc. (There are inconsistencies in layout and design between the sheets.)

7. Perimeter fence: Have concerns if the perimeter wall (fence) is to be stained wood. That may not be attractive next to the City's Performing Arts Center. There are aluminum fence designs that would be more durable, have a choice of colors with more architectural design options.
 - a. To keep the top elevation of the perimeter wall/fence level over the whole site would mean that the wall/fence on the west side may be very tall.
8. Choice of ground cover under the trees will be important due to the amount of pedestrian traffic and the difficulty of growing grass in shady areas.
9. Utilities: Please provide complete utility relocation plan.
 - a. Show which PVC pipes are to be removed
10. Electrical & generator: Does the proposed electrical system tie into an existing generator? If so, is sufficient capacity there? If not, propose an alternate solution for emergency lighting, etc.
11. Stormwater and drainage
 - a. Provide more information on the location of drainage line under the pavers in front of the stage, its depth, how will it be maintained, etc.
 - 1) Paver systems become clogged and lose their permeability. Provide other drains on the plans.
 - b. Provide complete detail sheet on the underground detention and all drainage:
 - 1) How it ties together with the pavers
 - 2) Cross-section drawing
 - c. Conflicts with existing drainage are a concern that the designers are still working on.
 - 1) Provide complete video footage of all existing drainage lines

Public Services:

Utilities

1. Needed: Greater detail on drainage, water, and sanitary sewer plans.
2. Main issue: Utility pipe under proposed stage location. The solution has been provided to route around the permanent stage. Per PW, solution much better than the original proposal.
3. Concern: Sewer lines. Provide sewer plans and confirmation from Shelby County Code that proposed installation is permitted.
 - a. Indicated as tying into the building sewer, which is not common practice.
 - b. Capacity is a concern: will it be enough?
 - c. Provide capacity and demand for sewer.
4. Please indicate all proposed water and sanitary sewer service lines with appurtenances to serve the proposed Performance Pavilion and Plaza Pavilion Buildings
 - a. There are no sanitary sewer connections shown on the proposed plan for either proposed building
 - b. Please ensure that meter locations and isolation valves are shown on the proposed plan to isolate water shutoff for each building in case of a leak or if other maintenance activities are needed
5. Water line: Should not be located under the stage. How will it be accessed? Move it away from the stage structure.
 - a. The remaining road will need to be cut to install a new water line.
6. Please ensure that existing utility mains are not located within the 45 degree plane of the proposed structures foundation and adequate spacing is given for future maintenance activities
 - a. There are two water mains shown on the drawings that seem to run under the proposed Plaza Pavilion
 - b. The existing 8" water main runs fairly close in proximity to the proposed Performance Pavilion building
7. Please ensure that the existing fire hydrants that are to be removed in the proposed construction plans are returned to GPW upon removal

8. A grease trap may need to be added to the proposed Plaza Pavilion since food will be sold at this site
9. A dumpster may need to be added to the food and beverage Plaza Pavilion

Parks:

From Tree Board (4-10-18)

1. Provide shade trees on the southern portion of the site, where trees are to be removed
 - a. Placement/sight line is key, so as not to inhibit the view of the performance
 - b. Consider more mature replacement trees, so that it does not take years to establish a shade canopy.
 - c. How will newly planted trees (which may take years to establish) be protected during performances?
2. Provide arborist report and comprehensive tree plan by a certified arborist.
 - a. Provide an overall tree plan for the entire site, which includes removal of privet and invasive species. Include proper tree evaluation of the buffer along Germantown Rd.
 - b. Consider a tree replacement project outside of the actual performance space, rather in the wooded (privet) buffer along Germantown Rd.
3. Indicate turf selection
 - a. Consider the dense shade of the performance area and what turf might grow there, in order to avoid a mud pit/barren earth.
4. Provide a maintenance plan for the landscaping beyond the standard city service. This project will require extra attention in order to be maintained properly.

Neighborhood Services:

- Plans should include an additional dumpster enclosure large enough to accommodate at least two eight cubic yard containers. Show this on the plans.

City Fire Marshal:

The following plan review comments are requirements of the International Fire Code (IFC) 2012, National Fire Protection Association (NFPA) codes and Germantown City Ordinances that apply. (See previous comments dated January 18, 2018, from Fire Marshal.)

Comments provided for the Technical Advisory Committee do not remove the developer or contractor from the responsibility of applying for permits from the Fire Marshal's Office and submitting a full set of architectural plans.

Fire Department General Requirements

ACCESS:

"IFC Chapter 33, Section 3310, Access for Fire Fighting

- *3310.1 Required Access: Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available."*

NOTE: An approved driving surface shall consist of an all weather surface with a minimum of a single layer of asphalt or concrete. (IFC D102.1)

- Fire apparatus access roads shall have a minimum pavement width of 26 feet measured face of curb to face of curb. (24 feet unobstructed) (Germantown City Ordinance, GCO), (IFC D103.1)
- Fire Department access roads shall have a minimum vertical clearance of 13 feet 6 inches. (IFC 503.2.1)
- 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)
- The grade of the fire department access road shall be no greater than 10%. (IFC D103.2)
- Buildings or portions of buildings exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial fire apparatus. (IFC D105.1)
- 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)
- Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet, approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater. (IFC D105.1)
- 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 48ft. (NFPA 1141)
- Dead-end fire apparatus access roads in excess of 150 feet shall be provided with a turnaround cul-de-sac of 96' diameter cul-de-sac. (IFC D103.4)
 - Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses. (IFC D104.3)
 - Security gates across fire department access roadways, when open, shall provide an unobstructed width of 24 feet. (*See the City's Private Street Policy for additional requirements on gate features*) (IFC D103.5)

EGRESS:

- **Outdoor areas. Yards, patios, courts and similar outdoor areas accessible to and usable by the building occupants shall be provided with *means of egress* as required by this chapter. The *occupant load* of such outdoor areas shall be assigned by the *building official* in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, *means of egress* requirements for the building shall be based on the sum of the *occupant loads* of the building plus the outdoor areas.**

UTILITIES/WATER:

- Fire hydrants shall be located within 3 feet of roadway access with the 4 inch outlet facing the roadway access
- Fire hydrants shall be installed so that there is a minimum of 18 inches between the center of the 4 inch steamer cap and the surrounding finish grade, for a radius of at least 5 feet.
- Fire hydrants along street or fire access routes or at intersections shall be visible for a minimum of 100 feet in all directions.

- Fire hydrants shall be free from obstructions on all sides by a minimum clearance of not less than 3 feet. i.e. landscape, light poles, signs, fences
- Fire hydrants shall be installed, for commercial buildings not greater than 300 feet apart. In residential communities, excluding multifamily occupancies, fire hydrants shall be installed not greater than 500 feet apart.
- Fire hydrants shall be placed at a minimum of 40 feet from any structure.
- Fire hydrants installed within the City of Germantown shall be silver in color.
- Plans submitted must identify that the underground main installed meets the requirements of NFPA 24.
- The underground main must have a hydraulic test performed and recorded at 200 psi for 2 hours.
- Dead end mains are not permitted unless approved by the fire code official.
- Piping shall not be installed under buildings unless approved by the fire code official.
- Required fire flows shall be calculated with 20 psi residual pressure for a minimum flow of 2 hours.
- Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*.
- Unobstructed access to fire hydrants shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

FIRE LANE SIGNS:

- Where required by the fire code official NO PARKING FIRE LANE signs shall be installed.
- Signs shall have a minimum dimension of 12 inches wide by 18 inches high.
- Signs shall have red letters on a white reflective background.
- Reference the City of Germantown sign ordinance for height requirements

C. GENERAL COMMENTS:

1. All recorded easements shall be shown on the plat. A five (5) foot utility easement is required along all property lines, adjacent to and not within any other easement.
2. All survey data shall be tied to Tennessee State Plane Coordinates and the City of Germantown monumented survey control. The final plat, construction drawings and "as built" plans shall be submitted on electronic media in DXF format.
3. 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.
4. The applicant is required to include the following formal written statement by a certified and licensed professional engineer to be placed on the grading and drainage plans, signed, dated and sealed:

I, _____, a duly licensed professional engineer in the State of Tennessee, hereby certify that I have designed the drainage in accordance with the Design Standards of the City of Germantown and have considered upstream and downstream conditions that affect drainage to include topography, present and future land use, existing zoning, and location of natural water courses.

5. 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.
6. 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.
7. The Shelby County Code, Section 3-25 [Reference 1200-3-11-02 (Asbestos)] require building owners and/or operators to submit a notification of intent to do demolition or renovation at least ten (10) working days prior to the start of the activity even if no asbestos is present so compliance can be verified. The notification also includes the submittal of an asbestos survey report. Please contact the Health Department at (901) 544-7349 for more information.

Chairman Harless noticed the TAC committee had several issues and questions regarding this project. He asked Mr. Ross if all those have been resolved satisfactorily. He also noticed the Tree Board had a comment about replacing some of trees that are coming down, what is the result of that comment? Is it fair to say that any good healthy trees taken down, would be replaced somewhere on the property?

Mr. Ross stated that responses to all of the TAC comments were provided by the Archmania team. Any unanswered comments from TAC committee review will be sorted out with the Construction Plan Review. Most of the trees coming down are either unhealthy or sweet gums. The applicant is looking for opportunities to improve any plantings around the edges, on the inside and outside of the proposed project area. Yes, it is a fair assessment that the GPAC Board is looking to replace the trees somewhere on the site.

Ms. Hicks asked if the landscape plan includes the 21 replacement trees, as she couldn't clearly see where those replacement trees are located.

Mr. Ross answered yes, those replacement trees are on the plan; and the applicant is putting in more trees than those 21 replacement trees.

Mr. Bacon asked if there had been any thought about people not paying for the performances, setting up folding chairs in the parking lot and using the food trucks. That could be a safety concern. He also asked about the sound level coming from concerts at the proposed project and had a noise study been completed.

Mr. Ross answered GPAC is looking at the possibility of non-paying patrons in the parking lot as an opportunity, rather than a challenge. The applicant has included in their in the overall site plan the opportunity to add more food trucks outside the performance area, in the parking lot along the entrance drive.

Chairman Harless invited the applicant up to discuss the project.

Matt Seltzer with Archlmania 356 South Main, Memphis, TN 38103, stated the stage is placed as far down on the site as possible. The way the stage is setup is so that the speakers are located at the left and right of the stage, so

that the sound will hit the people close to the stage. The idea is by pushing the stage down, the least amount of sound is aiming straight out of the performance area and coming over the parking lot. The sound will bounce off the GPAC building. They will need to conduct a speaker test around the neighborhoods with different volumes.

Chairman Harless asked if he had any idea what the decibel level would be on the west side of Germantown Road.

Mr. Seltzer answered no.

Mr. Ross noted that he understands Chairman Harless wants the decibel level measured at a.m. and p.m. peak, when the highest amount of traffic is around the site.

Chairman Harless answered that he is looking for the speaker noises to get the decibel level reading of the speakers. Will there be a cut off time at night for performances?

Mr. Ross asked if the Planning Commission would be open to having these questions related to sound addressed as part of the construction plan submittal.

The Planning Commission answered yes.

Mr. Ross stated the applicant's aim is to work around the same schedule as their indoor shows work, which typically has an end time of 10:00 p.m.

Ms. Hicks asked if the bike rack will going to be in the grass, and also the location and screening of the new dumpster.

Mr. Seltzer answered the bicycle parking will be at the entrance from the north. It would not be in the grass; it would be on either on one of the paved surfaces or mounted to the sidewalk. Yes, the new dumpster will have screening around it, something like siding and cedar inside of a metal frame.

Alderman Owens asked if there would be an opportunity to present this drawing to the members of the Design Review Commission, prior to the BMA meeting approving these warrants?

Mr. Ross answered yes; there certainly will be; as early as the June 14th, Design Review Commission Subcommittee meeting.

Ms. Hicks asked if the DRC has the authority to alter or change the proposed project?

Mr. Ross if the Planning Commission is comfortable giving the DRC that authority to work directly with staff on any aesthetic questions.

Mr. Saunders asked Mr. Seltzer that he noticed the screen varies from six to ten feet. Where are the variations in height located? Does the top elevation maintain the same height around the site perimeter, and that the variations in height are due to the grade on the site?

Mr. Seltzer answered yes; that is correct. On the eastern elevation, the proposed architectural screen is an even eight feet, and the northern boundary that runs along Neshoba Rd. is somewhere between eight and nine feet because the grade drops there.

Chairman Harless stated going forward tonight, there is a set of options for the PC. One is to vote on this project as it's been presented, two is to defer the vote until the Commission gets further information, and the third is for the applicant to withdraw.

Mr. Ross stated in working with this applicant, this is not the standard building or project. What the Planning Commission is considering is, at its core, an amphitheater. The architectural screen serves several purposes. One is aesthetic, and two is to provide some security both in terms for the Fire Marshal, and after hours so that various unpermitted activities can't happen in the amphitheater space, and then three to control the use of alcoholic beverages passing in and out of the front gates. Elevation drawings have been provided that illustrate the materials include existing red brick, with dark bronze metal details and tinted glazing, dark bronze structure, black horizontal plank siding on stage and pavilion, and black metal trim. A stained cedar architectural screen feature is proposed on the perimeters of the site. A detail sheet, including all dimensions, for the architectural screen, shall be provided as part of the final construction plans. The applicant have answered all the required items on the Design Review checklist.

Mr. Clark stated he thinks that the Planning Commission received a recommendation from the DRC as part of the SmartCode Review Committee to approve this project, specifically related to the sod and the fence. It seems that the Planning Commission has issues with the architectural screen fence. He doesn't believe that the PC received the DRC full approval, without them seeing the fence screen wall detail. People will climb on the architectural screen fence causing damage; there will have to be long term maintenance due to the boards falling out. He wants it to still look good 10 to 15 years from now.

Alderman Owens made the suggestion is it possible that the PC vote on the project, but hold on the warrant for the fence, and have the applicant come back to the PC just for the fence?

Mr. Ross answered that this is something that staff can work on to get a little more information, and still be able to move this project forward and hold the warrant back.

Mr. Bacon stated he believes that there is plenty of information on the architectural screen in order to make a decision. The architectural screen is a really creative solution. It allows for a control of the perimeter where alcohol is sold. He recommends spraying/renovating the screen pickets every 10 years. The architectural screen is not a visibility barrier, as provides 70% transparency.

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.

Sharad Chitalia at 1787 Boulinwood Lane, Germantown, TN 38138, stated that he has lived here for 36 years. His backyard is facing this project, and he has some concerns like the noise level, and more traffic leading to additional parking on my street. The Fourth of July and Music in the Park events create a lot of noise and traffic, but those are limited events that he can live with. However, the performances at the amphitheater would create regular noise and added traffic in his neighborhood. If it gets to the point where the PC has to vote on this project, he wants to ask the commissioners to consider would they do it if this amphitheater was in their backyard? Also, he is concerned that this was the first time that he has been notified of this project, when it is basically done. Isn't there a requirement to contact the neighbors at an earlier stage?

Jerry Rainer at 1792 Boulinwood Lane, Germantown, TN 38138 asked if there are going to be more parking places with all the proposed food trucks? Is there a noise level decibel ordinance in Germantown? He is also concerned about people passing alcohol through the fence.

Alderman Owens noted that tonight they will consider the project on the Planning Commission level. If it is approved tonight, the next step would be to go before the Board of Mayor Aldermen. There are some warrants that are being requested, namely parking associated with civic space, the architectural screen feature fence to vary in height from 6' to 10', and Outdoor Performing Arts Venue as civic space.

Mr. Ross answered as far as the noise ordinance goes, the City does not have a decibel level-driven noise ordinance. There is a noxious noise ordinance that falls within the police Department. GPAC is a nonprofit entity within the City's umbrella. The City does have influence on how these events would be managed with the noise levels, along with start and stop times. They looked at these factors when considering what is possible. If the greatest music act ever came forward, the 270 seats inside could be a sold out event. When you consider the parking requirements per the zoning ordinance for general commercial zoned property, one considers least one off street parking space for every three seats in a public or private facility that is designed for audiences. So when considering the general commercial zoning requirements, 690 spaces would be required for this project. The existing spaces at Germantown Performance Arts Center and the Germantown Athletic Club have 618, then couple that with 172 at the Great Hall and tennis lot, which results in another 53 spaces at the Municipal Park. Thus, there are 843 existing parking spaces that are currently available to serve events in the surrounding area. Per the applicant, there would be eight ticketed shows a year at the amphitheater.

Chairman Harless asked if there were any questions of commissioners. There were none.

STAFF RECOMMENDATION:

Approval of a Revised Preliminary and Final Site Plan for The Grove at Germantown Performing Arts Center (GPAC), subject to the conditions and comments listed above and the documents submitted with the Revised Preliminary and Final Site Plan for the addition of an Outdoor Performing Arts Venue.

SMART CODE REVIEW COMMITTEE ACTION: MIKE HARLESS, CHAIRMAN

The SCRC met on May 16, 2018, and recommended that the application be considered by the Planning Commission, subject to the subcommittee discussion, staff comments in the staff report, and the plans and documents filed with the application. Letters of recommendation from the DRC and ECD representatives will be provided at June 5, 2018 meeting.

MAIN MOTION: To approve the revised Preliminary and Final Site Plan for The Grove at Germantown Performing Arts Center (GPAC), subject to the Commission's discussion, staff comments and conditions in the staff report and the plans and documents filed with the application.

PROPOSED MOTION: Mr. Bacon moved to approve the revised Preliminary and Final Site Plan for The Grove at Germantown Performing Arts Center (GPAC), subject to the Commission's discussion, staff comments and conditions in the staff report and the plans and documents filed with the application, seconded by Mr. Saunders.

Chairman Harless asked for a roll call.

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

Mr. Bacon voted yes; it's a great location, with an interesting use adjacent to the GPAC. He likes the thought that was put in to the architectural feature screen. The parking issues have been addressed with ample parking. However, he is a little bit concerned about the sound as well. Basically, the sound can be turned down.

Mr. Clark voted yes; he thinks it is good for the City to have this here, and the design is great for the City.

Ms. Hicks voted yes; this will be a gem for civic space.

Mr. Saunders voted yes; this is a gem that will be used by all the city's citizens. He is concerned about the sound; The PC will follow through on these concerns and staff will address this for all residents.

Alderman Owens voted yes; for the reasons previously stated by the fellow commissioners.

Chairman Harless voted yes; this will be a real jewel in Germantown crown.

WARRANTS #1:

PROPOSED MOTION 1: To approve a warrant from Sec. 23-758 to allow civic space within an area not designated on the regulating plan.

Mr. Bacon moved to approve a warrant from Sec. 23-758 to allow civic space within an area not designated on the regulating plan, seconded by Mr. Saunders.

Chairman Harless asked for a roll call.

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

WARRANTS #2:

PROPOSED MOTION 2: To approve a warrant from Sec. 23-792 to allow the existing parking for GPAC to remain as is and to be used for the new Outdoor Performing Arts Venue.

Mr. Bacon moved to approve a warrant from Sec. 23-792 to allow the existing parking for GPAC to remain as is and to be used for the new Outdoor Performing Arts Venue, seconded by Ms. Hicks.

Chairman Harless asked for a roll call.

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

Mr. Clark voted yes; it looks like there is ample parking based on the numbers provided by Mr. Ross, even with the food trucks taking up 20 parking spaces.

WARRANTS #3:

PROPOSED MOTION 3: To approve a warrant from Sec. 6-102 to allow a fence (Architectural Screen) to varies in height from 6' to 10' in accordance with the approved site plan.

Mr. Bacon moved to approve a warrant from Sec. 6-102 to allow a fence (Architectural Screen) to vary in height from 6' to 10' in accordance with the approved site plan, seconded by Mr. Saunders.

Chairman Harless asked for a roll call.

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

Mr. Bacon voted yes; he really likes the design of the architectural feature screen.

Mr. Clark voted yes; he still thinks maintenance will be an issue with the architectural feature screen, but that's not really his concern.

Ms. Hicks voted yes; per the earlier conversation, she now has a understanding better what the fence material would be and the visibility, with the height being 8 feet in a lot of spots and some as high as 10 feet.

Alderman Owens voted yes; the architectural feature screen will add to the entire project.

Mr. Saunders voted yes; based on the comments of prior commissioners.

Chairman Harless voted yes; he requested that Mr. Ross and his staff to get a copy of the architectural feature screen fence to the Design Review Commission, even though the PC is going to approve it tonight, so they can see and review it.

Chairman Harless said congratulations and the motion passes.

Chairman Harless stated the next Planning Commission meeting will be July 10th. The Planning Commission subcommittee meeting is scheduled for June 20th at 5:30 in the Klein conference room.

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

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

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

ADJOURNMENT: The meeting adjourned at 7:45 p.m.



CITY OF GERMANTOWN TENNESSEE

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

June 5, 2017

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

RE: Case # 18-814
The Grove at GPAC
Request Preliminary and Final Site Plan Approval

The DRC Smart Growth Subcommittee is recommending approval of the Preliminary and Final Site Plan of the proposed Outdoor Performing Arts Center after review of the revised application and site plan dated June 1, 2018.

The applicant sufficiently addressed the concerns of the committee after their first presentation. Two items I encourage further exploration are the screen wall and the proposed turf grass within the venue. The screen wall is proposed as an eight-foot, steel framed, stained cedar structure. Details have been requested for this element and it is very important to consider the long-term maintenance on this feature. Future wood replacement and staining may not be a priority in the future as the design team sees it today.

Our second concern is the selection of turf grass to be used throughout the project. The landscape plan fails to reference the exact species. The grounds of this setting are very important to achieve the desired atmosphere. A short-term and long-term plan for the turf needs to be considered/included. Short term is post event and long term is annually. A special maintenance contract for this turf and grounds should also be considered with this project.

Design Review Commission Smart Growth Subcommittee

Paul Bruns

A handwritten signature in black ink, appearing to read "Paul Bruns", is written over the printed name.

Cc: Cameron Ross – Director of Economic and Community Development
Sheila Pounder - Planning Division Manager



**CITY OF
GERMANTOWN
TENNESSEE**

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

June 5, 2018


Mike Harless, Chairman
Planning Commission
City of Germantown
1930 S. Germantown Rd.
Germantown, TN 38138

**RE: Case #18-814
The Grove at Germantown Performing Arts Center (GPAC)
Request Revised Preliminary and Final Site Plan Approval
(Addition of a Outdoor Performing Arts Venue)**

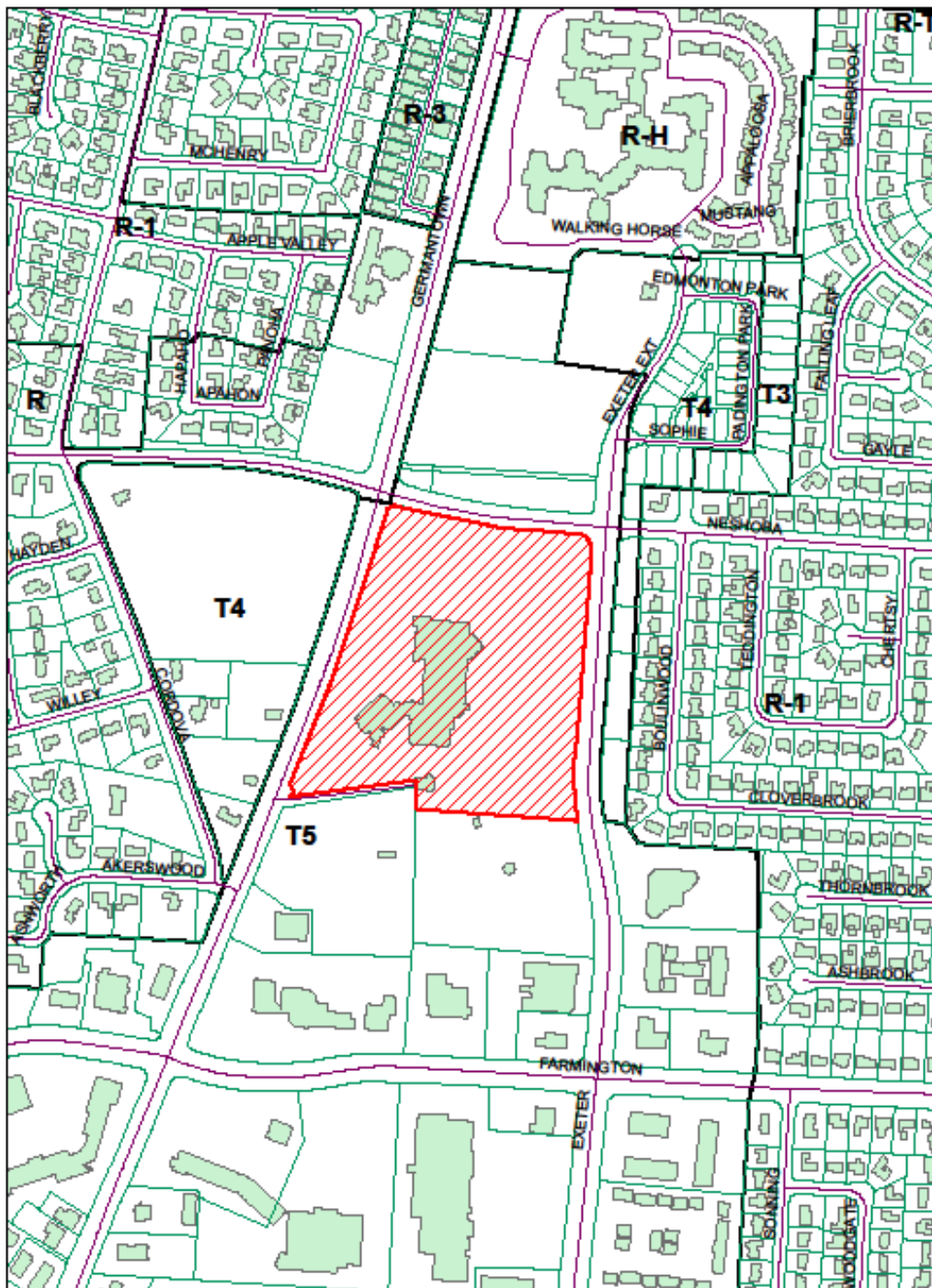
Dear Chairman Harless:

The Economic Development Commission has reviewed plans for the GPAC Grove. This is a transformational project that will help to catalyze the Thornwood project and other activities that are occurring at the north end of the Central Business District. We also feel that this project will contribute to the full spectrum of residents in the community (young, senior, and families) to enjoy the amenities that the City offers in the area that include Municipal Park, the Athletic Club and the Great Hall. We wholeheartedly support this project and the economic development that is sure to follow this great civic investment.

Respectfully,


Jerry Klein, Chairman
Economic Development Commission

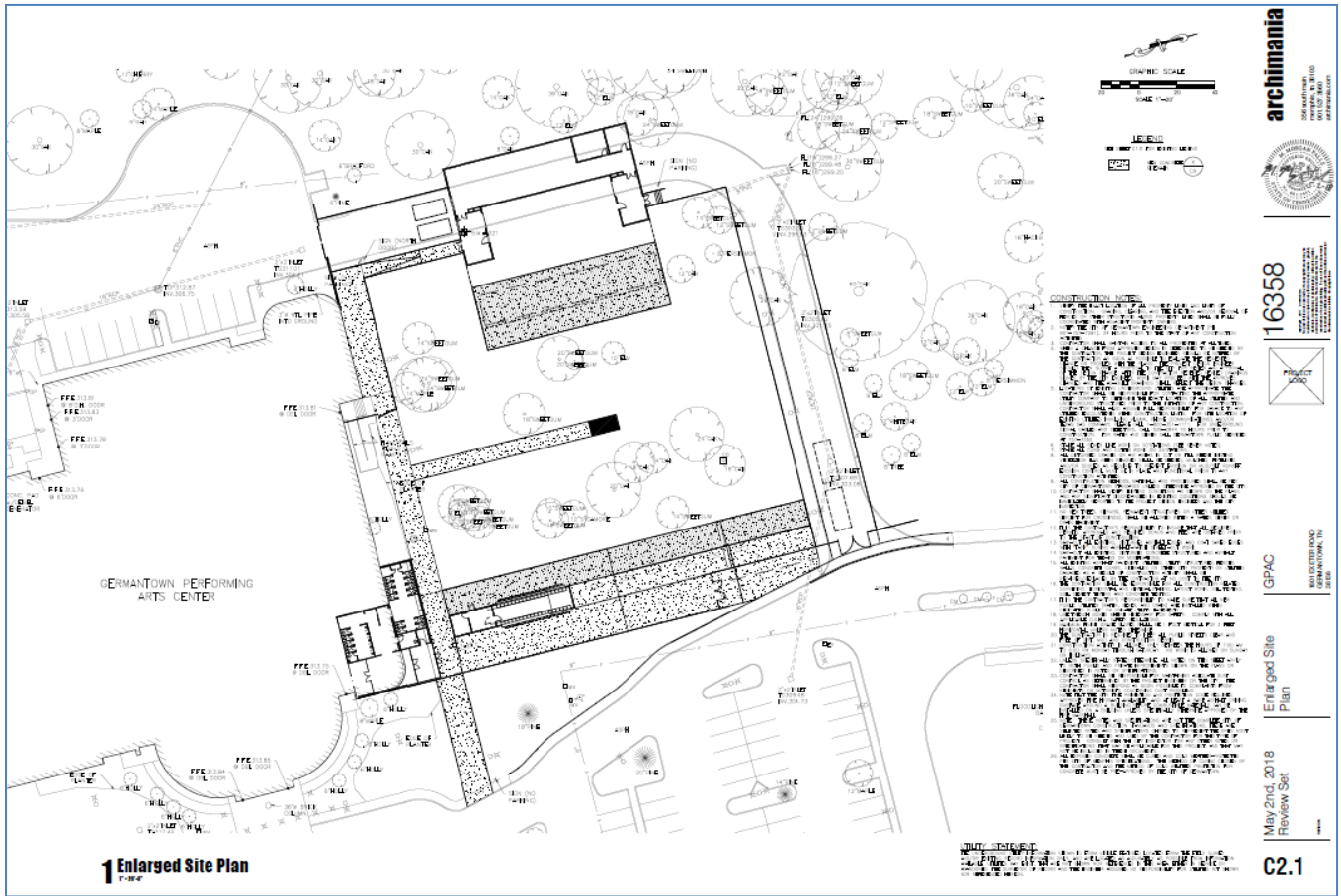
cc: Cameron Ross - Director of Economic and Community Development
Sheila Pounder - Planning Division Manager



ZONING MAP

ENLARGED COPIES OF THE PLANS ARE INCLUDED WITH THIS REPORT







CITY OF GERMANTOWN TENNESSEE

DATE RECEIVED: _____
 RECEIVED BY: _____

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

PLANNING COMMISSION OFFICIAL APPLICATION FORM

TYPE OF APPLICATION	
(Check <input checked="" type="checkbox"/> all that apply): <input type="checkbox"/> Sketch Plan; <input type="checkbox"/> Preliminary Site Plan; <input type="checkbox"/> Final Site Plan <input type="checkbox"/> Minor Subdivision; <input type="checkbox"/> Preliminary Plat; <input type="checkbox"/> Final Plat <input type="checkbox"/> Grading/Tree Removal; <input type="checkbox"/> WTF (Wireless Transmission Facility) <input type="checkbox"/> Rezoning From: _____ To: _____ <input type="checkbox"/> Other: _____	
IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) YES NO (Please note - if yes, than follow Smart Code Application Instructions to complete this form for submittal)	
PLANNED USE DEVELOPMENT'S (PUD) ONLY: <input type="checkbox"/> PUD Outline Plan (Master Plan); <input type="checkbox"/> PUD Amendment to Outline Plan; <input type="checkbox"/> PUD Preliminary Plan (individual phases); <input type="checkbox"/> Final Plan (individual phases); Phase: _____ of _____ Date of PUD Outline Plan (Master Plan) Approval: _____ Other: _____	
PROJECT INFORMATION (Provide Additional Pages as Needed)	
Project Name: <u>the grove at GPAC</u> Address/Location: <u>1801 Exeter Road Germantown, TN 38138</u> Project Description: <u>Outdoor Performance Venue with supporting program & renovation/addition to existing restrooms</u> No. of Acres: <u>1.5 acres</u> Parcel Identification Number(s): <u>G0220 00352; G0220 00361; G022000355</u>	
PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES REQUESTED FROM THE SUBDIVISION AND ZONING REGULATIONS.	
PROPERTY OWNER/LESSEE/DEVELOPER INFORMATION (All applicable parties shown below must sign the application)	
Property Owner Name (Print): <u>City of Germantown</u> Address: <u>1801 Exeter Road Germantown</u> Phone No.: _____ Email Address: _____ Signature of Property Owner <u><i>Mahe Paul</i></u> Lessee Name (Print): <u>Germantown Performing Arts Center</u> Address: <u>1801 Exeter Road Germantown, TN 38138</u> Phone No.: <u>(901)751-7500</u> Email Address: <u>paul@gpacweb.com</u> Signature of Lessee <u><i>[Signature]</i></u> Developer Name (Print): <u>n/a</u> Address: <u>n/a</u> Phone No.: <u>n/a</u> Email Address: <u>n/a</u> Signature of Developer _____	
PLEASE ATTACH A COPY OF THE DEED REFLECTING OWNERSHIP OF THE SUBJECT REAL PROPERTY	

AGENT/REPRESENTATIVE INFORMATION	
Name: <u>John Halford</u>	Title: <u>architect/designer</u>
Company Name: <u>archimania</u>	Address: <u>356 S Main Memphis, TN 38103</u>
Phone No.: <u>(901)527-3560</u>	Email Address: <u>jhalford@archimania.com</u>
Who will represent this proposal at the Planning Commission meeting? <u>john halford, matt seltzer, morgan falls (ssr)</u>	
ENGINEER/SURVEYOR INFORMATION	
Engineer Name: <u>Smith Seckman Reid, Inc. (SSR)</u>	Address: <u>2650 Thousand Oaks Blvd # 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: _____

Planning Commission – Official Application Form
Page 4

2. **Not-for-Profit Entities.** If the Applicant (including all property 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: _____
Address: _____
Authorized Signature for Applicant: _____

President or Equivalent
Chief Executive Officer: GPAC executive director
Address: 1801 Exeter Rd Germantown TN 38138
Signature: 

Members of the Board of Directors of the Applicant:

Name	Business or Home Address
<u>Kathy Simonetti</u>	<u>8386 Westfair Drive Germantown, TN 38139</u>
<u>Bill Watkins</u>	<u>2974 Wetherby Cove N. Germantown, TN 38138</u>
<u>Shiela Palleme Vinczeller</u>	<u>3160 Devonshire Way Germantown, TN 38138</u>
<u>Lee Grinspan</u>	<u>7060 Minor Woods Cove Germantown, TN 38138</u>

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

The Applicant/Owner/Lessee acknowledges and agrees that if the developer of a project is not the owner of the subject real property, the property 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, property owner, and lessee.



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: _____

SMART CODE WARRANT APPLICATION
 (TO BE SUBMITTED WITH THE PLANNING COMMISSION APPLICATION)

PROJECT INFORMATION	
Project Name:	<u>THE GROVE AT GERMANTOWN PERFORMING ARTS CENTER (GPAC)</u>
Address:	<u>1801 EXETER ROAD</u>
Project Description:	<u>MODIFICATION TO EXISTING GPAC BUILDING AND ADDITION OF OUTDOOR PERFORMING AREA</u>
No. of Acres:	<u>1.5</u> Parcel Identification Number(s): _____ Zoning District <u>T5</u>
APPLICANT/PROPERTY OWNER/LESSEE/DEVELOPER INFORMATION	
Applicant Name (Print):	<u>PAUL CHANDLER - GPAC</u> Address: <u>1801 EXETER RD.</u>
Phone No.:	<u>901.751.7663</u> Email Address: <u>pchandler@germantown-tn.gov</u>
Signature of Applicant:	_____
Owner Name (Print):	<u>CITY OF GERMANTOWN</u> Address: <u>1930 S. GERMANTOWN RD., 38138</u>
Phone No.:	_____ Email Address: _____
Signature of Property Owner:	_____
Lessee Name (Print):	<u>N/A</u> Address: _____
Phone No.:	_____ Email Address: _____
Signature of Lessee:	_____
Developer Name (Print):	<u>SEE APPLICANT ABOVE</u> Address: <u>"</u>
Phone No.:	<u>"</u> Email Address: <u>"</u>
Signature of Developer:	_____
AGENT/REPRESENTATIVE INFORMATION	
Name:	<u>JOHN HALFORD</u> Company Name: <u>ARCHIMANIA</u>
Address:	<u>356 SOUTH MAIN ST., 38117</u> Phone No.: <u>901.627.3560</u>
Fax No.:	<u>901.527.5818</u> Email Address: <u>JHALFORD@archimania.com</u>
Who will represent this proposal at the Planning Commission meeting?	<u>JOHN HALFORD + MATT SELTZER,</u> <u>ARCHIMANIA</u>

WARRANT REQUEST(S)	
<p><u>WARRANT #1</u></p> <p>Section 23-745, A warrant is an official decision that permits a practice that is not consistent with a specific provision(s) of the Code, but is justified by its intent (Sec. 23-741) and is consistent with the adopted small area plan applicable to that location.</p> <p>Section of Smart Code from which the deviation is sought: _____</p> <p>Sec. 23-758 – Civic Space. Civic space may be approved by warrant in any Smart Code zoning district. The warrant request is to allow three civic spaces along the main street frontage of this development for the subject property.</p> <p>Justification of Intent (provide additional information as necessary to make the case): _____</p> <p>The civic spaces, including proposed project are a part of the larger Municipal Block. Furthermore, the proposed project function and occupancy are an outdoor extension of an existing indoor Civic Space, the Germantown Performing Arts Center (GPAC). In addition, the nearby Germantown Athletic Club may also conduct programming on the site.</p>	
WARRANT REQUEST	
<p><u>WARRANT #2</u></p> <p>Section 23-745, A warrant is an official decision that permits a practice that is not consistent with a specific provision(s) of the Code, but is justified by its intent (Sec. 23-741) and is consistent with the adopted small area plan applicable to that location.</p> <p>Section of Smart Code from which the deviation is sought: _____</p> <p>Sec. 23-792 – Parking Requirement. Parking for Civic space is to be determined by warrant in any Smart Code zoning district. The warrant request is to allow the existing parking for GPAC to remain as is and it will also be used for the new Outdoor Performing Arts Venue.</p> <p>Justification of Intent (provide additional information as necessary to make the case): _____</p> <p>The required number of spaces based upon City of Germantown code requirements for the project and the existing GPAC building is 690 parking spaces. Based upon evaluation of current and projected spaces on existing and sites within 1000 feet of existing property including site, 1,232 spaces are or will be available within 12 months of Substantial Occupancy of this project. See Parking Count Evaluation Summary attached to this warrant request.</p>	

PLEASE NOTE: If more than 1 warrant is being requested, please complete this page and attach to the application. If more than 2 warrants are being requested, please make copies of this page, provide the information requested and attach the pages to the back of the application.

WARRANT REQUEST(S)
<p>WARRANT # 3</p> <p>Section 23-745, A warrant is an official decision that permits a practice that is not consistent with a specific provision(s) of the Code, but is justified by its intent (Sec. 23-741) and is consistent with the adopted small area plan applicable to that location.</p> <p>Section of Smart Code from which the deviation is sought: _____</p> <p>Sec. 6-102 - Fences - General Provisions – The warrant request is to provide architectural screens in lieu of fences in indicated areas of project. Per section 6-102 (a): :Any proposals for fences in excess of six feet in height, when submitted to the design review commission for approval, must be accompanied by appropriate documentation justifying such additional height."</p> <p>Justification of Intent (provide additional information as necessary to make the case): _____</p> <p>The program of the Grove requires an enclosed perimeter for certain events. However, this perimeter is preferred to be visually open at eastern and northern elevations, to provide welcoming views into the Grove and more visually closed from the interior of the Grove area to backstage areas of the performance pavilion. Rather than provide a fence to screen views from all directions in and out of the project, the project proposes to employ architectural screens instead of fences. The proposed architectural screens will be 8'-0" above the entry plaza and a minimum of 50% visually transparent at the project entrance. Elsewhere in project the architectural screen may be taller than 8'-0" above grade since site is sloping, but height will never be taller than allowed by code for subdivision entrance features. Elevations are attached to this Application.</p>
WARRANT REQUEST
<p>WARRANT #2</p> <p>Section 23-745, A warrant is an official decision that permits a practice that is not consistent with a specific provision(s) of the Code, but is justified by its intent (Sec. 23-741) and is consistent with the adopted small area plan applicable to that location.</p> <p>Section of Smart Code from which the deviation is sought: _____</p> <p>_____</p> <p>_____</p> <p>Justification of Intent (provide additional information as necessary to make the case): _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

PLEASE NOTE: If more than 1 warrant is being requested, please complete this page and attach to the application. If more than 2 warrants are being requested, please make copies of this page, provide the information requested and attach the pages to the back of the application.

CITY OF GERMANTOWN

SMART CODE WARRANT APPLICATION CHECKLIST

Completed by applicant as of date of submittal		Completed by staff as of date of completeness review	
Completed	Required Items	Staff Verification	Staff Comments:
	A pre-development meeting with staff is required		
	A completed application for a warrant and required fees		
	A site plan illustrating the Warrant request		
	Documentation of authorization to represent the property owner, if applicant is not the owner		
	CD of the application and all supporting documents, in .jpg and PDF format.		
	Application Fee \$150 per warrant request		

Please Note: The signature of owner authorizes City of Germantown staff to visit and inspect the property for which this application is being submitted. The signature also indicates that the applicant or his agent has reviewed the requirements of this checklist and all items on this checklist have been addressed and complied with. The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

(Check One):

I, the owner, will represent this application with the City of Germantown.

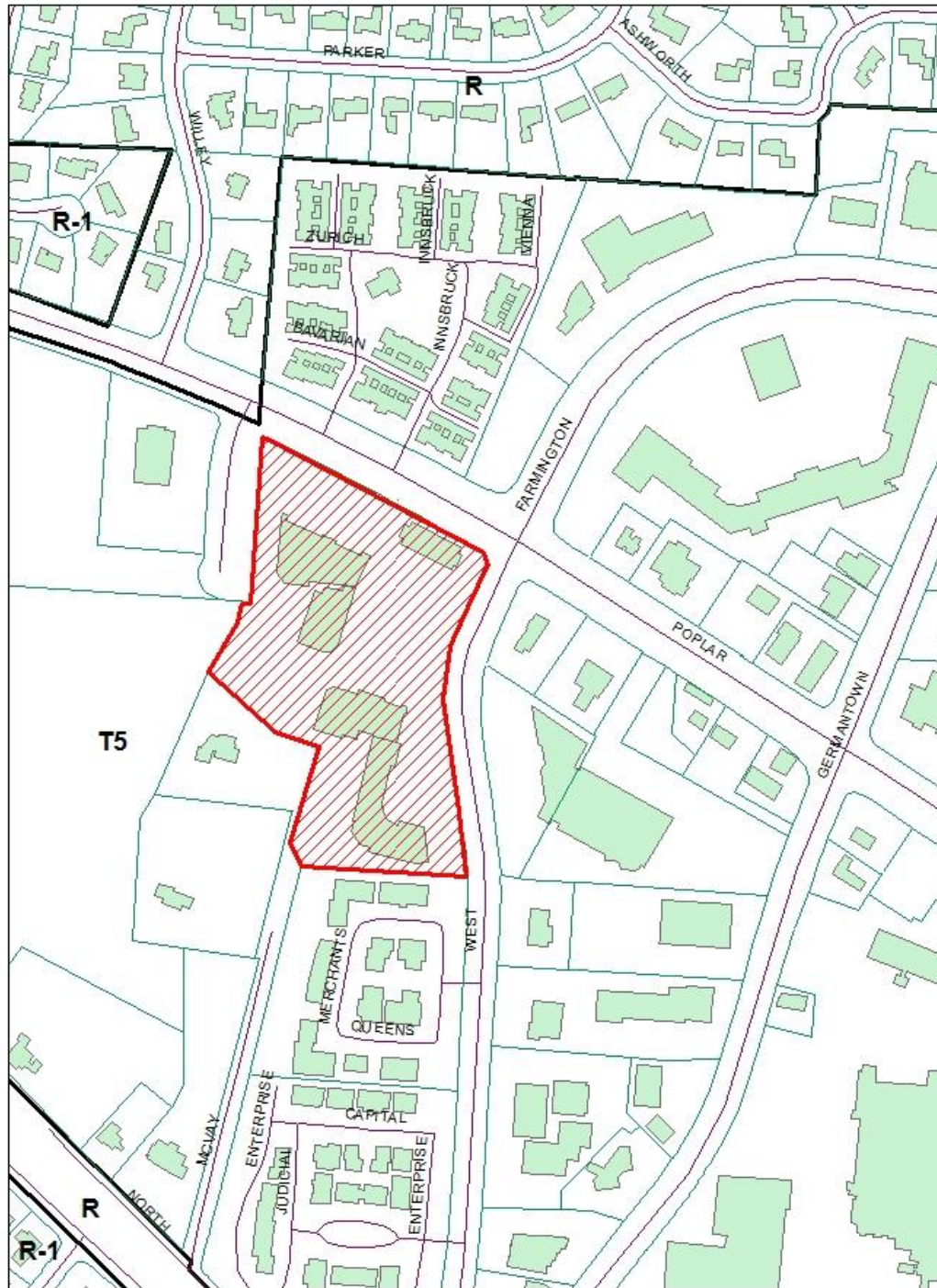
I, the owner, hereby authorize the person named below to act as my agent in processing this application with the City of Germantown.

I certify that the information in this application is complete and accurate. I understand that I or a representative should be present at all meetings concerning this application.

I am the property owner of record or developer ; or I am the agent authorized to represent the owner in this application (provide documentation of owner's authorization with this application)

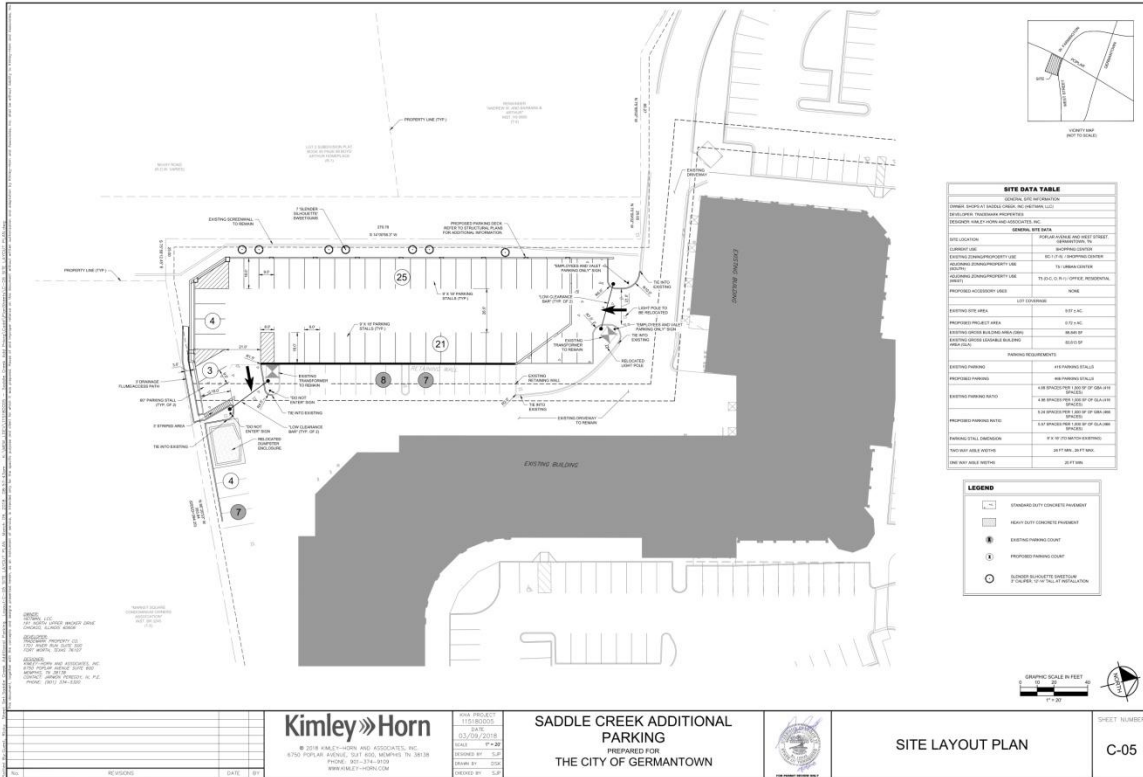
Signature: _____

Date: 5.30.2018

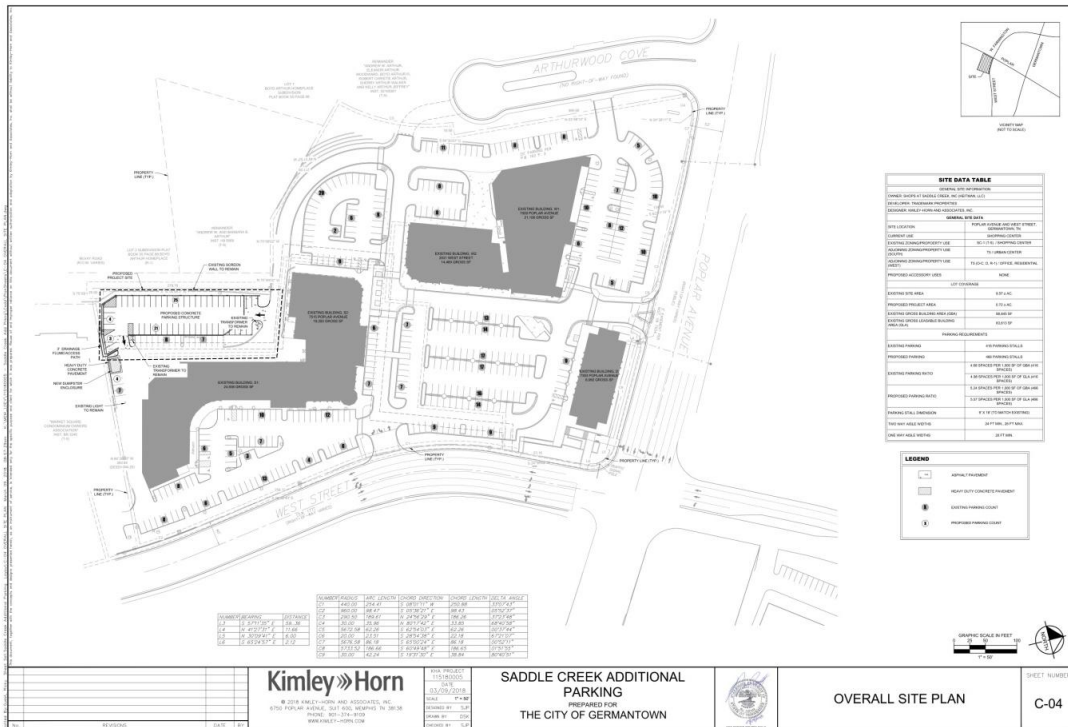


ZONING MAP

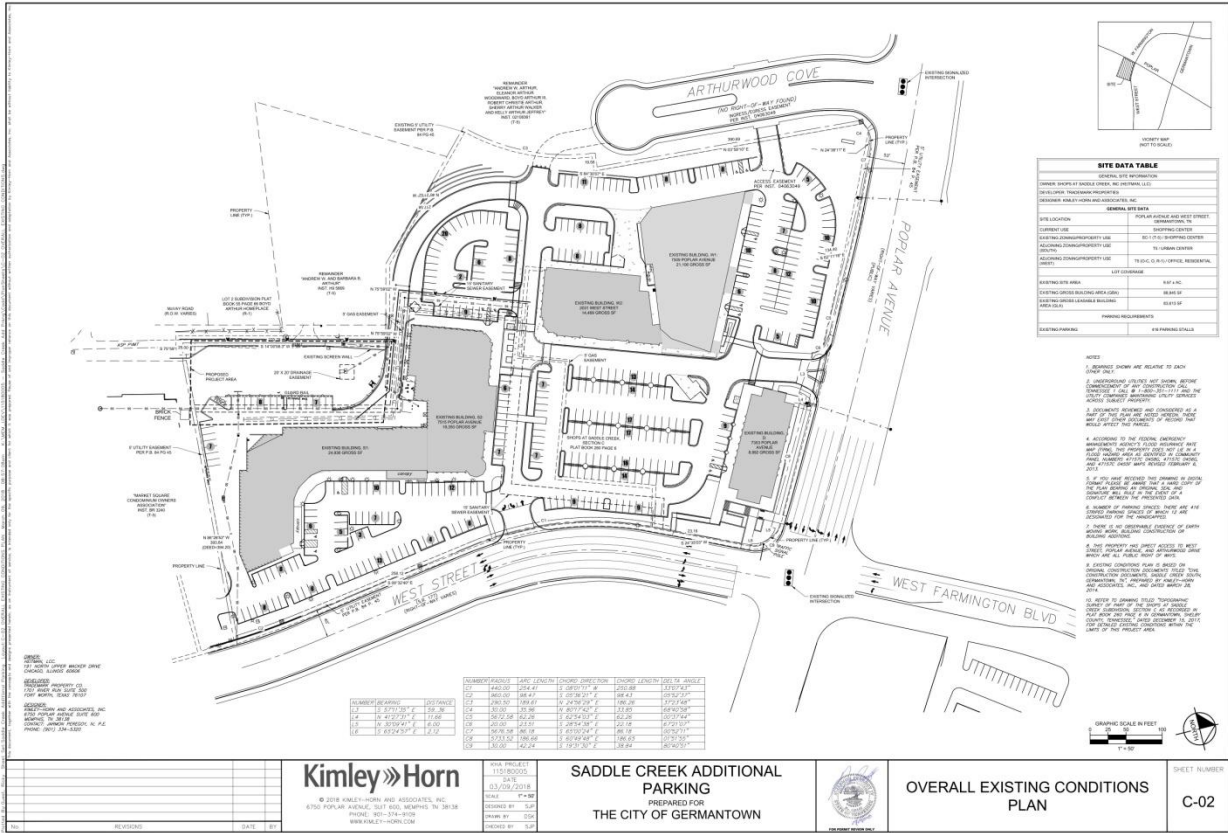
PROPOSED SITE PLAN LAYOUT
 (ENLARGED COPIES OF ALL PLANS ARE INCLUDED IN THE FOLDER WITH THIS REPORT)



PROPOSED REVISED FINAL PLAN



CURRENTLY APPROVED SITE PLAN
 (ENLARGED COPY OF EXISTING CONDITION PLAN ARE INCLUDED WITH THIS REPORT)



Kimley»Horn
 2008 KIMLEY-HORN AND ASSOCIATES, INC.
 4750 POPLAR AVENUE, SUIT 600, WORMSLEY TN 38388
 PHONE: 901-274-4300
 WWW.KIMLEY-HORN.COM

SADDLE CREEK ADDITIONAL PARKING
 PREPARED FOR
 THE CITY OF GERMANTOWN



OVERALL EXISTING CONDITIONS PLAN

SHEET NUMBER
C-02



**CITY OF
 GERMANTOWN
 TENNESSEE**

DATE RECEIVED: _____
 RECEIVED BY: _____

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

**PLANNING COMMISSION
 OFFICIAL APPLICATION FORM**

TYPE OF APPLICATION	
<p>(Check <input checked="" type="checkbox"/> all that apply):</p> <p> <input type="checkbox"/> Sketch Plan; <input type="checkbox"/> Preliminary Site Plan; <input checked="" type="checkbox"/> Final Site Plan <input type="checkbox"/> Minor Subdivision; <input type="checkbox"/> Preliminary Plat; <input type="checkbox"/> Final Plat <input type="checkbox"/> Grading/Tree Removal; <input type="checkbox"/> WTF (Wireless Transmission Facility) <input type="checkbox"/> Rezoning From: _____ To: _____ <input type="checkbox"/> Other: _____ </p>	
<p>***** IS THIS SITE WITHIN A SMART CODE AREA: (Circle One) <u>YES</u> 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: <small>*PROJECT LOCATION IS WITHIN EXISTING SHOPS AT SADDLE CREEK, WHICH WAS DEVELOPED BASED ON SC-1 GUIDELINES WITH VARIANCES FOR SMART GROWTH.</small></p> <p> <input type="checkbox"/> PUD Outline Plan (Master Plan); <input checked="" type="checkbox"/> PUD Amendment to Outline Plan; <input type="checkbox"/> PUD Preliminary Plan (individual phases); <input checked="" type="checkbox"/> Final Plan (individual phases); </p> <p>Phase: <u>N/A</u> Date of PUD Outline Plan (Master Plan) Approval: <u>Recorded 06-27-2014</u> Other: <u>Additional parking to be added to the existing development</u></p>	
PROJECT INFORMATION (Provide Additional Pages as Needed)	
<p>Project Name: <u>SADDLE CREEK PARKING ADDITION</u></p> <p>Address/Location: <u>SOUTHWEST CORNER OF THE SADDLE CREEK SHOPPING CENTER</u></p> <p>Project Description: <u>PARKING DECK CONSTRUCTION OVER EXISTING DETENTION FACILITY IN THE SADDLE CREEK SHOPPING CENTER ON THE SOUTH SIDE OF POPLAR AVENUE</u></p> <p>No. of Acres: <u>2.0</u> Parcel Identification Number(s): <u>G0230 00443C</u></p> <p>PLEASE ATTACH A LETTER EXPLAINING THE PROJECT, IN DETAIL, AND LISTING ALL VARIANCES REQUESTED FROM THE SUBDIVISION AND ZONING REGULATIONS.</p>	
PROPERTY OWNER/LESSEE/DEVELOPER INFORMATION (All applicable parties shown below must sign the application)	
<p>Property Owner Name (Print): <u>THE SHOPS AT SADDLE CREEK, INC. - MARK HUDGINS</u> Address: <u>191 N WACKER DR., CHICAGO, IL 60608</u></p> <p>Phone No.: <u>312.849.6789</u> Email Address: _____</p> <p>Signature of Property Owner: TITLE- VICE PRESIDENT</p> <p>Lessee Name (Print): _____ Address: _____</p> <p>Phone No.: _____ Email Address: _____</p> <p>Signature of Lessee: _____</p> <p>Developer Name (Print): <u>TRADEMARK PROPERTIES - CHRIS HERMAN</u> Address: <u>1701 RIVER RUN, STE 500, FT. WORTH, TX 76107</u></p> <p>Phone No.: <u>817.810.5321</u> Email Address: <u>CHERMAN@TRADEMARKPROPERTY.COM</u></p> <p>Signature of Developer: TITLE - VICE PRESIDENT OF CONSTRUCTION</p>	

Planning Commission – Official Application Form
Page 2

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

AGENT/REPRESENTATIVE INFORMATION

Name: CHRIS HERMAN Title: VICE PRESIDENT OF CONSTRUCTION
Company Name: TRADEMARK PROPERTIES Address: 1701 RIVER RUN, STE 500, FT. WORTH, TX 76107
Phone No.: 817.810.5321 Email Address: CHERMAN@TRADEMARKPROPERTY.COM
Who will represent this proposal at the Planning Commission meeting? CHRIS HERMAN AND JENNIFER PEREGOY

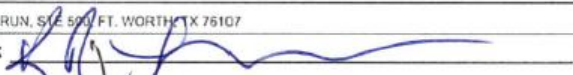
ENGINEER/SURVEYOR INFORMATION

Engineer Name: JENNIFER PEREGOY Address: 6760 POPLAR AVENUE STE 600, MEMPHIS TN 38138
Phone No.: 901.374.9109 Email Address: JENNIFER.PEREGOY@KIMLEY-HORN.COM
Surveyor Name: HARRIS AND ASSOCIATES Address: 6074 APPLE TREE DR #14, MEMPHIS, TN 38115
Phone No.: 901.362.2345 Email Address: JWISEMAN@HARRISASSOCIATESLANDSURVEYORS.COM

DISCLOSURE OF OWNERSHIP INTERESTS

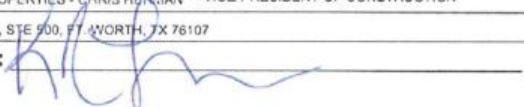

In order to assist staff and appointed and elected officials of the City of Germantown in complying with Ordinances of the City relating to conflicts of interest, the following information is required to be furnished:

- 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.I.T., a trust, or any other form of for-profit business entity, the authorized representative of the Applicant must list below the respective names and business or home addresses of all persons or entities which own 10% or more of the ownership interests in the Applicant. (If another business entity owns 10% or more of the ownership interests in the Applicant, all persons owning a 10% or more interest in such last mentioned entity must be identified by name and business or home address.) (If a trust owns a 10% or more interest in the Applicant, all beneficiaries of 10% or more of the trust assets must be identified by name and business or home address.) The amount of ownership interest does not have to be disclosed.

Applicant: TRADEMARK PROPERTIES - CHRIS HERMAN - VICE PRESIDENT OF CONSTRUCTION
 Address: 1701 RIVER RUN, STE 900, FT. WORTH, TX 76107
 Signature of Applicant: 

Property Owner: THE SHOPS AT SADDLE CREEK, INC. - MARK HUDGINS - VICE PRESIDENT
 Address: 191 N WACKER DR., CHICAGO, IL 60608
 Signature of Property Owner: 

Lessee: _____
 Address: _____
 Signature of Lessee: _____

Developer: TRADEMARK PROPERTIES - CHRIS HERMAN - VICE PRESIDENT OF CONSTRUCTION
 Address: 1701 RIVER RUN, STE 900, FT. WORTH, TX 76107
 Signature of Developer:  

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

Name	Business or Home Address
_____	A single entity, known as Shops at Saddle Creek, Inc., a Florida Corporation owns 100% of the asset on behalf of the employee pension fund of the State Board of Administrative of Florida.
_____	Mark Hudgins is an officer (Vice President) of Shops at Saddle Creek, Inc., but has not ownership interest whatsoever; does any other officer of Shops at Saddle Creek, Inc.



MEMORANDUM

To: Sheila Pounder – City of Germantown Planning Division Manager
From: S. Jarmon Peregoy, P.E.(s)
Kimley-Horn and Associates, Inc.
Date: 3/26/2018
Subject: Saddle Creek Additional Parking – Response Letter

We are requesting an exception to the previously approved drive aisle widths for the Shops at Saddle Creek. In 2013, a 24-foot minimum and 26-foot maximum drive aisle width was approved and recorded. We propose a reduction of the drive aisle to 20' for one-way traffic within the parking deck.

This is required due to the existing limitations within the area of the proposed project. The entrance is constrained by the proposed retaining wall location for the parking deck and the existing transformer that will remain in place. The location of the retaining wall was positioned to avoid the existing screen wall on the west side of the property as well as to achieve the 18' parking stall length. The existing transformer will remain in place to avoid disrupting electric service to the shopping center. The exit is also constrained by an additional existing transformer and three (3) proposed angled parking stalls. The angled parking stalls were provided to maximize parking for the project and for the development. The parking stalls could not be shifted south due to property line constraints.

Please consider this justification for the reduction in drive-aisle for this project. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Jarmon Peregoy", written in a cursive style.

S. Jarmon Peregoy