

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, January 8, 2019**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of City Hall on January 8, 2019. Regular meetings of the Planning Commission are broadcast and recorded electronically. Minutes reflect a summary of the proceedings and actions taken.

1. Mayor Palazzolo welcomed everyone and called the meeting to order at 6:00 p.m.
2. Pam Rush called the roll of the Commission and established a quorum.

Commissioners Present: David Clark, Dike Bacon, Richard Marsh, Keith Saunders, Mike Harless, George Hernandez, Alderman Forrest Owens, Sherrie Hicks, and Mayor Mike Palazzolo

Commissioners Absent: None

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

Mayor Palazzolo stated, "I would like to welcome Richard Marsh as a new member of the Planning Commission. He has been a lifelong Germantown resident and a career banker here in the region. We welcome you to our commission and look forward to working with you through the year."

Richard Marsh answered glad to be here.

Mayor Palazzolo stated the first meeting of the year is protocol to elect officers. There is a quorum this evening, and a motion on the agenda to adopt the revised agenda. During Planning Commission Executive Session, a revised description to one of the posted agenda items was brought forward.

3. Adoption of Revised Agenda:

Mayor Palazzolo stated that the next order of business is the approval of the Adoption of the Revised Agenda.

Mr. Bacon moved to approve the Adoption of the Revised Agenda, seconded by Mr. Saunders.

Chairman Harless asked for a roll call.

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

4. Election Officers:

Mayor Palazzolo declared the floor open for nominations for Chairman.

Mr. Bacon nominated Mr. Harless for Chairman. Mr. Saunders seconded the motion.

Mayor Palazzolo asked if there were any other nominations. There were none. He said he would entertain a motion that the nominations cease and consider Mr. Harless for the position of Chairman.

Since there were no objections, Mayor Palazzolo asked for a roll call.

Roll Call: Hicks –yes; Saunders – yes; Hernandez – yes; Bacon – yes; Harless – abstain; Owens – yes; Clark – yes; Marsh – yes; Palazzolo- yes. **Mr. Harless was elected Chairman of the Planning Commission.**

Mayor Palazzolo stated he would entertain nominations for Vice Chairman.

Chairman Harless nominated Mr. Bacon as Vice Chairman. Mr. Hernandez seconded the motion.

Mayor Palazzolo asked if there were other nominations. There were none. He asked the nominations cease and that Mr. Bacon be considered for the position of Vice Chairman.

Since there were no objections, Mayor Palazzolo asked for a roll call.

Roll Call: Hicks –yes; Saunders – yes; Hernandez – yes; Bacon –abstain; Harless – yes; Owens – yes; Clark – yes; Marsh – yes; Palazzolo- yes. **The Commission members voted unanimously to elect Mr. Bacon as Vice Chairman.**

Mayor Palazzolo then asked for nominations for Secretary.

Mr. Bacon nominated Mr. Hernandez for Secretary. Mr. Clark seconded the motion.

Mayor Palazzolo asked if there were other nominations. There were none.

Mayor Palazzolo moved that the nominations cease and that Mr. Hernandez be considered for the position of Secretary.

Since there were no objections, Mayor Palazzolo asked for a roll call.

Roll Call: Hicks –yes; Saunders – yes; Hernandez – abstain; Bacon – yes; Harless –yes; Owens – yes; Clark – yes; Marsh – yes; Palazzolo- yes. **The Commission members voted unanimously to elect Mr. Hernandez as Secretary.**

5. Approval of Minutes for December 4, 2018:

Chairman Harless stated that the next order of business is the approval of the minutes for the December 4, 2018, meeting. If there are no additions, corrections or deletions to the minutes of December 4, 2018, meeting of the Planning Commission, he would entertain a motion for approval.

Ms. Hicks asked to change her vote on the October minutes to reflect yes, and on the November minutes to reflect abstain.

Mr. Clark moved to approve the Planning Commission minutes of December 4, 2018, seconded by Mr. Saunders.

Chairman Harless asked for a roll call.

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

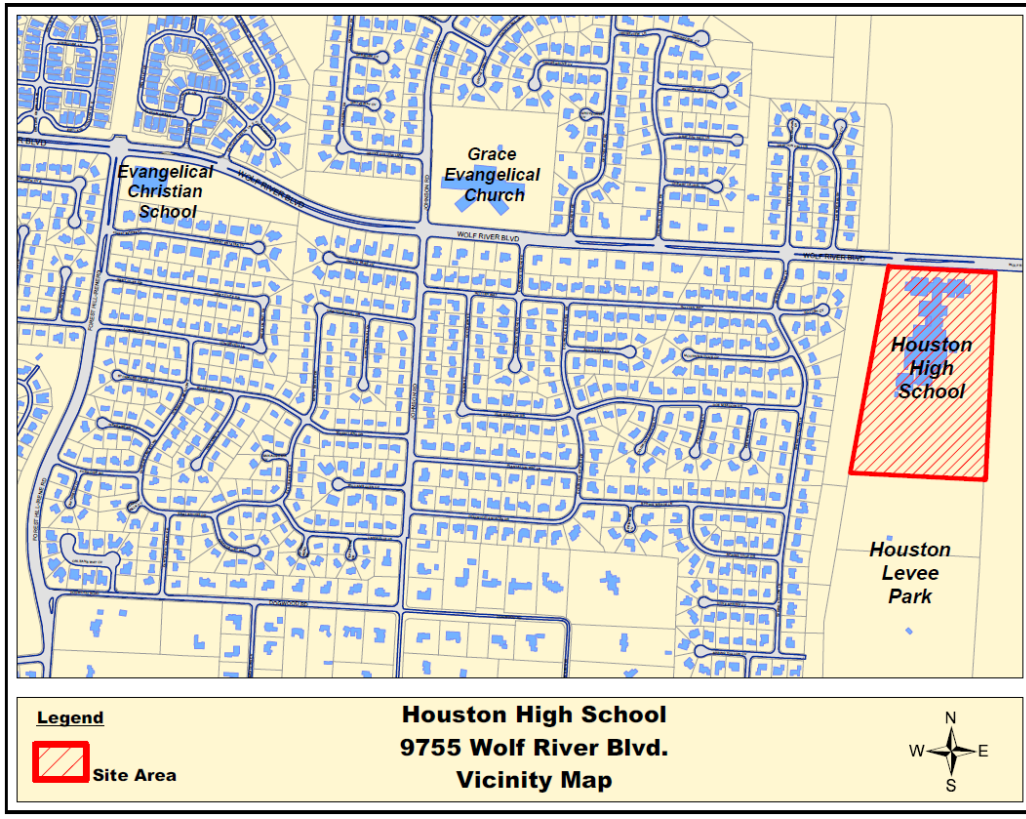
Public Hearing:

6. A. Houston High School – Approval of a Phasing Plan and Revised Final Site Plan

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

INTRODUCTION:

Case Number:	18-845
Location:	9755 Wolf River Blvd.
Property Owner/ Applicant:	Germantown Municipal School District (GMSD) – Jason Manuel, Superintendent
Representative Name:	Fleming Architects - Steve Landwehr, Agent
Current Zoning District:	“R” Low-Density Residential District
Area:	44.94 acres
Description of Request:	Approval of a Phasing Plan for Future Building Modifications and Additions, and Approval of a Revised Final Site Plan to Allow for a New Accessory Building and a Renovated Accessory Building (Field House and Concession Stand)



REVISION: As part of this request, the applicant has submitted revised plans and drawings to include the renovated concession stand (previously shown as phase 4, now to be phase 2). Members of the Technical Advisory Committee (TAC) have been provided with revised drawings and additional TAC comments are listed below. On December 28, 2018, the applicant held a neighborhood meeting for the project.

BACKGROUND: Houston High School was constructed by the Shelby County Board of Education in 1988. In 2003, a building addition was constructed. The property was transferred to the Germantown Municipal School District when that entity was created in 2014. On December 11, 2018, the Board of Zoning Appeals approved a use on appeal to allow additional accessory uses, specifically expanded athletic and arts facilities for the high school.

DISCUSSION: The proposed request for the Houston High School property consists of two components: 1) approval of a 4-phase plan for the expanded sports and arts facilities; and 2) approval of a revised site plan for phases 1 and 2 (athletic field house and concession stand).

Phasing Plan: The project would be a four phase expansion to the school’s athletic and arts facilities, consisting of the following phases: 1) new athletic field house (12,480 sq. ft.); 2) renovation of the previous band storage building into a concession stand, the “Paddock” (3,200 sq. ft.); 3) building expansion of the band room (approximately 4,000 sq. ft.); 4) building expansion to the performing arts center (approximately 14,000 sq. ft.); and. The four phase expansion is projected to commence in spring 2019 and be completed by the end of 2020.

PHASING PLAN SUMMARY:

TOTAL SITE AREA	44. 94 ac.
Existing Surface Parking Spaces:	753
Existing Building Area	266,104 s.f.
Proposed Building Expansions (estimated)	36,380 s.f.
<i>Phase 1 - Athletic Field House</i>	<i>(12,480 s.f.)</i>
<i>Phase 2 – The Paddock Concession Stand</i>	<i>(3,200s.f.)</i>
<i>Phase 3 – Performing Arts Building Expansion</i>	<i>(14,000 s.f.)</i>
<i>Phase 4 – Band Hall Expansion</i>	<i>(4,000 s.f.)</i>
Total Proposed Building Area	302,484 s.f.
Total Building Coverage	15.4%

Revised Site Plan – Phases 1 and 2: The second portion of the current request is for approval of a revised site plan for phase 1, a new athletic field house (12,480 s.f.), and phase 2, a renovated concession stand (3,200 s.f.). The applicant has provided site plan and utility drawings for the field house as well as a conceptual drawing (see p. 7 of this staff report).

STAFF COMMENTS:

A. PRIOR TO CONSTRUCTION PLAN APPROVAL (To be addressed in the construction plan drawings)

1. Phasing plan. The applicant shall revise the phasing plan as follows: phase 1 (field house), phase 2 (concession stand), phase 3(band hall expansion) and phase 4 (performing arts building expansion).
2. Easement plan. The applicant shall submit an easement plan showing all utilities and easements on the entire high school property site. The applicant recognizes that the location of utilities and easements could affect the placement of the proposed building expansions.
3. All TAC comments listed below shall apply.

B. GENERAL REQUIREMENTS:

1. Following Planning Commission approval, the applicant shall submit to the Design Review Commission for revised site plan, building elevation and landscaping plan approvals.
2. Subsequent phases shall return to the Planning Commission and Design Review Commission, respectively, for review and approval for the revised final site plan for those specific phases.
3. All recorded easements shall be shown on the final site plan. A five (5) foot utility easement is required along all property lines, adjacent to and not within any other easement.

4. 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.
5. If approved, all materials shall be specified on the construction plans for the proposed project. The applicant must receive Final Construction Plan approval from the Department of Community Development before the Memphis/Shelby County Office of Construction Code Enforcement may issue a building permit for the project.
6. The applicant is required to include the following formal written statement by a certified and licensed professional engineer to be placed on the grading and drainage plans, signed, dated and sealed:
7. I, _____, a duly licensed professional engineer in the State of Tennessee, hereby certify that I have designed the drainage in accordance with the Design Standards of the City of Germantown and have considered upstream and downstream conditions that affect drainage to include topography, present and future land use, existing zoning, and location of natural water courses.
8. No owner, developer, or tenant of property within the subdivision shall commit an act, or allow a condition to exist on property within the subdivision, which act or condition endangers life or health, violates the laws of decency, or obstructs or interferes with the reasonable and comfortable use of other property in the vicinity.
9. The Developer agrees to comply with the following requirements, unless otherwise authorized in writing by the City Engineer:
 - (a) All streets shall be kept clear and free of dirt and debris;
 - (b) All construction activity shall begin no earlier than 7:00 a.m. and end no later than 6:00 p.m., Monday thru Saturday, and no construction activity shall be permitted on Sundays; and
 - (c) The Developer and Lot Purchasers shall provide the Department of Community Development with the name, address and phone number of person(s) to be contacted and responsible for correcting any of the above should the occasion arise to do so.
10. Total acres disturbed shall be provided. If over an acre is being disturbed, a NOC is required for TDEC for the NPDES, Phase II. The NOC shall be posted on the site at all times and the stormwater reports/documentation/inspections shall be available at all times. The SWPP shall be posted at the site and available. Inspections must be performed by personnel who have completed the Level I – Fundamentals of Erosion Prevention and Sediment Control course.

TAC COMMENTS: On December 12th, the Technical Advisory Committee (TAC) met and requested that the applicant revise the submitted plans to provided information on proposed landscaping, lighting, and drainage. Following the Planning Commission Subcommittee meeting on December 19th, the applicant submitted revised plans, which were distributed to TAC members for their review. New, additional TAC comments from the second review or responses to applicant's currently revised plans and drawing are shown below in **BOLD italics**:

Planning:

1. Following Planning Commission approval, the applicant shall submit to the Design Review Commission for revised site plan, building elevation and landscaping plan approvals. ***Will comply.***
2. Subsequent phases shall return to the Planning Commission and Design Review Commission, respectively, for review and approval for the revised final site plan for those specific phases. ***Will comply.***
3. Easement plan. The applicant shall submit an easement plan showing all utilities and easements on the entire high school property site. The applicant recognizes that the location of utilities and easements could affect the placement of the proposed building expansions. ***Will comply.***
4. Field House Location. The southeastern corner of the field house should be moved to be 10' from the curb, so as not to block visibility on the internal road. ***Revised.***
5. Trash/Dumpster Location. Show the trash location for the field house. ***Using existing dumpsters.***

6. For Design Review Commission application submittal for Phase 1 (Field House), revise the following (in addition to standard application submittal requirements):
 - a. Tree Mitigation Plan. The tree plan table shall be revised into two separate columns (remove/remain), with the total number of trees and total amount of caliper listed at the bottom of the table. **Revised.**
 - b. Landscape Plan. Revise to clearly show all proposed plantings, hardscape and sod areas. **Revised.**

Engineering:

1. Either use 1" or 2" service line for domestic water. **See revised utility plan.**
2. Show a valve at the wet tap for fire protection line. **See revised utility plan.**
3. Show where roof drainage ties to storm drainage system. **Downspouts will be taken underground to trench grate drain to east of Field House. See utility plan.**
4. Buildings should be placed at least 5 feet behind sidewalks along drives. **Now compliant.**

Neighborhood Services:

1. The site plan should address how solid waste generated from new facility is going to be addressed. **Will be using existing school dumpsters.**
2. Public meeting with surrounding neighborhoods should be held to present the plan. **This was held on December 28, 6pm, at Houston High School.**
3. **Plan for the possibility that this facility might need a separate dumpster area, even if they do not install it at this point.**

Public Works:

1. Please consider moving the proposed field house further away from the existing road. **Now compliant.**
2. Please ensure that access to Houston Levee Park is not impeded by the proposed structure. **Now compliant.**
3. **Please provide the water service line connection to serve the concession stand and bathrooms**
 - a. **An additional water meter may need to be provided (1 for the field house and another for the concession stand and bathrooms).**
4. **Please provide the pipe material, diameter and dimensions for all proposed sanitary sewer, water mains, and water and sewer service lines.**
5. **It is recommended that the proposed 2" water service line be placed in a sleeve being that it is proposed under pavement.**

Police:

1. Interior perimeter road access around the school and to Houston Levee Park shall not be impeded. **Will comply.**

Fire Marshal:

1. Each phase of this project will require full plan review at both the state and local level. **Will comply.**
2. Germantown Fire Dept. would prefer a wall mounted FDC on the proposed field house. **Will comply.**
3. Storage of combustibles or any combustible items, buildings, etc. located underneath bleachers must comply with International Fire Code (2012) Section 304.1.3. **No storage proposed under bleachers.**
4. All standard conditions apply, as provided to the applicant in a separate document.
5. **Both the field house and the concession stand shall require separate permits through the City of Germantown Fire Dept.**
6. **The field house will require a separate permit through the State of Tennessee Fire Marshal's office.**
7. **All points of the concession stand shall be within 150 ft. of an approved FD access roadway.**
8. **Any cooking devices that produce grease laden vapors that are located in the concession building or under the canopy are required to have a type I hood with a fire suppression system meeting UL 300.**

Parks:

No comments provided.

Economic Development:

No comments provided.

Germantown Municipal School District (GMSD):

No comments provided.

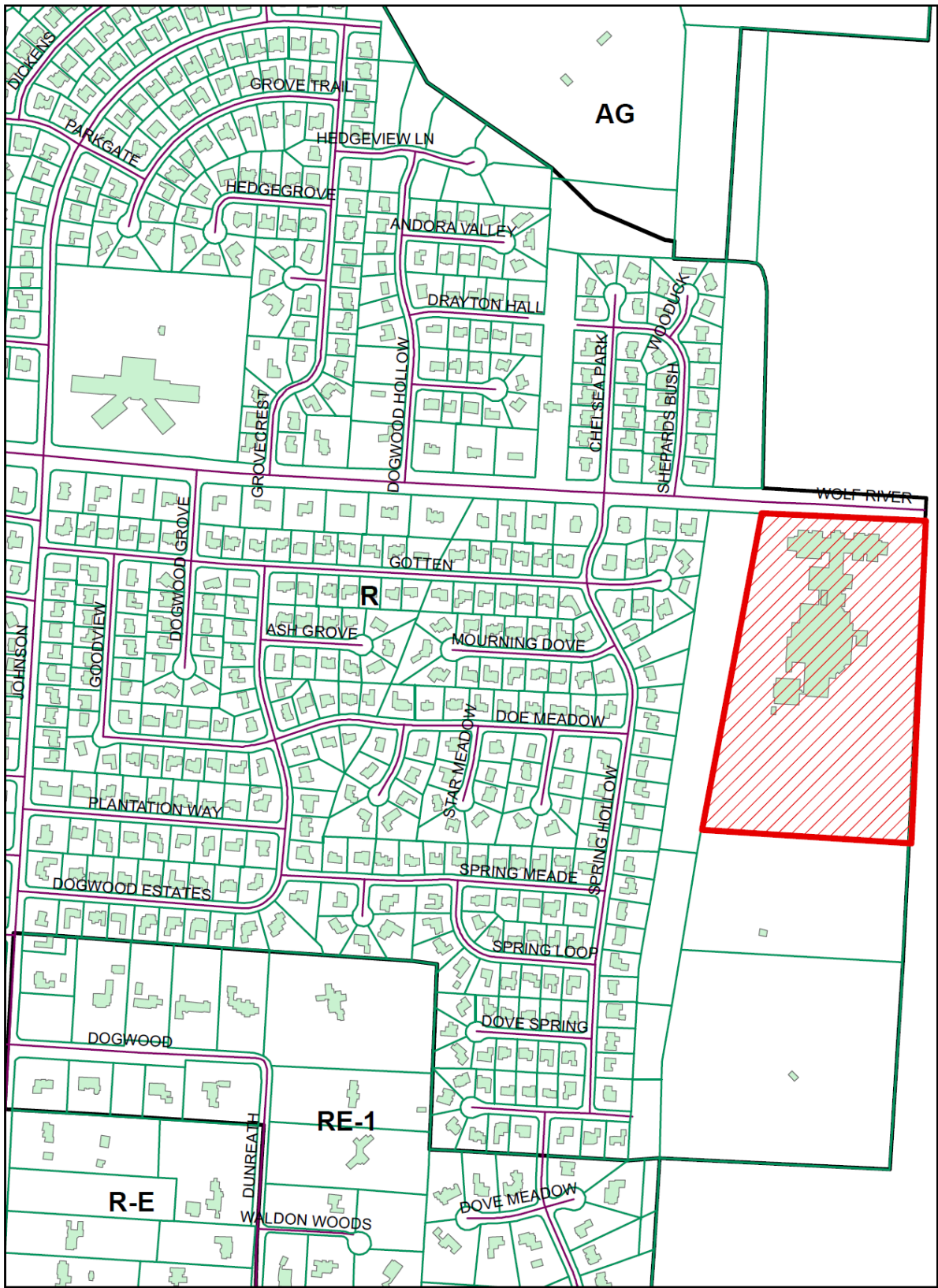
STAFF RECOMMENDATION: Approval of a Phasing Plan for Future Building Modifications and Additions, and Approval of a Revised Final Site Plan to Allow for a New Accessory Building and a Renovated Accessory Building (Field House and Concession Stand) at Houston High School (9755 Wolf River Blvd.), subject to the comments and conditions listed above and the plans and documents submitted with the application.

ECD CERTIFICATION: The Director of the Department of Economic and Community Development certifies this application as meeting the terms of the Zoning Ordinance upon which relief is sought.

SUBDIVISION & SITE PLAN REVIEW COMMITTEE ACTION:

The Subcommittee met on December 19, 2018, and recommended that the application be placed on the next Planning Commission agenda for action, subject to the Subcommittee discussion, comments in the staff report, and the plans and documents filed with the application, as well as pending that the applicant hold a neighbor meeting. The applicant has complied.

PROPOSED MOTION: Approval of a Phasing Plan for Future Building Modifications and Additions, and Approval of a Revised Final Site Plan to Allow for a New Accessory Building and a Renovated Accessory (Field House – Phase 1 and Concession Stand – now Phase 2) at Houston High School (9755 Wolf River Blvd.), subject to the comments and conditions listed above and the plans and documents submitted with the application.



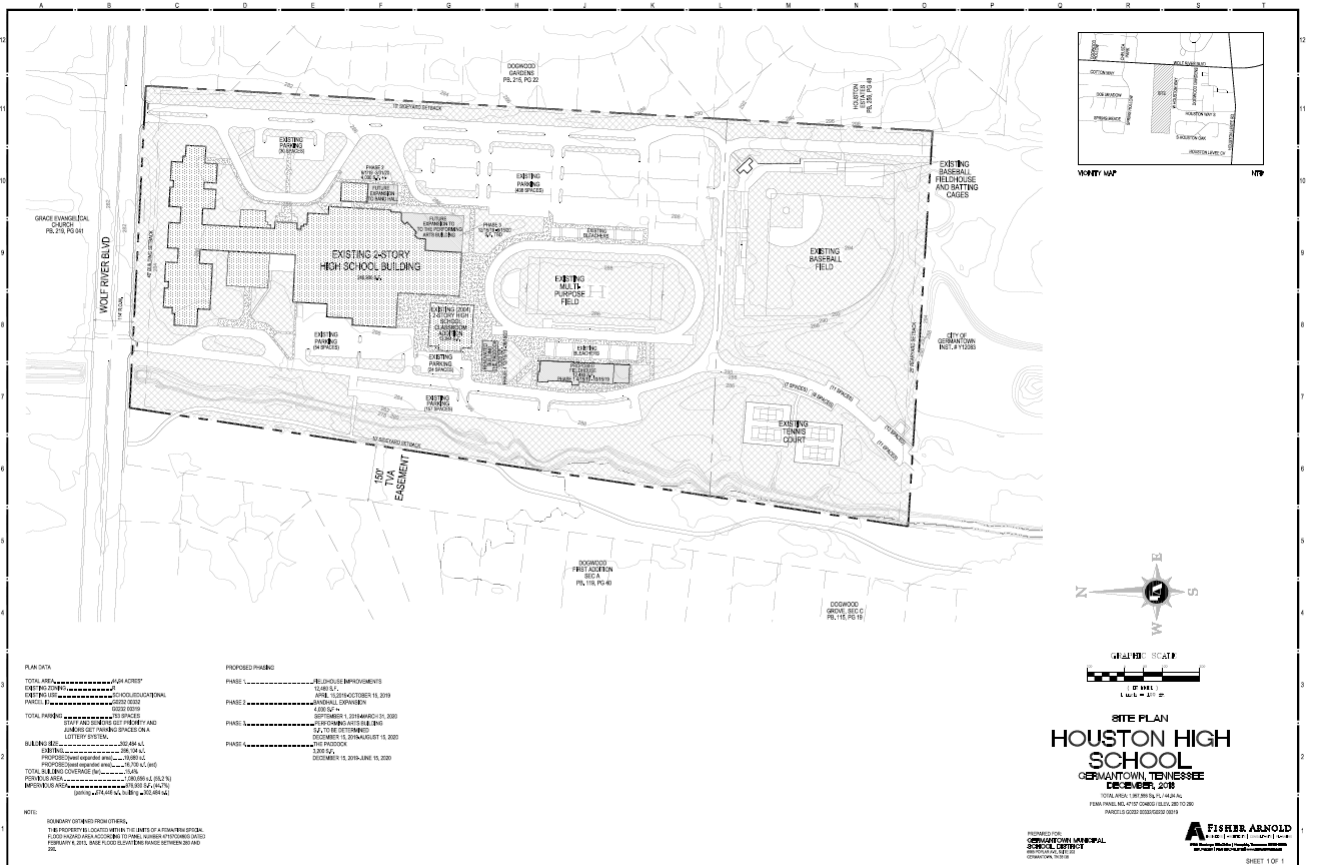
ZONING MAP

EXISTING CONDITIONS

See enlarged plans included with supplemental materials



PROPOSED SITE PLAN



PROPOSED PHASE 1 – FOOTBALL FIELD HOUSE



PROPOSED PHASE 4: THE PADDOCK CONCESSION STAND







December 5, 2018

Mr. Cameron Ross, AICP
Economic and Community Development Director
City of Germantown
1930 South Germantown Road
Germantown, TN 38138

Dear Cameron:

On behalf of the Germantown Municipal School District, we are applying for Preliminary and Final Site plan approval for the Houston High School Athletic Field House and Concessions Pavilion as shown in the attached documents. The subject property is located on the south side of Wolf River Blvd approximately 790 feet west of Dogwood Gardens Drive. The subject property is zoned R and contains 44.94 acres. The plan being pursued is as follows:

1. A new, stand-alone accessory use Athletic Field House which will contain a weight room, training room, laundry room, head coach and assistant coach's offices, freshman and JV/Varsity locker rooms, positions classrooms, and an equipment storage room.
2. Renovation of an existing metal building, currently used for band storage, for a new restroom and concession pavilion for all sports events.
3. The site immediately surrounding the Athletic Field House and Concessions Paddock will be developed into a fan zone with improved street sidewalks, walkways, lighting, fencing, and seating areas, as well as archways at the north and south ends of the drive that circulates to the west of these new/renovated buildings.
3. The 4,000 s.f. Band Room addition and renovation and expansion of the existing Theater/Auditorium presented to the BZA in our recent application will be presented at a later date.

Houston High School's athletic programs are growing, and the construction of this new Athletic Field House will provide the space required for proper training for all sports. The proximity of the Field House is convenient as well for all sports utilizing the turf field. Relocating the football locker rooms, and coach's offices will also free up space in the existing school for other sports to utilize. The plan does not impact existing parking, additional parking is not required to support these newly programmed spaces, and there is no fiscal impact as a result of this plan.

In addition to the required information provided in the packet, we are also including plans, elevations, and preliminary renderings of the first two items listed above.

We are happy to provide any additional information at your request.

We hope you find the application in order and look forward to working with the Planning Commission and with the City's Staff on this project.

Respectfully,

FLEMING ARCHITECTS

A handwritten signature in blue ink, appearing to read "Steve Landwehr", written over a horizontal line.

Steve Landwehr
Principal



6685 Poplar Ave. Suite 202 • Germantown, TN. 38138 • 901.752.2900 • Fax 901-757-6479 • www.gmsdk12.org

December 14, 2018

Dear Neighbor,

The Germantown Municipal School District would like to invite you to a neighborhood meeting to inform you and the rest of our neighbors about our exciting plans to enhance the campus of Houston High School. Recently, generous donors, in concert with the City of Germantown, The Germantown Municipal School District, and Houston High Athletics and the Arts Foundation, have come together to fund a multi-million dollar expansion to Houston High School.

This expansion is expected to take place in Phases, with Phase I starting as early as the Spring of 2019, and subsequent Phases starting in the third or fourth quarter of 2019. All Phases of work are expected to wrap up no later than the end of 2020.

- Phase I is the addition of an Athletic Field House which will provide all athletes of Houston High School with a state-of-the-art weight room. This will also be the new home of the Houston High School Football Mustangs locker room which will free up the existing locker rooms for new programming.
- Phase II is the addition of a new band storage and practice room which will be connected to the existing school instead of in a remote metal building away from the other musical functions of the school.
- Phase III will be the renovation, and possible expansion, of the existing Auditorium where all of Houston High School's productions are staged.
- Phase IV is the renovation of the existing band storage building into a new concessions pavilion/paddock and restrooms, as well as enhancing the area surrounding the structure for a more lively and engaging fan zone experience.

We hope that you will join us for our meeting where we will present the project in more detail and present architectural renderings of the 1st and 4th phases of the project.

The meeting will take place on **Friday, December 28 at 6:00 pm in the Circulation Library of Houston High School.**

We look forward to seeing you there.

Sincerely,
Joshua Cathey
Chief of Operations
Germantown Municipal School District

Germantown Municipal Schools offers educational and employment opportunities without regard to race, color, creed, national origin, religion, sex, age, or disability and adheres to the provisions of the Family Education Rights and Privacy Act (FERPA).



CITY OF GERMANTOWN TENNESSEE

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

DATE RECEIVED: _____
RECEIVED BY: _____

PLANNING COMMISSION OFFICIAL APPLICATION FORM

TYPE OF APPLICATION

(Check all that apply):

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

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

PLANNED USE DEVELOPMENT'S (PUD) ONLY:

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

PROJECT INFORMATION

(Provide Additional Pages as Needed)

Project Name: Houston High School Athletic Field House and Concession Pavilion
 Address/Location: 9755 Wolf River Boulevard
 Project Description: New Athletic Field House and the renovation of the existing band building to a new concession pavilion with restrooms.
 No. of Acres: 32.02 Parcel Identification Number(s): G0232 00319

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 & Title (Print): Germantown Municipal School District Address: 6685 Poplar Avenue, Ste. 202
 Phone No.: 901-752-7900 Email Address: jason.manuel@gmsdk12.org
 Signature of Property Owner: [Signature]
 Lessee Name & Title (Print): Jason Manuel Address: _____
 Phone No.: _____ Email Address: _____
 Signature of Lessee: _____
 Developer Name & Title (Print): _____ Address: _____
 Phone No.: _____ Email Address: _____
 Signature of Developer: Contractor TBD

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

APPLICANT INFORMATION	
Name: <u>Jason manuel</u>	Title: <u>Superintendent</u>
Company Name: <u>Germantown Municipal School District</u>	Address: <u>6685 Poplar Avenue, Ste. 202</u>
Phone No.: <u>901-752-7900</u>	Email Address: <u>jason.manuel@GMSDK12.org</u>
Who will represent this proposal at the Planning Commission meeting (name & title)? <u>Steve Landwehr, Fleming Architects</u>	
ENGINEER/SURVEYOR INFORMATION	
Engineer Name: <u>Michael Rogers</u>	Address: <u>9180 Crestwyn Hills Dr., Memphis, TN 38125</u>
Phone No. <u>901-748-1811</u>	Email Address: <u>mrogers@fisherarnold.com</u>
Surveyor Name: _____	Address: _____
Phone No.: _____	Email Address: _____

DISCLOSURE OF OWNERSHIP INTERESTS

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

- For-Profit Entities.** If the Applicant (including all owners, lessees and developers) submitting this Application ("Applicant") is a for-profit entity, i.e. sole proprietor, general partnership, limited partnership, corporation, limited liability company, RE.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 Name & Title: N/A

Address: _____

Signature of Applicant: _____

Property Owner Name & Title: Jesse Manuel Superintendent

Address: _____

Signature of Property Owner: J. Manuel

Lessee Name & Title: N/A

Address: _____

Signature of Lessee: _____

Developer Name & Title: Contractor TBD

Address: _____

Signature of Developer: _____

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

Name	Business or Home Address
_____	_____
_____	_____
_____	_____
_____	_____

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 Name & Title: Jason Manuel, Superintendent, Germantown Municipal School District
Address: 6685 Poplar Avenue, Ste. 202
Authorized Signature for Applicant: *J Manuel*

President or Equivalent Chief Executive Officer: Jason Manuel, Superintendent, Germantown Municipal School District
Address: 6685 Poplar Avenue, Ste. 202
Signature: *J Manuel*

Members of the Board of Directors of the Applicant:

Name	Business or Home Address
_____	_____
_____	_____
_____	_____
_____	_____

****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.

BOARD DISCUSSION:

Chairman Harless asked if there were any questions of staff.

Mr. Bacon asked what is the schedule of the project.

Ms. Goralewski answered the schedule is to start this spring. The applicant would like all four phases to be completed by the end of 2020.

Chairman Harless invited the applicant up to discuss the project.

Steve Landwehr with Fleming Architects 5101 Wheelis Drive, Memphis, TN 38117, made a presentation. I think Sarah Goralewski did a great job of presenting what we are bringing before you tonight. We are working on some of the other requests from the Planning Commission Subcommittee. The easement plan requested will be completed by the end of this week. The sidewalk in front of the field house should be extended, but how far? Mr. Jason Manuel (Superintendent for GMSD) was at the Planning Subcommittee meeting, and I will follow up on more details with him.

Ms. Goralewski clarified that the sidewalk extension will be beyond the football field, to connect to Houston Levee Park.

Mr. Landwehr stated that there is an emergency access route there.

Ms. Hicks stated it's the sidewalk extending past the curb cut. It goes south right now, and my comment was to bring it further round to the south, where the street meets into the park. Students who park by the tennis courts can walk up to the school on the street, crossing the two lanes of traffic in the morning, and now they would have a sidewalk to be able to walk into school.

Mr. Landwehr noted so it's not to take the sidewalk further south into the park itself. It's just to take it basically to the intersection of the road that runs east/west and north/south.

Ms. Hicks answered that is correct.

Chairman Harless asked Mr. Landwehr why the originally proposed phase four (the concession stand) has now become phase two (previously the band room expansion)?

Mr. Landwehr stated it's a little bit of a misunderstanding there. Fleming Architects has been contracted to design everything construction document-wise on the west end of the property, thus the field house (phase 1) and the concession stand (originally phase 4). For us, it is easy to generate the topographical survey of this general area, and design the two components of the project that will be complimentary to each other. By making the concession stand phase 2, there is the logistical issue of finding a place for all the band equipment that currently resides in the metal building (which will be converted into the concession stand). If one could find a place short term to store the band equipment and if funding is available, the concession stand portion of the project can move forward now.

Mr. Bacon stated it's complicated, as these two buildings on the west side would be built at the same time.

Mr. Landwehr stated not necessarily. Fleming Architects was contracted to design both the field house and the concession stand at the same time, because of the location, and is seeking approval of the two buildings that we designed. They do not necessarily need to be built at the same time.

Mr. Saunders asked are we approving the project in the general phases, or we looking at these having to be actual 1, 2, 3, and 4 phases. It appears to me that phasing would be based on what they can do with their funds or move the equipment around. If you approve phase 1 and 2 and it turned out to be phase 4, the applicant would have to come back to us.

Chairman Harless noted I think if we approve Phases 1 and 2, as presented, and then the applicant decides to go to Phases 1 and 3, the applicant is going to have to come back to the Planning Commission for Phase 3. That's understood, right?

Mr. Landwehr noted that is understood. We will certainly come back for phase 3, which is the additional of the Performing Arts Building expansion, which is on the eastside. Phase 1 is the Athletic Field House, phase 2 is the Paddock Concession stand pavilion, phase 3 is the Performing Arts Building expansion, and phase 4 is the Band Hall expansion.

Mr. Ross noted just for clarification based on the ordinance, there is no requirement to go in numerical order of the phases. It does make it a little awkward to start with phase 1 then move to phase 4 and then come back to phase 3 and 2. But that is certainly how they can do it, if they would like to. The other thing that Ms. Pounder mentioned is when they come back with phase 3 and phase 4 for final plans, the applicant can redo the order of those phases and clear it up at that point.

Ms. Hicks asked with regards to that water that pools between the proposed field house and concession stand areas, is there anything being done. Does that drain work?

Mr. Landwehr noted we will have our civil engineer look at that drain to see if it's correctly sized. The area we are speaking about is just to the south of the existing current band room storage. This area will need some grading, as there is standing water. The foundation sits on the west side, about a foot to foot and half off grade. The east end of the building is level with the asphalt that runs around the running track. We are looking to improve the drainage with grading the area. The civil engineer will be checking on that.

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.

MAIN MOTION: Mr. Bacon moved to approve Phasing Plan for Future Building Modifications and Additions, and Approval of a Revised Final Site Plan to Allow for a New Accessory Building and a Renovated Accessory (Field House – Phase 1 and Concession Stand – now Phase 2) at Houston High School (9755 Wolf River Blvd.), subject to the comments and conditions listed above and the plans and documents submitted with the application, seconded by Mr. Saunders.

Chairman Harless asked for a roll call.

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

Mr. Bacon voted yes; this is a very exciting addition to Houston High School and will have a lot of impact to the sport facilities.

Mr. Saunders voted yes; I would like to echo Mr. Bacon's comments. I think this brings Houston High School up to par with what is going on in high school sports. I think it's a great addition to our school.

Chairman Harless said congratulations and the motion passes.

Chairman Harless stated the next step for this is to go to the Design Review Commission. When you get further into the project, you will probably need to have another neighbor meeting to keep them in the loop on the project.

6. B. Amendments to Chapter 17 (Subdivision) of the City’s Code of Ordinances

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

INTRODUCTION:

Case Number:	18-835A
Applicant Name:	City of Germantown Planning Commission
Request:	Approval of an Amendment to the Parkland Dedication (Sec. 17-60) Ordinance

UPDATE: On November 6, 2018, the Planning Commission considered this request at their regular meeting. At the recommendation that the city attorney research the legal requirements of the proposed amendments, the Planning Commission tabled the item until clarification has been provided. Specifically, the question was pertaining to the proposed amendment to remove the language that the payment in-lieu of parkland dedication be used in the park district in which the development is located.

Planning Division staff met with the Parks Director, who confirmed that there are not specific park districts in the city of Germantown. Parks are categorized as neighborhood parks and comprehensive park complexes on a city-wide level and that the Parks Master Plan does not identify park districts. Unlike a public school system, in which certain neighborhoods are typically assigned to certain schools, both neighborhood parks and comprehensive park complexes in Germantown are available to residents city-wide and are not intended only for one specific area of the city. Per the Parks Director, the payments in-lieu of parkland dedication should be used for parkland priorities outlined in the Parks Master Plan, as adopted by the Board of Mayor Aldermen.

The City Attorney has reviewed the proposed ordinance amendments and finds that the proposed text amendments are acceptable as written.

BACKGROUND: The proposed text amendments to the Subdivision (Chapter 17) ordinance are to more appropriately assess the impact of development projects as related to parkland dedication.

- **Parkland Dedication:** Although all residential projects benefit from parkland, not every residential zoning district requires parkland dedication. Specifically, the current ordinance does not require residential projects in the following zoning districts to assess parkland dedication: retirement housing (R-H) and all SmartCode areas (T3, T4, T4R, T5, T5R and T6). Additionally, payment in-lieu of parkland dedication fees should be allowed to be used for the purchase and/or capital improvement of any existing or potential parkland location in the city, in accordance with the recently adopted Parks Master Plan. The current ordinance states that fees should be used only in the park district in which the development is located.

DISCUSSION: In July 2018, Planning Division staff met with the Parks Director to discuss the proposed amendments and a plan to move forward. Since then, Planning Division staff has met with the Parks and Recreation Commission (August 23, 2018) to discuss the proposed amendment language. All are supportive of a proposed text amendment to allow for parkland dedication to apply to all residential projects. The proposed text amendments are on p. 3 of this staff report.

STAFF COMMENTS:

1. Following recommendation from the Planning Commission, the proposed text amendments will be reviewed by the Board of Mayor and Aldermen for final consideration.

2. The purpose of the text amendments to Chapter 17 (Subdivision) is to require parkland dedication for any residential project, and also to allow the in-lieu fee to be used at any current or potential parkland location in the city.

STAFF RECOMMENDATION: Approval.

ECD CERTIFICATION: The Director of the Department of Economic and Community Development certifies this application as meeting the terms of the Zoning Ordinance upon which relief is sought.

ZONING AND ANNEXATION SUBCOMMITTEE REPORT: The Subcommittee met on December 19, 2018, and recommended that this item be considered at the regular Planning Commission meeting on January 8, 2019, pending review of the proposed ordinance amendment by the City Attorney. This has been completed.

PROPOSED MOTION: To approve amendments to the Parkland Dedication (Sec. 17-60) Ordinance, subject to the Commission's discussion, staff comments and conditions in the staff report and documents filed with the application.

PROPOSED TEXT AMENDMENTS (all changes shown in red):

Sec. 17-60. - Parkland.

(a) *General.* In all residential developments in any zoning districts, including but not limited to: AG, R-E-10, R-E, R-E-1, R, R-1, R-2, R-3, ~~and~~ R-T, R-H, T3, T4, T4R, T5, T5R and T6, the planning commission and the board of mayor and aldermen shall require dedication to the city, free and clear of all liens and encumbrances, land to be used exclusively as a neighborhood park in the amounts set forth in subsection (b) of this section or, at the city's option, a payment in lieu of dedication according to the formula and in the manner as set forth in subsection (b) of this section, or at the city's option a combination of dedication and payment. Provision for such dedication and/or payment shall be included in the design plans submitted to the planning commission for preliminary approval of such residential development. A copy of the design plans submitted for preliminary approval shall be furnished to ~~Parks Director the park and recreation commission~~ **Parks Director** at the time such plans are submitted to the planning commission. The ~~parks and recreation commission~~ **Parks Director** shall be given the opportunity to recommend either acceptance of the proposed dedication or payment in lieu of such dedication, or a combination thereof. In no event, however, shall the ~~Parks Director park and recreation commission~~ **Parks Director** delay the review process of the proposed development, and the ~~Parks Director park and recreation commission~~ shall be deemed to have waived ~~its~~ the opportunity for such recommendation if such recommendation is not received by the planning commission prior to the date scheduled by the planning commission for preliminary approval of the residential development.

(c) *Payment in lieu of dedication.* Should the formula in subsection (b) of this section result in an amount of land less than one acre, or should the city determine that the proposed dedication, or a portion thereof, is unsuitable for use as parkland for reasons including, but not limited to, size, shape, topography, subsoil's, accessibility, location, utility or compatibility with the master park plan formulated by the park and recreation department (a copy of which is incorporated in this subsection by reference), the city shall require the developer of the residential development to pay to the city prior to execution of the development contract an amount representing the value of the proposed dedication at the time of submission of the design plat as determined by appraised fair market value for the type of development established by a MAI certified appraiser. If the total lots in the development are five or less and, in the opinion of the city, the total parkland cash equivalent will produce a payment of less than \$1,000.00, the developer will pay \$100.00 per lot under this article, and no appraisal will be obtained at cost to the city. Should the developer disagree with the value placed on such parcel by the appraiser, the developer shall have the right to engage additional MAI appraisers at his cost to provide additional appraisals. The city may at its option accept as payment the average value of appraisals so obtained. Any such payments to the city must be made immediately upon execution of the development contract and prior to commencement of any construction, and shall be deposited in a special account segregated from the general funds of the city. They shall be used exclusively, ~~within a reasonable period of time and in any event no more than 12 months following the date of acceptance of the subdivision by the city and release of the bond by the city,~~ for purchase of parkland or

capital improvement of city present parkland ~~within the park district~~, as set forth in the parks master plan ~~, in which the development from which such payment is derived is located~~. The land purchased for the parkland, or the funds used for capital improvement to parkland, should be for parkland in such proximity to the proposed residential development, that residents of such proposed development might reasonably be expected to make use of such parkland. ~~The use of such funds shall be deemed to have occurred for the purposes of this subsection (c) upon the initial expenditure of any portion of a payment in lieu of dedication for the purposes set forth in this subsection (c).~~

BOARD DISCUSSION: No additional comments.

MAIN MOTION: Mr. Bacon moved to approve amendments to the Parkland Dedication (Sec. 17-60) Ordinance, subject to the Commission's discussion, staff comments and conditions in the staff report and documents filed with the application, seconded by Mr. Saunders.

Chairman Harless asked for a roll call.

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

Mr. Bacon voted yes; he would like to comment staff and particularly Ms. Goralewski for her tremendous amount of time and effort wading through this and parts of the language. Also for working with the City Attorney to get this correct.

Mr. Clark voted yes; it was mentioned in the Planning Commission Executive Session about potentially using the funds within a twelve month period; I believe that is a reasonable time frame in which to use the collected funds for new parkland.

Ms. Hicks voted yes; I want to second what Mr. Bacon said, it's been a challenge to keep up with all the red-lined revisions. Thank you for all your work on this.

Chairman Harless said congratulations and the motion passes.

Chairman Harless stated Mr. Ross, you and your staff did an excellent job on this.

There was no old or new business to come before the Commission.

There were no liaison reports.

ADJOURNMENT: The meeting adjourned at 6:31 p.m.