

**PLANNING COMMISSION MEETING
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, July 6, 2010**

The regular meeting of the Planning Commission was scheduled and held in the Council Chambers of the Municipal Center on July 6, 2010. Chairman Klevan welcomed everyone and asked the Commission members as well as the audience to please speak into the microphone so they could be heard. Chairman Klevan then called the meeting to order at 6:00 p.m. asking the secretary for the roll.

Ms. Rush called the roll of the Board to establish a quorum:

Commissioner Present: Rick Bennett, Alderman John Drinnon, David Klevan, Lisa Parker, Susan Burrow, Dike Bacon, Mike Harless.

Commissioner Absent: Forrest Owens

Staff Present: Jerry Cook, Wade Morgan, Katie Graffam, Tim Gwaltney, and Pam Rush.

A quorum for tonight's Planning Commission meeting was established.

1. Approval of Minutes for May 4, 2010

Chairman Klevan stated for those people who just arrived, tonight's agenda is on the front table. The first order of business is the approval of the minutes for May 4, 2010. If there were no additions, corrections or deletions to the minutes of the May 4, 2010, meeting of the Planning Commission, he would entertain a motion for approval.

Ms. Burrow moved to approve the Planning Commission minutes of May 4, 2010, as submitted, seconded by Alderman Drinnon.

Chairman Klevan asked for a roll call.

Roll Call: Bennett – yes; Burrow – yes; Drinnon – yes; Parker – yes; Bacon – abstain; Harless –yes; Owens - absent; Klevan – yes. **The motion was passed**

2. Lot 9, Forest Hill-Irene Commercial Subdivision – 2999 Centre Oak Way – Request Preliminary and Final Site Plan Approval

INTRODUCTION:

Applicant Name: **Cindy Reaves w/ SR Consulting, LLC – Representative**
Location: 2999 Centre Oak Way
Current Zoning District: "C-1" Neighborhood Commercial
Description of Request: **Request Preliminary and Final Site Plan Approval**

BACKGROUND: On June 14, 2004, the Board of Mayor and Aldermen (BMA) approved the rezoning from "R-T" Residential Multi-Family to "C-1" Neighborhood Commercial. The entire property is now zoned "C-1" Neighborhood Commercial. On July 6, 2004, the Planning Commission (PC) granted Preliminary Plat approval for the Forest Hill-Irene Commercial Subdivision. On August 10, 2004, the Board of Zoning Appeals (BZA) granted a variance to reduce the required planting screening required for commercial zoned property adjacent to residential zoned property from twenty-five (25) feet to fifteen (15) feet for Common Open Space area "A". On September 7, 2004, the PC granted Final Plat approval. On September 28, 2004, the Design Review Commission (DRC) granted the Landscape and Lighting Plan approval. On October 11, 2004, the BMA approved Subdivision Development Contract No. 458 for

the Forest Hill-Irene Commercial Subdivision. Eight (8) of the nine (9) lots have been approved by the PC and DRC for site development.

DISCUSSION: The request by the applicant is to for preliminary and final plan approval of Lot 9. The applicant is proposing a medical office building that is 5,000 square feet in size, featuring 35 parking spaces including two (2) handicap spaces. In addition, a 25-foot landscape easement along the north property line abutting the StoneCreek Centre is being removed.

STAFF COMMENTS:

Staff Engineer – Tony Ladd, PE

The Technical Advisory Committee (T.A.C.) met on June 10, 2010, and made the following comments (additional comments may be generated at the time of construction plan review):

STAFF COMMENTS:

A. Prior to Construction Plan Approval:

1. The subdivision plat shall be re-recorded indicating that the 25-foot landscape easement along the north property line has been removed.
2. Detail is needed to convert the existing drain inlet to a drain manhole.
3. Grading and Drainage Plan:
 - a. Design drawings stamped by the appropriate professional shall be submitted for the retaining wall verifying the ability to raise the existing wall.
4. Erosion Control Plan:
 - a. Indicate the placement of an erosion control fence along the northern driveway. Use only one construction entrance/exit during construction.
 - b. Total acres disturbed needs to be labeled. A NOC is required for TDEC for the NPDES, Phase II. The NOC needs to be posted on the site at all times and the stormwater reports/documentation/inspections needs to be available at all times. The SWPP needs to 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.
5. Utility Plan:
 - a. Show the existing size of the water service line. Details for the domestic and irrigation service lines, and backflow preventer shall be constructed per City of Germantown requirements.

B. General Comments:

1. The building elevation, lighting and landscape plans are the responsibility of the Design Review Commission and shall be submitted for that commission's review.
2. All recorded easements shall be shown on the plat. A five (5) foot utility easement is required along all property lines, adjacent to and not within any other easement.
3. All survey data shall be tied to Tennessee State Plane Coordinates and the City of Germantown monumented survey control. The final plat, construction drawings and "as built" plans shall be submitted on electronic media in DXF format.
4. The developer shall enter into a Project Development Contract with the City of Germantown for this project after it has received Final approval from the Design Review Commission.
5. The applicant shall provide proof of TDEC approval for the water system and sanitary sewer system. Contact Bill Hinch with TDEC for information.
6. If approved, all materials shall be specified on the construction plans for the proposed project. The applicant must receive Final Construction Plan approval from the Department of

Community Development before the Memphis/Shelby County Office of Construction Code Enforcement may issue a building permit for the project.

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

Subdivision & Site Plan Review Subcommittee (Forrest Owens, Chairman):

The subcommittee did not meet.

Cindy Reaves with SR Consulting, LLC, 5909 Shelby Oaks Drive, Suite 200, Memphis, TN 38134 stated she appreciates the board's time and consideration for hearing us tonight. We hope to get started on our new building in Germantown real soon. I am here for any kind of questions are comments.

Mr. Harless asked if the trees are going to remain on the north side of the property?

Ms. Reaves answered the trees will remain on the north side of the property. They are just going to work on the retaining wall to extend it further out on the north only.

Mr. Bennett asked if the trees between lot 8 and 9 would remain?

Ms. Reaves answered yes they will remain.

PROPOSED MOTION: To grant the request for preliminary and final site plan approval for Lot 9 of the Forest Hill-Irene Commercial Subdivision, located at 2999 Centre Oak Way, subject to staff comments and the site plan filed with this application.

Mr. Bennett moved to grant the request for preliminary and final site plan approval for Lot 9 of the Forest Hill-Irene Commercial Subdivision, located at 2999 Centre Oak Way, subject to staff comments and the site plan filed with this application, seconded by Ms. Burrow.

Chairman Klevan asked for a roll call.

Roll Call: Bennett – yes; Burrow – yes; Drinnon – yes; Parker – yes; Bacon – yes; Harless –yes; Owens - absent; Klevan – yes. **The motion passed.**

3. Chairman Klevan asked if there was any old business or new business to come before the Commission. **There was none.**

4. Chairman Klevan asked if there were any liaison reports. **There was none.**

ADJOURNMENT

The meeting adjourned at 6:15 P.M.