



Municipal Planning & Design Review Commission  
Regular Meeting Agenda  
Thursday, March 12, 2026, 5:30 PM  
City Hall, Lakeland, Tennessee 38002

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- I. CALL TO ORDER:
- II. ROLL CALL:
- III. APPROVAL OF MINUTES OF PREVIOUS MEETING:
  1. **Meeting Minutes** - January 8, 2026
- IV. PUBLIC DISCUSSION:
- V. REPORTS OF OFFICERS AND COMMITTEES:
- VI. UNFINISHED BUSINESS:
- VII. NEW BUSINESS:
  1. **Action** - approval of elevations for a maintenance building addition at City Hall by the Design Review Commission.
  2. **Action** - to dissolve the approved Planned Development at 8872 US Hwy 64.
  3. **Action** - approval recommendation to Board of Commissioners to rezone parcels L0159 00552 and L0159 00551 at the northeast corner of Hwy 64 and Walker Springs Drive from C-2 Regional Commercial to R-3 Suburban Cottage.
  4. **Action** - approval recommendation to Board of Commissioners of the Outline Plan for Chapel Lakes Planned Development.
  5. **Action** - approval of a Preliminary Development Plan for Chapel Lakes Planned Development.
  6. **Action** - approval recommendation to Board of Commissioners for the Outline Plan Amendment for Lakeland Commons Planned Development.
  7. **Action** - site plan approval for hotel in Lake District Planned

Development.

VIII. ANNOUNCEMENTS:

IX. ADJOURNMENT:

Municipal Planning & Design Review Commission  
Regular Meeting Agenda Minutes  
Thursday, January 8, 2026, 5:30 PM  
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I. CALL TO ORDER:

The meeting was called to order by Chair Adam Henry 5:30 p.m. on Thursday, January 8, 2026.

II. ROLL CALL:

Adam Henry	Present
Amber Hitchcock	Present
Sal Feraci	Present
Carl Helton	Present
Bill Sheridan	Present
Jason Eaton	Present - late arrival 5:32 p.m.
Shawn Rowland	Absent
Cat Wright	Absent
Commissioner Jim Atkinson	Absent

Staff personnel in attendance were Interim City Manager/City Engineer Emily Harrell, Staff Planner Alex Barthol, Administrative Assistant Olivia Wing, and City Recorder pro tempore Lisa West.

III. APPROVAL OF MINUTES OF PREVIOUS MEETING:

1. **Regular Meeting Minutes** - December 11, 2025

Carl Helton moved to bring this item to the floor, seconded by Amber Hitchcock.

Discussion ensued.

***When the question was called, the meeting minutes passed as presented, voice vote, 6 in favor 0 against 0 abstain (6-0-0).***

IV. ELECTION OF OFFICERS:

1. Chair

Amber Hitchcock moved to bring this item to the floor, seconded by Sal Feraci.

Sal Feraci nominated Jason Eaton for Chair.

***When the question was called, the nomination passed as presented, voice vote, 6 in favor 0 against 0 abstain (6-0-0).***

2. Vice Chair

Bill Sheridan nominated Sal Feraci for Vice Chair.

***When the question was called, the nomination passed as presented, voice vote, 6 in favor 0 against 0 abstain (6-0-0).***

3. Secretary

Amber Hitchcock nominated Carl Helton for Secretary.

***When the question was called, the nomination passed as presented, voice vote, 6 in favor 0 against 0 abstain (6-0-0).***

V. REPORTS OF OFFICERS AND COMMITTEES:

None.

VI. UNFINISHED BUSINESS:

None.

VII. NEW BUSINESS:

1. **Action** - approval of a land disturbance permit application for the Smokestack Mitigation Bank.

Sal Feraci moved to bring this item to the floor, seconded by Carl Helton.

Staff Planner Alex Barthol presented this item.

Spencer Harr, representing RES, answered questions for the board.

Discussion ensued.

***When the question was called, the action item passed as presented, roll call vote, in favor against abstain (6-0-0).***

**Yea:** Adam Henry, Sal Feraci, Amber Hitchcock, Carl Helton, Jason Eaton, Bill Sheridan

**Nay:** None

**Abstain:** None

2. **Discussion** - sketch plan for Chapel Lakes.  
Sal Feraci moved to bring this item to the floor, seconded by Carl Helton.

Staff Planner Alex Barthol presented this item.

Louis Ricci, representing Cummings, LLC, engaged in discussion with the board.

Discussion ensued.

There was no action to be taken after the discussion.

VIII. ANNOUNCEMENTS:

None.

IX. ADJOURNMENT:

There being no other business on which to act, the meeting was adjourned without objection at 6:11 p.m. on Thursday, January 8, 2026.

These minutes were approved on Thursday, March 12, 2026.

\_\_\_\_\_  
Carl Helton  
*Secretary*

ATTEST:

\_\_\_\_\_  
Rebecca Hume  
*City Recorder*



## Municipal Planning and Design Review Commission

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**Meeting Date:** Thursday, March 12, 2026

**Project:** City Hall Maintenance Building – Site Plan Application

**Staff Contact:** Alex Barthol, Staff Planner

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### PROJECT INFORMATION

**Location:** 10001 Highway 70, Lakeland TN, 38002

**Parcel ID:** L0150 00042C

**Zoning District:** AG: Agriculture

**Site Area:** 13.23 acres

**Applicant:** Renaissance Group

### STAFF RECOMMENDATION

City Staff recommends approval of the Site Plan application for the City Hall Maintenance Building addition as submitted.

### BACKGROUND:

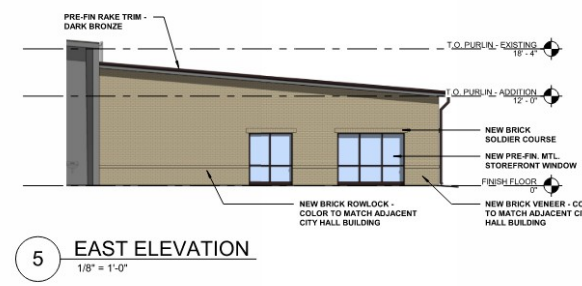
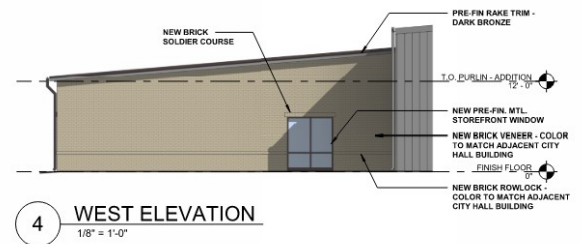
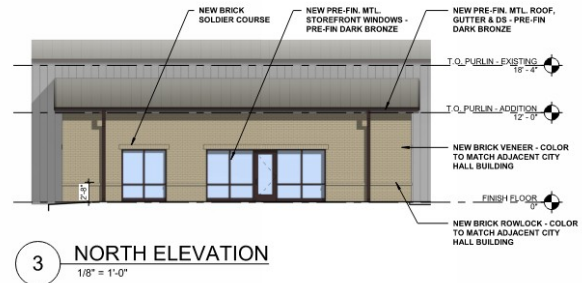
The subject property is located at 10001 Highway 70 and is an addition to the current City of Lakeland Public Works building.

**ANALYSIS:**

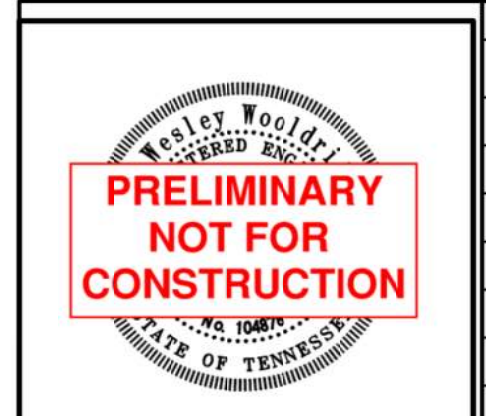
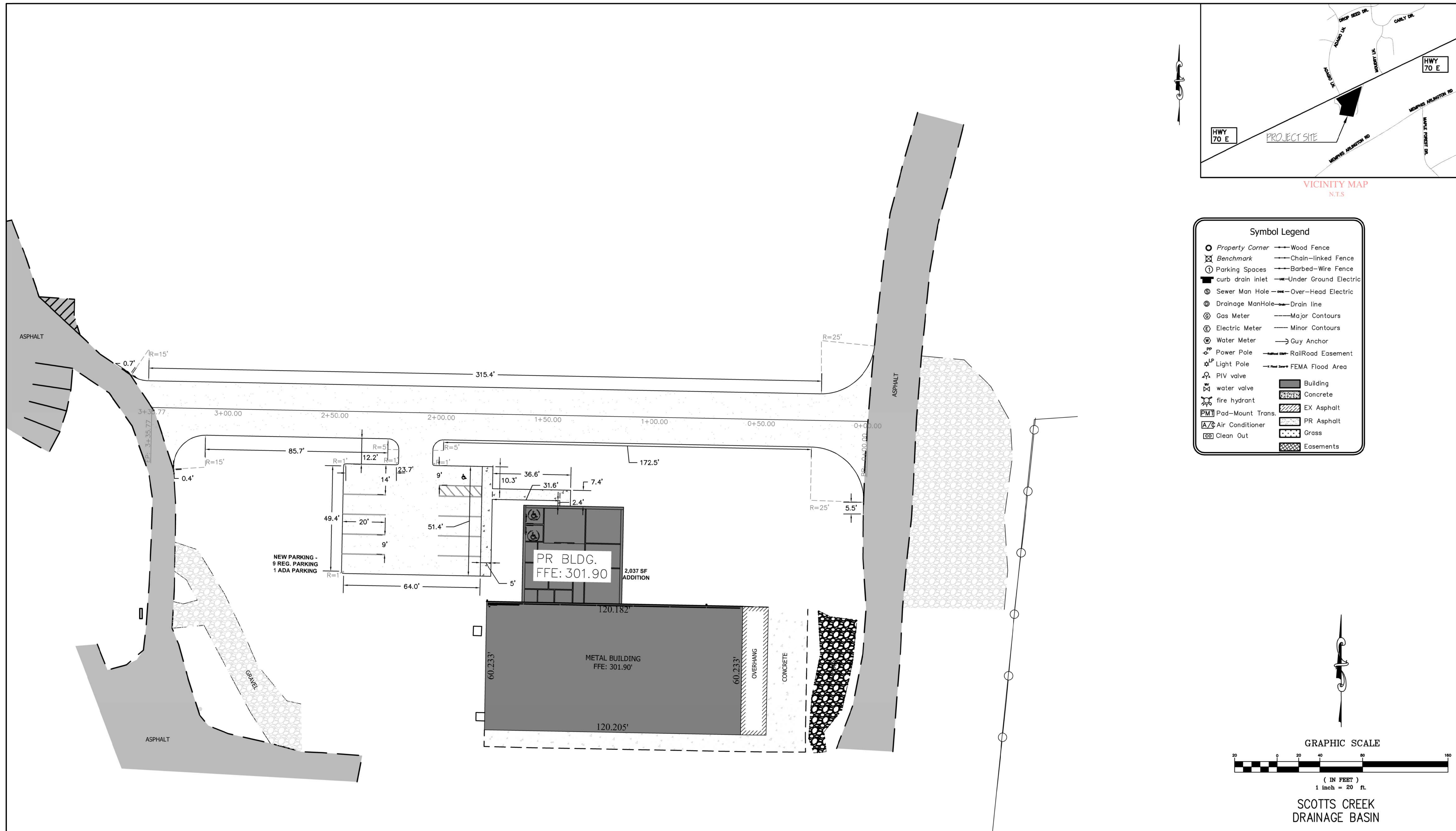
The extent of the request from the applicant is to approve the elevations for an addition to the current City of Lakeland Public Works Building. The façade will consist of brick to match the existing City Hall Building. City staff has reviewed the submittal and is recommending approval as submitted.

**EXAMPLE MOTIONS**

1. Motion to approve the City Hall Maintenance Building Site Plan Application subject to the following conditions:
  - a. Conditions as determined by the Planning Commission.
2. Motion to approve the City Hall Maintenance Building Site Plan Application without conditions.
3. Motion to deny the City Hall Maintenance Building Site Plan Application:
  - a. Reason for denial







ITEM NO.	REVISION DESCRIPTION OF CHANGE	APPROVAL DATE

TEMPORARY BENCHMARK (T.B.M.): Control Point 1 is a iron pin with a plastic cap located at N: 359319.8851 E: 855798.4520 ELEV: 300.17'  
 ELEV: (NAVD88 VERTICAL DATUM) & (TENNESSEE NAD 1983 HORIZONTAL)  
 This property is NOT located in a Special Flood Hazard Area (Zone AE) per Flood Insurance Rate Map, Map No. 47157C 0215 G, Community Panel No. 470402 0215 G, Effective Date: February 6, 2013.

**LAKELAND CITY HALL**  
 LAKELAND TENNESSEE  
 DEVELOPER: CITY OF LAKELAND

**RENAISSANCE GROUP, INC.**  
 9700 VILLAGE CIRCLE, SUITE 100  
 LAKELAND, TN 38002  
 (901) 332-5533 VOICE (901) 332-5534 FAX

SHEET \_\_\_\_\_ OF \_\_\_\_\_

DEPARTMENT OF ENGINEERING  
**SITE PLAN**  
 10001 Hwy 70  
 LAKELAND, TENNESSEE

FROM: \_\_\_\_\_ TO: \_\_\_\_\_  
 SURVEY: \_\_\_SEAS\_\_\_ DATE: 11/23/2025 BOOK: \_\_\_\_\_  
 DESIGN: I.R.E. DATE: 02/12/2026 CKD: W.W. DATE: 02/12/2026 SCALE: 1"=20'  
 REVIEWED \_\_\_\_\_  
 TOWN ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

FINISH SCHEDULE						
ROOM #	ROOM NAME	FLOOR FINISH	BASE FINISH	WALLS FINISH	CEILING MATERIAL	REMARKS
100	LOBBY	LVT	RUBBER	PTD. GYP. BD.	ACT	
101	MEN	TILE	TILE	TILE; PTD. GYP. BD.	PTD. GYP. BD.	
102	WOMEN	TILE	TILE	TILE; PTD. GYP. BD.	PTD. GYP. BD.	
103	STG.	SEALED CONC.	RUBBER	PTD. GYP. BD.	PTD. GYP. BD.	
104	OFFICE	LVT	RUBBER	PTD. GYP. BD.	ACT	
105	OFFICE	LVT	RUBBER	PTD. GYP. BD.	ACT	
106	IT	SEALED CONC.	RUBBER	PTD. GYP. BD.	O.T.S.	
107	MECH.	SEALED CONC.	RUBBER	PTD. GYP. BD.	O.T.S.	
108	ELEC.	SEALED CONC.	RUBBER	PTD. GYP. BD.	O.T.S.	
109	BREAK ROOM	LVT	RUBBER	PTD. GYP. BD.	ACT	
110	OFFICE	LVT	RUBBER	PTD. GYP. BD.	ACT	
111	CONF.	LVT	RUBBER	PTD. GYP. BD.	ACT	
112	ADMIN	LVT	RUBBER	PTD. GYP. BD.	ACT	



- PRE-FINISHED DARK BRONZE METAL TRIM TO MATCH EXISTING BUILDING
- SOLDIER COURSE BRICK COLOR TO MATCH EXISTING BUILDING
- PRE-FINISHED DARK BRONZE SF FRAME TO MATCH EXISTING BUILDING
- FIELD BRICK COLOR TO MATCH EXISTING BUILDING

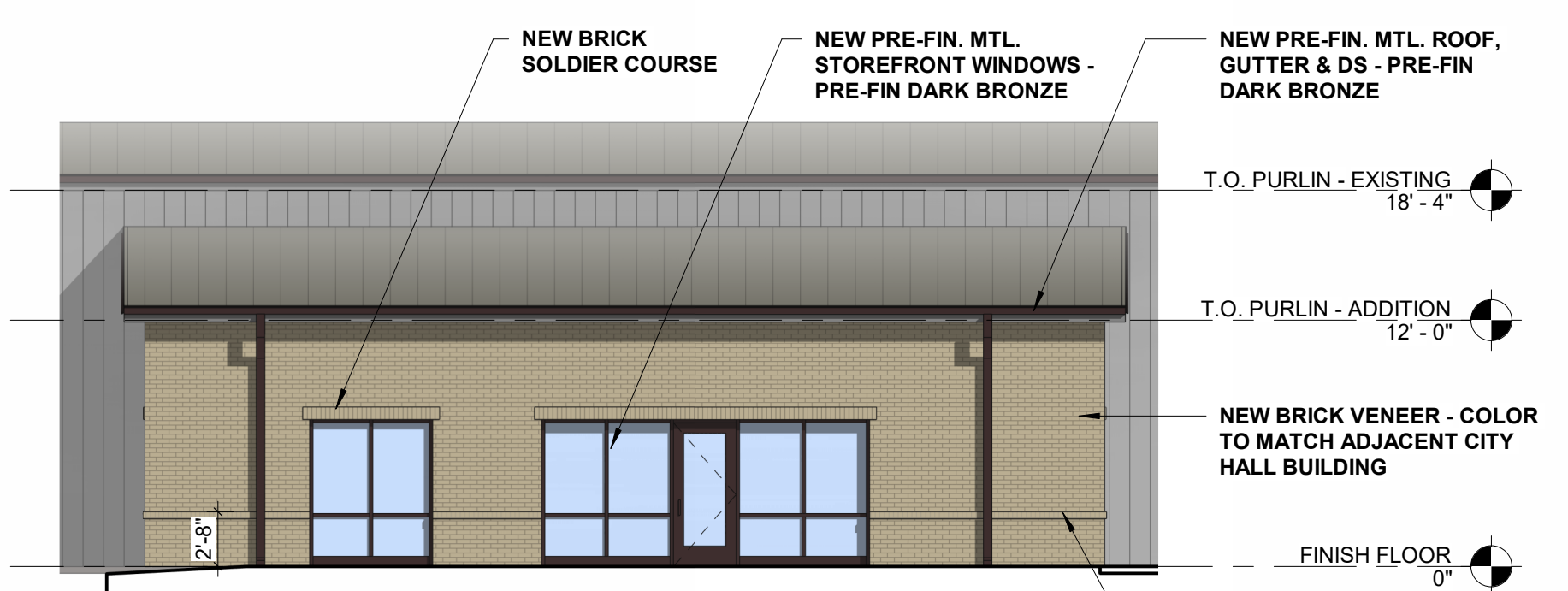
**Renaissance Group**  
 9700 Village Circle, Suite 100  
 Lakeland, TN 38002  
 901.332.5533  
 www.rgroup.biz

NOT FOR CONSTRUCTION

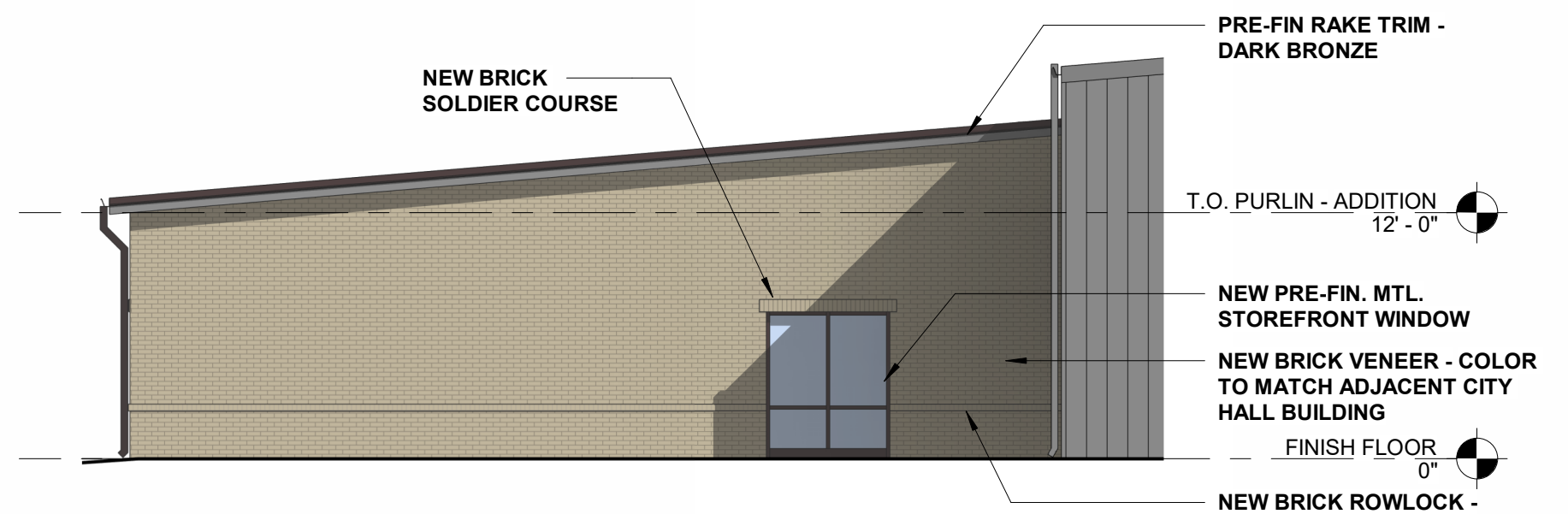
REV	DESCRIPTION	DATE

**2 SITE PLAN**  
 1" = 40'-0"

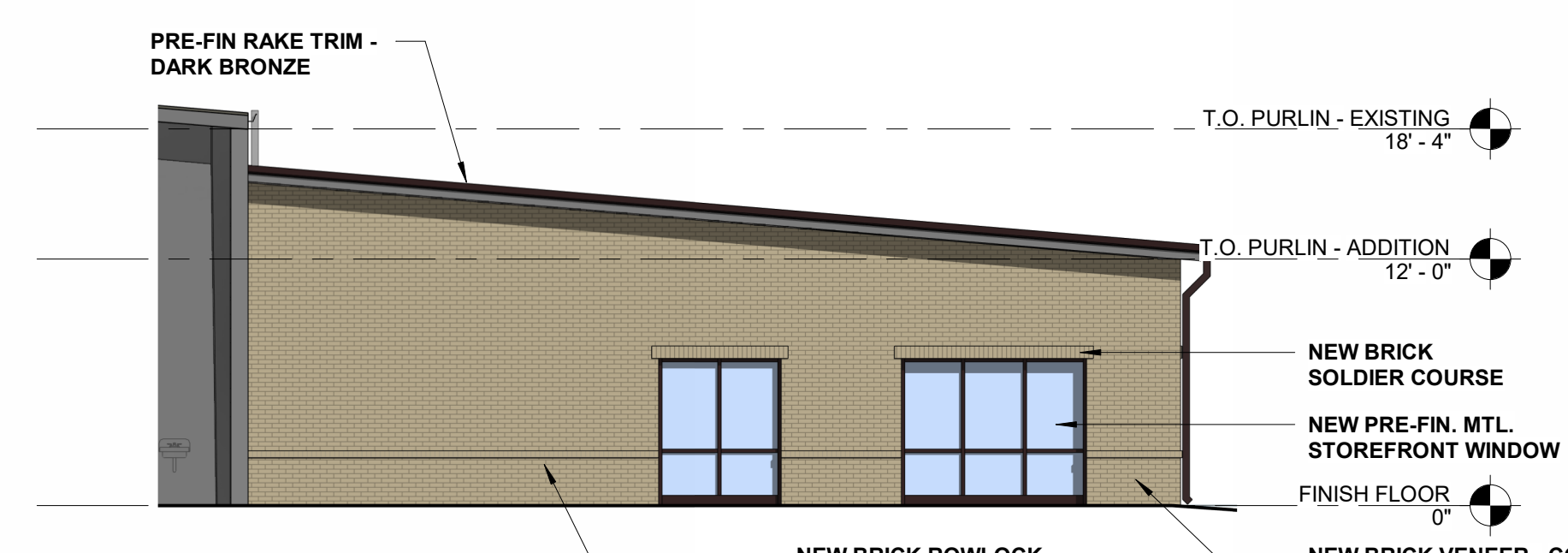
- NEW ADDITION: 2,037 GROSS SF
- EXISTING BUILDING - NO WORK



**3 NORTH ELEVATION**  
 1/8" = 1'-0"



**4 WEST ELEVATION**  
 1/8" = 1'-0"



**5 EAST ELEVATION**  
 1/8" = 1'-0"

DESIGN DEVELOPMENT DRAWINGS FOR  
**CITY OF LAKELAND MAINT. BLDG. ADDITION**  
 10031 US HIGHWAY 70  
 LAKELAND, TN 38002

Sheet Title: FINISH FLOOR PLAN

Project No: 25203

Drawn by: TK

Date: 12/9/2025

**A2.1**

Autodesk Docs://25203 Lakeland Maintenance Building Addition/25203 Lakeland City Maintenance Bldg.rvt 2/12/2025 3:42:02 PM





## Municipal Planning and Design Review Commission

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**Meeting Date:** Thursday, March 12, 2026

**Project:** Brunswick 64 Commercial Subdivision – PD Dissolution

**Staff Contact:** Alex Barthol, Staff Planner

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### PROJECT INFORMATION

**Location:** 8872 US Highway 64, Lakeland TN 38002

**Zoning District:** C2: Regional; Commercial

**Site Area:** 3.03 acres

**Applicant:** GX17 Lakeland 64, LLC

### STAFF RECOMMENDATION

City Staff recommends approval of the applicants request to dissolve the approved Planned Development.

### BACKGROUND:

The subject property is located on the north side of Highway 64 just east of the LA Fitness and west of the Shadrach's Coffee. In 2022 a Planned Development was approved at this location in order to construct a Glide Express car wash.

### ANALYSIS:

As this land is currently vacant, the owner is looking to dissolve this approved Planned Development in order to allow for another commercial use allowed by right, and to remove the other conditions that accompany the Planned Development.

## **EXAMPLE MOTIONS**

1. Motion to approve the Brunswick 64 Commercial Subdivision PD Dissolution subject to the following conditions:
  - a. Conditions as determined by the Planning Commission
2. Motion to approve the Brunswick 64 Commercial Subdivision PD without conditions.
3. Motion to deny the Brunswick 64 Commercial Subdivision PD:
  - a. Reason for denial



January 28, 2026

City of Lakeland  
Attn: Planning and Development Department  
100 Main Street  
Lakeland, TN 38002

Re: Dissolution of Existing Planned Development located at 8872 US Hwy ~~72~~<sup>64</sup>, Lakeland,  
Shelby County, Tennessee – Glide Xpress Car Wash

To Whom It May Concern:

Please accept this letter as formal notice that the existing **Planned Development, City of Lakeland Building Permit No. CB2023-002**, and **Shelby County Building Permit No. COM-NEW-22-000266**, affecting the property described below is requested to be dissolved. Glide Xpress will not be moving forward with the proposed development of the property.

Accordingly, the applicant/owner hereby withdraws any pending or approved plans associated with the Planned Development.

Legal Description:

Lot 1 and Lot 2, Final Plat, Brunswick 64 Commercial Subdivision, as shown on plat of record in Plat Book 301, Page 12, in the Register's Office of Shelby County, Tennessee.

If additional documentation or actions are required by the City to effectuate the dissolution of the Planned Development, please advise and we will respond promptly. Thank you for your attention to this matter.

Very Sincerely,

A handwritten signature in blue ink, appearing to read "James M. Herrington".

James M. Herrington  
Manager  
GX17 Lakeland 64, LLC ("Owner")

**Meeting Date:** Thursday, March 12, 2026  
**Project:** Highway 64 and Walker Springs Dr – Rezoning Application  
**Staff Contact:** Alex Barthol, Staff Planner

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**PROJECT INFORMATION**

**Location:** Northeast corner of Highway 64 and Walker Springs Drive  
**Parcel ID:** L01590 0552 & L0159 00551  
**Zoning District:** C-2: Regional Commercial  
**Site Area:** 14.31 acres  
**Applicant:** Renaissance Design Studio, LLC  
**Representative:** Josh Burnette, P.E.

**STAFF RECOMMENDATION**

City Staff recommends approval for the Rezoning Application for Hwy 64 and Walker Springs Drive.

**BACKGROUND:**

The subject property is located at the Northeast corner of Highway 64 and Walker Springs Drive. The current zoning for the property is C-2: Regional Commercial. The property is currently undeveloped but is ultimately planned to be developed as residential subdivision should the rezoning application be approved.

**ANALYSIS:**

Upon review by City Staff, this rezoning application is supported by the approved Comprehensive Plan for the City of Lakeland. The plan shows this area to ultimately be zoned as Compact Residential, which would be in line with the adjacent properties. The request is to change the existing zoning of C2: Regional Commercial to R3: Suburban Cottage. City Staff agrees that a single family residential use is the best use for this property and conforms with the overall vision set forth by the Comprehensive Plan.

COMPACT RESIDENTIAL

LAND USE TYPES

DESCRIPTION

The proposed Compact Residential land uses are located south of the Loosahatchie River. The goal of this designation is to create tight-knit, walkable neighborhoods that transition in density between mixed-use areas and neighborhood residential areas.

INTENT

- Allow small lot single family residential neighborhoods
- Creating a more dense neighborhood without sacrificing the suburban character and feel enjoyed by many Lakeland residents

APPROPRIATE LAND USES

SINGLE-FAMILY	MULTI-FAMILY	OFFICE	COMMERCIAL	INSTITUTIONAL	LIGHT INDUSTRIAL
			More Appropriate Uses		
●	●	●	●	●	●
			Less Appropriate Uses		

CHARACTERISTICS

- Use Mix: Mixed-Use ..... ● Single Use
- Compactness: Lower Density ..... ● Higher Density
- Use Type: Residential ● ..... Non-Residential
- Residential Type: Single-Family ● ..... Multi-family
- Single-Family Residential Lot Size: Smaller Lots ● ..... Larger Lots
- Setbacks: Smaller Setbacks ● ..... Larger Setbacks
- Transportation: Multi-modal ● ..... Auto Focused
- Open Space: Formal Open Space ● ..... Natural Open Space

64
SECTION 04

**EXAMPLE MOTIONS**

1. Motion to recommend approval to the Board of Commissioners of the Highway 64 and Walker Springs Rezoning Application as submitted.
2. Motion to recommend denial to the Board of Commissioners of the Highway 64 and Walker Springs Rezoning Application:
  - a. Reason for denial



# CITY OF LAKELAND

## Application for an Amendment to the Official Zoning Map or Zoning Ordinance

Case No. \_\_\_\_\_ Parcel ID# L01590 0552 & L0159 00551 Date of Application 02/12/2026

Name of Applicant RDS (Josh Burnette, P.E.)

Address 3157 Hwy 64 Suite 200 Eads, TN 38028

Daytime Telephone Number 901-466-4101

Email Address josh@rendevco.net

If different from the applicant, owner or other person having contractual interest in the property:

Name Saliba Family Limited Partnership

Address 23 N Fernway Rd - Memphis, TN 38117

Daytime Telephone Number 662-832-7531

Email Address msalibacope@gmail.com

### Amendment to Zoning Map

Site Location: Walker Springs & Hwy 64 Present Use Vacant Land

Site Acreage 14.31 Acres Proposed Use(s) Single Family Residential

Present Zoning District C2 Regional Commercial

Requested Zoning District R3: Suburban Cottage

Reason for Rezoning: Downzone to allow single family residential similar to adjacent residential

### Amendment to Zoning Text

Section of the Zoning Ordinance to be amended \_\_\_\_\_

Amendment Requested (attach specific language of proposed amendment using format of Zoning Ordinance).

Reason for text amendment \_\_\_\_\_

In general, the Planning Commission meets the third Thursday of each month at 5:30 p.m. in the Board Chambers of City Hall located at 10001 U.S. Highway 70. All applications and related plan documents must be received by 4:00 p.m. thirty (30) days prior to the MPC meeting. If the thirty (30) days falls on the weekend, the application/documents must be in by the preceding Friday. Three (3) copies of all required materials, in addition to the required filing fee shall be submitted to the City by the application deadline. Contact the City at 901-867-2717 to confirm deadline and meeting dates and times.

Josh Burnette  
Applicants Signature

02/12/2026  
Date

Maria Saliba Cope  
Property Owners Signature (if different than applicant)

2/10/2026  
Date



Engineering | Planning | Surveying

Renaissance Design Studio  
3157 Highway 64, Suite 200  
Eads, TN 38028  
901-466-4101  
[josh@rendevco.net](mailto:josh@rendevco.net)

February 12, 2026

City of Lakeland Planning Commission  
10001 Hwy 70  
Lakeland, TN 38002

**RE: Rezoning Justification Letter – Request to Rezone Property to R3: Suburban Cottage Walker Springs Drive & Highway 64, Parcels L01590 0051 & L0159 00552**

Dear Planning Commission Members:

On behalf of the developer of the property identified as Parcels L0159 00051 and L0159 00052, located north of the intersection of Walker Springs Drive and Highway 64, we respectfully submit this request to rezone approximately 14.31 acres from C2: Regional Commercial to R3: Suburban Cottage. The proposed area to be rezoned is delineated on the attached plot plan and boundary survey. The subject properties front Highway 64 and Walker Springs Drive, with adjacent R2 (PRD) Planned Medium Density Residential zoning to the west, R2 (PRD) Planned Medium Density Residential to the north (a senior living community), and C2: Regional Commercial zoning to the east. Through this rezoning request, we aim to demonstrate that single-family residential zoning for these two parcels fits with surrounding uses, supports the City's development goals, and could offer benefits for the community and nearby residents.

**1. Agreement with Surrounding Land Use**

The subject property is adjacent to dense residential to the east and to the north. Both subdivisions are consistent with R3: Suburban Cottage bulk regulations. Woodland Park Subdivision is a Planned Development to the west that consists of 302 lots with various lot sizes and widths, but primarily consists of 5000 square foot lots that are 50 feet wide. Sterling Place is a Planned Development Senior Living Community to the north, with 120 lots approximately 5,500 square feet, each with a minimum width of 55 feet.

The subject property is currently zoned C2: Regional Commercial and is also adjacent to C2: Regional Commercial Zoning to the east, which, according to the recently updated Land Development Regulations, “allows the widest range of uses.” This request would be a down zone

that buffers the existing residences from various commercial uses permitted by right under the Land Development Regulations.

Residents of Sterling Place access their homes only via Walker Springs Drive. If the property remained C2, they might need to navigate roughly 1,100 feet through a commercial area before reaching their neighborhood. While the property has been zoned C2 since Sterling Place was built, and some residents may anticipate commercial development, we believe a single-family residential approach could provide a buffer, adding to the sense of community and security. By rezoning to residential and directing access eastward, this would help separate residential traffic from commercial flows toward Cobb Road, reserving Walker Springs Drive primarily for local residents.

## **2. Consistency with the Legal Purposes of Zoning**

Tennessee state law (Tenn. Code Ann. § 13-7-201 et seq.) guides zoning to promote public health, safety, morals, and general welfare by encouraging orderly development, reducing congestion, and ensuring adequate light, air, and open spaces. In our view, shifting these parcels to single-family residential use aligns with these objectives more than maintaining commercial zoning. While a commercial project could still address local needs, a single-family residential neighborhood would likely reduce overall traffic, minimize impervious surfaces, preserve natural features like tree lines, and contribute to a visually appealing environment for existing residents.

## **3. Consistency with the Intent of the Comprehensive Plan**

The Lakeland PULSE Comprehensive Plan sets out to guide the City's growth over the next 20 years, with key goals including:

- Preserving and bolstering the pastoral, natural condition of Lakeland
- Providing local business opportunities
- Connecting the City through non-intrusive vehicular, bike, and pedestrian networks
- Capitalizing on the transportation networks throughout Lakeland to attract businesses
- Controlling future growth within the context of adjacent municipal growth.

The Comprehensive Plan balances the encouragement of commercial opportunities with development that respects adjacent contexts. The subject property fronts Highway 64, identified as an economic corridor, with a nearby identity opportunity at Cobb Road and Highway 64. The plan designates Parcel L0159 00051 for commercial use and recommends Parcel L0159 00052 for Compact Residential (See Appendix A for Comprehensive Plan exhibits).

While the plan envisions a commercial role for the eastern tract, we suggest that extending single-family residential zoning to both parcels would create a more unified development pattern. If the western tract developed as single-family residential and the eastern as commercial, residential lots might front parking areas or commercial structures, potentially diminishing the quality of the housing and overall neighborhood cohesion. We feel that aligning

both tracts under R3 zoning would better support the plan's emphasis on orderly growth and neighborhood stability, avoiding a mismatched use that could affect adjacent properties.

Even though the tracts are positioned along an economic corridor, there is room to buffer the residential lots from Highway 64. There would also be plenty of area for the adjacent property to the east buffer from the residential developments and maintain the identity opportunity zone at Cobb Road and Highway 64. There is also a substantial commercial presence to the west of the subject property at Canada Road and Highway 64. Rezoning the properties on Walker Springs Drive to residential buffers the existing commercial from the future identity opportunity at Cobb Road giving the potential for a unique commercial identity to the east.

#### **4. No Material Adverse Effect on Adjoining Property Owners**

The proposed development is not intended to impose material adverse effects on neighboring properties. The intent is the complete opposite. Rezoning to residential shields Walker Springs Drive and Sterling Place from future commercial. We have observed from multiple public meetings that a chief concern for property owners is protecting the value of their property. A quality commercial development that meets the immediate needs of the nearby residents could very well increase property values, whereas a lower-quality commercial development could reduce property values. Regardless, property values are more difficult to predict with commercial. In contrast, a single-family residential community provides greater predictability and appeal for current and future residents. For this reason, single-family residential could be more suitable for the interests of the residents of Woodland Park and Sterling Place than commercial. To illustrate the developer's intent of the character of the community and homes, we have included a draft of the community's Covenants, Conditions, and Restrictions (CCRs) for your review.

#### **5. Adequacy of Roads and Utilities**

The site benefits from direct access to Highway 64 via Walker Springs Drive. In addition, Walker Springs Drive is currently the only means of ingress and egress for the residents of Sterling Place. There are stub roads on the north and east sides of Sterling Place, but future development is required on each side of the development to provide more connections. As such, the proposed residential development would not add traffic burdens to Sterling Place. Walker Springs Drive and Highway 64 have sufficient capacity to accommodate the additional traffic, as outlined in the attached trip generation letter.

Sanitary sewer infrastructure, installed along the eastern side of Walker Springs Drive during Sterling Place's development, is available. The new project would require a lift station near Highway 64, and per discussions with the City Engineer, a new sewer force main along with an analysis of the upstream lift station to assess any needed upgrades.

The development also has direct access to MLGW water, gas, and electric.

## 6. Residential Development in Lieu of Commercial

Rezoning to R3 offers several clear differences compared to full build-out under the current C2 zoning:

- **Traffic Impacts:** Based on standard trip generation estimates, a commercial scenario could produce up to nine times the weekday traffic of the proposed residential use. This means fewer trips overall, which reduces turning movements and potential congestion at Highway 64 and Walker Springs Drive.
- **Neighborhood Compatibility:** Single-family residential development would continue the pattern of surrounding subdivisions. It avoids placing parking lots, loading areas, or other commercial features near existing homes.
- **Infrastructure Efficiency:** Lower development intensity generally means less stormwater runoff, reduced strain on roadways over time, and lower demands on utilities.
- **Community Character:** This use supports the Comprehensive Plan's goals around neighborhood stability, buffering between uses, environmental considerations, and measured growth.

## 7. Addressing Potential Concerns

- **Home Quality and Appearance:** The LDRs provide baseline architectural standards that apply to all new single-family construction and require elements like varied facades, quality materials, and design features to avoid monotony. To go further, we plan to establish an Architectural Control Committee that enforces additional guidelines for construction quality and community character, as outlined in the draft CCRs. This setup ensures homes meet or exceed City standards, promoting consistent quality that aligns with the LDR's intent to protect the visual appeal of neighborhoods
- **Traffic:** The attached trip generation letter shows residential use would create significantly fewer vehicle trips than commercial. Per the LDRs, a Traffic Impact Study is required for developments generating 100 or more peak-hour trips, which this residential proposal falls below, meaning no formal study is needed beyond our initial analysis. This lower traffic volume supports the LDR's goals in Sections I.4 and IV.1 to reduce congestion and maintain roadway capacity without undue strain.
- **Public Safety:** The proposal aims for a stable residential neighborhood that is consistent with adjacent neighborhoods. The LDRs emphasize public safety in rezoning criteria (Sections I.4.7), requiring that changes do not endanger safety through increased congestion or hazards. Residential use here would generate less traffic and less non-local activity than commercial, which can draw more outsiders and vehicles. Crime itself is primarily an enforcement and community issue, handled through policing, not zoning. This rezoning supports a lower-intensity pattern that aligns with the existing residential character and the Plan's focus on neighborhood stability.

- **Property Values:** Property values are subjective and influenced by many factors, including neighborhood character, traffic, and compatibility of uses. The LDR's rezoning review process (Section 1.4) specifically requires evaluating whether a change would "substantially diminish or impair property values within the area." Our analysis shows this residential shift to R3 avoids intensive commercial impacts—such as higher traffic, non-local activity, or adjacency to parking/loading areas—that research sometimes associates with pressure on nearby residential values. Instead, it creates a consistent single-family buffer that extends the pattern of surrounding residential zoning, providing greater predictability and stability for Woodland Park and Sterling Place. Transitions like this, combined with strong controls (CCRs and Architectural Control Committee), are standard planning approaches to support values in established residential areas. While a well designed commercial development could meet local needs and potentially benefit values of nearby homes, residential here aligns closely with the Comprehensive Plan's focus on neighborhood stability.

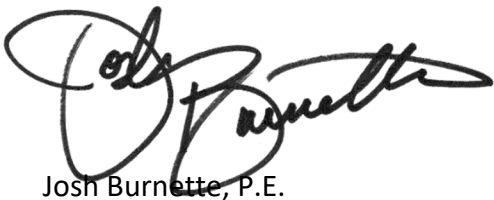
### Conclusion

This rezoning request seeks to meet the LDR's review criteria and further the Lakeland PULSE Comprehensive Plan's objectives by promoting compatibility with nearby zoning, minimizing impacts on established neighborhoods, easing traffic and infrastructure loads, and fostering thoughtful growth. The proposed R3 zoning would create a buffer from Highway 64 to the existing residential areas, serving as a balanced alternative to intensive commercial development.

For these reasons, the applicant respectfully requests a favorable recommendation from the Planning Commission and approval by the Board of Commissioners.

Thank you for your time and consideration of this request.

Respectfully submitted,



Josh Burnette, P.E.

# APPENDIX A



Engineering | Planning | Surveying

February 12, 2026

Mrs. Emily Harrell, P.E.  
Interim City Manager  
City Engineer  
10001 Hwy 70  
Lakeland, TN 38002

**RE: LEVEL 1 TRAFFIC IMPACT ANALYSIS  
Walker Springs & Highway 64 Rezoning**

Mrs. Harrell:

On behalf of Gil Properties, this Level I traffic study is being submitted as part of the rezoning application for parcels L01590 0051 & L0159 0052. The total area of the two parcels is approximately 14.29 acres. The current zoning is C2: Regional Commercial. The rezoning request is to downzone to R3: Suburban Cottage. This traffic generation report will give a comparison for each zoning.

The nearest traffic count point, per the TDOT Traffic Count Application, is on the east side of the intersection of Hwy 64 and I-40. According to the 2024 traffic count provided on the TDOT website, the existing Average Daily Traffic (ADT) for the point is provided in Table 1.

Average Daily Traffic on Highway 64				
Road	Location ID	Eastbound	Westbound	Total
Hwy 64	79000076	25,181	23,302	48,484

A traffic analysis was prepared for average daily trips and peak hour trips for the current C2: Regional Commercial Zoning. The trip generation was based on shopping center (Code 820). The building area was assumed to have an FAR of 0.15. The assumed gross building area is 93,300 sf. See tables below:

Shopping Center (Code 820) ADT	
42.7 Trips per 1000 square feet	4000 VPD
50% Entering	2000 VPD
50% Exiting	2000 VPD

<b>Shopping Center A.M. Peak Hour Trips</b>	
1.5 A.M. Peak Hour Factor per Building Area	140 VPH
40% Entering	56 VPH
60% Exiting	84 VPH

<b>Shopping Center P.M. Peak Hour Trips</b>	
3.7 P.M. Peak Hour Factor per Building Area	345 VPH
60% Entering	207 VPH
40% Exiting	138 VPH

A traffic analysis was also prepared for average daily trips and peak hour trips for single family residential as a comparison. The trips were based on 48 lots. See tables below:

<b>Single Family Residential (Code 210) ADT</b>	
9.4 Trips per Dwelling	450 VPD
50% Entering	225 VPD
50% Exiting	225 VPD

<b>Single Family Residential A.M. Peak Hour Trips</b>	
0.75 Trips Per Lot	36 VPH
25% Entering	9 VPH
75% Exiting	27 VPH

<b>Single Family Residential P.M. Peak Hour Trips</b>	
1.00 Trips Per Lot	48 VPH
65% Entering	31 VPH
35% Exiting	17 VPH

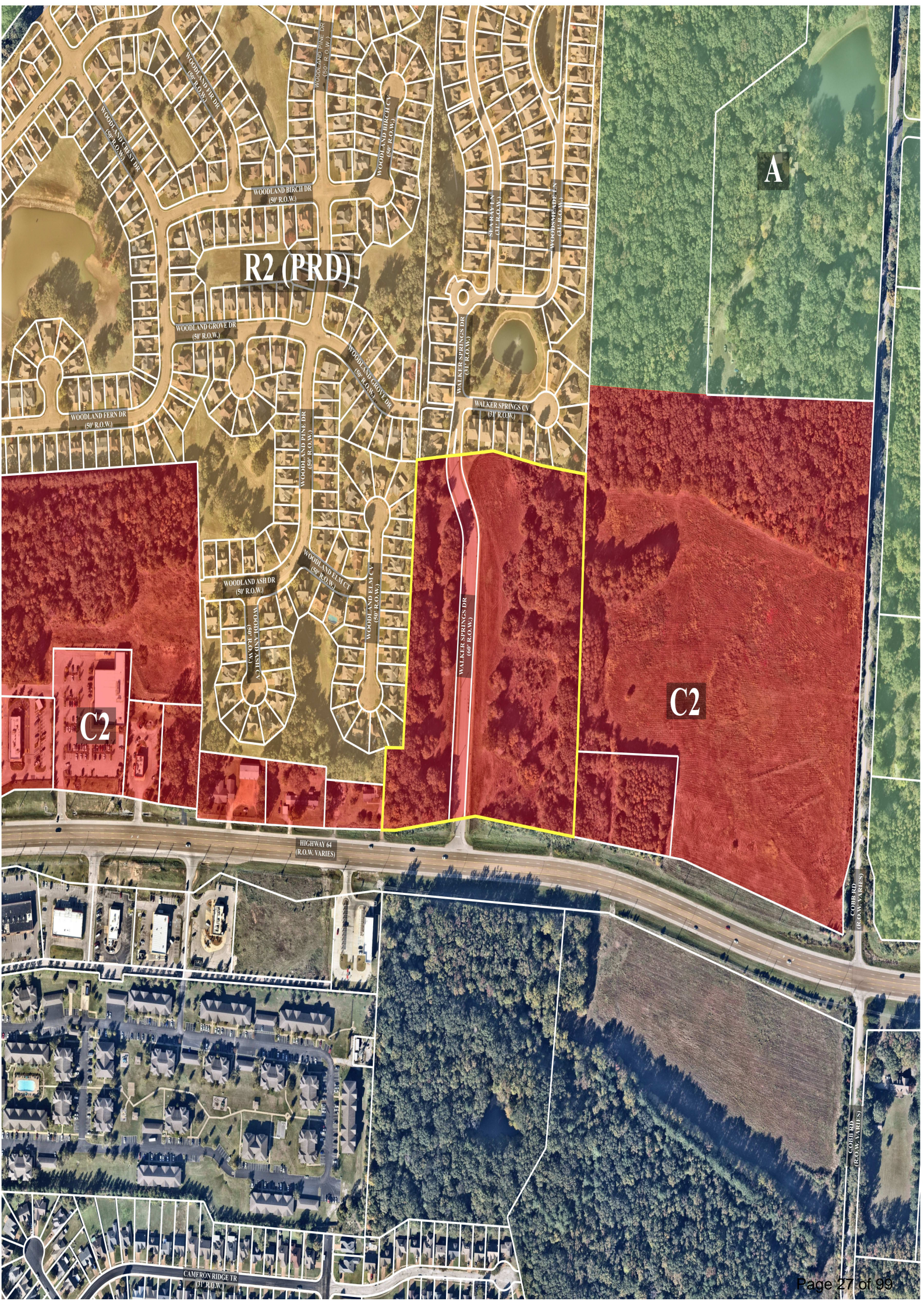
The average daily trips of the commercial do not exceed 10% of the AADT for Highway 64. This means that Highway 64 has plenty of capacity even for the current zoning. The traffic generated from development at this location will not overwhelm Highway 64. It should be noted, though, that estimated trips for residential zoning is 9 times less than the estimated trips for fully built out commercial.

If any additional information is needed, please do not hesitate to contact me.

Sincerely,



Josh Burette, P.E.



R2 (PRD)

A

C2

C2

HIGHWAY 64  
(R.O.W. VARIES)

COBBE RD  
(R.O.W. VARIES)

COBBE RD  
(R.O.W. VARIES)

CAMERON RIDGE TR  
(R.O.W. VARIES)



# WALKER SPRINGS

LAKELAND, TENNESSEE

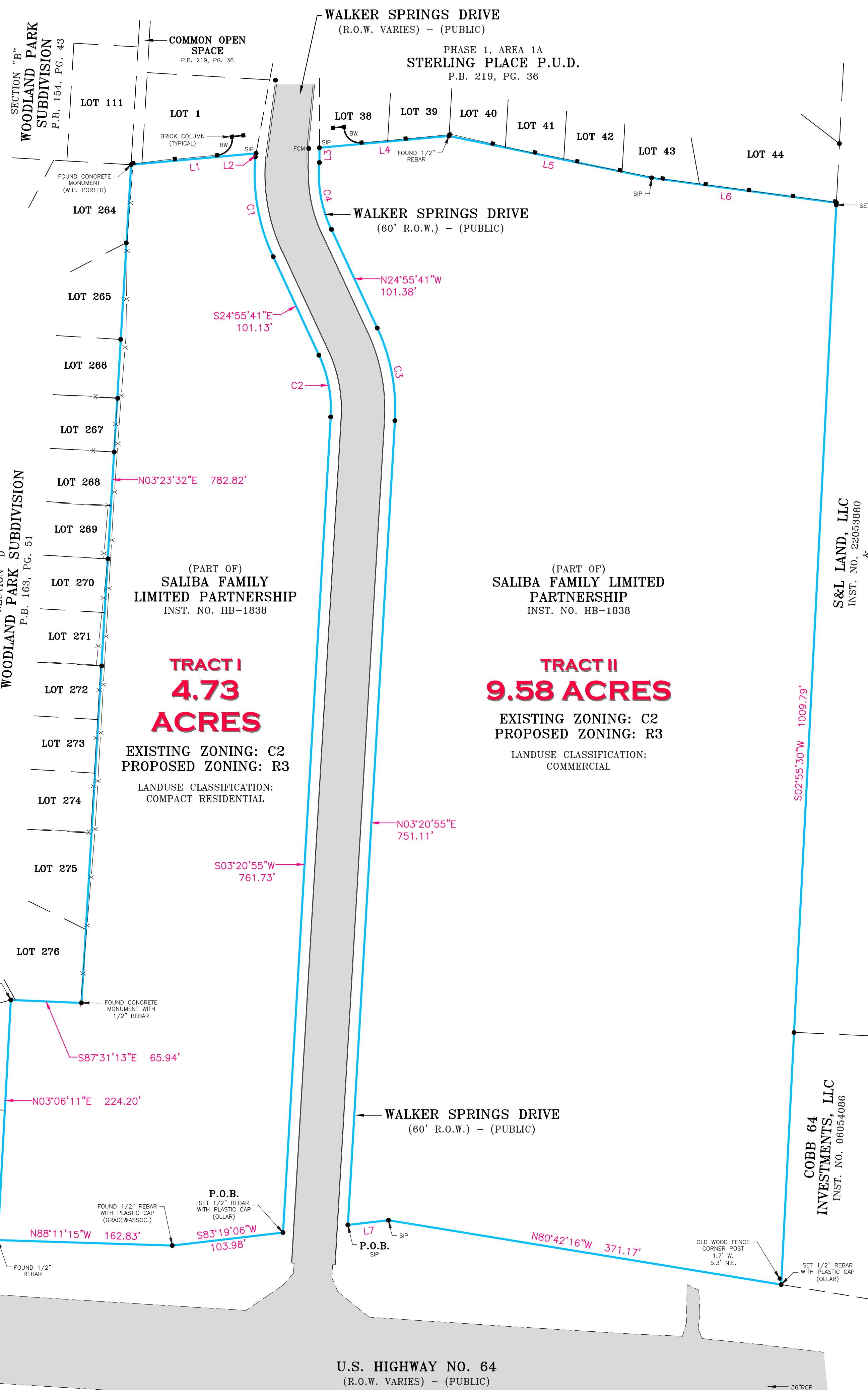
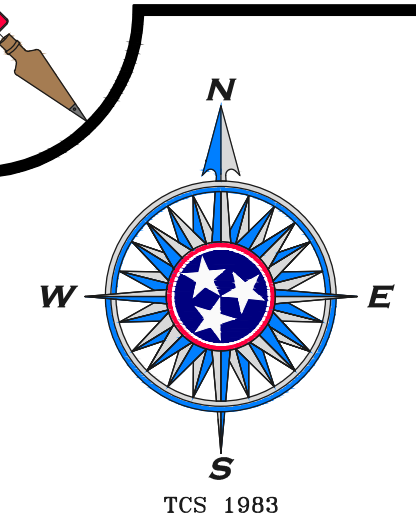


Engineering | Planning | Surveying

R3 - SUBURBAN COTTAGE  
12 - 70' LOTS  
14 - 60' LOTS  
22 - 55' LOTS  
3.71 ACRES OF C.O.S.

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# U.S. HIGHWAY NO. 64



### DESCRIPTION: (TRACT I)

Description of part of the Saliba Family Limited Partnership property recorded in Instrument No. HB-1838 in Lakeland, Shelby County, Tennessee:

Beginning at a set 1/2" rebar with plastic cap (OLLAR) at the intersection of the north line of U.S. Highway No. 64 (R.O.W. Varies) - (Public) and the west line of Walker Springs Drive (60' R.O.W.) - (Public); thence westwardly along the north line of said U.S. Highway No. 64 the following calls: South 83 degrees 19 minutes 06 seconds West, 103.98 feet to a found 1/2" rebar with plastic cap (Grace&Assoc.); North 88 degrees 11 minutes 15 seconds West, 162.83 feet to a found 1/2" rebar at the southwest corner of said property recorded in Instrument No. HB-1838 and in the east line of the Marvin A. Lindsey and wife Virginia F. S. Lindsey property recorded in Book 6266, Page 321; thence North 03 degrees 06 minutes 11 seconds East along the westernmost west line of said property recorded in Instrument No. HB-1838, along the east line of said property recorded in Book 6266, Page 321 and along the east line of Open Space B, Section "D", Woodland Park Subdivision recorded in Plat Book 163, Page 51, 224.20 feet to a found concrete monument with 1/2" rebar at the southernmost northeast corner of said property recorded in Instrument No. HB-1838, the easternmost northeast corner of Open Space B of said Subdivision recorded in Plat Book 163, Page 51 and an internal corner of Lot 277 of said Subdivision recorded in Plat Book 163, Page 51; thence South 87 degrees 31 minutes 13 seconds East along the southernmost north line of said property recorded in Instrument No. HB-1838, along the south line of Lot 277 and Lot 276 of said Subdivision recorded in Plat Book 163, Page 51, 65.94 feet to a found concrete monument with 1/2" rebar at an internal corner of said property recorded in Instrument No. HB-1838 and the southeast corner of Lot 276 of said Subdivision recorded in Plat Book 163, Page 51; thence North 03 degrees 23 minutes 32 seconds East along a west line of said property recorded in Instrument No. HB-1838 and along the east line of Lots 276, 275, 274, 273, 272, 271, 270, 269, 268, 267, 266, 265 and 264 of said Subdivision recorded in Plat Book 163, Page 51, 782.82 feet to a found concrete monument (W.H. Porter) at the northeast corner of Lot 264 of said Subdivision recorded in Plat Book 163, Page 51, the southeast corner of Lot 111, Section "B", Woodland Park Subdivision recorded in Plat Book 154, Page 43 and the southwest corner of Common Open Space, Phase 1, Area 1A, Sterling Place P.U.D. recorded in Plat Book 219, Page 36; thence North 84 degrees 46 minutes 54 seconds East along the south line of said Common Open Space and the south line of Lot 1 of said Subdivision recorded in Plat Book 219, Page 36, 117.07 feet to a set 1/2" rebar with plastic cap (OLLAR) in the west line of said Walker Springs Drive (R.O.W. Varies) - (Public), said point being the southeast corner of Lot 1 of said Subdivision recorded in Plat Book 219, Page 36; thence South 10 degrees 29 minutes 43 seconds East along the south line of said Common Open Space and the south line of Lot 1 of said Walker Springs Drive (R.O.W. Varies) - (Public), 3.48 feet to a point; thence continuing along the west line of said Walker Springs Drive (60' R.O.W.) - (Public) the following calls: southeastwardly along a curve to the left having a radius of 180.00 feet, delta angle of 30 degrees 26 minutes 07 seconds, chord bearing of South 10 degrees 08 minutes 06 seconds East, chord distance of 94.50 feet and a curve distance of 95.62 feet to a point; South 24 degrees 55 minutes 41 seconds East, 101.13 feet to a point; southeastwardly along a curve to the right having a radius of 120.00 feet, delta angle of 28 degrees 16 minutes 37 seconds, chord bearing of South 10 degrees 08 minutes 06 seconds East, chord distance of 59.22 feet and a curve distance of 58.62 feet to a point; South 03 degrees 20 minutes 55 seconds West, 761.73 feet to the POINT OF BEGINNING and 4.73 acres of land.

### DESCRIPTION: (TRACT II)

Description of part of the Saliba Family Limited Partnership property recorded in Instrument No. HB-1838 in Lakeland, Shelby County, Tennessee:

Beginning at a set 1/2" rebar with plastic cap (OLLAR) at the intersection of the north line of U.S. Highway No. 64 (R.O.W. Varies) - (Public) and the east line of Walker Springs Drive (60' R.O.W.) - (Public); thence northwardly along the east line of said Walker Springs Drive (60' Wide) - (Public) the following calls: North 03 degrees 20 minutes 55 seconds East, 751.11 feet to a point; northwardly along a curve to the left having a radius of 180.00 feet, delta angle of 28 degrees 16 minutes 37 seconds, chord bearing of North 10 degrees 47 minutes 23 seconds East, chord distance of 88.83 feet and a curve distance of 89.94 feet to a point; northwardly along a curve to the right having a radius of 120.00 feet, delta angle of 30 degrees 26 minutes 07 seconds, chord bearing of North 10 degrees 08 minutes 06 seconds East, chord distance of 94.50 feet and a curve distance of 95.62 feet to a point; thence North 03 degrees 03 minutes 09 seconds West continuing along the east line of said Walker Springs Drive (R.O.W. Varies) - (Public), 13.79 feet to a set 1/2" rebar with plastic cap (OLLAR) at the southwest corner of Lot 38, Phase 1, Area 1A, Sterling Place P.U.D. recorded in Plat Book 219, Page 36; thence North 84 degrees 49 minutes 50 seconds East along the south line of Lots 38 and 39 of said Subdivision recorded in Plat Book 219, Page 36, 121.40 feet to a found 1/2" rebar at the southeast corner of Lot 39 of said Subdivision recorded in Plat Book 219, Page 36 and the southwest corner of Lot 40 of said Subdivision recorded in Plat Book 219, Page 36; thence South 78 degrees 18 minutes 14 seconds East along the south line of Lots 40, 41, 42 and 43 of said Subdivision recorded in Plat Book 219, Page 36, 132.93 feet to a set 1/2" rebar with plastic cap (OLLAR) at an external corner of Lot 43 of said Subdivision recorded in Plat Book 219, Page 36; thence South 82 degrees 20 minutes 34 seconds East along the south line of Lots 43 and 44 of said Subdivision recorded in Plat Book 219, Page 36, 173.90 feet to a point (unable to set - due to brick column) in the east line of said property recorded in Instrument No. HB-1838, in the westernmost west line of the S&L Land, LLC property recorded in Instrument No. 22053880 and Instrument No. 22053881 and the southeast corner of Lot 44 of said Subdivision recorded in Plat Book 219, Page 36; thence South 02 degrees 55 minutes 30 seconds West along the east line of said property recorded in Instrument No. HB-1838, along the westernmost west line of said property recorded in Instrument No. 22053880 and Instrument No. 22053881 and along the west line of the Cobb 64 Investments, LLC property recorded in Instrument No. 06054086, passing a set 1/2" rebar with plastic cap (OLLAR) at 2.00 feet and continuing for a total distance of 1009.79 feet to a set 1/2" rebar with plastic cap (OLLAR) in the north line of said U.S. Highway No. 64, said point being the southeast corner of said property recorded in Instrument No. HB-1838 and the southwest corner of said property recorded in Instrument No. 06054086; thence westwardly along the north line of said U.S. Highway No. 64 the following calls: North 80 degrees 42 minutes 16 seconds West, 371.17 feet to a set 1/2" rebar with plastic cap (OLLAR); South 83 degrees 19 minutes 06 seconds West, 38.13 feet to the POINT OF BEGINNING and 9.58 acres of land.

All bearings are based on the Tennessee Coordinate System of 1983.

CURVE TABLE				
CURVE	RADIUS	ARC	DELTA	CHORD
C1	180.00'	95.62'	30°26'07"	94.50'
C2	120.00'	59.22'	28°16'37"	58.62'
C3	180.00'	88.83'	28°16'37"	87.94'
C4	120.00'	64.11'	30°36'40"	63.35'

LINE TABLE		
LINE	LENGTH	BEARING
L1	117.07'	N84°46'54"E
L2	3.48'	S10°29'43"W
L3	13.79'	N00°03'09"W
L4	121.40'	N84°49'50"E
L5	192.93'	S78°18'14"E
L6	173.90'	S82°20'34"E
L7	38.13'	S83°19'06"W

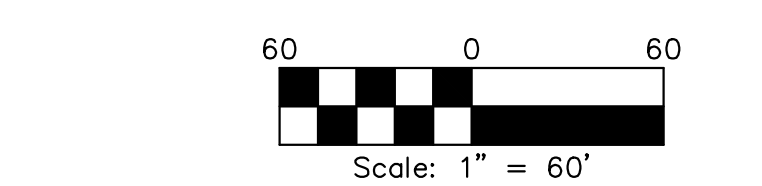
**CERTIFICATE:**  
I hereby certify that this plot plan was prepared from a Category 1 Survey performed by Ollar Surveying Company, LLC and that the ratio of precision of the unadjusted survey is greater than 1:10,000, and is in compliance with the current Tennessee minimum standards of practice.



- LEGEND:**
- BW BRICK WALL
  - E EAST
  - FCM FOUND CHISEL MARK
  - INST. INSTRUMENT
  - N NORTH
  - NO. NUMBER
  - P.B. PLAT BOOK
  - P.O.B. POINT OF BEGINNING
  - PC. PAGE
  - R.O.W. RIGHT-OF-WAY
  - S. SOUTH
  - SIP SET 1/2" REBAR WITH PLASTIC CAP (OLLAR)
  - W. WEST
  - X- FENCE
  - ..... OVERHEAD LINES



PLOT PLAN OF PART OF THE SALIBA FAMILY LIMITED PARTNERSHIP PROPERTY RECORDED IN INSTRUMENT NO. HB-1838 LAKELAND, SHELBY COUNTY, TENNESSEE  
SCALE: 1"=60' DATE: FEBRUARY 05, 2026



# Walker Springs

## DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR WALKER SPRINGS SUBDIVISION

WHEREAS, the Declarant is the fee simple Owner of real property described as Walker Springs Subdivision, in Lakeland, Shelby County, Tennessee; and

WHEREAS, the Declarant has caused to be prepared a plan for the development of the Property, to be known as Walker Springs Subdivision, into residential lots, which plat is of record at Plat Book \_\_\_\_\_, Pages \_\_\_\_\_ in the Register's Office of Fayette County ("Plat"); and

WHEREAS, the Declarant has caused to be recorded a DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS FOR WALKER SPRINGS SUBDIVISION.

WHEREAS, it is to the benefit, interest and advantage of the Declarant, the Lot Owners, as well as, each and every person or other entity hereafter acquiring any interest in the Property that certain conditions, restrictions, covenants, reservations and easements be established, fixed, set forth and declared as covenants running with the land;

NOW, THEREFORE, in consideration of the premises, the Declarant does hereby publish and declare that all or any portion of the Property described as Walker Springs Subdivision, as shown on the Plat that may be re-recorded from time to time, shall be held, conveyed, encumbered, used, occupied and improved subject to the following covenants, conditions, restrictions, uses, limitations and obligations (and subject to all easements, conditions, restrictions, etc., as set out in the Plat), all of which are declared and agreed to be in furtherance of a plan for the development and improvement of the said Property, and the said covenants, conditions, restrictions, uses, limitations and obligations shall run with the land and shall be a burden and a benefit to the Declarant, its successors and assigns, and any person or legal entity acquiring or owning any interest in any portion of the said Property or any improvements thereon, their grantees, successors, heirs, executors, administrators, devisees and assigns.

### ARTICLE I DEFINITIONS

1. **"Assessments"** means those levies and assessments which each Owner of a Lot agrees to pay to the Association pursuant to this Declaration of Protective Covenants and Restrictions or the By-laws.
2. **"Association"** means and refers to Walker Springs Home Owner's Association, Inc., a nonprofit, non-stock corporation incorporated under the laws of the State of Tennessee, its successors and assigns. The Association's Charter and Bylaws are, or will be, recorded in the Register's Office of Fayette County, Tennessee.

3. **“Board of Directors”** means and refers to the Board of Directors of the Association.
4. **“By-Laws”** means and refers to the By-Laws of the Association, a copy of which is or will be recorded in the Register’s Office of Fayette County, Tennessee.
5. **“Common Areas”** means and refers to all facilities within the Development used in common by the Owners, including without limitation, all private roads, all drainage easements outside of the individual lots, pocket parks, footpaths, bicycle paths, jogging trails, recreational facilities, gates, boundary walls and fences, median areas, and any areas lying within or adjacent to the roads not on an individual Lot. Common Areas will be used for amenity or recreational purposes. The Association shall own and maintain Common Areas and fixtures including signage, fencing and landscaping in perpetuity. The Common Areas may be owned by the Association in fee or for a term of years, but for the non-exclusive use, benefit and enjoyment of the Owner’s subject to the provisions of this Declaration. The Association will be responsible for the maintenance of the Common Areas. The Association shall govern the use of the Common Areas, and said obligation shall run with the land in perpetuity. Portions of the Common Areas designated as “Open Space” on the Plat shall be maintained and preserved as natural open space and shall not be used for individual homeowner's yards, lawns, or buildings.

If no Common Areas are shown on the recorded Final Plan of subdivision of the Development, then there are no Common Areas.

6. **“Common Improvements”** means all improvements thereon owned by the Association for the common use and enjoyment of the Members of the Association. The Common Improvements to be owned and/or maintained by the Association are as follows:

- a. All improvements located in a Common Area.
- b. All private drives and alleys.
- c. All neighborhood fences installed by the Declarant or his assigns which shall be owned and maintained by the Association, which includes all exterior boundary fences, and all the wood picket fences adjacent to sidewalks contained within the Pedestrian Use Easements.
- d. Any subdivision identification entrance monuments, landscaping and/or retaining walls installed by the Declarant or his assigns which are located within a Landscape Easement or the Common Areas.
- e. All sidewalks located on various private Lots contained within a Pedestrian Use Easement; perhaps installed by the individual Lot Owners in some cases; however, the maintenance, repairs and replacement of said sidewalks shall be the responsibility of the Association.

7. **“Declarant”** means NEED INFO, its successors and assigns for purposes of this Declaration.
8. **“Declaration”** means this Declaration of Covenants, Conditions, and Restrictions, and any supplementary declaration filed hereto, as this Declaration may, from time to time, be amended in accordance with its terms.
9. **“Development”** means the area subdivided by the Plat.
10. **“Improvements”** means the structures, walls, pavements, plantings, and other additions built or placed on the Lots or Common Area.
11. **“Landscape Easements”** means and refers to any landscape easement as shown on any Lot within which the Association has the right to create and maintain decorative landscaping, irrigation systems, and trees for the Development. The Landscape Easements will be improved and maintained by the Association subject

to the conditions, restrictions, and limitations imposed by this Declaration.

12. **“Lot(s)”** means and refers to the lots of land designated and shown on the Plat, and any correction, re-recording or revision thereto.

13. **“Member”** means and refers to every person or entity who holds membership in the Association, including the Declarant, so long as it retains ownership of any Lot in the Development, or is permitted by the Bylaws.

14. **“Owner”** means and refers to the record owner, whether one or more persons or entities, of fee simple title to any Lot which is a part of the Development, including Declarant to the extent it owns any Lots, but excluding those having such interest merely as security for the performance of an obligation ("the Mortgagee"), provided that if the Mortgagee shall succeed to title to a Lot, then the Mortgagee shall be an Owner for purposes hereof.

15. **Pedestrian Use Easement.** The Plat depicts areas of private property with a pedestrian use easement upon the portions of private property. The pedestrian use easement is granted to the Members of the Association and their guests, and its use is restricted to pedestrian uses only. If children play in this area, then no toys are to be left unattended. The Association will maintain liability insurance on all pedestrian use easements. If a Pedestrian Use Easement is running between two lots, on the property line, then it will have a 5ft wide sidewalk with a 3ft wide landscaping area on each side, thus no side yard fence will be placed within 3 feet of the edge of sidewalk unless approved by the Declarant.

16. **“Person”** means an individual, firm, corporation, partnership, association, trust or other legal entity or any combination thereof.

17. **“Property”** or **“Properties”** shall mean that real property being each Lot contained within Walker Springs Subdivision as recorded in the Register’s office of Fayette County.

## ARTICLE II

### PROPERTY SUBJECT TO THESE PROTECTIVE COVENANTS AND RESTRICTIONS

The real property described as Walker Springs Subdivision, as shown on the Plat, is subject to the conditions, restrictions, covenants, reservations and easements herein contained. Every Person hereafter acquiring a Lot or any portion of the Development, by acceptance of a deed thereof, accepts such interest subject to the terms and conditions of this Declaration, and by acceptance of the same will be deemed to have consented to and be bound by the terms, conditions and covenants of this Declaration.

## ARTICLE III

### PURPOSE OF PROTECTIVE COVENANTS AND RESTRICTIONS

The conditions, restrictions, covenants, reservations and easements herein contained are made and imposed upon the Development and each Lot contained therein to insure the best use and the most aesthetically appropriate development and improvement of each Lot; to protect each Owner of each Lot against improper use of surrounding Lots; to preserve, so far as practicable, the unique character of said Development; to encourage and secure the construction of attractive homes on the Lots; and in general, to provide adequately for a superior quality of improvements on the Lots, and thereby enhance the value of investments made by purchasers of the Lots. Restrictive Covenants and similar documents are private in scope and are not subject to governmental approval or enforcement.

ARTICLE IV  
DURATION OF PROTECTIVE COVENANTS AND RESTRICTIONS

The conditions, restrictions, covenants, reservations and easements herein contained run with and bind each and all of the Lots and will be binding on all parties and all persons claiming under them until 30 years after the recording date of this Declaration, at which time said covenants will be automatically extended for successive periods of ten (10) years each, unless amended as provided below. These conditions, restrictions, covenants, reservations and easements, or any one or more of them may be amended, prior to and on such date, by an instrument duly executed by not less than a 67% majority of the then Owners of the Lots (one vote per Lot) and recorded in the Office of the Fayette County Register; subject to the rights of Declarant noted in this document. For a period of 15 years, the Declaration cannot be amended without the written approval of the Declarant.

ARTICLE V  
ENFORCEMENT OF PROTECTIVE COVENANTS AND RESTRICTIONS

The Declarant, Association or any Owner of any Lot (unless otherwise restricted in this Declaration) have the right to enforce, by any proceedings at law or in equity, all conditions, restrictions, covenants, reservations and easements herein or hereinafter contained against any person or persons violating or attempting to violate any of said conditions, restrictions, covenants, reservations and easements; either to restrain violation or to recover damages for any such violation including, but not limited to, reasonable attorney fees and court costs. Failure by the Declarant or any Owner to enforce any of such conditions, restrictions, covenants, reservations and easements shall in no event be deemed a waiver of the right to do so thereafter. In the event of the violation of any of the covenants and restrictions contained herein which provides for monetary damages to the Declarant or the Association, or for which the Declarant or the Association incurs costs or expenses to enforce these covenants and restrictions as provided herein, such monetary damages, costs and expenses shall become a lien upon the Lot to which they are attributable. Invalidation of any one or more of the covenants or restrictions or other provisions herein or hereinafter contained by judgment or court order will in no way affect any of the other covenants and restrictions herein or hereinafter contained, which shall remain in full force and effect.

Each Owner of any Lot in the Development, or any other party having an interest in any portion of the Development, expressly agrees that no duty or obligation is imposed upon Declarant or the Association to enforce or attempt to enforce any of the covenants or restrictions contained herein, nor shall Declarant be subject to any liability of any kind or nature whatsoever resulting out of any claim by any third party asserting that Declarant failed to enforce the same.

ARTICLE VI  
RIGHTS OF DECLARANT

1. The Declarant reserves unto itself the right to impose additional specific restrictions upon any Lot in said Development at the time of sale by said Declarant of any of such Lots. Such additional restrictions may be made by appropriate provision in the deed, without otherwise modifying the covenants and provisions contained herein. Such additional restrictions as are so made shall apply to the Lot or Lots on which they are specifically imposed. Any additional restrictions or any variations imposed by the Declarant do not set a precedent for future construction.

2. Notwithstanding anything herein contained to the contrary, Declarant or its successors or assigns, reserves the right for a period of fifteen years from the date of the official recording hereof to unilaterally amend

this Declaration of Protective Covenants and Restrictions and to re-record the Final Plat of Subdivision for any reason Declarant or its successors or assigns, in its sole discretion, deems necessary, including, but not limited to, to meet the requirements of any governmental agency, on the federal, state or local level; for the requirements of any mortgage lender; or for any reason Declarant or its successors or assigns, deems advisable for the orderly development of the Development, including, without limitation, the reduction of the minimum heated floor area of any single family residence, exclusive of porches and garages, to be constructed on a Lot, the deletion or reconfiguration of any one or more Lots then owned by Declarant or any of its members, its successors or assigns, and the realignment, and/or the relocation of easements for utilities or drainage purposes. No Lot Owner shall be required to execute or ratify the amendment and re-recording of the plat which Declarant or its successors or assigns amends and re-records for any purpose it deems fit. These rights are not assignable to the Association, but are assignable, at Declarant's election, to any other party who purchases all or a majority of Declarant's Lots in the Development.

3. Neither Declarant nor the Association will be required to pursue enforcement of any alleged violation by an Owner of a Lot of a use restriction set forth herein. Any failure to so pursue by Declarant or the Association shall not serve as a waiver by Declarant or the Association of such violation, and Declarant or the Association shall have the right to enforce any use restriction herein which is violated by an Owner of a Lot, regardless of any prior election to not pursue enforcement thereof.

4. Except as otherwise specifically provided herein, the powers and duties of Declarant hereunder shall cease (a) thirty (30) years after the last recording of the Plat, or (b) when Declarant relinquishes its powers and duties to the Association, whichever occurs first, but under no circumstances before any development bond or similar security instrument securing the Declarant's orderly development of this phase of the subdivision has been properly released by the appropriate governmental parties. Upon the occurrence of these events, the powers and duties previously vested in Declarant will automatically be vested in the Association (unless otherwise noted) and, notwithstanding any provision contained herein regarding the termination of the powers and duties vested in Declarant, all powers transferred to the Association shall not terminate so long as the Association is in existence.

5. Notwithstanding any provisions herein contained to the contrary, it shall be expressly permissible for the Declarant to maintain, during the period of the sale of said Lots, upon such portion of the Development as Declarant deems necessary, such facilities as, in the sole opinion of Declarant, may be reasonably required, convenient or incidental to the sale of said Lots, including, but without limitation, a business office, storage area, construction yard, signs, billboards, posters, and other advertising devices model units, and sales office.

## ARTICLE VII PROPERTY RIGHTS

1. **Owner's Easement of Enjoyment.** Every Owner has a perpetual and unrestricted right of ingress to its own Lot, which passes with title, and also has the right and easement of enjoyment in and to the Common Areas designated to its own Lot which are appurtenant to and will pass with the title to every Lot, subject to the following provisions:

a. The right of the Association to permit the use of and adopt rules regulating the use and enjoyment of the Common Areas.

b. The right of the Association to suspend the voting rights and right to use Common Areas of an Owner for any period in which any assessment against the Owner's Lot remains unpaid; and for a period not to exceed sixty (60) days after notice and hearing as may be provided for in the By-Laws or rules for an infraction of its published rules and regulations, except for any Common Area.

c. The right of the Association to dedicate or transfer any part of the Common Area to any public agency, authority, or utility for the purpose of providing utilities, streets, or any similar purpose.

2. **Delegation of Use.** Any Owner may delegate, in accordance with the By-Laws of the Association, his rights of enjoyment of the Common Area and the facilities to parties who reside on that Owner's Lot and are either (a) Members of the Owner's family, or (b) contract purchasers.

3. **Parking Rights.** The use of private parking areas within the Common Area shall be for the temporary use by guests of Owners within the Development, together with the terms and conditions with regard to such use, shall be subject to the Association rules as same are in effect from time to time. Said private parking areas within the Common Area are NOT for the permanent or continued use of Owners within the Development.

## ARTICLE VIII MORTGAGEE'S RIGHTS

Upon request, the Association shall make available to any Lot Owner and lender, and to any holder, insurer, or guarantor of any first mortgage, current copies of this Declaration, the Bylaws, and other rules concerning the affairs and management of the Development, and the books, records, and financial statements of the Association. "Available" means available for inspection, upon request, during normal business hours.

Upon request, the Association shall furnish, to any holder of a first mortgage, a financial statement for the Association's immediately preceding fiscal year.

Upon written request to the Association, identifying the name and address of the holder, insurer or guarantor and the Lot number or address, any mortgage holder, insurer, or guarantor will be entitled to timely written notice of:

(a) Any condemnation or casualty loss that affects either a material portion of the Common Areas or the Lot securing its mortgage;

(b) Any ninety (90) day delinquency in the payment of assessments or charges owed by the Owner of any Lot on which it holds the mortgage;

(c) A lapse, cancellation or material modification of any insurance policy or fidelity bond maintained by the Association;

## ARTICLE IX COMMON EASEMENTS

1. **Easements of Encroachment.** There shall be reciprocal appurtenant easements of encroachment as between each Lot and such portion or portions of the Common Improvements adjacent thereto or as between adjacent Lots due to unintentional placement or settling or shifting of Improvements constructed, reconstructed or altered thereon, up to 6 inches from the property line.

2. **Pedestrian Use Easement.** The Plat depicts areas of private property with a pedestrian use easement upon the portions of private property. Said depiction shows the approximate location of the Pedestrian Use Easement. The actual limits of the easement shall be defined by the actual location of the sidewalk / path as installed by the Declarant or as required to be installed by the Declarant. The pedestrian use easement is granted to the Members of the Association and their guests, and its use is restricted to

pedestrian uses. The Association will maintain liability insurance on all pedestrian use easements.

3. **Development Improvements Easement.** There is hereby reserved a general easement for all improvements (subdivision identification monuments, fences, landscaping, and walks) installed or required to be installed by the declarant in the location where such improvements are or will be made. Additionally, there is hereby reserved a general easement which grants the Declarant or his assigns the right to enter upon the Development or any portion thereof, including each individual Lot, which is now or hereafter made subject to this Declaration for the purpose of maintaining, replacing and enhancing said improvements.

4. **Emergency.** There is hereby reserved without further assent or permit, a general easement to all policemen and security guards employed by Declarant or Association, firemen, ambulance personnel, garbage collectors, postal workers, utility personnel, delivery service personnel and all similar persons to enter upon the Development or any portion thereof which is now or hereafter made subject to this Declaration in the performance of their respective duties.

## ARTICLE X ARCHITECTURAL CONTROL

1. **Formation.** The Declarant or its assignee chosen by Declarant will function as the Architectural Control Committee until those powers are assigned to the Association.

2. **Intent.** Architectural control - to promote architectural compatibility and to preserve the value of homes and land within the Development, all improvements to the Lots within the Development shall be reviewed and approved by the Architectural Control Committee (referred to herein as "Architectural Control Committee"), its representative, or committee duly appointed by said Architectural Control Committee. This covenant shall not be construed to govern the interior design of dwellings nor shall any approval be unreasonably or arbitrarily withheld. In the event that the Architectural Control Committee, or its representative, fails to approve, approve with conditions, or disapprove such design and site plan within thirty (30) working days after said plans have been submitted in accordance with rules and requirements established by the Architectural Control Committee, such approval will not be required and this covenant shall be deemed to have been fully complied with. For the purpose of this provision, the term "working days" shall mean Monday through Friday, but excluding any Federal holidays. The Architectural Control Committee may, at its sole discretion, delegate its obligations, duties, and functions to a third party and in the event of such delegation, said third party shall be vested with the same authority and powers as the Architectural Control Committee as set out herein. The Architectural Control Committee may, at its discretion, retain the services of a third party to assist in the performance of its obligations, duties and functions arising hereunder.

3. **Powers.** The Architectural Control Committee may promulgate rules governing the form and content of plans to be submitted for approval or requiring specific improvements on the Lots including, without limitation, the exterior lighting, landscaping and planting and may issue statements of policy with respect to approval or disapproval of the architectural styles or details or other matters which may be presented for approval. Such rules and such statements of policy may be amended or revoked by the Architectural Control Committee at any time and no inclusion in or omission from or amendment of any such rule or statement shall be deemed to find the Architectural Control Committee to approve or disapprove any feature or matter subject to approval or to waive the exercise of the Architectural Control Committee's discretion as to any such matter, but no change of policy shall affect the finality of the Lot of any plans or specifications previously submitted to and approved by the Architectural Control Committee but such approval shall not be deemed a waiver by the Architectural Control Committee in its discretion to disapprove such plans or specifications or any features or elements included therein if such plans, specifications, features or elements are subsequently submitted for use on any other Lot. Approval of any

such plans and specifications relating to any Lot, however, shall be final as to the Lot and such approval may not be revoked or rescinded thereafter provided that the plans and specifications as approved and any condition attached to any such approval have been adhered to and complied with in regard to all structures, fences, hardscapes or barriers on the uses of the Lot in question.

With the exception of the Declarant, no structure of any kind or nature, or any fence, entranceway, gate or barrier shall be commenced, erected, placed, or permitted to remain on any of the Lots within the Development, nor shall any existing structure, fence or barrier upon any Lot be altered in any way which substantially changes the exterior appearance thereof without the written consent of the Architectural Control Committee; nor shall any new use be commenced on any Lot unless plans and specification shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Architectural Control Committee. Such plans and specifications shall be professionally prepared to industry standards and shall contain such information as may be required by the Architectural Control Committee, but in any event, shall include:

- a. A site plan of the Parcel showing the overall nature, materials, color and location of all improvements; including front, sides and rear setbacks of all structures, fences, gates or barriers, and location of driveways, turnarounds, parking spaces, decks, air conditioning equipment, refuse storage and screening.
- b. Proposed landscaping and hardscaping plans for the Lot.
- c. Front/rear yard exterior light standards if desired, the design, material and location to be specified by the Architectural Control Committee.
- d. Architectural plans shall include floor plans, all exterior elevations, building sections and details of cornice, front entrance, porches, rails, and other details, etc. of special or unique importance or character. Said plans shall include adequate data and detail as to the overall exterior materials, and color scheme and the overall kind, style, shape, height, materials and quality of the proposed structure and other improvements. Architectural plans shall also include a plan and elevations of any planned Lot entranceway and/or gate structure of either automatic or manual function. All entrance improvements shall be subject to the review and approval of the Architectural Control Committee even if said improvements are not done concurrently with home construction.

NOTE: The Architectural Control Committee may require additional data or more detailed plans should the items noted above not be adequately covered or should a design of unique quality or merit require such for full review and approval.

The Architectural Control Committee has the right to charge for the review of plans or require the applicant to pay an architect engaged by the Architectural Control Committee for review purposes.

4. **Initial Approval.** In the event the Architectural Control Committee fails to approve or disapprove any plans and specifications as herein provided within thirty (30) working days after submission thereof, the same shall be deemed to have been approved as submitted and no further action shall be required.

5. **Subsequent Approval.** Any subsequent changes, after the initially approved plans, (including existing structures or new structures), to the exterior colors and/or materials of any improvement located on each Lot, including, but not limited to, paint color, trim color, siding color, painted brick color, roof color, shutter materials and shutter color, must be approved in advance by the Architectural Control Committee or its designated representative.

6. **Violation.** If any structure, fence, or barrier shall be altered, erected, placed or maintained (including exterior maintenance) upon any Lot or any new use commenced on any Lot, otherwise than in

accordance with plans and specifications approved by the Architectural Control Committee as required herein, such alteration, erection, maintenance, or use shall be deemed to have been undertaken in violation of the restrictions herein and without the approval required herein, and unless deemed acceptable or appropriate upon written notice from the Architectural Control Committee any such structure, fence, hardscape or barrier so altered, erected, placed or maintained upon any Lot in violation hereof shall be removed or re-altered, and such use shall be terminated so as to extinguish such violation. If fifteen (15) days after the notice of such violation, the Owner or Owners of the Lot upon which such violation exists shall not have taken reasonable steps towards the removal or termination of the same, the Declarant or the Association by its officers or directors shall have the right through its agents and employees to (a) enter upon such Lot and to take such steps as may be necessary to extinguish such violation, or (b) to seek an injunction in a court of competent jurisdiction to enjoin the continued violation, and in either event, the costs thereof shall be a binding personal obligation of such Owner as well as a lien upon the Lot in question upon the recording of such with the Office of the Register of Fayette County, Tennessee.

7. **Right of Entry.** Any agent of Declarant or of the Architectural Control Committee may, at reasonable times, with notice, enter upon and observe any Lot and any improvements thereon for the purposes of ascertaining whether the maintenance of such Lot and the maintenance, construction, or alteration of structures thereon are following the provisions of these restrictions, and no such persons shall be deemed to have committed a trespass or other wrongful acts by reason of such entry or observation.

8. **Liability.** The Architectural Control Committee shall use its best efforts in the exercise of its duties; however, neither the Architectural Control Committee, its members nor the Association shall be liable for any decision made in the exercise of its duties, or for any comments, suggestions and/or redesigns resulting from the Design Review Process.

9. **Enforcement.** The Architectural Control Committee (and its successor or agents) shall have the right to enforce by any proceeding at law or in equity all architectural conditions and restrictions placed upon any Lot against any person or persons violating or attempting to violate any of said conditions or restrictions; either to restrain violation or to recover damages for any such violation including, but not limited to, reasonable attorney fees and court costs. Failure by the Architectural Control Committee to enforce any of such proceedings shall in no event be deemed a waiver of the right to do so thereafter.

**Unless otherwise defined or directed by the Architectural Control Committee , the clauses contained in this Article X are enforceable by the Architectural Control Committee and the Association, but do not create causes of action between one Lot Owner and another. These clauses are subject to change by the Architectural Control Committee without notice to Lot Owners, and include other rights as assigned by the Declarant.**

10. **Architectural Styles.** Subject to the review and approval of the Architectural Control Committee as to each proposed improvement, Architectural Styles and their modern deviations are approved or not as shown below.

STYLE	APPROVAL	STYLE	APPROVAL
Craftsman	Yes	Art Deco	None
Bungalow	Yes	Cape Cod	None
Federal	Yes	Contemporary	None
French Provincial	Yes	Creole	None
Georgian	Yes	Dutch Colonial	None
Gothic Revival	Yes	International	None

Greek Revival	Yes	Italianate	None
Queen Anne	Yes	Monterey	None
Regency	Yes	National	None
Shingle	Yes	Neoclassical	None
Shotgun	Yes	Prairie	None
Stick	Yes	Pueblo	None
Tudor	Yes	Ranch	None
Victorian	Yes	Saltbox	None
		Second Empire	None
		Shed	None
		Spanish Eclectic	None
		Split Level	None

11. **Building Standards.** No garage or accessory building door openings shall be taller than ten (10) feet. No accessory buildings of any type (storage, shed, shop, etc.) may be constructed or placed on any Lot without written approval of the Architectural Control Committee. All buildings and accessory structures erected upon said property shall be of new construction, no buildings or structures shall be moved from other locations onto said property and no subsequent buildings or structures, shall be constructed without the approval of the Architectural Control Committee or its designated representative. Any structures permitted to be built on site must be of the same materials as the home and, to the extent applicable, the roof, brick, siding, paint color, trim Color, and all other aspects of the accessory building must exactly match those of the home.

12. **Building Material Storage.** No building material of any kind or character shall be placed or stored upon any Lots until the Owner is ready to commence construction. Building materials shall not be placed or stored in the street right-of-way or alley without Declarant’s permission. Contractors performing work shall have placed on the Lot a commercial refuse container, once framing of the structure has begun, for holding all construction refuse. Construction sites shall be cleaned prior to each weekend during all phases of building construction or remodeling.

13. **Screening.** All equipment, utility meters, garbage cans, service yards, woodpiles or storage piles shall be kept screened by adequate planting or fencing so as to conceal them from view of other Lots or the roads. All rubbish, trash, or garbage shall be regularly removed from the premises and shall not be allowed to accumulate thereon.

14. **Accessory Structures.** If a recessed swimming pool is built on a Lot, then the entire rear yard or the swimming pool must be enclosed by an approved fence with latching gates which can be locked pursuant to the local Building Code or Ordinance.

Accessory buildings, recreational structures including, without limitation, pool houses, swings, jungle gyms, doll houses, dog houses, dog pens, dog runs, and swimming pools must be constructed in accordance with the ordinances of the Town of Oakland, and may be required to be screened by the Architectural Control Committee, and must be approved by Architectural Control Committee prior to commencement of construction. Among other factors, the location, type and size of the requested accessory building, recreational structure, or swimming pool will be taken into account when determining whether same will be approved or disapproved. Each Lot Owner will be responsible for maintaining all drainage patterns as set out in the approved construction drawings for this Development located at the Town of Oakland public works office.

In ground basketball goals must be approved by the Architectural Control Committee

15. **Landscaping.** Each Lot Owner shall be responsible for landscaping (in accordance with the standards established by the Architectural Control Committee), or the approved PD plan between the front of the residence and the road or Common Open Space prior to taking occupancy of the residence.

16. **Holiday Decorations and Lights.** All exterior holiday decorations may be placed on the residence and on the Lot no earlier than thirty-five (35) days before said holiday and must be removed within Fifteen (15) days after said holiday.

## ARTICLE XI PROVISIONS REGARDING BUILDERS

1. **Builder Approval.** In order to promote architectural compatibility, overall construction quality and to preserve the value of homes and land within the Development, all builders must be approved by the Declarant. The Declarant shall have the right to prohibit certain builders from constructing residences on any Lot at their sole discretion. Examples for which a builder may not be approved are the constructing of unapproved field modifications, inadequate response to Architectural Control Committee directions, and/or failure to comply with Architectural Committee requirements.

2. **Construction Debris and Trash Removal.** Each builder will be required to maintain a dumpster at the residence under construction. This dumpster shall be emptied periodically, but prior to the point that construction materials reach the upper rim. The required dumpster may be shared between two adjoining builders and/or Owners, if said builders and Owners agree, and each shall be bound by the conditions noted herein.

3. **Daily Cleaning.** Each day, all construction sites are to be cleaned so as to facilitate a pleasing appearance to Owners and visitors and to eliminate any hazards for the visitors who may be touring through the various construction projects.

4. **Violations.** Violations will be subject to penalties of \$100 per day and the Association also may have the violating site cleaned. In the event that the Association cleans violating site (or trash from the violating site) then Owner will be charged two times the direct cost charged for the site clean-up.

5. **Construction Material.** Construction materials shall be kept out of the public right-of-way at all times and stored on the subject property. Streets and service drives (alleys) adjacent to said property shall be kept open for circulation at all times. This is for the protection of all parties and to allow emergency vehicles direct access to any part within the Property.

6. **Blown Trash.** All wrappers, paper goods and light-weight building materials that may be blown onto adjacent properties shall be maintained, properly stored or deposited in trash receptacles on a daily basis.

7. **Lunch Trash.** Workers utilizing parks and common areas for lunch or breaks shall remove all food wrappers, containers, etc., and deposit said debris in trash receptacles.

8. **Infrastructure.** Within the Development, there are numerous forms of infrastructure consisting potentially of curbs, streets, service drives, landscaping, street trees, street lights, sidewalks, irrigation systems, brick pads, benches, bridge, street furniture, walking paths, parks, trash receptacles, etc., as well as other improvements not necessarily enumerated above. The Builder and Owner are responsible for protecting the infrastructure adjacent to or within the subject property.

- a. Damage to any infrastructure item will be repaired by the Association and back- charged to the Owner responsible at two times the direct cost and the Owner also may be fined.
- b. Prior to commencing construction, the Owner must have webbing, or other protective measure, around street trees adjacent to or within the subject site. All construction materials are to be kept away from these trees during construction so as to prevent any damage. These trees are a valuable asset to each property as well as the overall Planned Development.
- c. No builder, nor its employees or subcontractors or agents shall interfere with Declarant's contractors or its infrastructure construction.

9. **Construction Time.** No builder or subcontractor shall commence or perform construction work during hours prohibited by the Town's ordinance related to construction activity.

10. **Construction Audio Equipment and Noises.** No audio equipment (radios, tape decks, C.D. players) shall be utilized on construction sites on weekdays before 9:00 a.m. or after 5:00 p.m. Use of audio equipment on construction site is strictly prohibited on Saturdays and Sundays. Audio equipment shall not be played so loudly as to disturb nearby residents at any time. Offensive language or other potentially offensive noise (other than typical construction machinery or procedures) is strictly prohibited.

11. **Concrete Delivery and Disposal of Excess Material.** Concrete trucks are strictly prohibited from dumping any excess concrete anywhere within the Development (except for the Lot it was intended for) unless a designed area is defined by Declarant. Concrete which is accidentally spilled on sidewalks, curbs or asphalt paving must be removed by the responsible party immediately.

12. **Surveys and Construction Staking.** Each Builder and Owner is responsible for establishing property corners and construction staking. No tolerance will be allowed for improperly locating property lines or proposed improvements. An experienced and qualified licensed surveyor is required to survey the property and locate proposed improvements. The location of proposed improvements shall be double-checked prior to starting actual construction. Once the foundation is laid, the contractor's surveyor shall certify that all improvements are properly located. Any and all deviations shall be promptly corrected at that time. No exceptions will be allowed.

13. **Dump Sites.** There are no dump sites within the Development. All construction refuse and debris removed from the premises during and upon completion of construction shall be properly disposed of, outside of the boundaries of the Development.

A fine of One Thousand Dollars (\$1,000.00) per occurrence may be imposed by Declarant, or if Declarant's rights have been terminated as provided herein, by the Association, on anyone dumping debris on any portion of the Development. This fine shall accrue to the Lot from which the debris originated, and a lien shall be filed on said Lot. The workman and company responsible for depositing such debris may at the choice of the Declarant be prohibited from future work in the Development.

14. **Protection of Adjacent Property.** When construction is to begin, the contractor is required to put up a solid black silt fence along the entire Lot line separating the proposed construction site from adjoining properties. This fence shall be maintained by the builder throughout construction and every effort must be made to keep any construction debris off of the adjacent property. The contractor shall not utilize the adjoining property in any manner unless prior approval and conditions have been granted by the adjacent Lot Owner.

15. **Erosion Control.** It shall be the sole responsibility of the Lot Owner or Owner's agents, employees,

contractors, sub-contractors, or assignees to determine if erosion control measures including, but not limited to, silt fencing may be required to comply with all local, state and federal ordinances, laws, rules and regulations. If such erosion control measures are required then, in that event, it shall be the sole responsibility of the Lot Owner, or its agents or contractors to take all steps necessary to insure that all erosion control measures are fully complied with and maintained prior to, during and after construction of the referenced property. The Tennessee Department of Environment and Conservation (TDEC), Division of Water Pollution Control requires the Owner of property to maintain adequate drainage and erosion control measures at the property and to maintain such measures throughout construction of the improvements upon the property. If the Lot Owner is a builder or contractor, intending to construct a home for resale, it will, within fifteen (15) days following the date it takes title to the Lot contact TDEC and file the Notice of Intent for Construction Activity and Storm Water Pollution Prevention Plan (SWPPP) and furnish such other forms and information as may be required by TDEC to obtain a new tracking number for the Lots purchased by said builder or contractor. Otherwise, the Lot Owner will require its builder or contractor, when selected, to file a Notice of Intent for Construction Activity with TDEC no less than ten (10) days prior to the commencement of construction or disturbance of the Property. The Lot Owner shall initially establish and maintain a fully sodded property at the time of construction completion.

16. **Port-A-John.** Each builder is responsible for his own Port-A-John or for making arrangements with nearby builders to share a unit between several construction sites. The Port-A- John shall be maintained on a regular basis and located at the rear of the construction site and the door of the Port-A-John shall not face any street, sidewalk or other public right-of-way.

17. **Sidewalks and Picket Fencing.** Each Lot Owner is responsible for the installation of the sidewalk in front of the house if not already installed by the Declarant. In the event that the Declarant has already installed said sidewalk on the Lot Owner's lot then such Lot Owner shall be responsible for repairs due to damage occurring during home construction to said sidewalk.

18. **Owners' Responsibility.** The Owner of any Lot is responsible for any violation of this Article XI which results from work being performed on or about its Lot, whether such violation is caused by the Owner or its contractor, builder or other agents performing work for or on behalf of Owner. All obligations imposed on builders or other third parties relating to work done on a Lot is also the responsibility of the Owner of that Lot, and the Owner is liable for all costs, fines, penalties and other remedies available to the Declarant or the Association, or where applicable, to other Lot Owners.

## ARTICLE XII PROTECTIVE COVENANTS AND RESTRICTIONS

1. **Uses Allowed.** All Lots in the Development are hereby restricted to private residential dwellings for residential use except for the Lots designated on the Plat as Common Areas. All of such Lots shall be known and described as single family residential Lots and are not to be re-subdivided into smaller lots. No structures of a temporary character, trailer, basement, tent, shack, garage, barn or other building of temporary character shall be used on any portion of said Lot at any time as a residence, either temporarily or permanently.

2. **Square Footage.** The minimum square footage for a residence shall be determined by the Architectural Control Committee, which may set different standards depending on Lot configuration and other factors.

3. **Building Standards.** No structure shall be erected, placed, altered, or permitted to remain on any Lot in this Development other than one single-family detached dwelling of not more than two (2) stories in height plus roof, with a minimum of one private 2-car garage. Lofts over a garage are not considered by this document as a living unit. Accessory structures are allowed to the extent that the Town of Oakland allows same once a house has been built on the Lot and the structure has been approved in writing by the Architectural Control Committee or its designated representative. Cottage Lots are not required to have a private 2-car garage.

4. **Uncompleted Construction.** Any dwelling shall have a certificate of occupancy issued by the Town of Oakland Department of Code Enforcement or other entity which may possess the legal authority to issue such a certificate within two hundred seventy (270) days from the date an engineering firm performs the pre-pour inspection of the foundation, and failure to comply with this condition shall result in a payment by the Lot Owner of \$50.00 per day as liquidated damages to the Declarant until the dwelling is issued a certificate of occupancy. If such pre-pour inspection of the foundation is not obtained or the date is unknown, the 270-day time period shall commence to run on the date the building permit is issued to construct improvements upon the Property. The Architectural Control Committee shall, in its sole discretion, shall have the ability to lengthen the time for issuance of a certificate of occupancy to be issued.

5. **Trash.** It shall be the sole responsibility of the Lot Owner to prevent the blowing, dumping or placement of trash, refuse, etc. on an adjacent Lot. If a Lot Owner fails to comply with this condition within ten (10) days after written notice to the last known address of such Lot Owner, the Declarant may perform such maintenance and recover the cost thereof from the Lot Owner, including reasonable collection and attorney's fees. Owner's conducting remodeling operations or construction operations shall use commercial steel refuse bins. The burning or burying of household trash or refuse is prohibited. Burning of trees, brush and construction materials is prohibited.

6. **Accessory Structures & Local Code.** Accessory buildings, recreational structures including, without limitation, pool houses, swings, basketball goals, jungle gyms, doll houses, dog houses, dog pens, dog runs, and swimming pools must be constructed in accordance with the ordinances of the Town of Oakland. Each Lot Owner will be responsible for maintaining all drainage patterns as set out in the approved construction drawings for this Development located at the Town of Oakland public works office.

7. **Location of Accessory Structures.** All buildings, including any freestanding buildings or other structures erected, shall conform to the applicable setback requirements of the zoning law having jurisdiction, provided, additionally, that on no Lot shall any structure or accessory building be located nearer to the street than the side or front building line of the principal building without the prior written consent of the Architectural Control Committee.

8. **Electric Service.** All secondary electric service lines shall be run underground from its primary source to the residence and/or any outbuildings at the Owner's sole expense. Electric meters shall be placed adjacent to the residence and not located at the public streets or on the front of the house.

9. **Satellite Dishes.** Without prior written approval and the authorization of the Architectural Control Committee, no exterior television or radio antennas or satellite dishes of any sort with the exception of a satellite dish no larger than 24" in diameter, if located out of public view, shall be placed, allowed, or maintained upon any Lot or upon any portion of the improvements located upon the Property nor upon any structure situated upon the Property.

10. **Flagpoles.** Any non-attached flagpole erected upon an Owner's property may not exceed fifteen (15) feet in height and must conform to the ordinances of the Town of Oakland. The location of the flagpole must be approved by the Architectural Control Committee.

11. **Exterior Lighting.** All exterior lighting on a Lot, including, but not limited to, landscape lighting, is subject to the rules of the Architectural Control Committee. Said lighting on each Lot shall be constructed and maintained so as to provide such illumination as is necessary for that Lot only, and shall be installed/directed so as to avoid glare and excessive spillage on adjacent properties or streets.
12. **Fencing.** No fences, walls or other such features shall be erected on any Lot without the prior written approval of the Architectural Control Committee. Fences are to be constructed in accordance with the ordinances of the Town of Oakland and with the Architectural Control Committee. The Architectural Control Committee will provide a fence detail upon request. No chain-link or wire fence is allowed between Lot Owners.
13. **Driveway Material.** All driveways and flatwork finishes shall be approved by the Architectural Control Committee.
14. **Lawns.** All lawns must be solid sodded, except as expressly approved by the Architectural Control Committee.
15. **Pets.** No animals, livestock, poultry of any kind shall be raised, bred, pastured or maintained on any Lot except household pets which shall be kept in reasonable numbers as pets for the sole pleasure of the occupants, but not for any other purpose or use. No such household pets shall be permitted to the extent they become a nuisance to neighboring Lot Owners. All permitted pets shall be kept on leashes at all times when any such pet is not confined by a fence or pen. A Lot Owner shall promptly remove all pet waste from such Lot Owner's Lot and from any other Lot Owner's Lot and / or the Common Areas. Violation of either of the foregoing restrictions shall result in a penalty or additional assessment against the Lot of such Lot Owner in the amount of One Hundred and no/100 Dollars (\$100.00) for each occurrence by the Association.
16. **Tree Removal.** No tree larger than eight (8) inches in diameter measured thirty-six (36) inches from the grade shall be removed without the approval of the Architectural Control Committee, unless it is dead or poses a threat to the safety and health of the occupants of a Lot or the adjacent Lots.
17. **House and Lot Maintenance.** Each Lot Owner shall be responsible for the interior and exterior maintenance of his Lot and improvements, including, but not limited to, all exterior walls of dwellings, doors, windows, roofs, patios, garages, light fixtures, irrigation systems, parking surfaces, landscaping, driveways, painting, mailboxes, street lights, private drives, plumbing and electrical repairs. All grass, weeds, vegetation and/or debris on each Lot shall be kept mowed and cleared at regular intervals by the Owner thereof so as to maintain the same in a neat and attractive manner. All Lots shall, at all times, be kept free and clear of dead trees, shrubs, vines, plants and other vegetation. In the event an Owner of any Lot shall fail to maintain his or her Lot and the improvements thereon in a manner as required by these covenants, as reasonably determined by the Architectural Control Committee, the Architectural Control Committee shall have the right, through its agents and employees, to enter upon said Lot and to repair, maintain and restore the Lot and the exterior of the improvements erected thereon. The cost of such repair, maintenance and restoration shall be added to and become part of the assessment of that Lot. Additionally, each Owner shall be responsible for the maintenance and repair of the public curb and gutter (if any) adjoining or contiguous to the Owner's Lot which may be damaged during any construction or improvement activity on said Lot. The cost of said maintenance, expenses and attorney's fees shall be a binding obligation of the Owner, as well as a lien on the Lot in question upon recording of a notice of lien with the Register's Office of Fayette County, Tennessee. Any lien so recorded shall at all times be subordinate to any prior recorded deed of trust. In addition to the costs as set forth herein, the Owner shall be responsible for all court costs, reasonable attorney's fees and interest from the date of any expenditure at the maximum

legal rate of interest.

**18. Warranties.** The purchaser of a vacant Lot, or in the case of the Common Area of the Association, shall accept same in its existing condition, no warranties or representations having been made by the Declarant or its designated representative which are not expressly stated herein. The Declarant shall convey the Lots and the Common Area as is, where is, and with all faults. The acquirer of any property within the Development agrees to indemnify and hold the Declarant, its successors or assigns harmless against any claim, liability, damage or cost in connection with the development of the property or any Lot. The Owner of any property within the Development shall, in the development of the property or Lot and thereafter, provide adequate drainage so as not to adversely affect such property or Lots adjacent thereto before, during and after construction. The Development may be filled land or partially filled land. The Declarant shall not be responsible for any trees that die. The Declarant shall not be responsible or liable for any claims of any kind or character related to the fill or soil conditions of said Development. The Declarant makes no warranty concerning the degree of rainwater inundation that may result on the aforementioned Lots since said inundation can be expected with rainfall which exceeds the design standards.

**19. Garden Location.** Any vegetable gardens shall be located no closer to the public street than the rear of the house, within a fenced area, except for any garden allowed in a Common Area by the Association.

**20. Statuary.** All statuary, monuments and similar decorations intended to be placed in a yard or wherever they can be seen from off the Lot upon which they are located must be approved in advance by the Architectural Control Committee or its designated representative.

**21. Sidewalks.** Sidewalks shall be installed by the Lot Owner in accordance with the ordinances and regulations of the Town of Oakland and are to be installed when the residence is constructed. Should a Lot Owner not have installed the required sidewalk(s) when required by the Association, then the Association will collect from the Lot Owner the cost required to ensure the future construction of the sidewalk. Should the Lot Owner refuse to do so, then the Association shall have the right to file a lien on the property or sue for ten (10) times the cost of the sidewalk. Upon the Lot closing, the Owner shall be responsible for the maintenance and repair of the curb and gutter along the frontage of their Lot. If the Owner fails to maintain or repair the curb and gutter in a timely manner, then the Association or its designated representative shall have the right to file a lien on the property and/or sue for ten (10) times the cost of the curb and gutter.

**22. Signage.** No commercial sign of any kind or in any form shall be located on any Lot or in the street right-of-way without the express written consent of the Architectural Control Committee – at its sole discretion, except a single sign not larger than six (6) square feet advertising real estate for sale or rent, said real estate signs must meet the sign requirements of the Architectural Control Committee. No political sign, poster or other standard or banner shall be placed in a visible location on any Lot that is larger than six (6) square feet in total area. Political signs may be placed in Lots no earlier than 45 days prior to the event of election and shall be removed within 48 hours of the completion of the event of election and shall not exceed one per current elective race. No sign advertising the property "for rent" or "for lease", or any other sign, of any nature, may be placed upon an Owner's property or in an Owner's property except for the standard size signs used by Realtors, subject to the size limitations set out in this Article XIII, Section 22.

**23. Prohibited Uses.** No commercial use shall be made of any Lot except a discreet and incidental home occupation conforming to all applicable provisions of the zoning law having jurisdiction. No Lot may be used for incidental or principal outdoor storage, maintenance or repair of any equipment used in the conduct of a business elsewhere. No noxious or offensive trade or activity shall be carried on upon any Lot, nor shall anything be done thereon which may be, or may become, an annoyance or nuisance to the neighborhood, including, but not limited to, parking or storage of any large commercial vehicles, excessive noise from barking dogs, equipment or trailers, except while engaged in construction on a Lot. No animals, livestock

or poultry of any kind shall be permitted on any of said Lots, except dogs, cats or other household pets may be kept, provided they are not kept, bred or maintained for any commercial purpose. In all instances, household pets shall be restrained within fenced areas or under leash. The Declarant shall determine in their sole discretion whether an Owner is in violation of this section.

24. **Noise.** No Owner shall cause or allow any use on his Lot that results in noise which disturbs the peace and quiet of the Development. This restriction includes, without limitation, dogs whose loud and frequent barking, whining or howling disturbs other Lot Owners, exterior music systems or public address systems, and other noise sources which disturb other Owners' ability to peacefully possess and enjoy their Lots. The Board of Directors of the Association shall determine in their sole discretion whether an Owner is in violation of this section.

25. **Air Quality.** No Owner shall permit or cause the escape of such quantities of dense smoke, soot, cinders, noxious acids, fumes, dust, or gasses as to interfere with the use and enjoyment by other Owners of their Lots.

26. **Home Business.** No house or other structure on any Lot shall be used for any business or commercial purpose, except for small business owned by the Lot Owner, that are allowed by the governmental entities. Each Owner shall refrain from any act or use of his Lot which could reasonably cause embarrassment or discomfort or annoyance to the neighborhood. No noxious, offensive or illegal activity shall be carried out upon any Lot.

27. **Hobbies.** The pursuit of hobbies or other inherently dangerous activities including without limitation the assembly and disassembly of motor vehicles or other mechanical devices, the shooting of firearms, fireworks, or other pyrotechnic devices of any type or size, and other such activities shall not be allowed upon any Lot.

28. **Lot Transfer.** Each Lot shall be conveyed as a separately designated and legally described freehold estate subject to the terms, conditions and provisions hereof and all easements, restrictions and covenants set out in the Plat and the terms of these Declarations.

29. **Lot Boundaries.** If one or more contiguous Lots are owned by the same Owner, they may be combined upon the consent of the Declarant for the purpose of placing approved Improvements thereon, but individual Lots may not be re-subdivided so as to create a smaller area than originally deeded to an Owner and as shown on the Plat without the consent of the Declarant.

30. **Governmental Codes.** Each Owner shall observe all governmental building codes, health restrictions, zoning restrictions and other regulations applicable to his Lot. In the event of any conflict between any provision of such governmental code, regulation or restriction and any provision of this Declaration, the more restrictive provision shall apply.

31. **Parking.** No commercial or recreational vehicles, including, but not limited to, trucks, vans, utility vehicles, boats, campers, and trailers shall be parked on the public streets, service drives or private parking adjacent to the service drives and must be kept in the garage. Only passenger vehicles (excluding commercial and recreational vehicles containing sleeping space) which have current registration and are in a condition so as to be lawfully operated on public streets may be parked on those parts of driveways in the rear of the property. No vehicle of any type or nature with a "for sale" sign affixed thereon or therein may be parked on the public streets, service drives or private parking adjacent to the service drives or on driveways in the rear of the property. No vehicle of any nature or type that is not in operating condition or appropriately licensed may be parked on the public streets or within the Development. Vehicles in violation are subject to being towed at the Owner's expense.

32. **Boats.** Boats must be stored in enclosed areas and must not be visible from neighboring Lots, Streets, Service Drives or Common Areas.

33. **Sex Offenders.** No Lot nor any improvement thereon within Development as shown on plat thereof, shall be conveyed to, leased to, or occupied by a convicted sex offender that is listed on any state or federal sex offender registry.

34. **Full Force.** Invalidation of any of these covenants, limitations, or restrictions by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

35. **Obligation of Declarant and Association.** Neither the Declarant, the Architectural Control Committee nor the Association shall be required to pursue enforcement of any alleged violation by an Owner of a Lot of a use restriction set forth herein. Any failure to so pursue by the Declarant, the Architectural Control Committee or the Association shall not serve as a waiver by the Declarant or the Association of such violation, and the Declarant, the Architectural Control Committee or the Association shall have the right to enforce any use restriction herein which is violated by an Owner of a Lot, regardless of any prior election to not pursue enforcement thereof.

Declarant

NEED INFO

By: \_\_\_\_\_  
NEED INFO

State of Tennessee  
County of Shelby

On this \_\_\_\_\_ day of \_\_\_\_\_, 2026, before me personally appeared NEED INFO, to me known to be the person described in and who executed the foregoing instrument, and who acknowledged himself to be the President of NEED INFO, a Tennessee limited liability company, the within named bargainer, and who further acknowledged that, being duly authorized, he executed the forgoing instrument for the purposes therein contained on behalf of said company by signing the name of the corporation, by himself as such officer.

Witness my hand and official seal at office, this the \_\_\_\_ day of \_\_\_\_\_, 2026.

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

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**Meeting Date:** Thursday, March 12, 2026  
**Project:** Chapel Lakes Planned Development - Outline Plan  
**Staff Contact:** Alex Barthol, Staff Planner

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**PROJECT INFORMATION**

**Location:** 4532 Maple Walk Drive  
**Zoning District:** AG: Agriculture, R1: Suburban Estate, RE: Exurban District, OR: Outdoor Recreation District  
**Site Area:** 126.4 acres  
**Applicant:** Cummings, LLC  
**Representative:** David Bray, The Bray Firm

**STAFF RECOMMENDATION**

City Staff recommends approval of the Outline Plan Application for Chapel Lakes Planned Development.

**BACKGROUND:**

The subject property is located on the west side of Chambers Chapel Road just south of the Estates of Oakwood Grove Subdivision. This property has had a previous Planned Development Outline plan application submitted back in 2021, however that application was not approved. There are currently no approved applications for this site.

**ANALYSIS:**

The specific request in this application is the approval of the Outline Plan that establishes the boundaries of the development, as well as the underlying zoning regulations. 54% of lots will follow the R-1: Suburban Estate designation which has a minimum lot size of 17,500 square feet. 28% of lots will follow the R-2: Suburban Manor designation which has a minimum lot size of 10,00 square feet. The final 18% of lots will follow the R-3: Suburban Cottage designation which has a minimum lot size of 5,500 square feet and will be ally loaded lots. 30% of the total area will be designated as common open space with amenities like a community pool, pickleball courts,

and interconnected walking trails also proposed. City Staff has reviewed this application and is in agreement that the proposal does conform to the Land Development Regulations and is in line with other adjacent developments. Staff is recommending approval of the application as submitted.

**EXAMPLE MOTIONS**

1. Motion to approve the Chapel Lakes Planned Development Outline Plan Application subject to the following conditions:
  - a. Conditions as determined by the Planning Commission
2. Motion to approve the Chapel Lakes Planned Development Outline Plan Application without conditions.
3. Motion to deny the Chapel Lakes Planned Development Outline Plan Application:
  - a. Reason for denial



# CITY OF LAKELAND

## Application for Preliminary and Final Subdivision Plat Approval

Case No. \_\_\_\_\_

Date of Application 02.12.2026

Name of Applicant CUMMINGS, LLC

Address 6192 CHAPELLE CIRCLE MEMPHIS TN 38120

Daytime Telephone Number 901-335-0926 Fax Number N/A

E-mail SROBERTS@ASTORFINEBUILDINGS.COM

Name of Property Owner CUMMINGS, LLC

Address SAME Telephone Number SAME

Name of Project Planning/Engineering Firm \_\_\_\_\_

Name of Project Manager or Contact Person LOUIS RICCI JR

Address 6515 CHEERYBIRCH PKWAY MEMPHIS TN 38120

Telephone Number 615-878-0076 Fax Number N/A

E-mail LOUIS RICCI JR @ YAHOO.COM

Name of Subdivision CHAPPELLAKES PLANNED DEVELOPMENT Parcel ID# LO151 00483  
LO151 00489

Location of Subdivision 4532 MAPLEWYKE DRWE

Acreage 126.4 Acres Proposed No. of Lots 208 Range of Lot Sizes 6600 sq. ft. to 17500 sq. ft.

Zoning District(s) PD OUGALLY Minimum Lot Width \_\_\_\_\_ ft. 55-100

Setback Requirements: Front \_\_\_\_\_ ft. Side \_\_\_\_\_ ft. Rear \_\_\_\_\_ ft.  
SEE OUTLINE PLAN CONDITION

Multiple Phases? Yes/No \_\_\_\_\_ If yes, how many phases are anticipated? SEE OUTLINE PLAN (Provide schedule)

Plat approval requested (check one): Preliminary  Final  Amendment  OUTLINE PLAN

Date of Preliminary Plat approval, if applicable \_\_\_\_\_

Date of Final Plat approval, if applicable \_\_\_\_\_

Is the applicant seeking any variances from the Subdivision Regulations?  YES  NO

Are there any variances from the Zoning Ordinance applicable to proposed subdivision? YES  NO

In general, the Municipal Planning Commission (MPC) meets the third Thursday of each month at 5:30 p.m. in the Board Chambers of City Hall, at 10001 U.S. Highway 70. All applications and related plan documents must be received by 4:00 p.m. thirty (30) days prior to the MPC meeting. If the thirty (30) days falls on the weekend, the application/documents must be in by the preceding Friday. Four (4) copies of all required materials, in addition to the required filing fee shall be submitted to the City by the application deadline. Contact the City at 901-867-2717 to confirm deadline and meeting dates and times.

  
Applicants Signature

STANFORD ROBERTS

2.12.2026  
Date

Property Owners Signature (if different from applicant)

Date

### CITY OF LAKELAND

**Contact:** City of Lakeland  
10001 Highway 70  
Lakeland, TN 38002  
Office: (901) 867-2717 Fax: (901) 867-2063

### PRE-APPLICATION CONFERENCE WITH CITY STAFF

The applicant or their designated design professional shall consult with City staff for advice and assistance a minimum of thirty (30) days in advance of a formal submission of an application and related plan documents.

### EFFECTIVE PERIOD OF SUBDIVISION PLATS

Approval of a Master/Preliminary Plan shall lapse unless a Construction Plan, for all or part of the proposed subdivision, is submitted within twelve months from the date of the Master/Preliminary Plan approval, or unless an extension of time is applied for and granted by the Planning Commission. Failure of the developer to act within the specified time or denial of a time extension shall require new application for Master/Preliminary Plan approval including the application fee.

### JURISDICTION AND POLICY

The Subdivision Regulations govern all subdivision of land lying within the corporate limits of the City of Lakeland under authority granted by Section 13-4-301, Tennessee Code Annotated. The term "subdivision" means the division of a tract or parcel of land into two or more lots, sites or other divisions requiring new street or utility construction, or any division of five acres or less for the purpose, whether immediate or future, of sale or building development, and includes resubdivision. It is the policy of the Planning Commission to consider

community. Compliance with the minimum standards set forth in these regulations does not grant to the developer an implicit or explicit right to subdivision approval. The Planning Commission may require that a proposed subdivision exceed the minimum standards to satisfy site specific conditions or to insure compatibility with adjoining neighborhoods.

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### **DEVELOPMENT AGREEMENT**

The developer and owner must enter into a contract with and satisfactory to the City of Lakeland Board of Commissioners relative to all required improvements including, but not limited to, streets, sewer and water lines, surface and subsurface drainage, private improvements such as landscaping, entrance treatments and common space amenities, and the payment of fees and the required deposit of funds, bonds, warranties and/or collateral with the City of Lakeland. No construction work including site preparation and clearing will be permitted by the City prior to the execution of a Development Agreement between the developer and the City.

The Board of Commissioners shall authorize the Mayor to execute the Development Agreement between the City and the applicant. All Development Agreements shall cover one hundred percent (100%) of the required public improvements by the developer(s) and shall include any and all fees associated with the development project as well as a surety bond or irrevocable letter of credit for such improvements.

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### **SEWER PLAN REQUIRES APPROVAL FROM BOARD OF SEWER COMMISSIONERS**

Subsequent to the approval of the Preliminary Plat by the MPC, the applicant must seek and obtain approval of the Sewer Plan by the Lakeland Board of Sewerage Commissioners. All water and sewer plans must also be approved by the Tennessee Department of Environment and Conservation (TDEC) prior to approval of the Construction Plans.

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### **LAKELAND TREE ORDINANCE**

All requirements of the Lakeland Tree Management Ordinance, including the submittal of a detailed Tree Survey and Tree Management Plan, must be submitted prior to action on the Construction Plans by the MPC.

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### **APPROVAL OF CONSTRUCTION PLANS**

Article I, Section 4D of the Subdivision Regulations specifies the Construction Plan submittal requirements. In addition to the standard requirements, additional requirements of the Construction Plan submittal include: 1) Stormwater Discharge Certificate; 2) a Grading Plan; 3) Tree Removal Permit; and 4) Water and Sewer Plan approval. Within thirty (30) days of a complete submittal, the City Engineer will act upon the Construction Plans. Failure of the City Engineer to act upon the plans within thirty (30) days of the complete submittal shall be deemed as recommending approval of the Construction Plans by the City Engineer.

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### **PARKLAND DEDICATION REVIEW BY PARKS & RECREATION BOARD**

Prior to approval of the Development Agreement by the Board of Commissioners, all proposed parkland or proposed fees paid in lieu of dedication shall first be reviewed and a recommendation provided by the Parks & Recreation Board of the City of Lakeland. The Parks & Recreation Board shall make a determination on the appropriateness of the proposed parkland dedication or payment in lieu of dedication in support of the City's park and recreational needs.

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## REVIEW BY DESIGN REVIEW COMMISSION

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Any required design review by the Lakeland Design Review Commission must be completed prior to approval of a Development Agreement by the Board of Commissioners. Design elements such as signage, fencing, landscaping, lighting, and related design features may require review and approval by the Design Review Commission.

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## FINAL PLAT APPROVAL

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The Final Plat must be submitted a minimum of thirty (30) days prior to the MPC meeting. Within thirty (30) days of the completed submittal, the MPC will act upon the Final Plat.

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## SUBMITTAL OF AS-BUILT PLANS AND FINAL ACCEPTANCE OF IMPROVEMENTS

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Upon completion of the public improvements, the applicant must submit complete as-built drawings documenting final construction. The applicant shall submit a request for final acceptance of the public improvements by the City to the MPC for a recommendation to the Board of Commissioners. The request for final acceptance of public improvements must be made a minimum of thirty (30) days in advance of the MPC meeting.

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## RECORDING OF FINAL PLAT WITH REGISTERS OFFICE

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The Final Subdivision Plat shall be recorded at the Shelby County Register of Deeds Office after receiving approval from the Planning Commission. The Final Subdivision Plat shall contain, at a minimum, the conditions of approval from the various boards and commissions involved in the review and approval of the site plan and related design elements including, but not limited to, the Planning Commission, Design Review Commission, and Board of Zoning Appeals. The subdivision plat shall be presented to the City in a format suitable for recording upon satisfactory completion of public and private improvements required for the project.

The City of Lakeland requires that a copy of all CAD files (Final Plat, Landscape Plans, Detail Sheets, etc.) be submitted before the Final Plat is recorded or before CO is granted.

- CAD files may be submitted either on a flash drive, thumb drive, CD/DVD or by email (if possible)
- CAD files may be submitted in either DWG or DXF format
- All relevant information should be included (utilities, streets, parcels, curb, gutter, etc.)
- All multiline text (MTEXT) and all blocks should be exploded (all entities viewable/selectable individually, excluding symbols)
- All files should be in Tennessee State Plane coordinates, NAD83 with units in feet
- All external reference files (XREF) should be included with the drawing
- AutoCAD Release 2006 or later

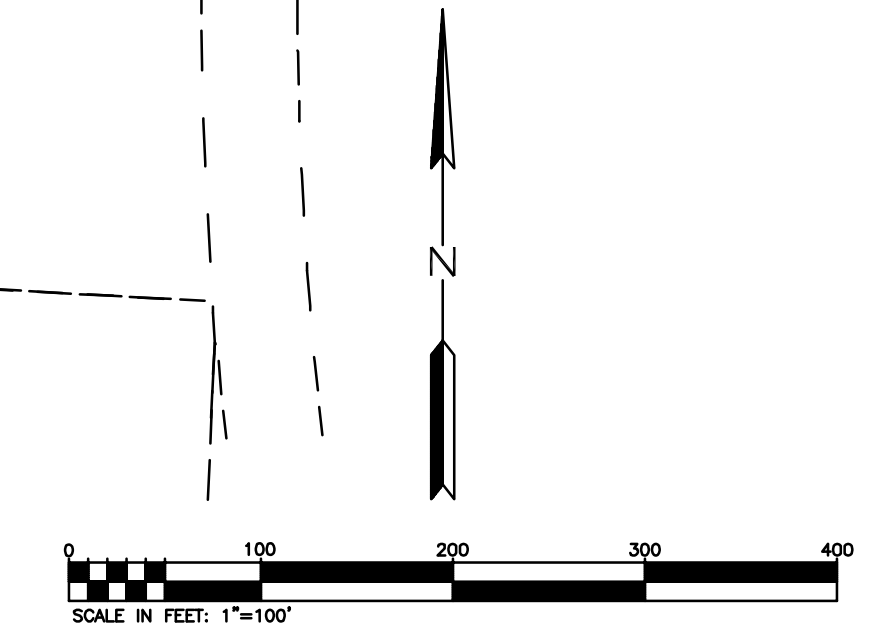
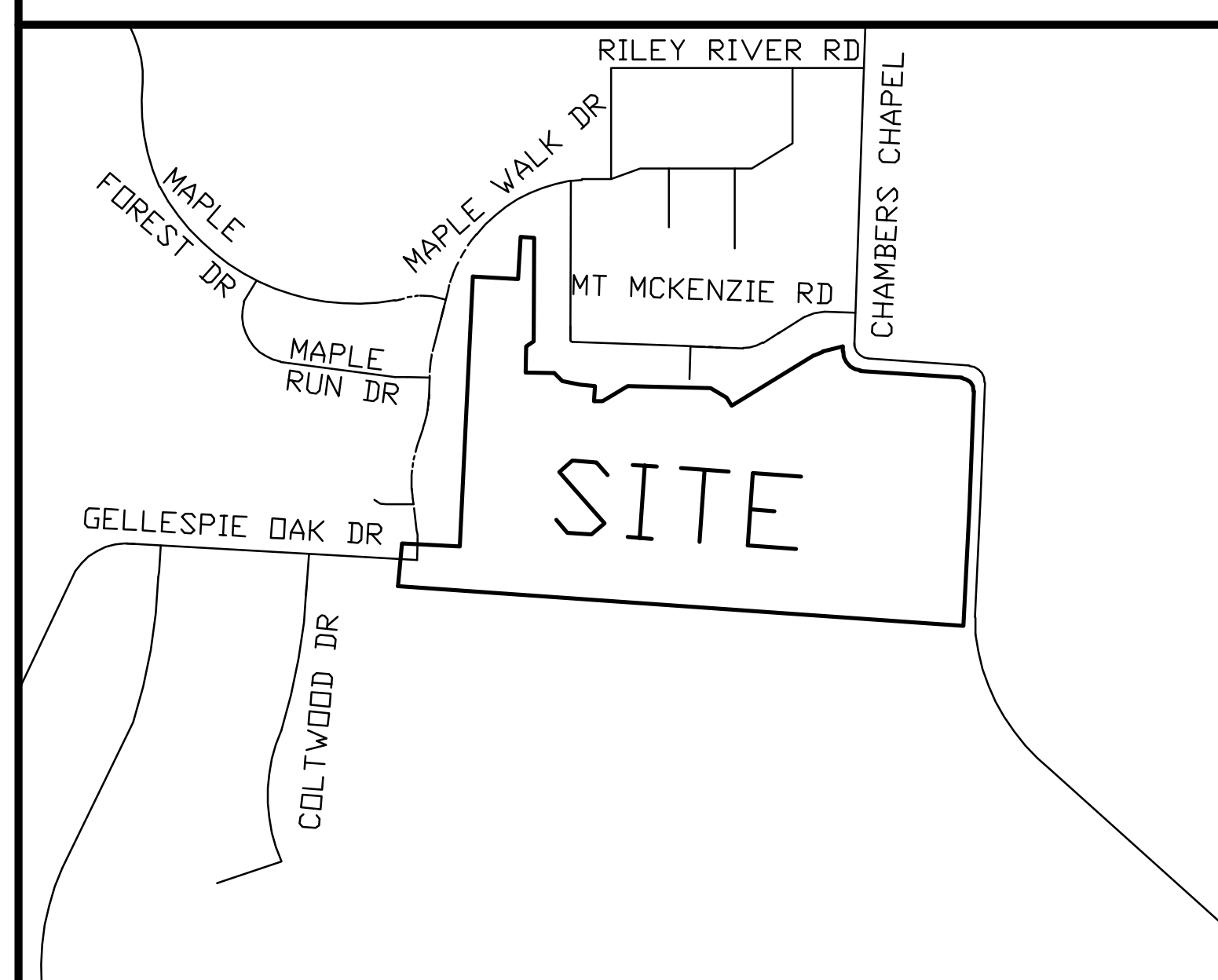
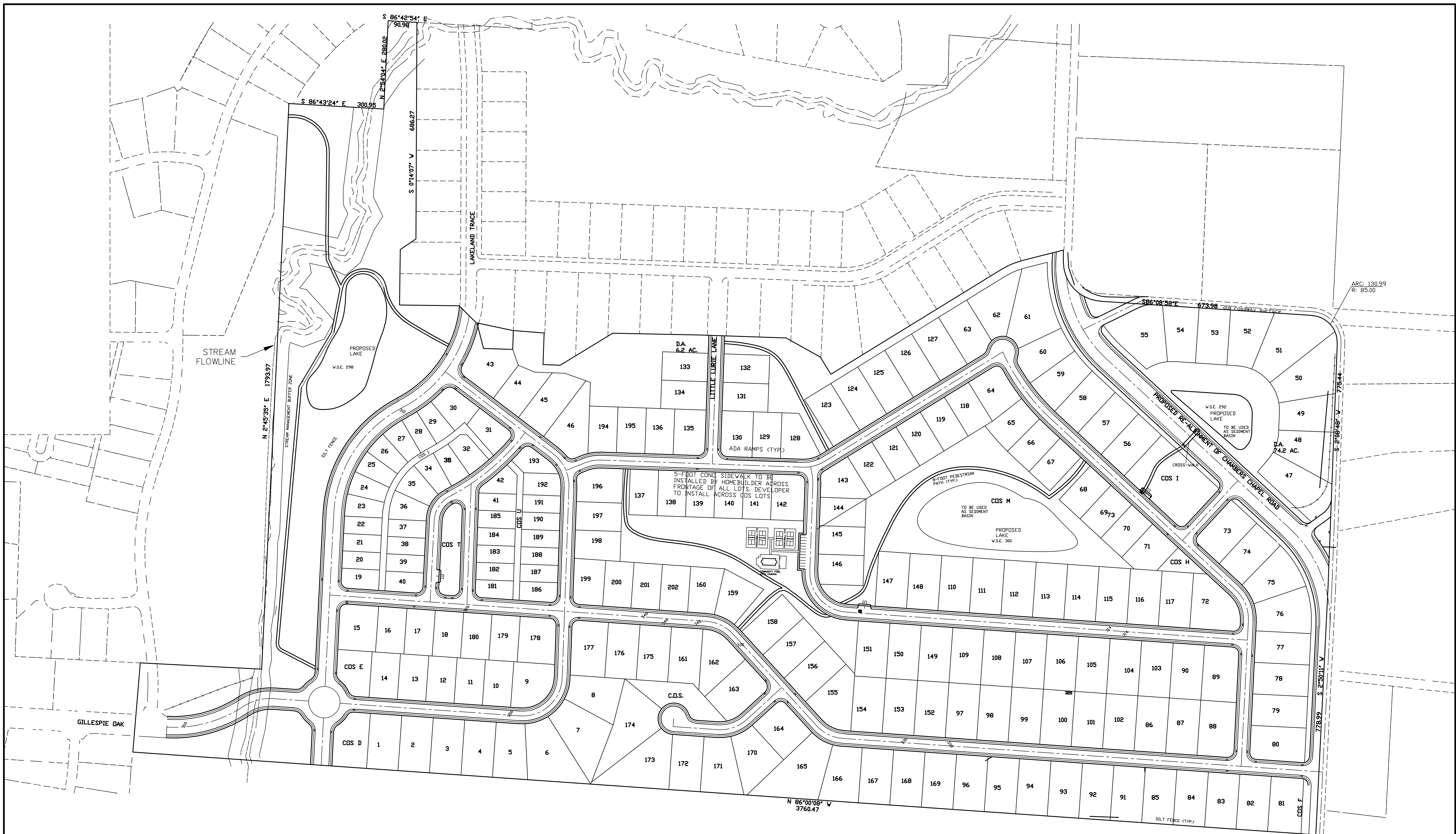
As-Builts/Record Drawings (Final Plat, Landscape Plans, Detail Sheets, etc.) should be submitted on a CD. A scan of the drawing with the hand written as built information can be submitted in either jpeg or tiff format.

The Final Plat must have no less than three points labeled with coordinates in NAD 83 State Plane with units in feet along development boundary.

## SUBDIVISION SUBMISSION CHECKLIST

	For Office Use Only
<p><b><u>I. Preliminary Plat</u></b>  <b>Application.</b> The Applicant shall submit the following to the Code Administrator to constitute a Complete Application.</p> <ol style="list-style-type: none"> <li>a. <b>Application Form and Fee.</b> The application, fee list, and MPC Filing and Meeting Schedule can be obtained at City Hall.</li> <li>b. <b>Digital and Paper.</b> All Plats and plans shall be submitted in both digital and paper format.</li> <li>c. <b>Plat.</b> The Plat shall be at a scale of one (1) inch equal to or less than two hundred (200) feet and include the date and north arrow, as well as the following information:               <ol style="list-style-type: none"> <li>(1) The names of the proposed Subdivision and streets and the existing Subdivisions and streets directly abutting it.</li> <li>(2) Location of the Subdivision.</li> <li>(3) Subdivision plan and layout with Dimensions for all Rights-of Way, Easements, Lot Lines, and Blocks.</li> <li>(4) Names, addresses, and telephone numbers of the Applicant and the surveyor preparing the Plat.</li> </ol> </li> </ol>	
<ol style="list-style-type: none"> <li>d. <b>Plans and Information.</b> Applicants shall illustrate the following information on the Preliminary Plat or supplemental plans.               <ol style="list-style-type: none"> <li>(1) <b>Boundaries and Phases.</b> A map of the entire area scheduled for development and proposed phasing, if applicable.</li> <li>(2) <b>Vicinity Plan.</b> Illustrate existing adjacent development within one thousand (1,000) feet, including: Blocks, Lots, existing buildings, Rights-of Way, acreage of Lots, and names of Subdivisions.</li> <li>(3) <b>Land Use.</b> Land Use and Zoning designation of the proposed Subdivision and adjacent Parcels within one thousand (1000) feet of the Parcels in question.</li> <li>(4) <b>Statement of Intent.</b> The Applicant shall submit a description of the intended Use of the proposed Plat, including public and private Uses, the number of new Lots per Block, the number of new residential units by type and the new commercial or industrial Uses by square feet.</li> </ol> </li> </ol>	
<ol style="list-style-type: none"> <li>(5) <b>Statement of Compliance.</b> Applicant shall provide evidence that the Neighborhood Type requirements are met per II.2 through II.7.</li> </ol>	
<ol style="list-style-type: none"> <li>(6) <b>Qualifying Features Delineation</b> (refer to II.11. B) .</li> </ol>	
<ol style="list-style-type: none"> <li>(7) <b>Conservation Area Map</b> (refer to II.11.B(1)).</li> </ol>	
<ol style="list-style-type: none"> <li>(8) <b>Draft Restoration and Management Plan for Conservation Areas</b> (refer to II.11.C)</li> </ol>	
<ol style="list-style-type: none"> <li>(9) <b>Tree Survey</b> (refer to Tree Management Ordinance, Title 13, Chapter 4 of the Municipal Code, B (2)).</li> </ol>	
<ol style="list-style-type: none"> <li>(10) <b>Tree Replacement Schedule</b> (refer to Tree Management Ordinance, Title 13, Chapter 4 of the Municipal Code, B (5)).</li> </ol>	
<ol style="list-style-type: none"> <li>(11) <b>A schedule of Tree Bank contributions for consideration by the Code Administrator for approval.</b></li> </ol>	
<ol style="list-style-type: none"> <li>(12) <b>Street Tree Plan and Schedule</b> (refer to II.8.C (11) (b)</li> </ol>	
<ol style="list-style-type: none"> <li>(13) <b>Site Grading.</b> Existing and proposed contour data showing contour intervals of two (2) feet or less; elevation shall reference a bench mark on or near the subject property.</li> </ol>	
<ol style="list-style-type: none"> <li>(14) <b>Protection Zone Plan</b> (refer to II.12.A(4)).</li> </ol>	
<ol style="list-style-type: none"> <li>(15) <b>Utility Easements.</b> Existing and proposed Easements, including location and dimension of Easements on the Parcel(s) and within three hundred (300) feet of the Parcel(s) or to the location of the proposed connection, if greater than three hundred (300) feet.</li> </ol>	
<ol style="list-style-type: none"> <li>(16) <b>Storm water Management Plan</b> as required per II.10.A(6), if Large Development per II.10.A(2).</li> </ol>	

(17) Sanitary Sewer Agreement (refer to II.9.C(1)(c)).	
(18) Sanitary Sewer Collection Study (refer to II.9.C(1)(d)).	
(19) Preliminary Engineering Plans. a. The Applicant shall submit preliminary engineering plans for streets (including on street parking), water, storm sewers, sanitary sewers, sidewalks, and other required public or private improvements. b. The engineering plans shall contain enough information and detail to enable the City to make preliminary determination as to conformance of the proposed improvements to applicable city regulations and standards.	
(20) Other Utilities. Schematic plans and details for all other public or private utilities proposed for the development.	
(21) Geotech soils report to include soils types, soil infiltration rates, location of soil borings, photographic documentation of all geologic features along streams, forested areas, and open areas, and other areas of interest such as wetlands and sites of erosion.	
(22) Soil Erosion and Sediment Control Plan prepared in accordance with city ordinances and the Tennessee Erosion and Sediment Control Handbook Second Edition, March 2002 or latest version released by the Tennessee Department of Environment and Conservation. (Refer to II.13)	
(23) The location of required stream management buffers including Zone 1 and Zone 2 per the City of Lakeland Zoning Ordinance.	
<p><b><u>2. Final Plat</u></b>  Application. The Applicant shall submit the following to the Code Administrator to constitute a Complete Application.</p> <p>a. Application Form and Fee. The application form and fee list, can be obtained at City Hall.</p> <p>b. Digital and Paper. All Plats and plans shall be submitted in both digital and paper format.</p> <p>c. Plat Requirements. The Final Plat shall conform substantially to the approved Preliminary Plat and Construction Plans and shall illustrate the following.</p> <p>(1) Date, title, name, and location of Subdivision; graphic scale; and true north arrow.</p> <p>(2) The lines of all streets and roads, Lot Lines, Build-to Zone or Setback lines, Lot numbers, reservations for Easements, and Zoning Districts.</p> <p>(3) Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, Lot Line, boundary line, Block line, and building line whether curved or straight, and curved Property Lines that are not the boundary of curved streets.</p> <p>(4) Location and description of monuments with Tennessee State Plane Coordinates noted on the Plat per Tennessee State Statute.</p> <p>(5) Date, title, name, and location of adjoining Subdivisions and streets and the location and ownership of adjoining property.</p> <p>(6) Restrictive covenants that apply within the Subdivision, shall be filed as a separate document. Refer to I.7 for the minimum requirements to be included in the declarations or covenants and restrictions.</p> <p>d. Restoration and Management Plan, to be concurrently approved (refer to II.11.C).</p> <p>e. Stormwater Management Plan, to be concurrently approved (refer to II.10.A(6)).</p> <p>f. A set of original record drawings which show, as a minimum, the location by station and depth of all sanitary sewer services, water services, drainage improvements, the actual location of all other utilities, and the indication of any deviations from the original plans which were approved or field engineered after the Construction Plans were approved.</p>	



<b>OUTLINE PLAN - PEDESTRIAN PLAN</b>	
<b>CHAPEL LAKES PLANNED DEVELOPMENT</b>	
<b>LAKELAND, TENNESSEE</b>	
LOTS: 202	AREA: 126.4 ACRES
PREPARED FOR: CUMMINGS LLC. 6192 CHAPPELLE CIRCLE EAST MEMPHIS, TN 38120	ENGINEER: THE BRAY FIRM 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668
DATE: MARCH 4, 2026	SCALE: 1"=100' SHEET 8 OF 9

CHAPEL LAKES PLANNED DEVELOPMENT

OUTLINE PLAN TEXT

**I. GENERAL STATEMENT**  
 Chapel Lakes Planned Development, a 126.4 acre ± tract of land located in Lakeland, Tennessee, is a Planned Development that provides a mixture of residential products and open spaces that complement the unique natural features of the area. It is the intent to develop Chapel Lakes with a cohesive neighborhood character through the use of unifying architectural guidelines and landscaping criteria. With distinctive entrances into the neighborhood, as well as various types of open spaces, Chapel Lakes will establish itself as a highly attractive and carefully planned neighborhood with its own "Sense of Place" and the feel of a quality community.

The Outline Plan shall serve as the land use and transportation plan for development of the site. It is understood that topography, utilities, storm drainage, detention, and market conditions along with other site considerations. The Conceptual Development Plan shall serve as a graphic illustration of the conceptual vision for the development.

The purpose of this General Statement is to set forth the conceptual vision of Chapel Lakes as depicted in the Conceptual Development Plan. The actual permitted uses, dimensional regulations, access and circulation and design criteria for the project shall at all times be governed by the Outline Plan and any Conditions of Approval, along with the Declaration of Covenants.

**II. USES PERMITTED**  
**A. R-1 Lots**  
 Single-Family detached, street-access homes as regulated by the R-1 Suburban Estate district of the Lakeland Land Development Regulations.

**B. R-2 Lots**  
 Single-Family detached, street-access homes as regulated by the R-2 Suburban Manor district of the Lakeland Land Development Regulations.

**C. R-3 Lots**  
 Single-Family detached, rear-access homes as regulated by the R-3 Suburban Cottage district of the Lakeland Land Development Regulations.

**D. Common Open Spaces**  
 Passive park areas, landscape areas, and common neighborhood amenities such as lakes (detention or retention), walking trails, sidewalks, open lawn areas, benches, pavilions, community pool and pickleball courts are allowed throughout these areas.

**III. BULK REGULATIONS**  
 Development of the neighborhood will be guided by the Outline Plan and the area use descriptions provided above. Development of individual parcels must be in compliance with the provisions for dimensional regulations and access and circulation conditions provided below.

- A. Design Standards for Single-Family Detached Homes**  
 All single-family detached residences shall follow the architectural guidelines within the City of Lakeland Land Development Regulations for the referenced District.
- B. Minimum Building Setbacks per Area**
- |     |                                     |     |
|-----|-------------------------------------|-----|
| R-1 | Minimum Front Yard Setback          | 30' |
|     | Minimum Side Yard Setback           | 10' |
|     | Minimum Rear Yard Setback           | 30' |
| R-2 | Minimum Front Yard Setback          | 30' |
|     | Minimum Side Yard Setback           | 5'  |
|     | Minimum Rear Yard Setback           | 25' |
| R-3 | Minimum Front Yard Setback          | 15' |
|     | Minimum Side Yard Setback           | 5'  |
|     | Minimum Rear Yard Setback           | 5'  |
|     | Fence Setback Against Service Drive | 5'  |
- C. Minimum Lot Widths per Area**
- |     |      |
|-----|------|
| R-1 | 100' |
| R-2 | 90'  |
| R-3 | 55'  |
- D. Minimum Lot Size per Area**
- |     |           |
|-----|-----------|
| R-1 | 17,500 SF |
| R-2 | 13,050 SF |
| R-3 | 6,600 SF  |

**E. Maximum Building Heights and Maximum Building Coverage** shall be as regulated by the City of Lakeland Land Development Regulations.

**IV. ROADWAYS, ACCESS, AND PARKING**

**A.** Chambers Chapel Road shall be constructed per the City of Lakeland Transportation Plan, with an 84' Right-of-Way width.

**B.** Lakeland Trace Road and the extension of Gillespie Oak Drive west of Lakeland Trace Road shall be constructed per the City of Lakeland Transportation Plan, with a 68' Right-of-Way width.

**C.** Interior public streets within may utilize a 31-foot Right-of-way width with a 14.5 foot pedestrian easement.

**D.** All corner radii at intersections of public streets within the development may be a minimum of 15' at the R.O.W.

**E.** Head-in parking may be provided directly off of any interior public street or private service drive adjacent to a Common Open Space to facilitate resident access to common amenities.

**F.** Service drives shall be a minimum of 20 feet in width.

**G.** All service drives shall be owned and maintained by the Homeowners' Association.

**H.** The minimum driveway clearance for corner lots shall be 10' from the point of tangency of the radius curvature of the R.O.W. to the edge of driveway.

**V. LANDSCAPING, SCREENING, AND OPEN SPACE**

**A.** All public streets shall have street trees.

**A.** 20' landscape buffer shall be provided between Chambers Chapel Road and adjacent lots.

**B.** All new landscaped areas, except for Common Open Spaces intended to become naturalized, must be irrigated with a subsurface irrigation system.

**C.** All required landscaping shall be located on the property such that it shall not interfere with any utility easements and may be altered according to MLGW requirements.

**D.** All Common Open Space areas, internal medians, streetscape areas, and neighborhood greens/parks shall be privately owned and maintained by a Homeowners' Association.

**E.** All Common Open Space may include amenities such as walking trails, sidewalks, open lawn areas, shelter structures, bike racks, lighting, and benches where appropriate.

**VI. SIGNAGE**

**A.** All signage (temporary and permanent) will follow the City of Lakeland Land Development Regulations.

**VII. DRAINAGE FACILITIES & SERVICES**

**A.** The stormwater drainage system shall be designed and constructed to the design standards required by the City of Lakeland.

**B.** According to the FEMA Flood Insurance Rate Map, this property does not lie in any Special Flood Hazard Areas.

**C.** Grading and storm drainage plans shall be established per the City of Lakeland Land Development Regulations.

**D.** All public stormwater drainage shall require a public easement.

**VIII. SANITARY SEWER & SERVICES**

**A.** A Master Sanitary Sewer Concept Plan shall be submitted at the time a Phase One Preliminary Plan is submitted for review and approval.

**B.** The City of Lakeland will provide sanitary sewer service.

**C.** Sanitary sewer improvements shall be provided under contract in accordance with the City of Lakeland Land Development Regulations and the State of Tennessee regulations.

**D.** Sizes of sanitary sewer lines shall be determined at the time a Final Plan is submitted to the Town Engineer.

**E.** Sanitary Sewer Plans shall be submitted to the Tennessee Department of Environmental Conservation (TDEC) for written approval.

**F.** All sanitary sewer located in a private drive or otherwise outside of public right-of-way shall be within a public easement.

**IX. WATER SERVICE / UTILITIES**

**A.** Public water improvements shall be provided by the Developer under contract in accordance with the City of Lakeland Land Development Regulations and the State of Tennessee regulations.

**B.** All utilities and services to be installed underground, with the exception of three-phase electric.

**C.** All water services located in a private drive or otherwise outside of public right-of-way shall be within a public easement.

**X. DEVELOPMENT PHASING**

A preliminary phasing schedule is shown; however, market conditions may result in multiple phases or partial phases being developed.

CERTIFICATE OF OWNERS

THE UNDERSIGNED, \_\_\_\_\_, HERE BY CERTIFY THAT HE IS THE CHIEF MANAGER OF CUMMINGS, LLC. AND THAT THE PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE ABOVE NAMED OWNERS, PROPRIETORS,

CUMMINGS, LLC. \_\_\_\_\_ DATE \_\_\_\_\_

STATE OF TENNESSEE  
 COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE STATE AND COUNTY AFORESAID, DULY COMMISSIONED AND QUALIFIED, PERSONALLY APPEARED \_\_\_\_\_ WITH WHOM I AM PERSONALLY ACQUAINTED AND WHO, UPON OATH, ACKNOWLEDGES HIMSELF TO BE CHIEF MANAGER OF CUMMINGS, LLC. AND HE AS SUCH OWNER, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED BY SIGNING HIS NAME AS OWNER.

WITNESS MY HAND AND NOTARIAL SEAL, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

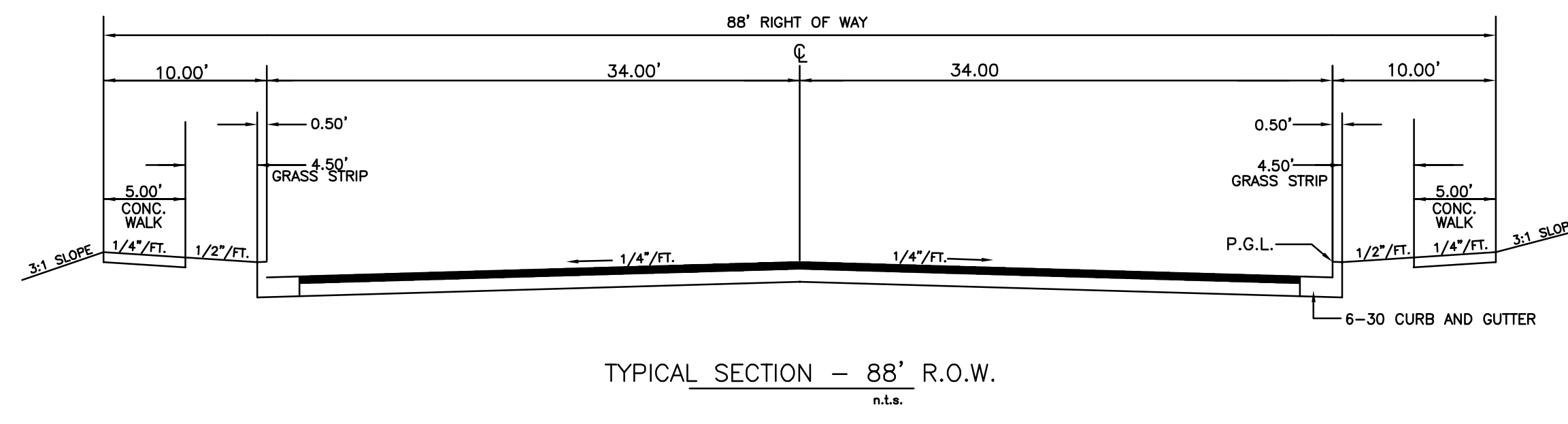
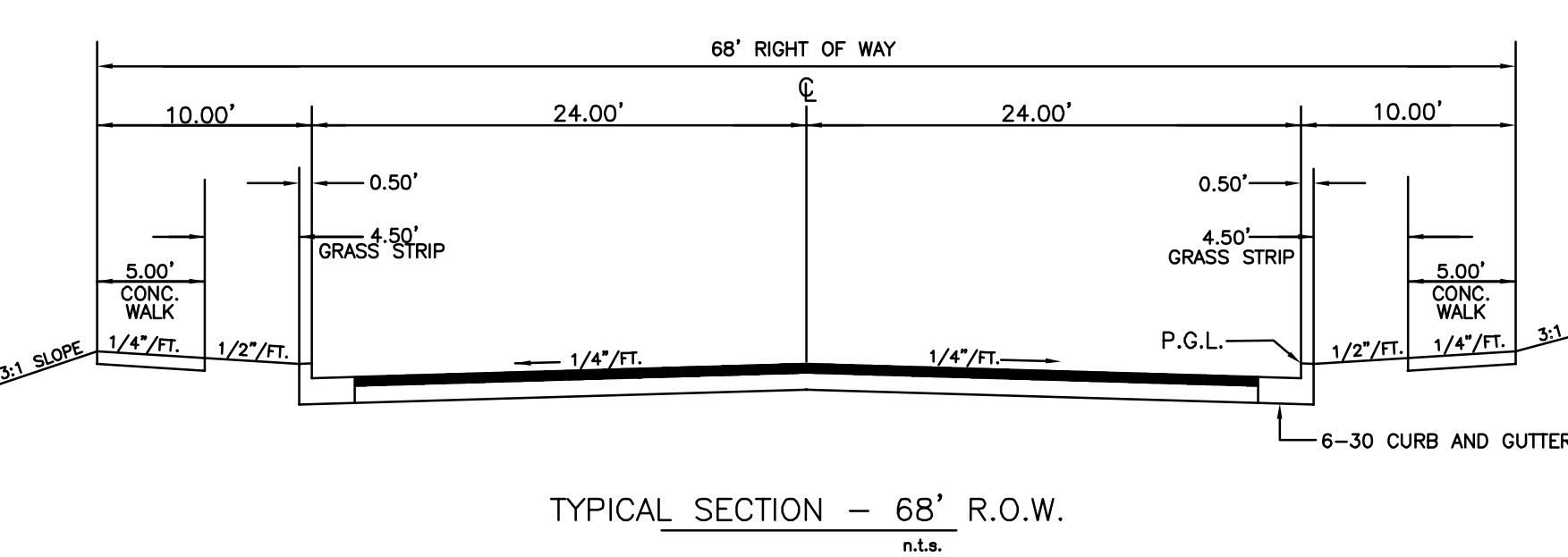
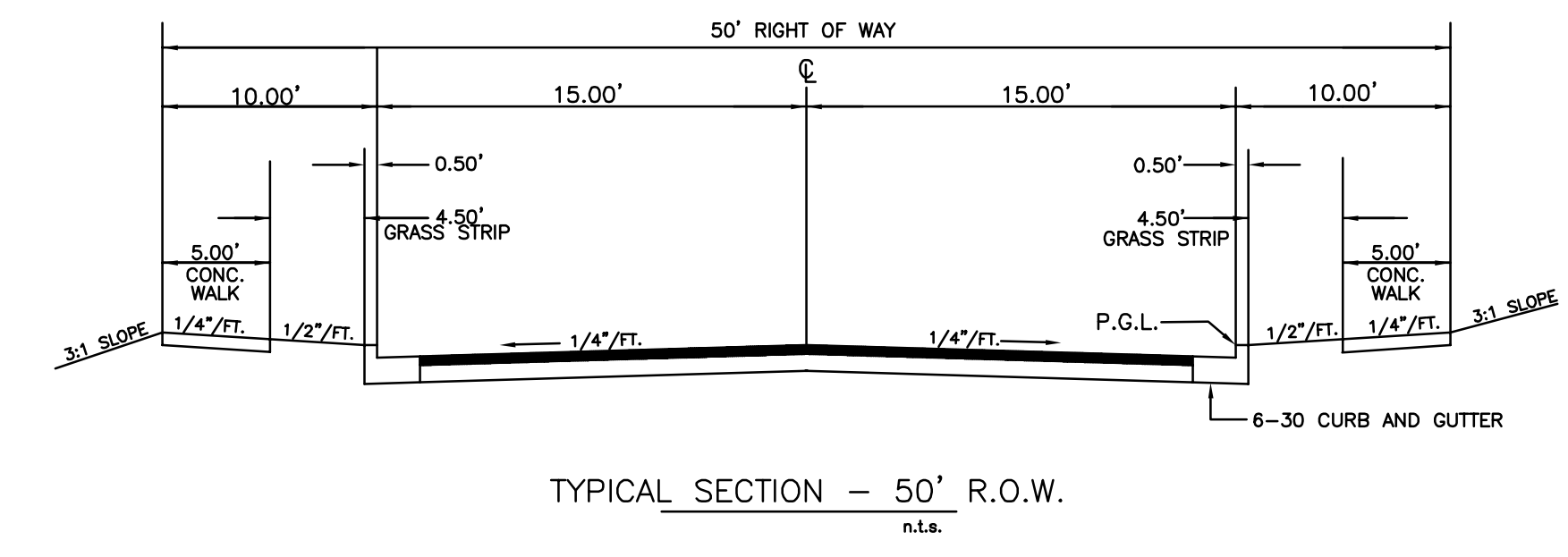
MY COMMISSION EXPIRES \_\_\_\_\_  
 \_\_\_\_\_ NOTARY PUBLIC

CERTIFICATE OF MUNICIPAL PLANNING COMMISSION APPROVAL - SUBDIVISION OUTLINE PLAN

I, \_\_\_\_\_, DO HEREBY CERTIFY THAT THE CITY OF LAKELAND MUNICIPAL PLANNING COMMISSION HAS APPROVED THIS OUTLINE PLAN. THE SIGNING OF THIS CERTIFICATE SHALL IN NO WAY BE DEEMED TO CONSTITUTE OR EFFECT AN ACCEPTANCE OF THE DEDICATION OF ANY STREET, IMPROVEMENT, OR OTHER GROUND SHOWN UPON THE PLAT.

MPC SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_

NOTE: PROTECTIVE COVENANTS AND HOA DOCUMENTS ARE RECORDED IN INSTRUMENT NUMBER \_\_\_\_\_



OUTLINE PLAN - CONDITIONS	
CHAPEL LAKES PLANNED DEVELOPMENT	
LAKELAND, TENNESSEE	
LOTS: 208	AREA: 126.4 ACRES
PREPARED FOR: CUMMINGS, LLC. 6192 CHAPELLE CIRCLE EAST MEMPHIS, TN 38120	ENGINEER: THE BRAY FIRM 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668
DATE: MARCH 4, 2026	SCALE: 1"=100' SHEET 2 OF 9

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**Meeting Date:** Thursday, March 12, 2026

**Project:** Chapel Lakes Planned Development - Preliminary Development Plan

**Staff Contact:** Alex Barthol, Staff Planner

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**PROJECT INFORMATION**

**Location:** 4532 Maple Walk Drive

**Zoning District:** AG: Agriculture, R1: Suburban Estate, RE: Exurban District, OR: Outdoor Recreation District

**Site Area:** 126.4 acres

**Applicant:** Cummings, LLC

**Representative:** David Bray, The Bray Firm

**STAFF RECOMMENDATION**

City Staff recommends approval of the Preliminary Development Plan Application for Chapel Lakes Planned Development.

**BACKGROUND:**

The subject property is located on the west side of Chambers Chapel Road just south of the Estates of Oakwood Grove Subdivision. This property has had a previous Planned Development Outline Plan application submitted back in 2021, however that application was not approved. The new Outline Plan is being approved concurrent with this Preliminary Development Plan.

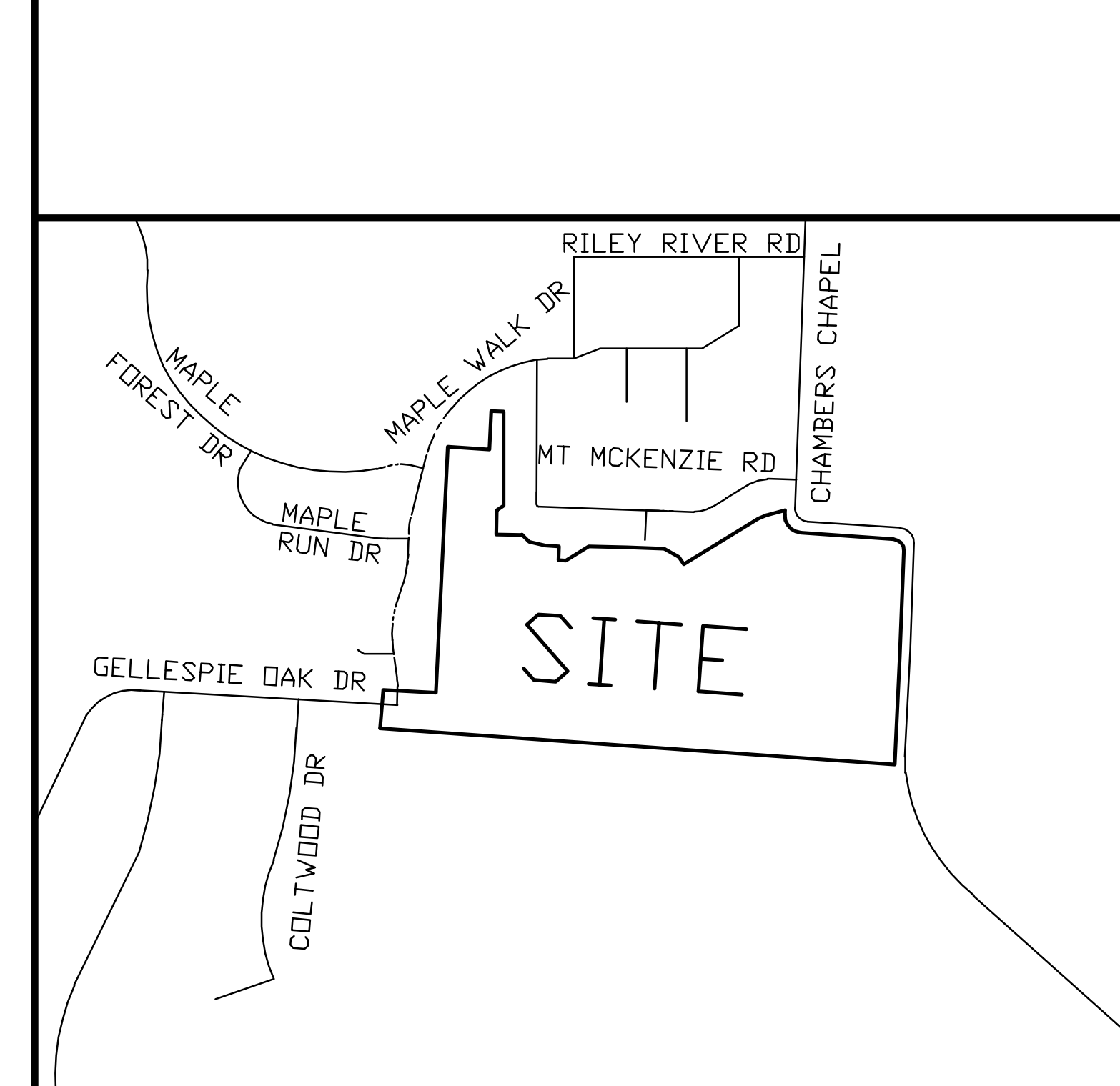
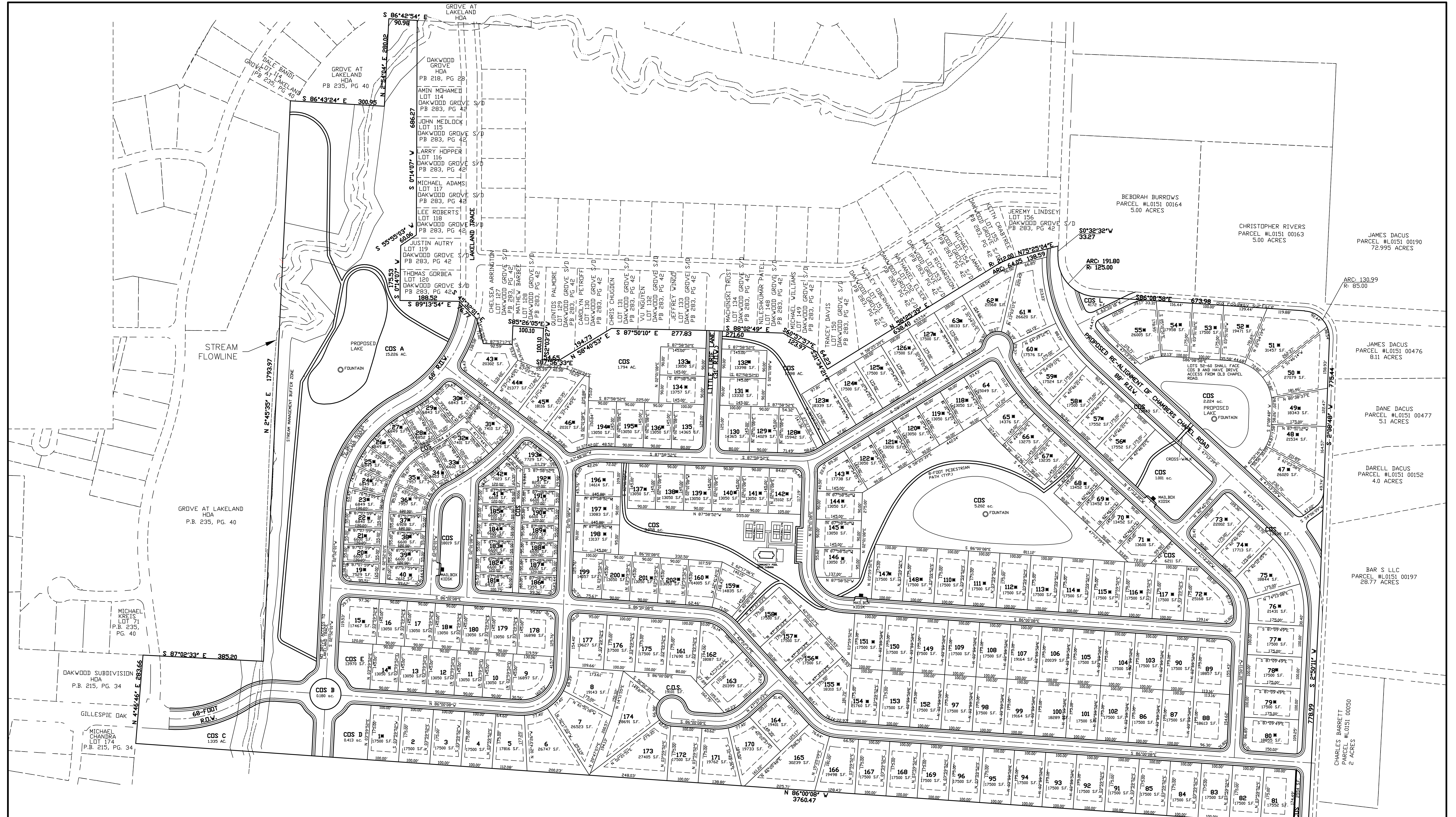
**ANALYSIS:**

The specific request in this application is the approval of the Preliminary Development Plan that establishes the residential lots, as well as the streets and common open space. A total of 202 lots are proposed with 54% (109) of lots having a minimum lot size of 17,500 square feet, 28% (56) of lots having a minimum lot size of 13,050 square feet, and the final 18% (37) having a minimum lot size of 6,600 square feet and will be ally loaded lots. Construction is to take place in five (5) phases with the first phase involving the extension of Lakeland Trace. The common open space amenities will require a separate application and can be combined with a landscape

and signage plan. City Staff has reviewed this application and is in agreement that the proposal does conform to the Land Development Regulations and is in line with other adjacent developments. Staff is recommending approval of the application as submitted.

**EXAMPLE MOTIONS**

1. Motion to approve the Chapel Lakes Planned Development PDP Application subject to the following conditions:
  - a. Conditions as determined by the Planning Commission
2. Motion to approve the Chapel Lakes Planned Development PDP Application without conditions.
3. Motion to deny the Chapel Lakes Planned Development PDP Application:
  - a. Reason for denial



LOT CHART BY PHASE

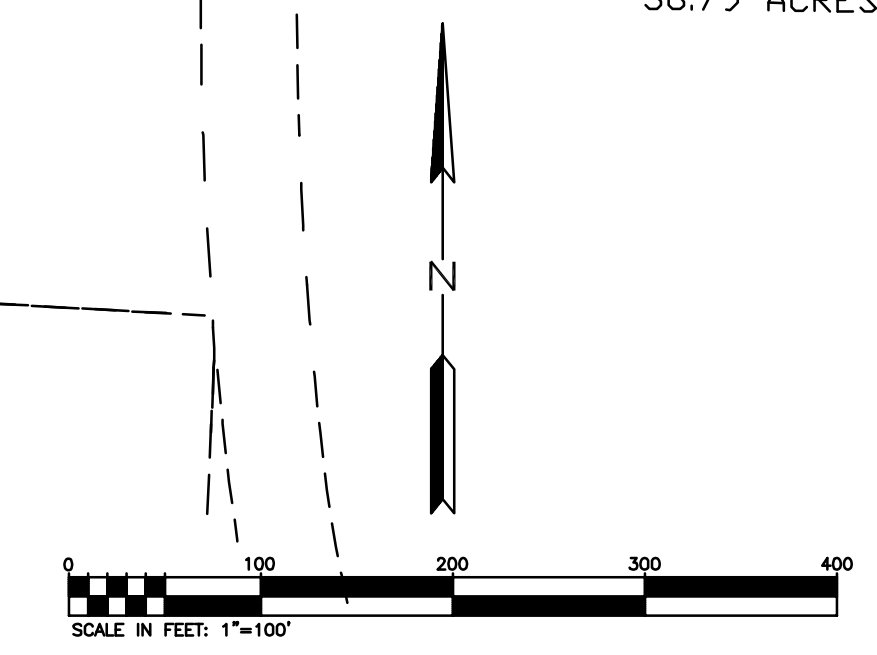
PHASE	R-1	R-2	R-3	TOTAL
PH. 1	12	10	24	46
PH. 2	36	8	0	44
PH. 3	32	5	0	37
PH. 4	21	21	0	42
PH. 5	8	12	13	33
TOTAL	109	56	37	202

**PLAN DATA**  
 ACREAGE 126.4 ACRES  
 LOTS 202 LOTS  
 R-1 (100X175) 109 LOTS (54%)  
 R-2 (90X145) 56 LOTS (28%)  
 R-3 (55X120 w/ alley) 37 LOTS (18%)  
 DENSITY 1.60 D.U./ACRE  
 PROPOSED USE 37.920 ACRES (30.0%)  
 CDS AREA  
 \* INDICATES LDT FRONTS OR ABUTS GREENSPACE (126 LOTS - 61%)

**OUTLINE PLAN - PRELIMINARY PLAT**  
**CHAPEL LAKES PLANNED DEVELOPMENT**  
**LAKELAND, TENNESSEE**  
 LOTS: 202 AREA: 126.4 ACRES  
 PREPARED FOR: CUMMINGS LLC. 6192 CHAPELLE CIRCLE EAST MEMPHIS, TN 38120  
 ENGINEER: THE BRAY PLOZA 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668  
 DATE: MARCH 4, 2026 SCALE: 1"=100' SHEET 1 OF 9

IRA INNOVATION LLC  
 PARCEL #10151 00482  
 100 ACRES (VACANT)

CITY OF MEMPHIS  
 PARCEL #10151 00126  
 36.79 ACRES



CHAPEL LAKES PLANNED DEVELOPMENT

OUTLINE PLAN TEXT

**I. GENERAL STATEMENT**  
 Chapel Lakes Planned Development, a 126.4 acre ± tract of land located in Lakeland, Tennessee, is a Planned Development that provides a mixture of residential products and open spaces that complement the unique natural features of the area. It is the intent to develop Chapel Lakes with a cohesive neighborhood character through the use of unifying architectural guidelines and landscaping criteria. With distinctive entrances into the neighborhood, as well as various types of open spaces, Chapel Lakes will establish itself as a highly attractive and carefully planned neighborhood with its own "Sense of Place" and the feel of a quality community.

The Outline Plan shall serve as the land use and transportation plan for development of the site. It is understood that topography, utilities, storm drainage, detention, and market conditions along with other site considerations. The Conceptual Development Plan shall serve as a graphic illustration of the conceptual vision for the development.

The purpose of this General Statement is to set forth the conceptual vision of Chapel Lakes as depicted in the Conceptual Development Plan. The actual permitted uses, dimensional regulations, access and circulation and design criteria for the project shall at all times be governed by the Outline Plan and any Conditions of Approval, along with the Declaration of Covenants.

**II. USES PERMITTED**  
**A. R-1 Lots**  
 Single-Family detached, street-access homes as regulated by the R-1 Suburban Estate district of the Lakeland Land Development Regulations.

**B. R-2 Lots**  
 Single-Family detached, street-access homes as regulated by the R-2 Suburban Manor district of the Lakeland Land Development Regulations.

**C. R-3 Lots**  
 Single-Family detached, rear-access homes as regulated by the R-3 Suburban Cottage district of the Lakeland Land Development Regulations.

**D. Common Open Spaces**  
 Passive park areas, landscape areas, and common neighborhood amenities such as lakes (detention or retention), walking trails, sidewalks, open lawn areas, benches, pavilions, community pool and pickleball courts are allowed throughout these areas.

**III. BULK REGULATIONS**  
 Development of the neighborhood will be guided by the Outline Plan and the area use descriptions provided above. Development of individual parcels must be in compliance with the provisions for dimensional regulations and access and circulation conditions provided below.

- A. Design Standards for Single-Family Detached Homes**  
 All single-family detached residences shall follow the architectural guidelines within the City of Lakeland Land Development Regulations for the referenced District.
- B. Minimum Building Setbacks per Area**
- |     |                                     |     |
|-----|-------------------------------------|-----|
| R-1 | Minimum Front Yard Setback          | 30' |
|     | Minimum Side Yard Setback           | 10' |
|     | Minimum Rear Yard Setback           | 30' |
| R-2 | Minimum Front Yard Setback          | 30' |
|     | Minimum Side Yard Setback           | 5'  |
|     | Minimum Rear Yard Setback           | 25' |
| R-3 | Minimum Front Yard Setback          | 15' |
|     | Minimum Side Yard Setback           | 5'  |
|     | Minimum Rear Yard Setback           | 5'  |
|     | Fence Setback Against Service Drive | 5'  |
- C. Minimum Lot Widths per Area**
- |     |      |
|-----|------|
| R-1 | 100' |
| R-2 | 90'  |
| R-3 | 55'  |
- D. Minimum Lot Size per Area**
- |     |           |
|-----|-----------|
| R-1 | 17,500 SF |
| R-2 | 13,050 SF |
| R-3 | 6,600 SF  |

**E. Maximum Building Heights and Maximum Building Coverage** shall be as regulated by the City of Lakeland Land Development Regulations.

**IV. ROADWAYS, ACCESS, AND PARKING**

**A.** Chambers Chapel Road shall be constructed per the City of Lakeland Transportation Plan, with an 84' Right-of-Way width.

**B.** Lakeland Trace Road and the extension of Gillespie Oak Drive west of Lakeland Trace Road shall be constructed per the City of Lakeland Transportation Plan, with a 68' Right-of-Way width.

**C.** Interior public streets within may utilize a 31-foot Right-of-way width with a 14.5 foot pedestrian easement.

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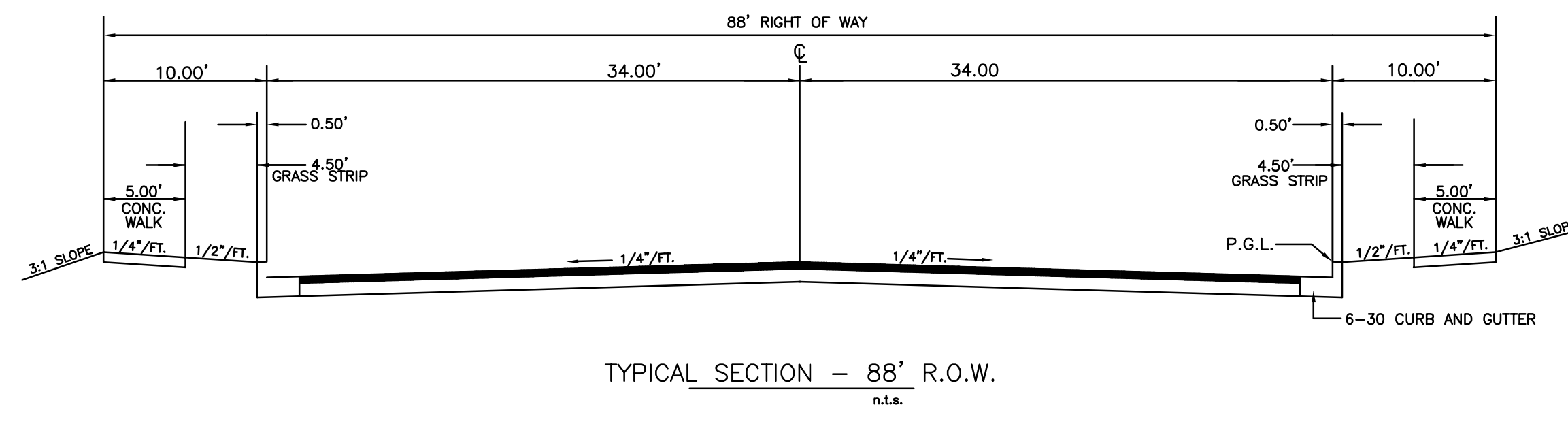
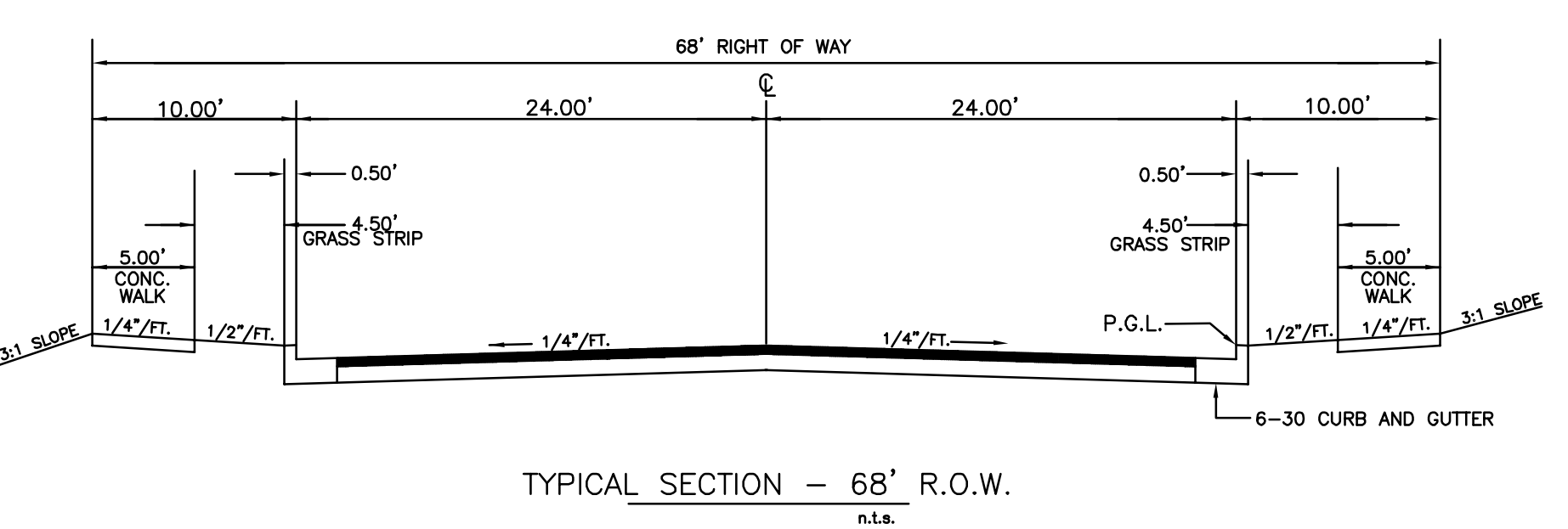
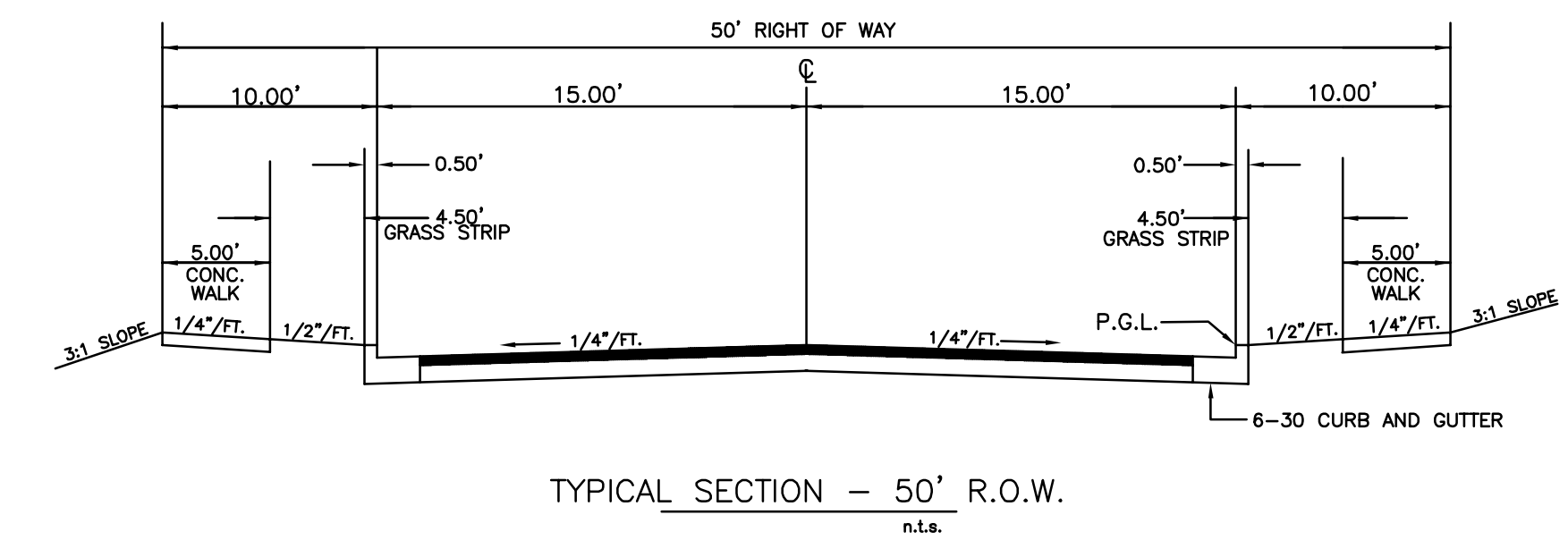
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CERTIFICATE OF MUNICIPAL PLANNING COMMISSION APPROVAL - SUBDIVISION OUTLINE PLAN

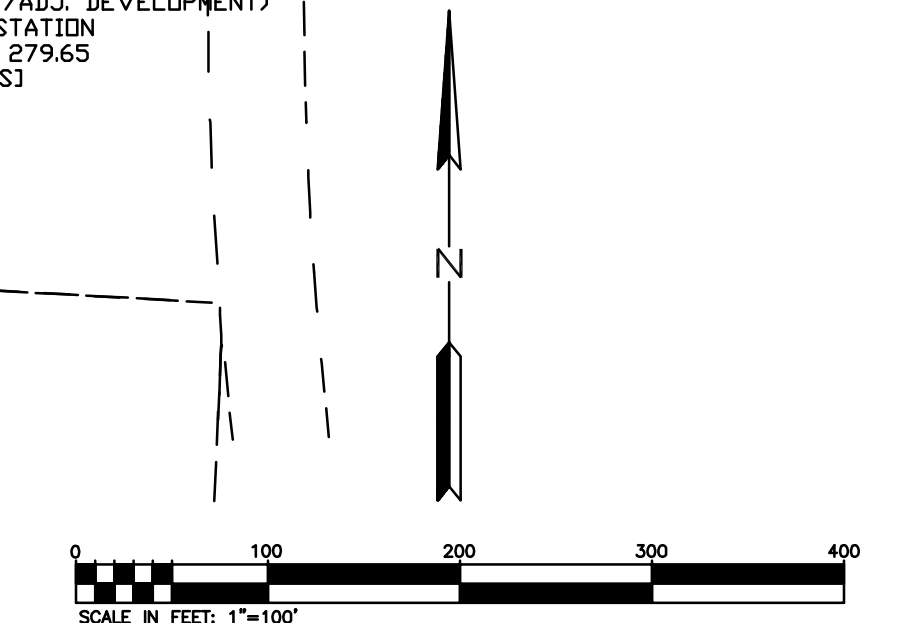
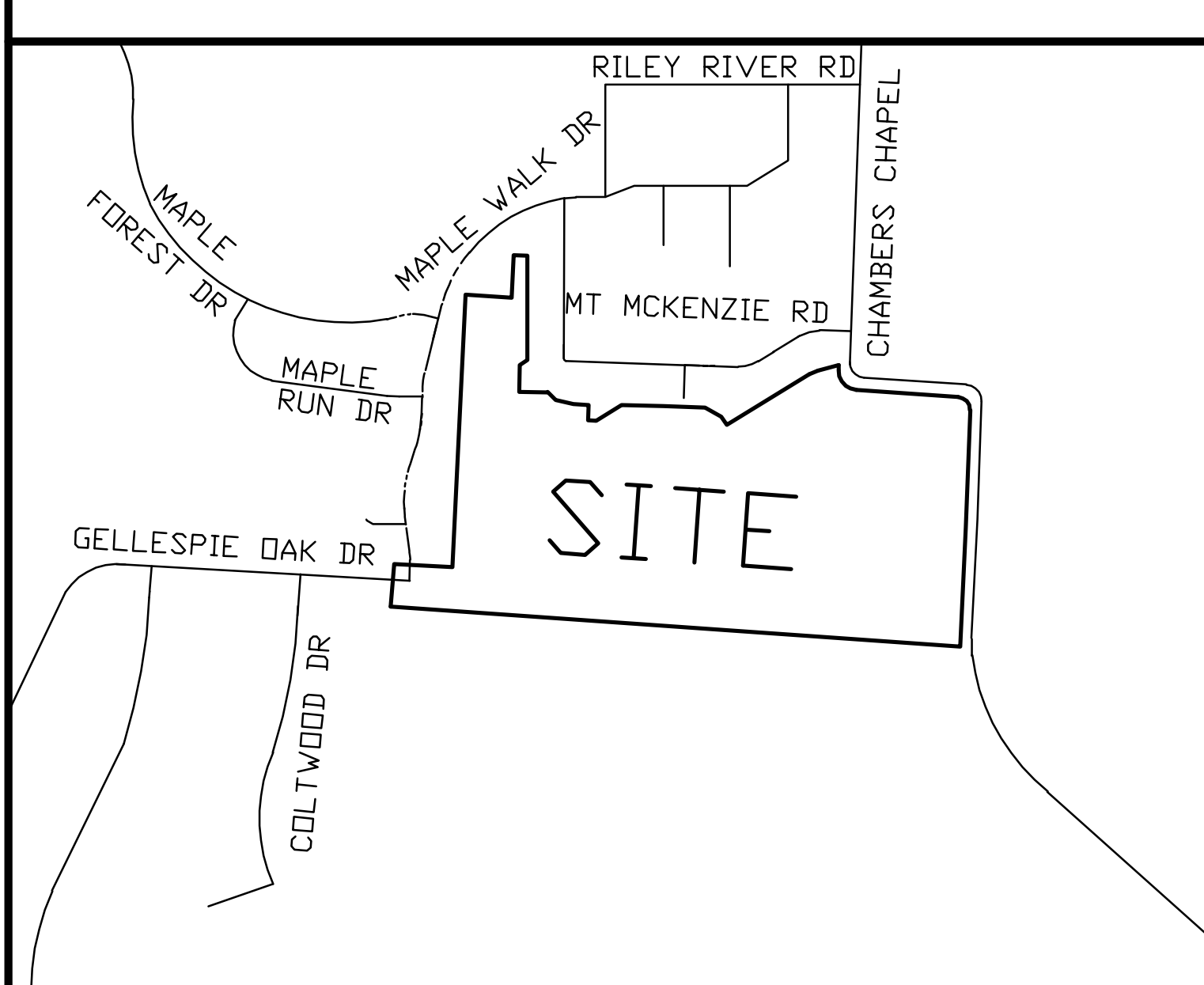
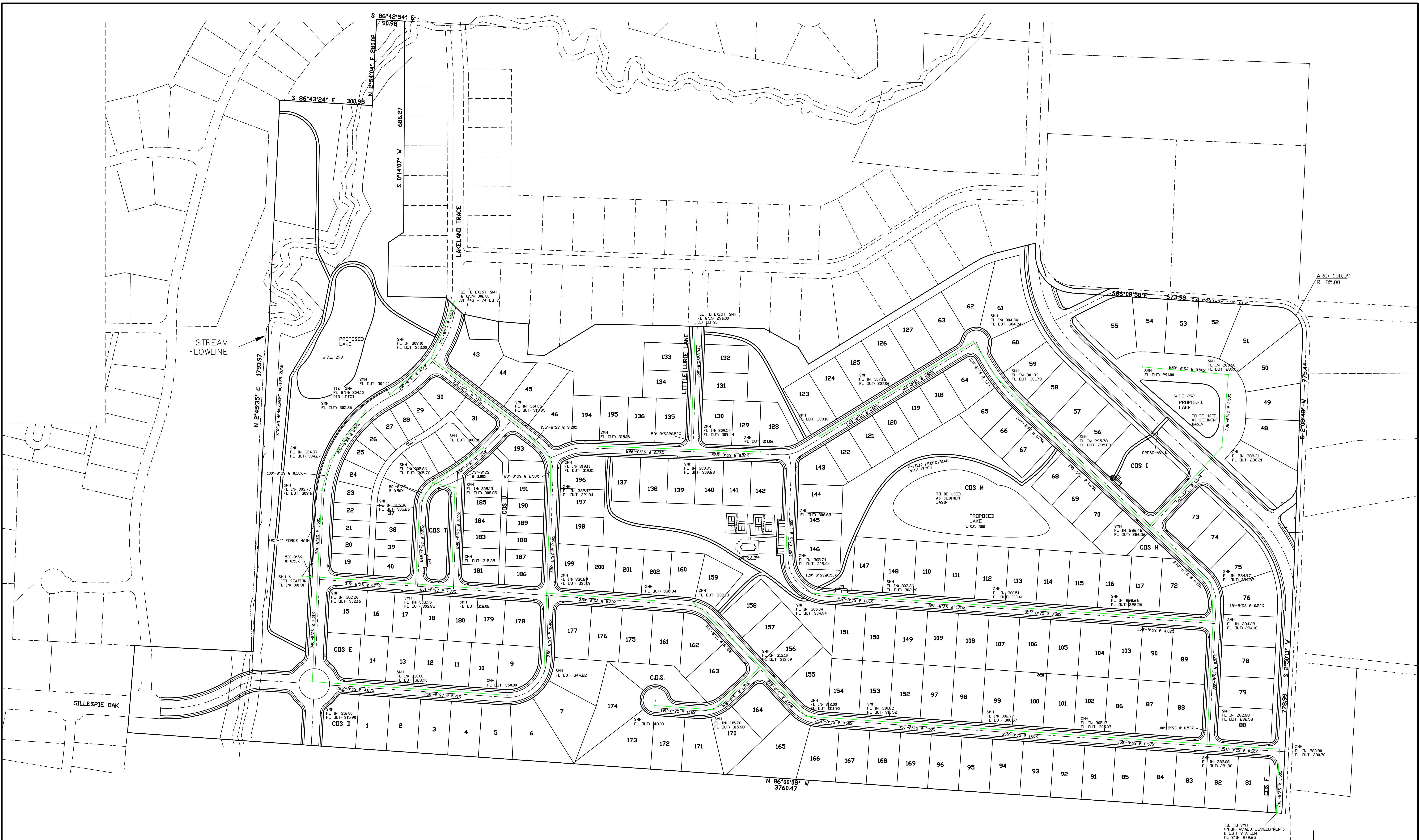
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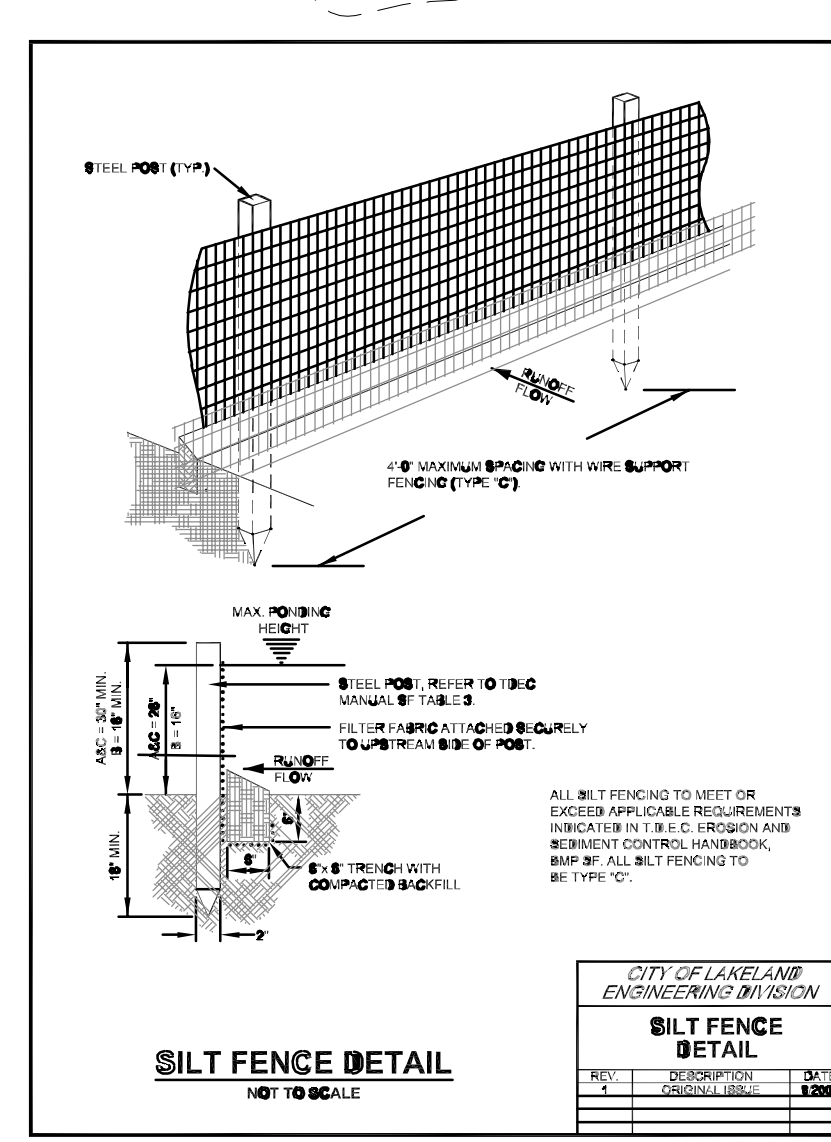
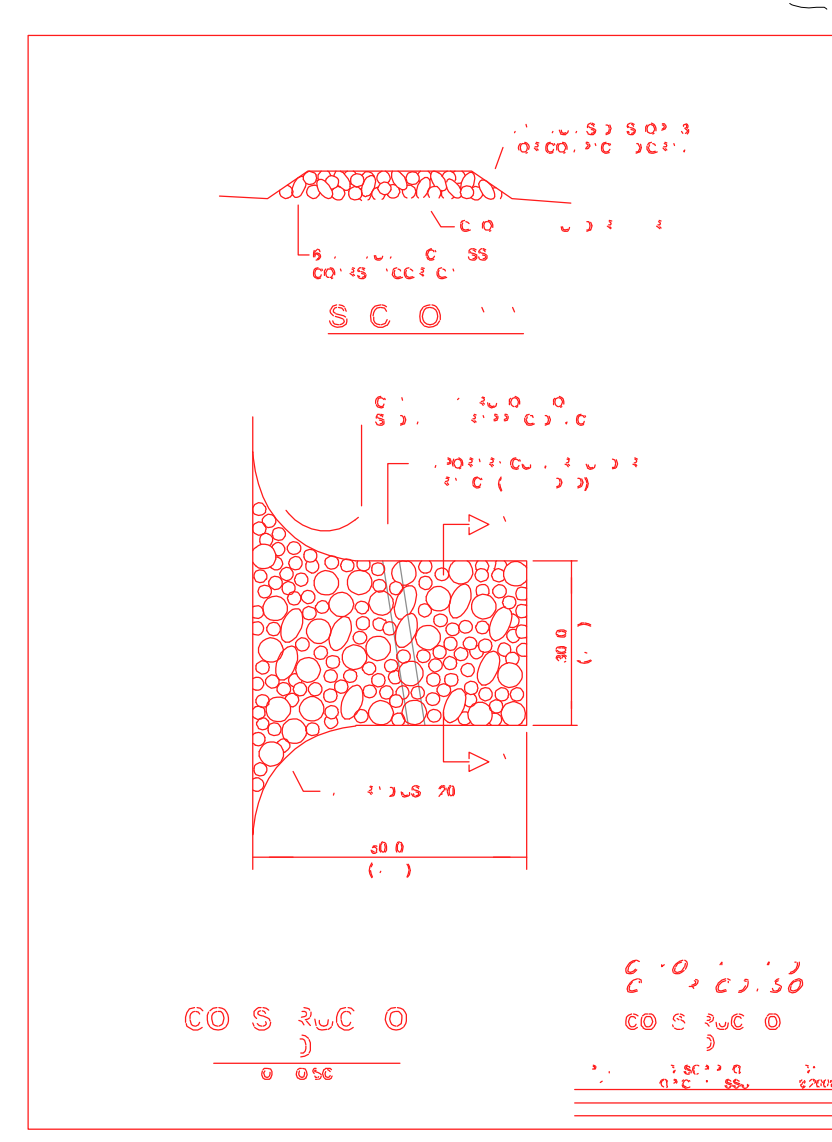
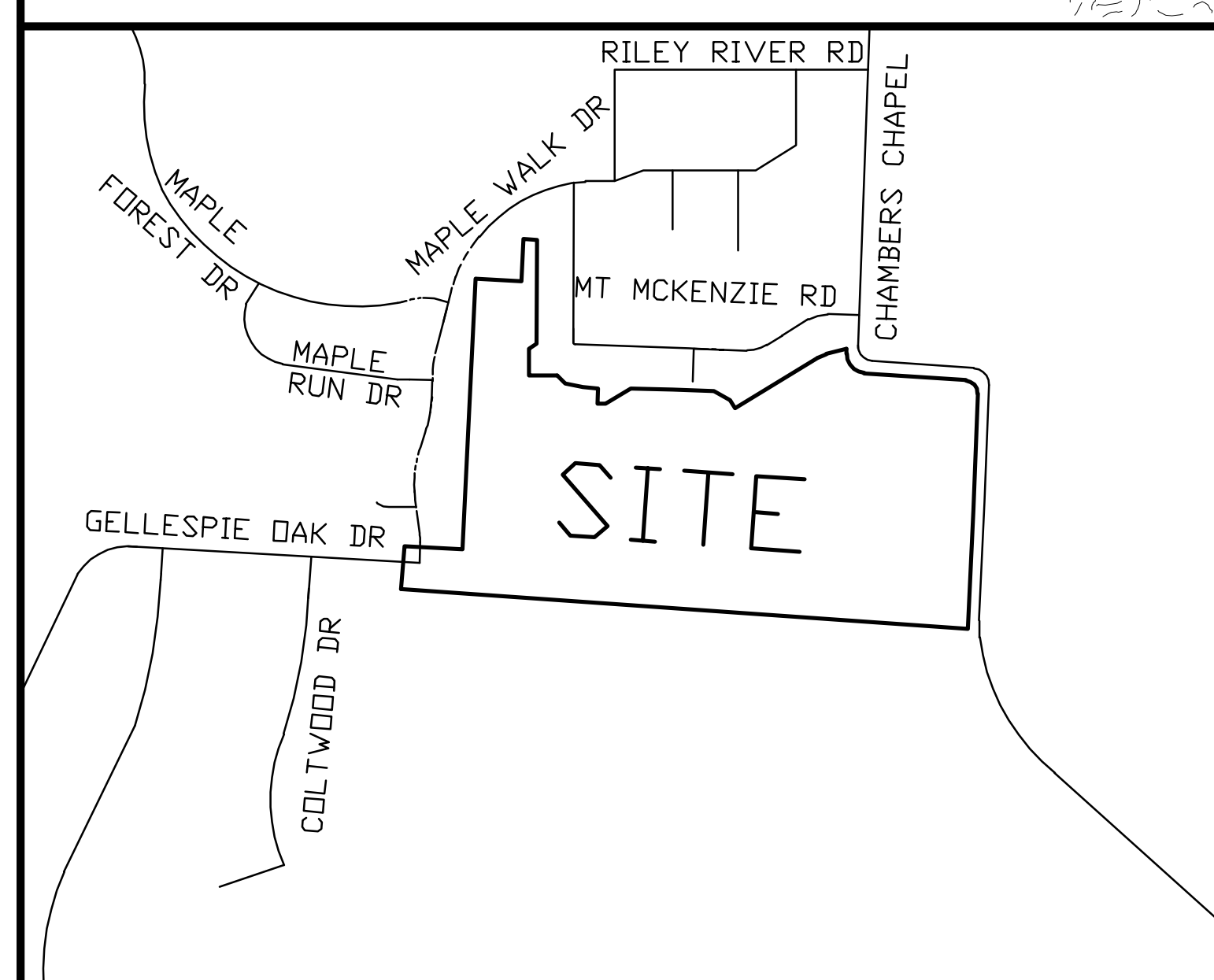
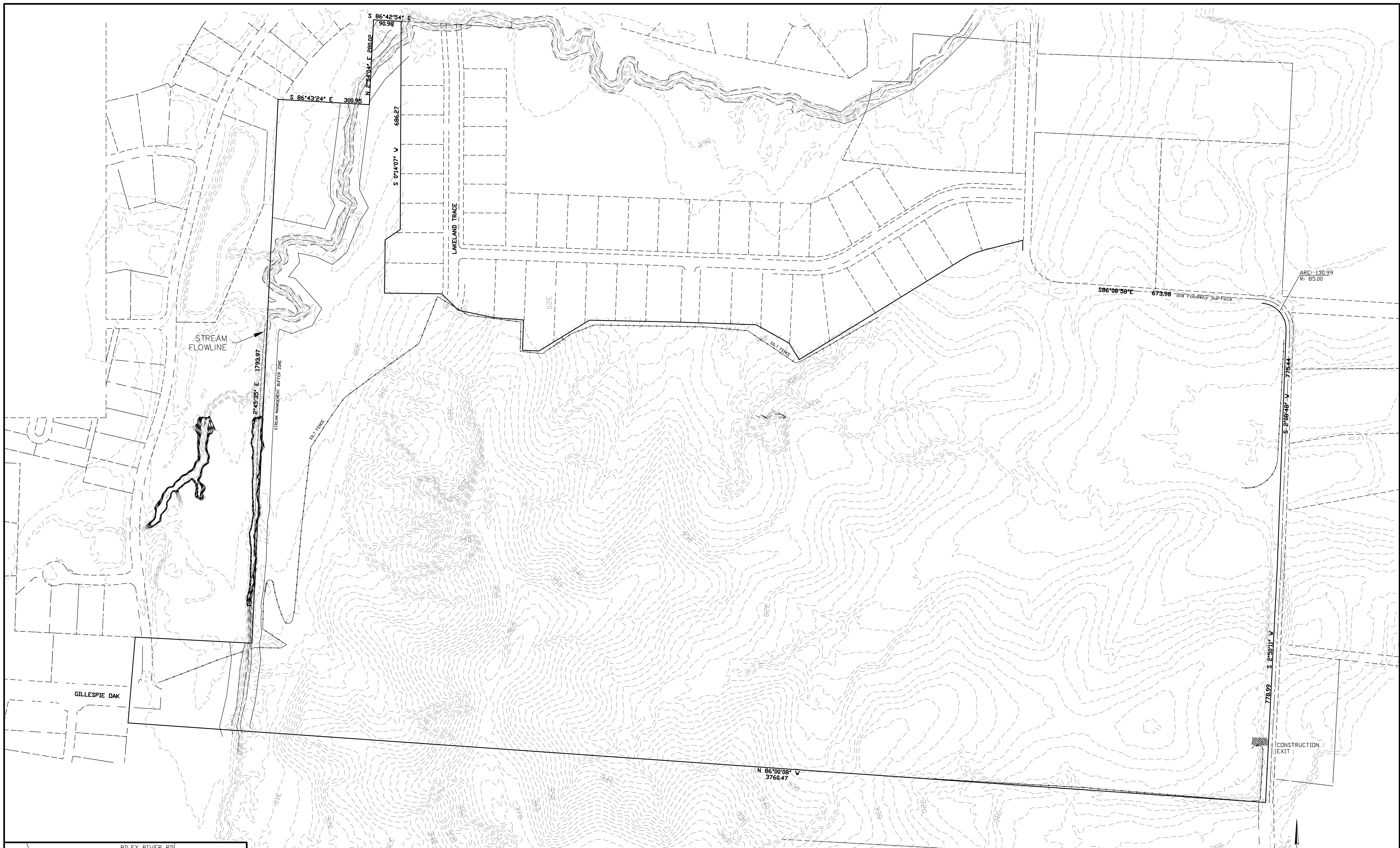
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OUTLINE PLAN - CONDITIONS	
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LAKELAND, TENNESSEE	
LOTS: 208	AREA: 126.4 ACRES
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DATE: MARCH 4, 2026	SCALE: 1"=100' SHEET 2 OF 9

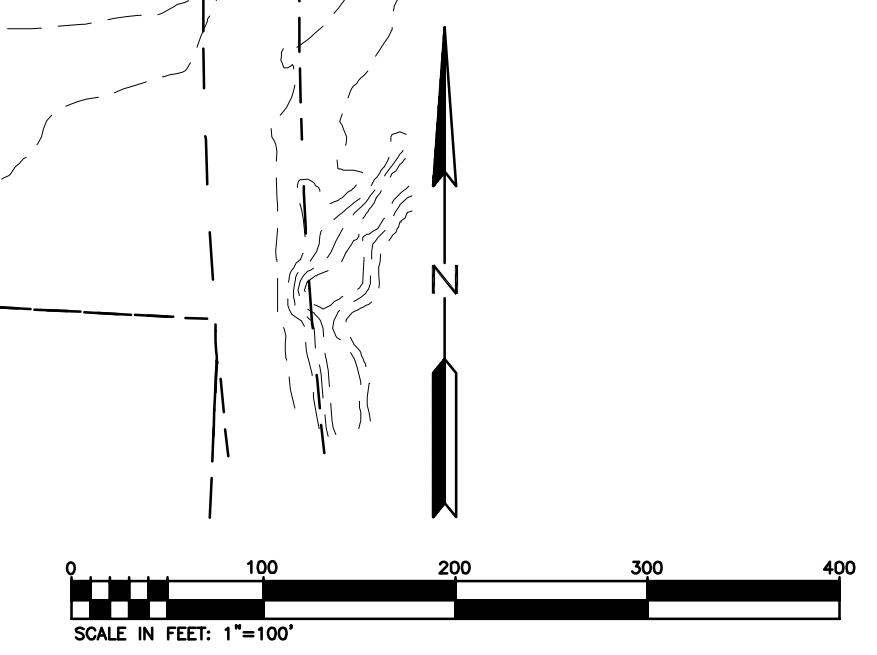


<b>OUTLINE PLAN - SEWER PLAN</b>	
<b>CHAPEL LAKES PLANNED DEVELOPMENT</b>	
<b>LAKELAND, TENNESSEE</b>	
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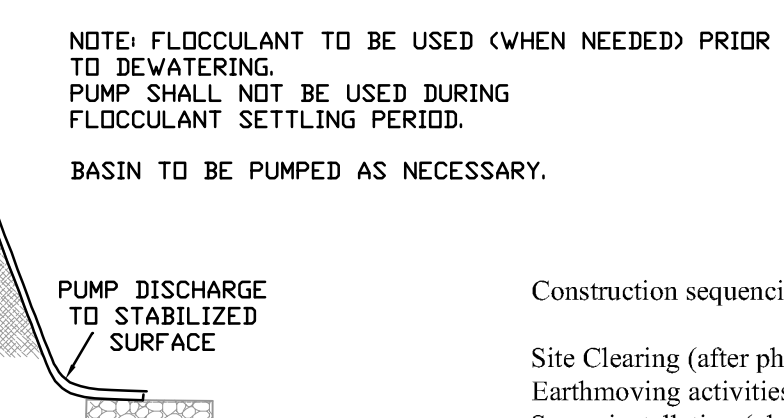
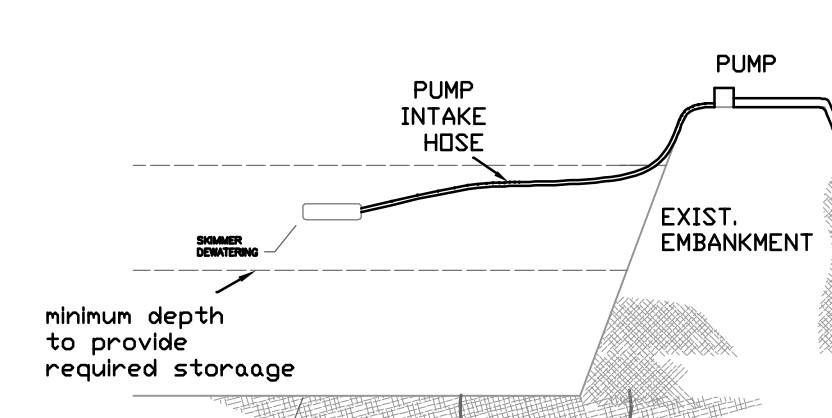
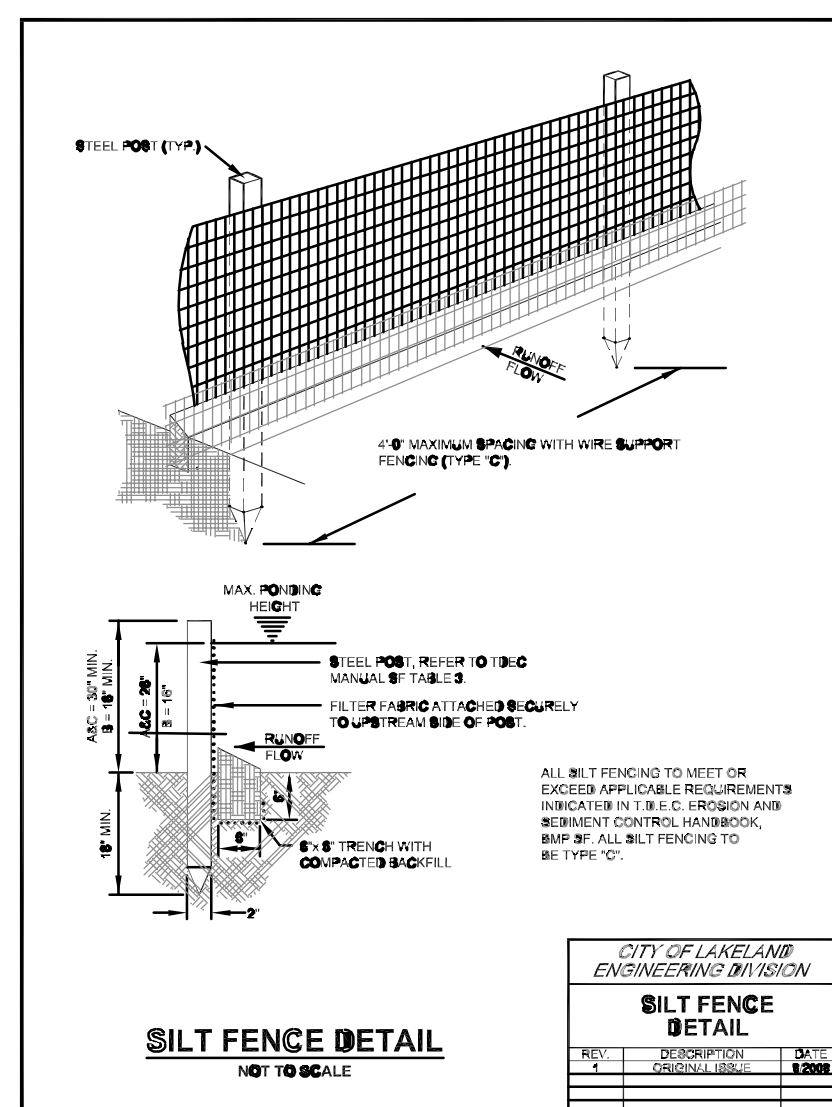
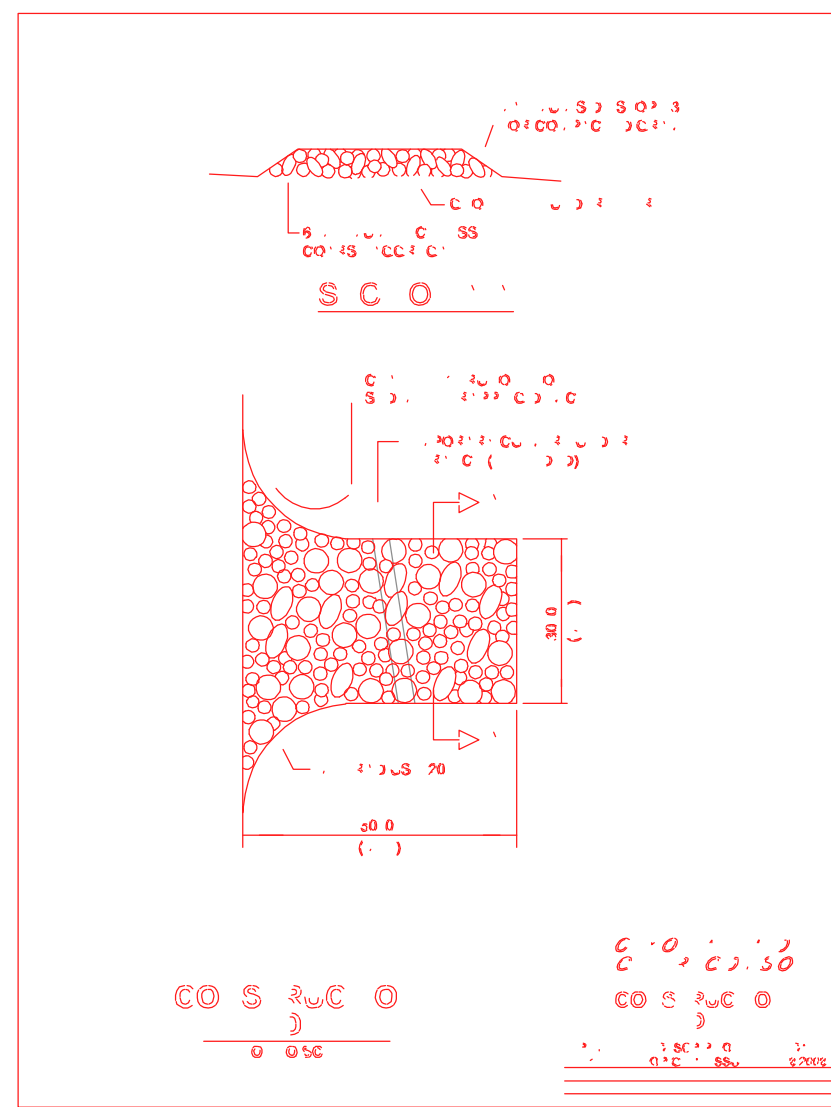
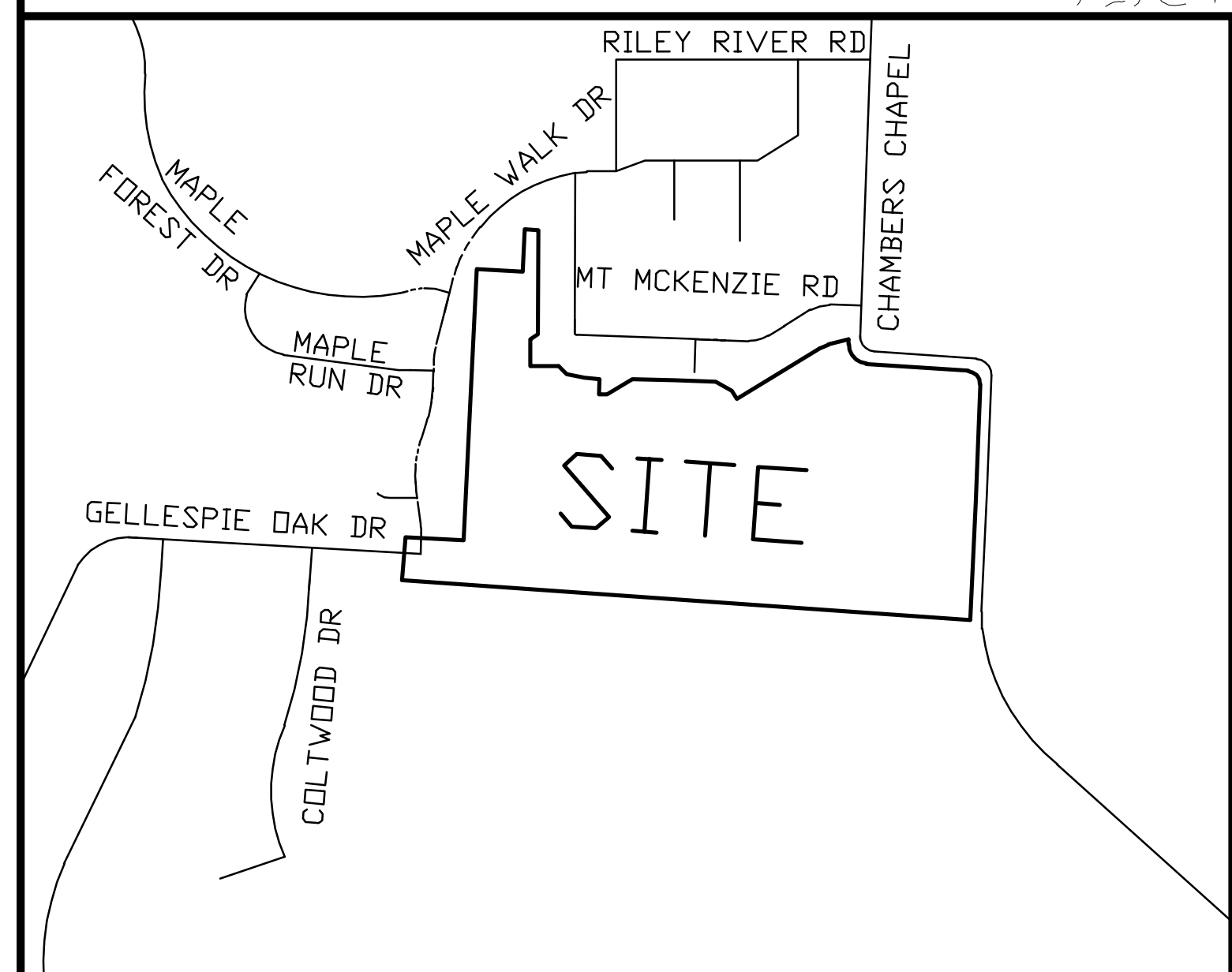
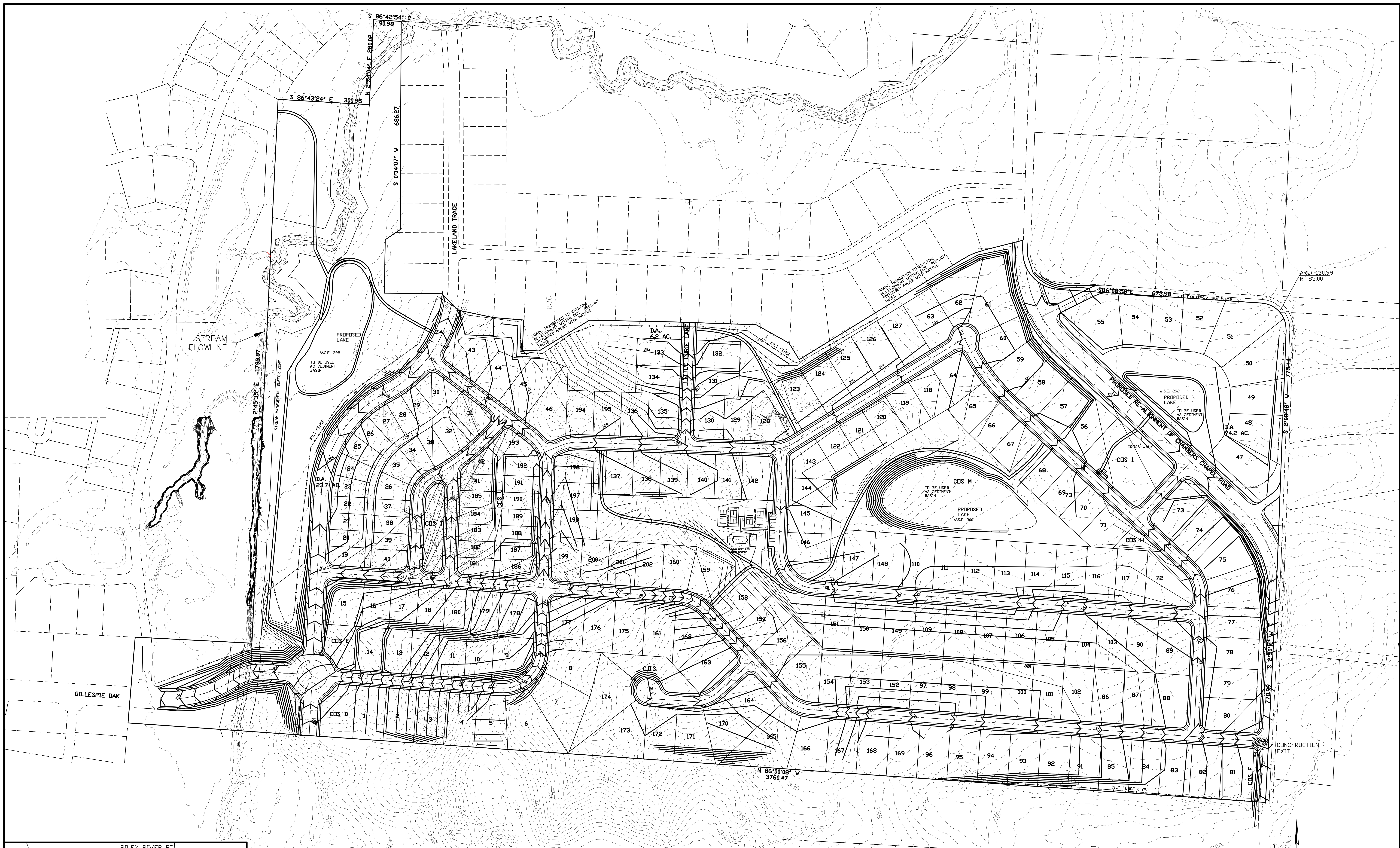


Construction sequencing shall proceed as follows:  
 Site Clearing (after phase one measures installed)  
 Earthmoving activities (phase two)  
 Sewer installation (phase two)  
 Storm Drainage Installation (phase two)  
 Curb and Gutter Installation (phase two)  
 Water, gas and electric installation (phase two)  
 Street Paving (phase two)  
 Lot stabilization (phase two)  
 House construction (final site stabilization)  
 Final Lot Stabilization - sod. (final site stabilization)

THESE MEASURES TO BE  
 INSTALLED PRIOR TO  
 CLEARING & GRUBBING ACTIVITIES



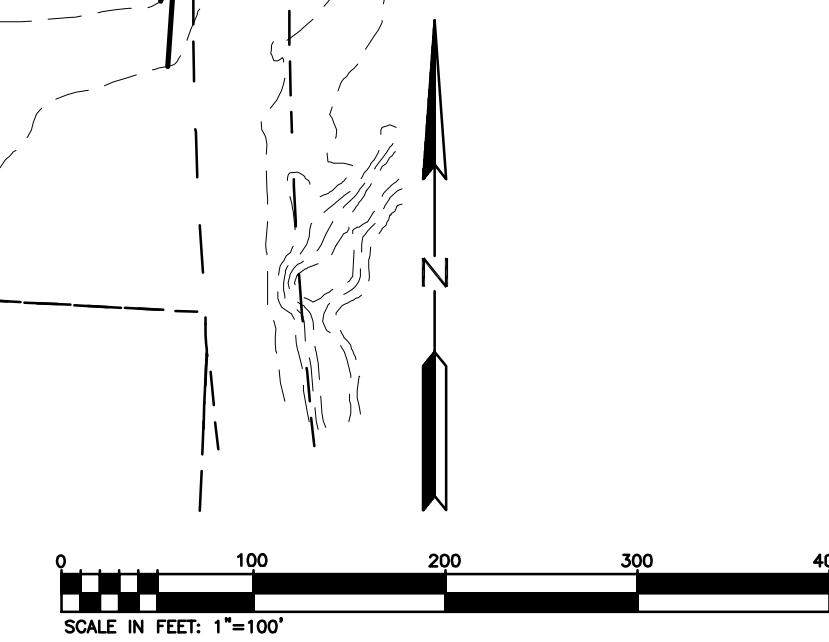
<b>OUTLINE PLAN - EROSION CONTROL PLAN PH. 1</b>	
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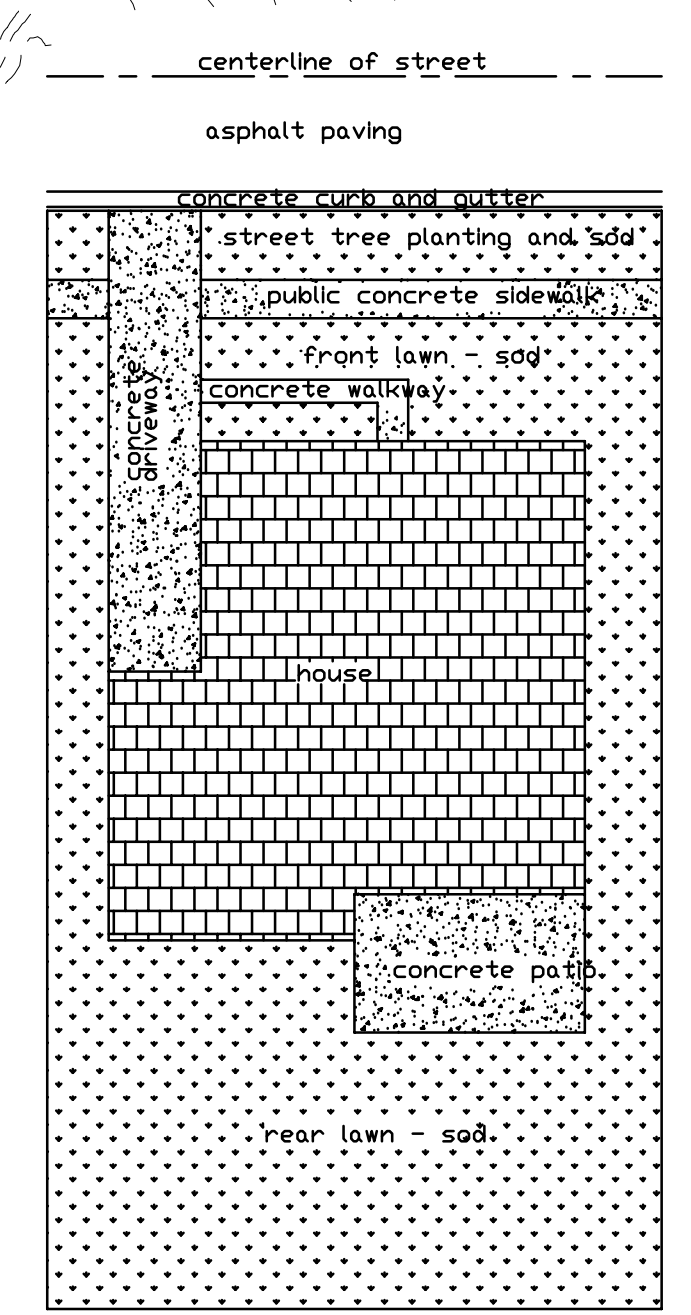
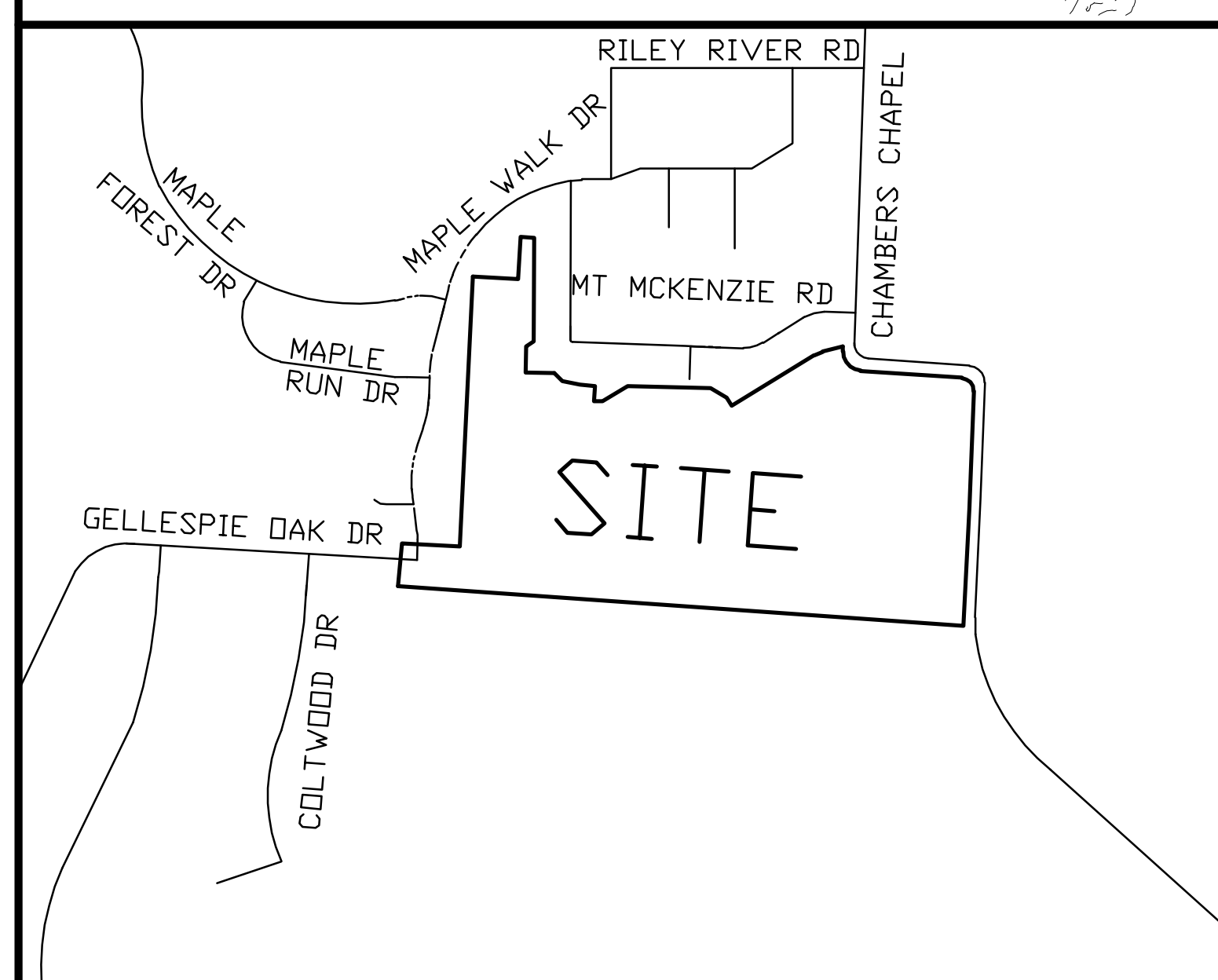
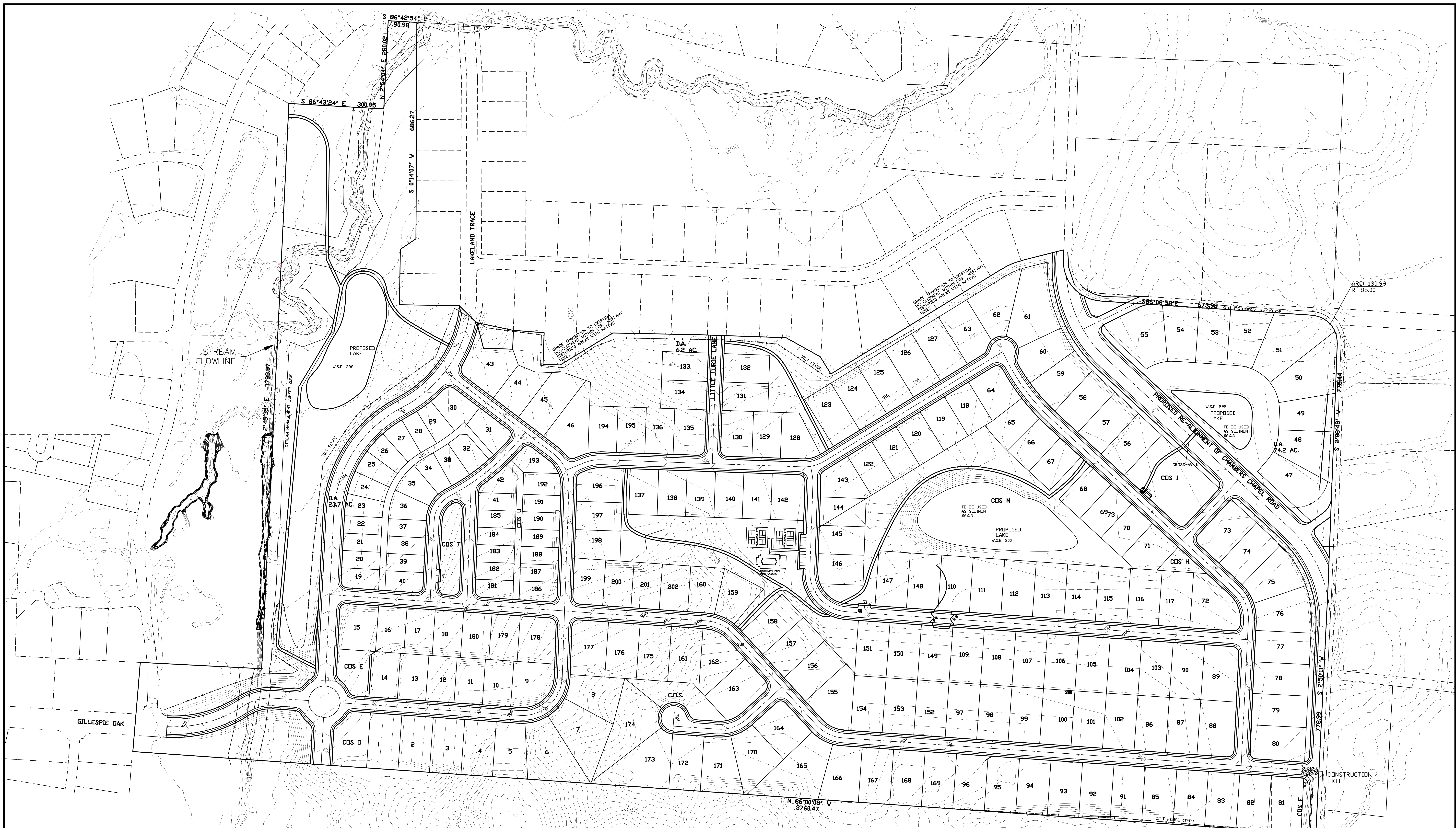
NOTE: FLOCCULANT TO BE USED WHEN NEEDED PRIOR TO DEWATERING. PUMP SHALL NOT BE USED DURING FLOCCULANT SETTLING PERIOD. BASIN TO BE PUMPED AS NECESSARY.

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 Street Paving (phase two)  
 Lot stabilization (phase two)  
 House construction (final site stabilization)  
 Final Lot Stabilization - sod. (final site stabilization)

SILT FENCE REQUIRED ALONG THE FRONTAGE OF ALL LOTS FROM CURB & GUTTER INSTALLATION UNTIL HOUSE CONSTRUCTION

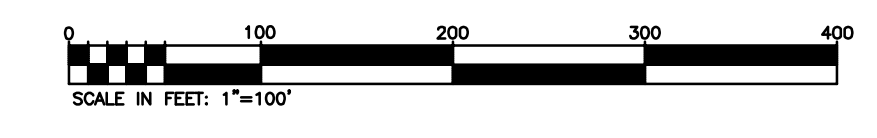


OUTLINE PLAN - EROSION CONTROL PLAN PH. 2	
CHAPEL LAKES PLANNED DEVELOPMENT	
LAKELAND, TENNESSEE	
LOTS: 202	AREA: 126.4 ACRES
PREPARED FOR: CUMMINGS LLC. 6192 CHAPELLE CIRCLE EAST MEMPHIS, TN 38134 (901) 383-8668	ENGINEER: THE BRAY FIRM 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668
DATE: MARCH 4, 2026	SCALE: 1"=100'

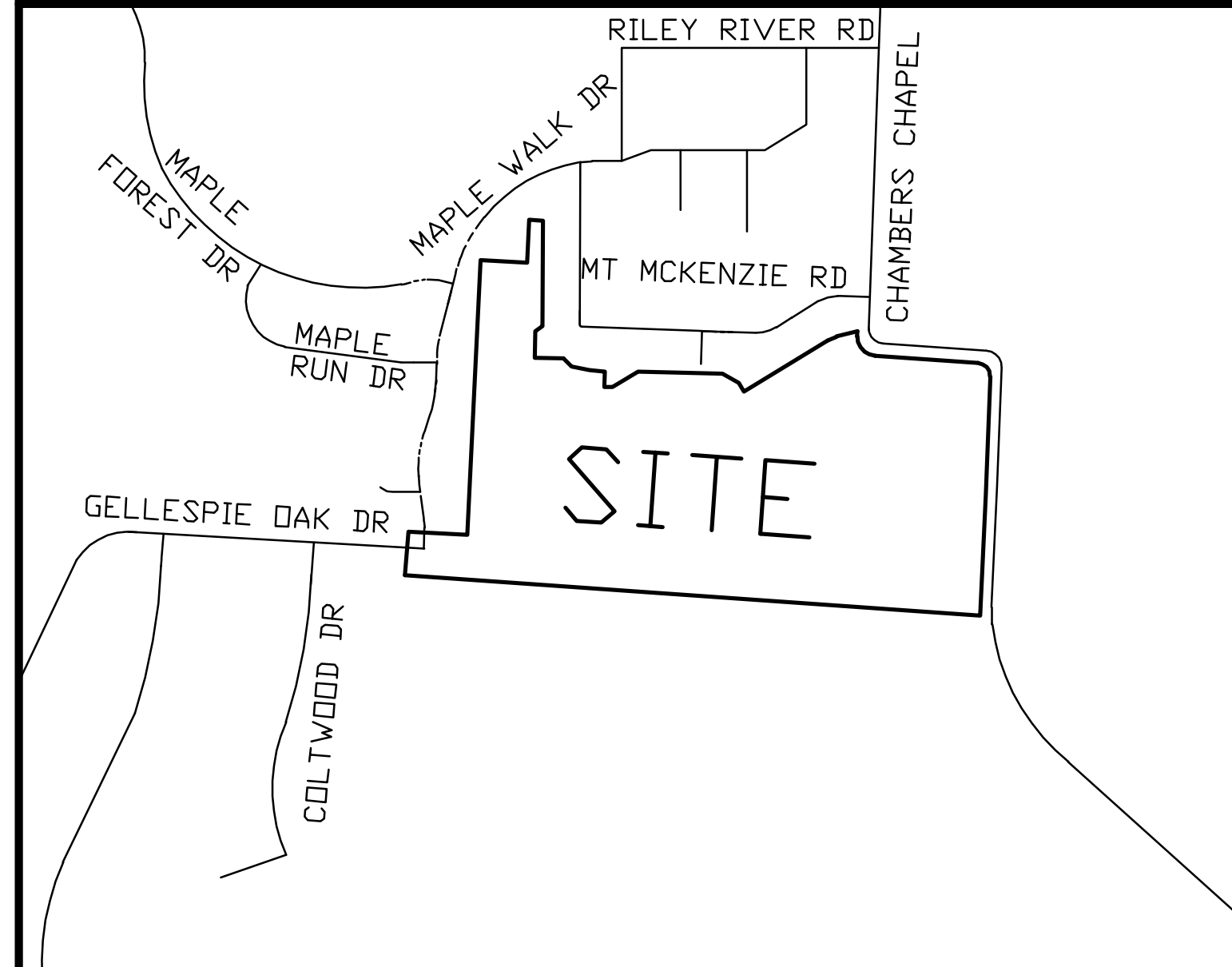
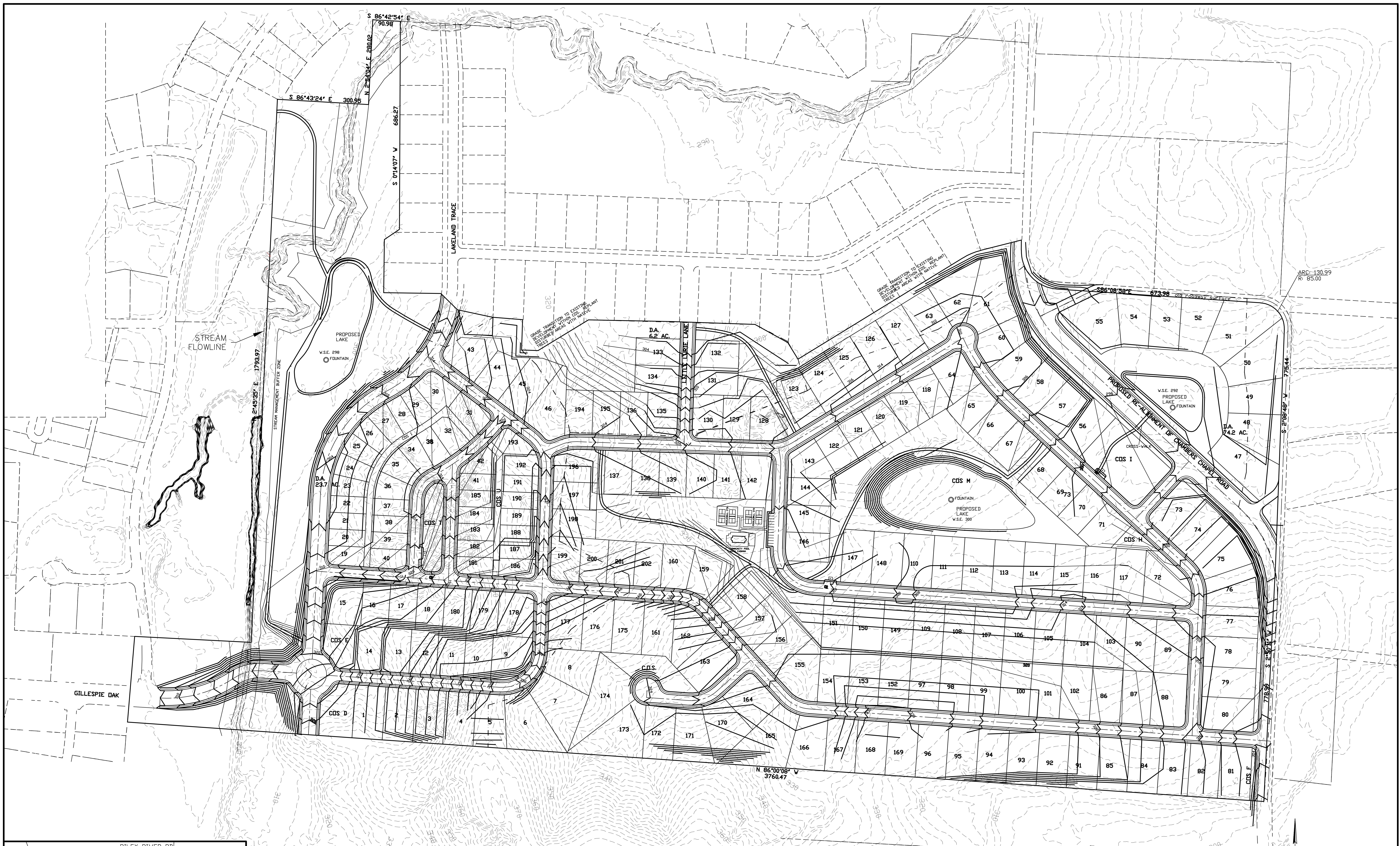


TYPICAL LOT STABILIZATION

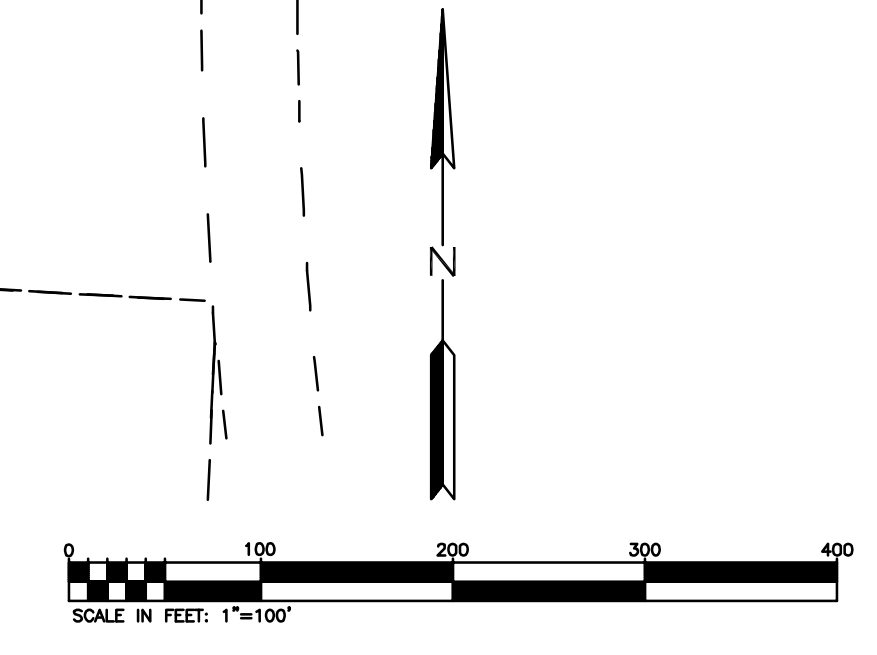
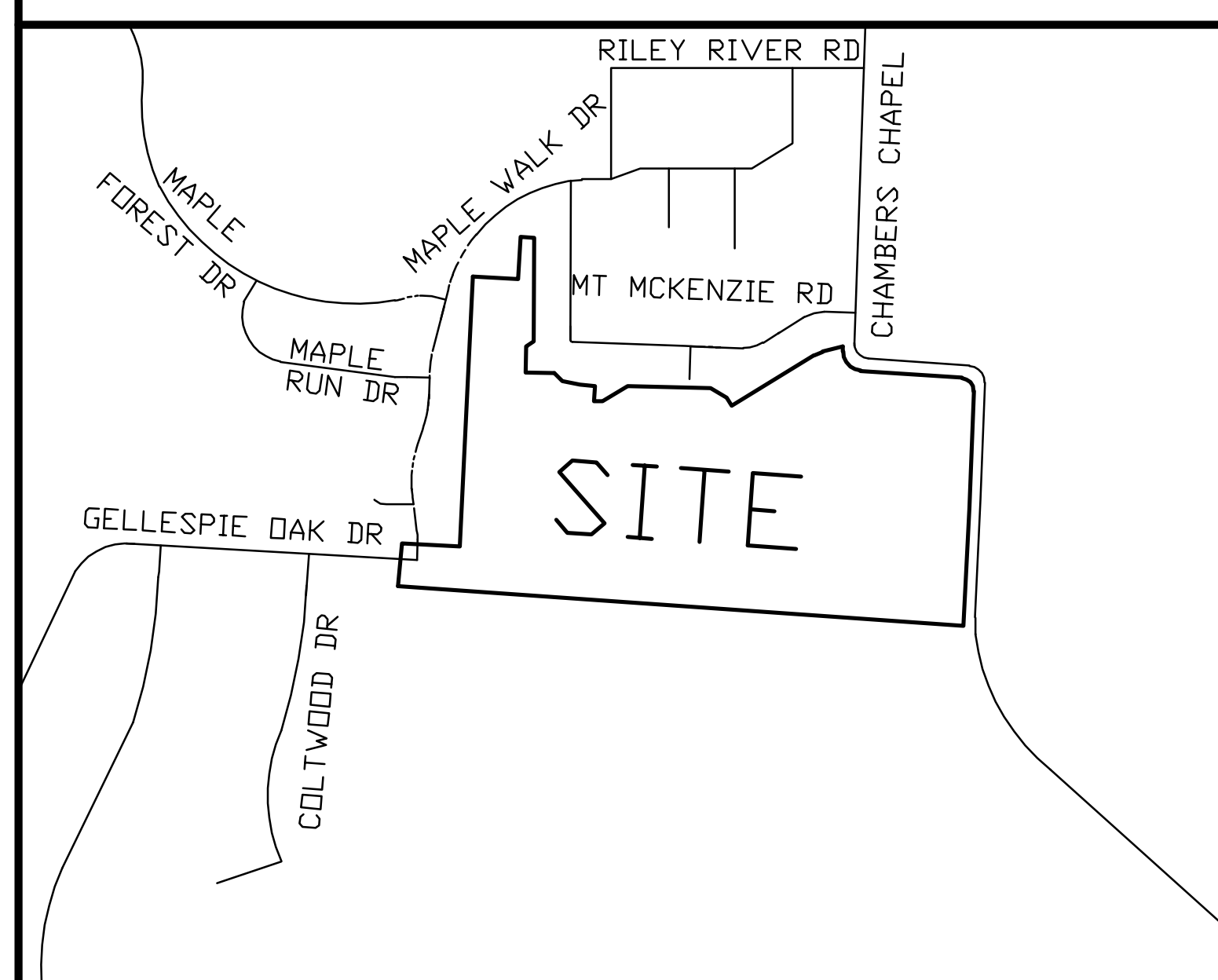
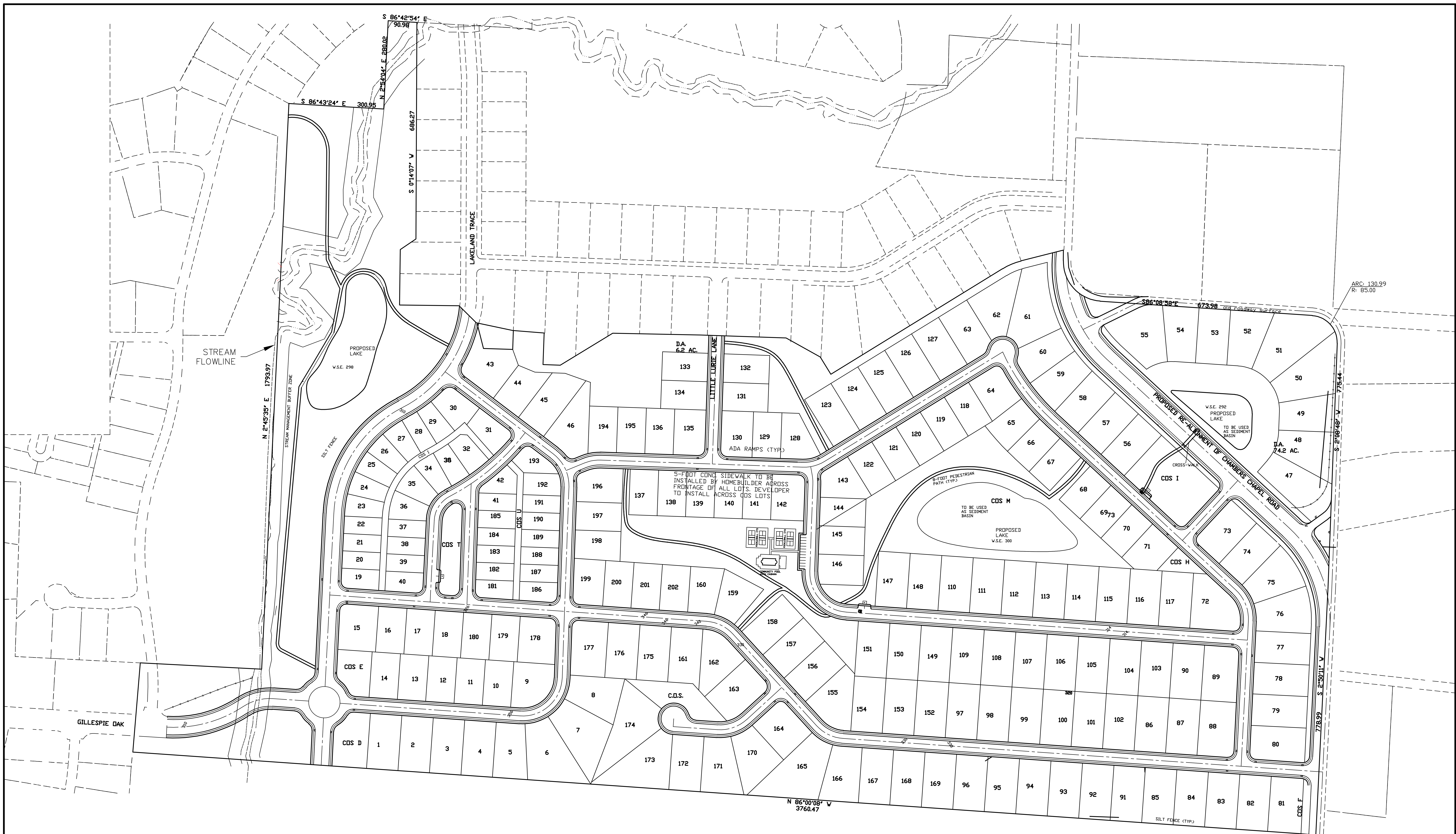
SILT FENCE REQUIRED ALONG THE FRONTAGE OF ALL LOTS FROM CURB & GUTTER INSTALLATION UNTIL HOUSE CONSTRUCTION



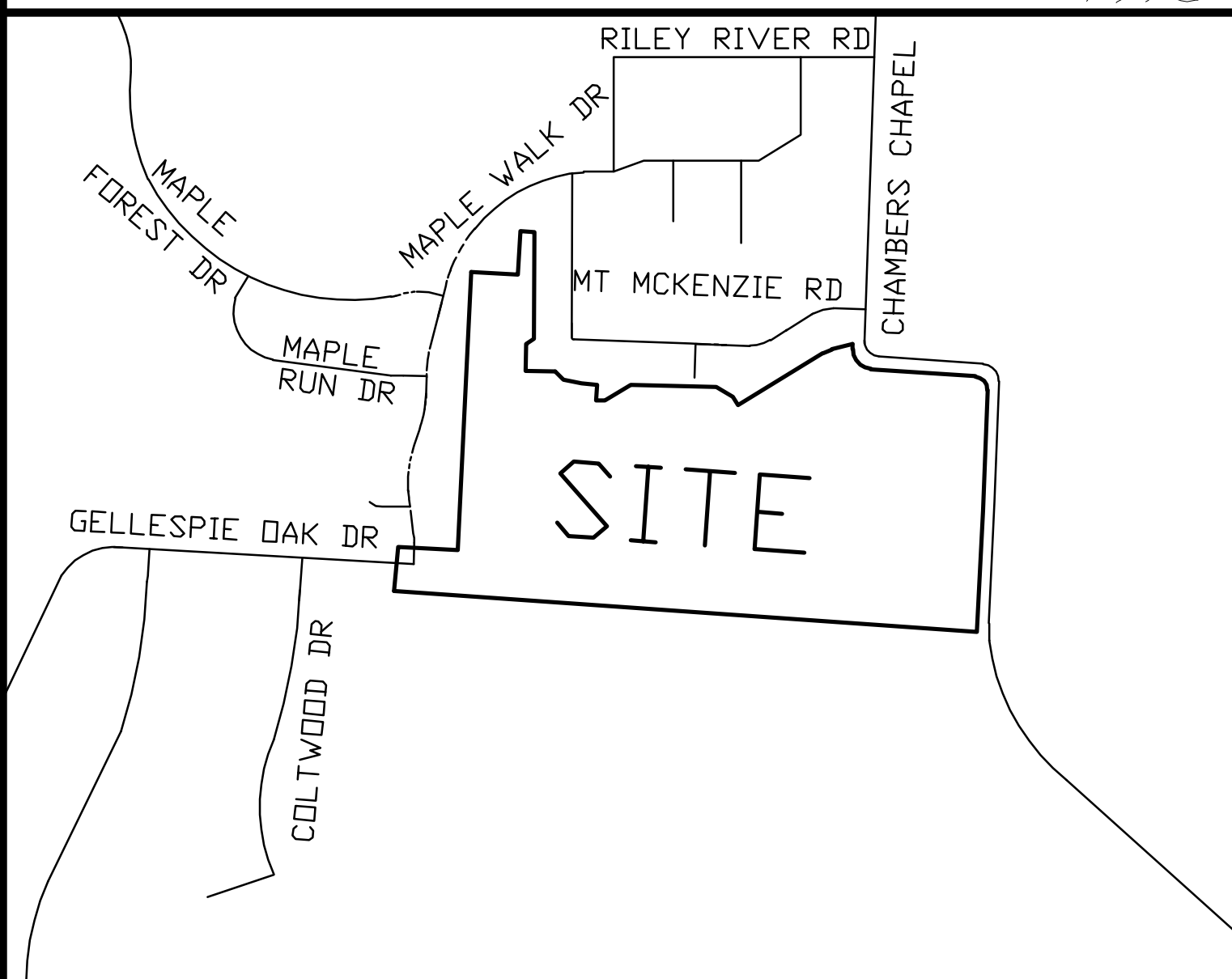
<b>OUTLINE PLAN - EROSION CONTROL PLAN PH. 3</b>	
<b>CHAPEL LAKES PLANNED DEVELOPMENT</b>	
<b>LAKELAND, TENNESSEE</b>	
LOTS: 202	AREA: 126.4 ACRES
PREPARED FOR: CUMINGS LLC. 6192 CHAPELLE CIRCLE EAST MEMPHIS, TN 38120	ENGINEER: THE BRAY FIRM 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668
DATE: MARCH 4, 2026	SCALE: 1"=100' SHEET 6 OF 9



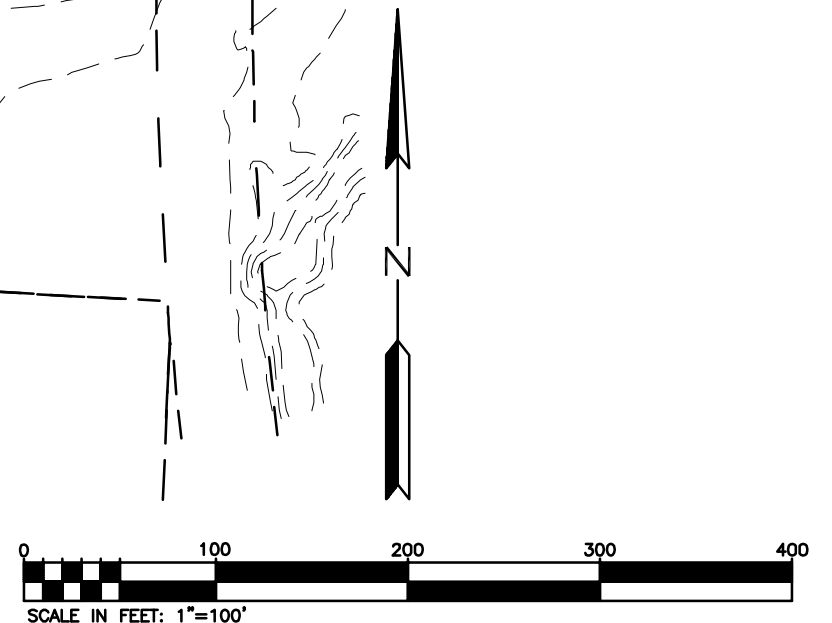
<b>OUTLINE PLAN - CONCEPTUAL GRADING</b>	
<b>CHAPEL LAKES PLANNED DEVELOPMENT</b>	
<b>LAKELAND, TENNESSEE</b>	
LOTS: 202	AREA: 126.4 ACRES
PREPARED FOR: CUMMINGS LLC. 6192 CHAPELLE CIRCLE EAST MEMPHIS, TN 38134	ENGINEER: THE BRAY FIRM 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668
DATE: MARCH 4, 2026	SCALE: 1"=100' SHEET 7 OF 9



<b>OUTLINE PLAN - PEDESTRIAN PLAN</b>	
<b>CHAPEL LAKES PLANNED DEVELOPMENT</b>	
<b>LAKELAND, TENNESSEE</b>	
LOTS: 202	AREA: 126.4 ACRES
PREPARED FOR: CUMMINGS LLC. 6192 CHAPPELLE CIRCLE EAST MEMPHIS, TN 38120	ENGINEER: THE BRAY FIRM 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668
DATE: MARCH 4, 2026	SCALE: 1"=100' SHEET 8 OF 9



CROSS-HATCHING DENOTES  
EXISTING TREED AREAS TO  
REMAIN - 21.9 ACRES  
SEE ATTACHED SURVEY



<b>OUTLINE PLAN - TREE INVENTORY</b>	
<b>CHAPEL LAKES PLANNED DEVELOPMENT</b>	
<b>LAKELAND, TENNESSEE</b>	
LOTS: 202	AREA: 126.4 ACRES
PREPARED FOR: CUMINGS LLC. 6192 CHAPELLE CIRCLE EAST MEMPHIS, TN 38120	ENGINEER: THE BRAY FIRM 2950 STAGE PLAZA NORTH BARTLETT, TN 38134 (901) 383-8668
DATE: MARCH 4, 2026	SCALE: 1"=100' SHEET 9 OF 9

**Meeting Date:** Thursday, March 12, 2026

**Project:** Lakeland Commons Planned Development – Outline Plan Amendment

**Staff Contact:** Alex Barthol, Staff Planner

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**PROJECT INFORMATION**

**Location:** Southwest corner of US Hwy 70 & Seed Tick Rd.

**Parcel ID:** L0150 00568 & L0150 00569

**Zoning District:** AG (Agriculture) with PD (Planned Development) overlay

**Site Area:** 40.71 acres

**Applicant:** Vince Smith

**Representative:** Cory Brady, PLA, AICP

**STAFF RECOMMENDATION**

City Staff recommends approval of the Lakeland Commons Planned Development Outline Plan Amendment application as submitted.

**BACKGROUND**

The Lakeland Commons Planned Development was originally approved in September of 2011 as a mixed-use development. Area D was amended in 2015 to replace the single-family uses with a vertically integrated mixed-use concept of retail, office and multi-family residential. The BOC approved a Development Contract for Lakeland Commons PD, Phase 1 in May of 2019. Phase 2 was approved in March of 2022. A site plan for Twenty (20) townhomes was approved in October of 2024.

## **DISCUSSION**

The applicant is requesting approval of an amendment to the approved outline plan to convert thirty (30) approved townhomes to multi-family units similar to the already constructed phases. The other request is to add twenty-one (21) multi family units where townhomes were originally planned. This amendment would also reflect the forfeiture of Lot 9 by the City of Lakeland. This lot was originally planned for a potential civic use. If approved, the total unit count for the overall development will increase from 289 to a maximum 310 residential units.

City Staff has reviewed the request and is in agreement that the changes requested do not materially change the overall character or uses allowed within this development.

## **EXAMPLE MOTIONS**

1. Motion to approve the Lakeland Commons Planned Development Outline Plan amendment subject to the following conditions:
  - a. Conditions as determined by the Planning Commission
2. Motion to approve the Lakeland Commons Planned Development Outline Plan amendment without conditions.
3. Motion to deny the Lakeland Commons Planned Development Outline Plan amendment:
  - a. Reason for denial



**CITY OF LAKELAND**  
**Application for Planned Developments**

Case No. \_\_\_\_\_ Date of Application 02/10/2026

Name of Applicant Vince Smith, JR (Owner & Developer)

Address 6075 Poplar Ave Suite 630, Memphis, TN 38119

Daytime Telephone Number (901) 489-5896 Fax Number \_\_\_\_\_

Name of Property Owner Lakeland Commons Ph II, LC & Lakeland Commons, LP

Address 6075 Poplar Ave. STE 630 & 355 Tara Ln., Memphis Telephone Number (901) 489-5896

Name of Project Planning/Engineering Firm Integrated Land Solutions, PLLC

Name of Project Manager or Contact Person Cory Brady, PLA, AICP

Address 9967 Bentwood Creek Cv., Collierville, TN 38017

Telephone Number (901) 493-6996 Fax Number \_\_\_\_\_

E-mail corybrady@gmail.com

Name of Planned Development Lakeland Commons, PMUD Parcel ID# L0150 00568 & L0150 00569

Site Location S/W corner of US Hwy 70 & Seed Tick Rd.

Site Acreage 40.71 (Overall PMUD) Zoning District(s) AG (PMUD Overlay)

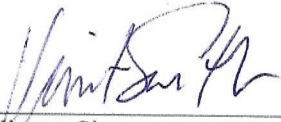
Proposed Use(s) Multi-family Residential (Amendment)

Proposed Number of Lots/Dwelling Units 310 Proposed Gross Floor Area N/A Sq. ft.

Multiple Phases? \_\_\_\_\_ If yes, total number of phases and schedule \_\_\_\_\_

Approval requested:  Outline Plan  Preliminary Development Plan  Final Development Plan

## Application for Planned Developments



Applicants Signature

Feb 11, 2024

Date

Property Owners Signature (if different from applicant)

Date

Please contact the Planning Department Staff for meeting dates and times, number of copies of all required materials, and the required filling fee to be submitted with the application.

### CITY OF LAKELAND

10001 Highway 70

Lakeland, TN 38002

Office: (901) 867-2717 Fax: (901) 867-2063

Email: [dmurrell@lakelandtn.org](mailto:dmurrell@lakelandtn.org)

[www.lakelandtn.gov](http://www.lakelandtn.gov)

### OBJECTIVES

The Board of Commissioners may, upon proper application, grant a special permit for a Planned Development to facilitate the use of flexible techniques of land development and site design providing relief from zoning requirements designed for conventional developments. Planned developments shall be permitted in all zoning districts except for the FW-Floodway District.

### PRE-APPLICATION CONFERENCE WITH CITY STAFF

At least thirty (30) days prior to filing any application for a Planned Development, the prospective applicant shall request a pre-application conference with the City. A preliminary development plan shall be submitted to the Planning Commission with the application for the Planned Development within six (6) months of the pre-application conference.

### EFFECT OF APPROVAL OF DEVELOPMENT PLANS

February 12, 2026

Paul Luker, AICP  
Planning Director  
City of Lakeland  
10001 US Highway 70  
Lakeland, TN 38002

Re: Planned Development Amendment  
Lakeland Commons Planned Mixed-Use Development

Mr. Luker,

On behalf of the owner and developer, I respectfully request approval of an amendment to Areas B and D of the Lakeland Commons Planned Mixed-Use Development Outline Plan. The subject property is located at the southwest corner of US Highway 70 and Seed Tick Road, informally known as Lakeland Town Square.

The proposed amendment is composed of the following modifications:

1. A modification of the development's residential program to convert thirty (30) previously entitled but undeveloped townhouse units to comparable multi-family units;
2. A modification of the development's residential program to add twenty-one (21) multi-family units where townhouses were previously planned;
3. A modification to memorialize the City of Lakeland's forfeiture of Lot 9, which was previously approved for dedication to the City of Lakeland for municipal use.

This amendment requested is in immediate response to the lack of market demand for townhouse residential units along the US Highway 70 corridor. Upon approval of this request, the total unit count for the overall development will increase from 289 permissible units to a maximum 310 permissible units across the 40.71-acre mixed-use development, the equivalent of 7.6 dwelling units per acre (DU/AC). By comparison, the resulting density remains comparable to the permissible density allowed within the City's R2 Suburban Cottage, single-family residential district and well below the 12 DU/AC density allowed in the City's RM2 Multifamily Residential District.

In support of this request please find enclosed a redlined copy of the amended Outline Plan and General Plan illustrating the proposed modifications. If you need any additional information, please do not hesitate to contact me. Thank you for your consideration.

Respectfully,



Cory Brady, PLA, AICP  
Integrated Land Solutions, pllc

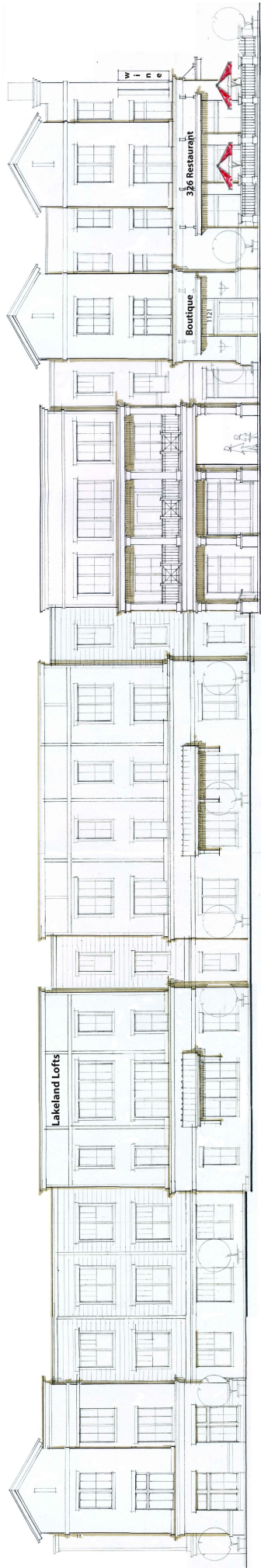




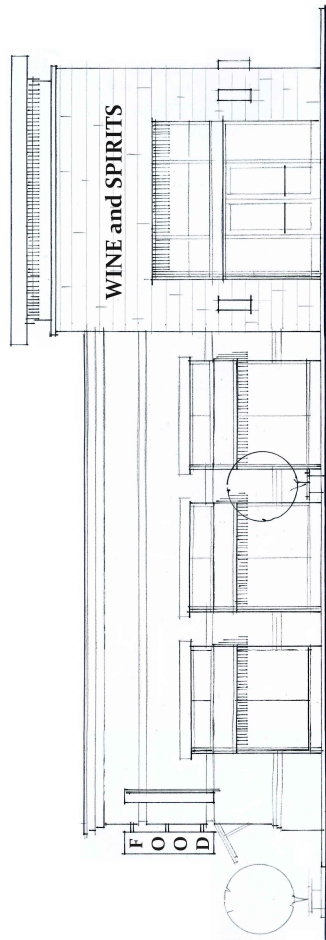




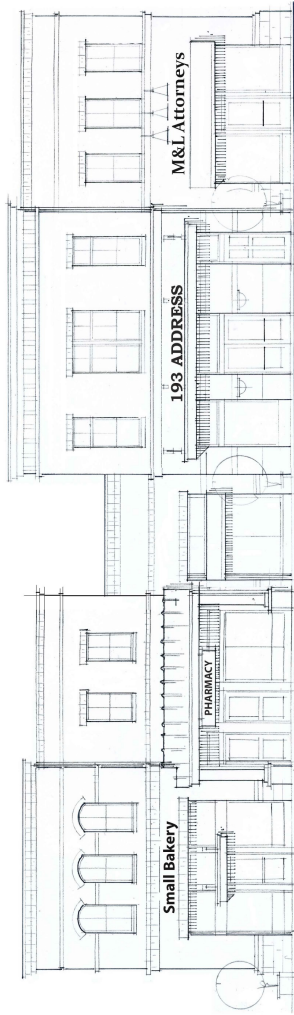




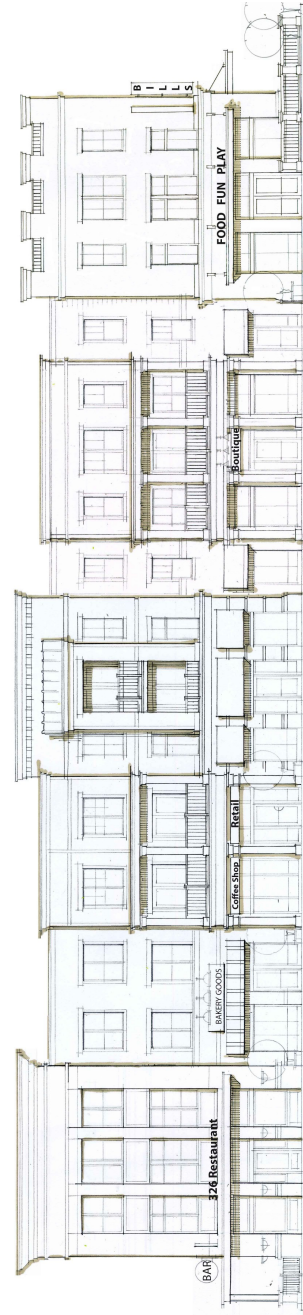
3 STORY IN-LINE MIXED-USE BUILDING  
Conceptual Elevation



STAND ALONE RETAIL RESTAURANT  
Conceptual Elevation



2 STORY IN-LINE RETAIL/OFFICE BUILDING  
Conceptual Elevation



3 STORY IN-LINE RETAIL/OFFICE BUILDING  
Conceptual Elevation



February 12, 2026

OUTLINE PLAN AMENDED (DRAFT AMENDMENT)

**LAKELAND COMMONS**  
PLANNED MIXED USE DEVELOPMENT



Lakeland, Tennessee  
Total Site Area: 40.713 Acres  
Parcel ID: 0150.00479C  
Underlying Zoning: AG

Project Owner/Developer:  
Lakeland Commons, LLC  
1500  
Memphis, TN 38111

INTEGRATED LAND SOLUTIONS, PLLC  
899 Riverwood Drive Dr., Collierville, TN 38017  
901.424.4234 | info@ils.com

February 12, 2026

# LAKELAND COMMONS

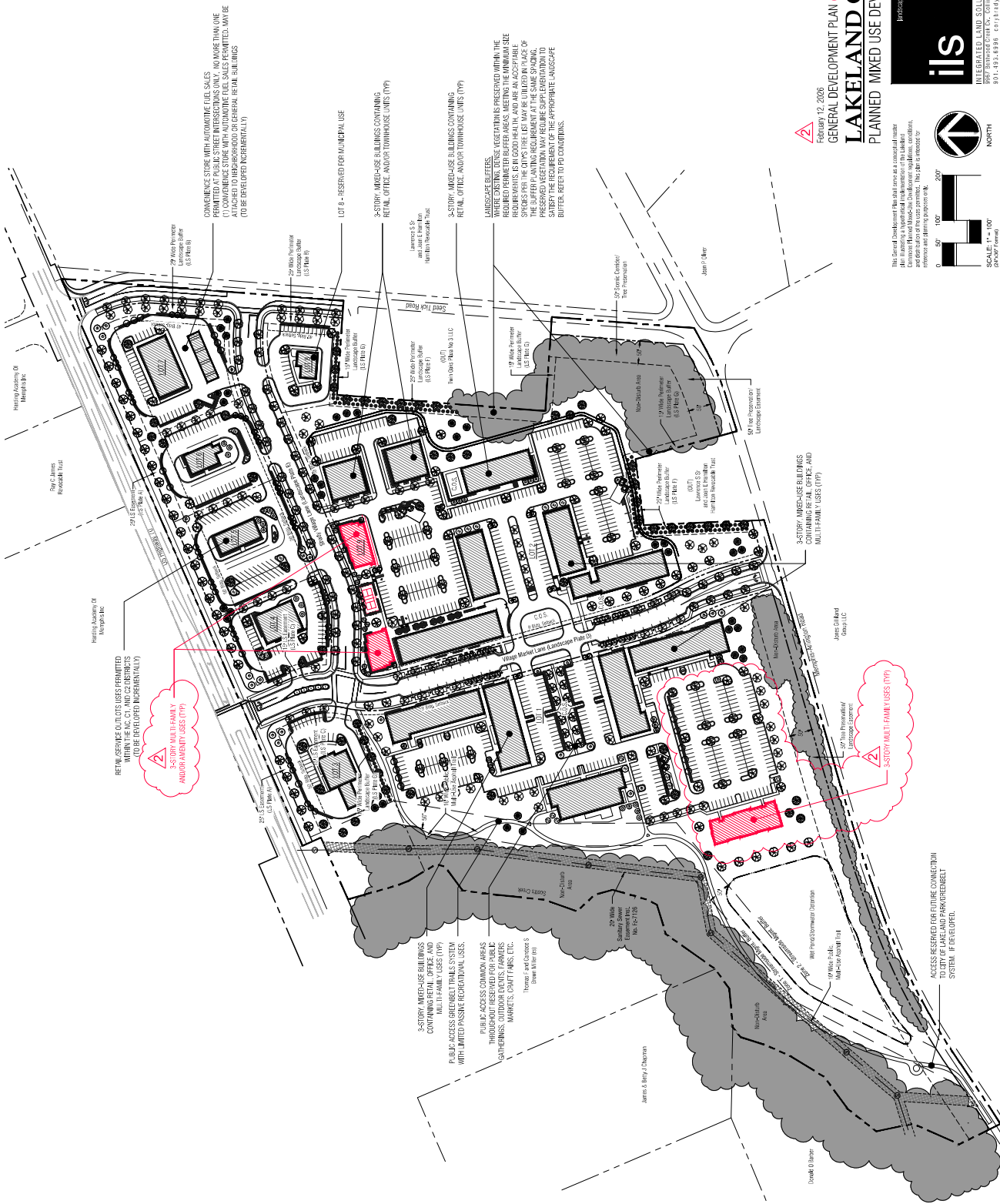
## PLANNED MIXED USE DEVELOPMENT

Lakeland, Tennessee  
 Total Site Area: 40.73 Acres  
 Parcel ID: LD150-00479C  
 Underlying Zoning: AG

**ils**  
 INTEGRATED LAND SOLUTIONS, LLC  
 8897 Riverside Court, Columbia, TN 38307  
 615.424.4243 | info@ils.com

This General Development Plan shall serve as a conceptual master plan for the planning and development of the Lakeland Commons, and shall be subject to future site-specific plans, site plans, and other documents that may be required for the development of the project.

SCALE: 1" = 100'  
 (not to scale)



RETAIL SERVICE OUTLOTS USES PERMITTED WITHIN THE NC, CT, AND CD DISTRICTS (TO BE DEVELOPED INCREMENTALLY)  
 2-STORY MIXED-USE BUILDING CONTAINING RETAIL, OFFICE, AND MULTI-FAMILY USES (TYP)

2-STORY MIXED-USE BUILDING CONTAINING RETAIL, OFFICE, AND MULTI-FAMILY USES (TYP)

3-STORY MIXED-USE BUILDINGS CONTAINING RETAIL, OFFICE, AND MULTI-FAMILY USES (TYP)

ACCESS RESERVED FOR FUTURE CONNECTION TO CITY OF LAKELAND PARKS/RECREATION SYSTEM, IF DEVELOPED.

CONVENIENCE STORES WITH AUTOMOTIVE FUEL SALES PERMITTED AT PUBLIC STREET INTERSECTIONS ONLY. NO MORE THAN ONE (1) CONVENIENCE STORE WITH AUTOMOTIVE FUEL SALES PERMITTED. MAY BE PERMITTED AT OTHER LOCATIONS ON GENERAL RETAIL BUILDINGS (TO BE DEVELOPED INCREMENTALLY).

LANDSCAPE BUFFERS WHERE EXISTING DENSE VEGETATION IS PRESERVED WITHIN THE REQUIRED SETBACK BUFFERS AREAS. MEETING THE MINIMUM SETBACKS PER THE CITY'S TREE LINES MAY BE LIMITED IN PLACE OF THE BUFFER PLANTING REQUIREMENT AT THE SAME SPACING. THESE BUFFER AREAS MAY BE SUPERSEDED BY OTHER BUFFER REQUIREMENTS FOR THE DEVELOPMENT. LANDSCAPE BUFFERS REFER TO PER CONDITIONS.

LOT 18 - RESERVED FOR MUNICIPAL USE

2-STORY MIXED-USE BUILDINGS CONTAINING RETAIL, OFFICE, AND/OR TOWNHOUSE UNITS (TYP)

2-STORY MIXED-USE BUILDINGS CONTAINING RETAIL, OFFICE, AND/OR TOWNHOUSE UNITS (TYP)

3-STORY MIXED-USE BUILDINGS CONTAINING RETAIL, OFFICE, AND MULTI-FAMILY USES (TYP)

297 1/2 Miles Avenue  
 Landscape Buffer  
 (5.5' Min)

25' 0" 200' Perimeter  
 Landscape Buffer  
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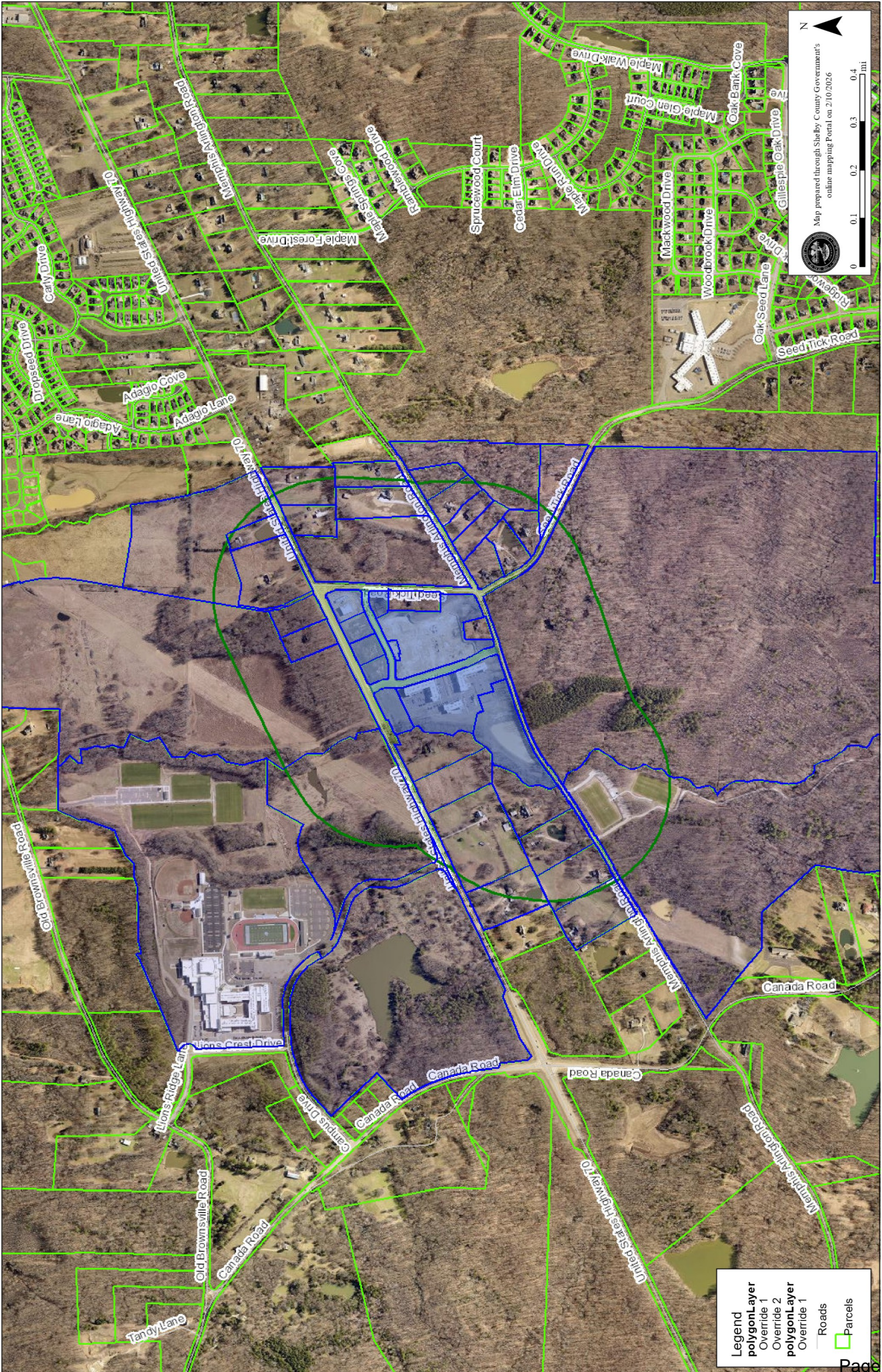
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 Landscape Buffer  
 (5.5' Min)



**Legend**

- polygonLayer
- Override 1
- Override 2
- polygonLayer
- Override 1
- Roads
- Parcels

Map prepared through Shelby County Government's  
online mapping Portal on 2/10/2026

ABDU ADIO I  
4746 SEED TICK RD #  
LAKELAND TN 38002

ABERNATHY DANIEL L & SHIRLEY M  
9557 HIGHWAY 70 #  
ARLINGTON TN 38002

BARBER DONALD O  
9670 MEMPHIS ARLINGTON RD #  
ARLINGTON TN 38002

BLOSE PAUL G & GENIE H  
9610 MEMPHIS-ARLINGTON RD #  
LAKELAND TN 38002

BOARD OF EDUCATION FOR THE LAKELAND  
10001 HIGHWAY 70 #  
ARLINGTON TN 38002

BROCK MYRA A R  
9889 HIGHWAY 70 #  
ARLINGTON TN 38002

BURRUS DOUGLAS W & LAURA S  
9656 MEMPHIS ARLINGTON RD #  
ARLINGTON TN 38002

CACARO LESLIE J QUALIFIED SUBCHAPTER S  
10186 WOODBROOK DR #  
LAKELAND TN 38002

CACARO LESLIE J REVOCABLE LIVING TRUST  
10186 WOODBROOK DR #  
LAKELAND TN 38002

CARMICHAEL JOHN S AND DONNA R CARMICHAEL  
9625 HIGHWAY 70 #  
ARLINGTON TN 38002

CHAPMAN JAMES & BETTY J  
1726 SWANSEA CV #  
CORDOVA TN 38016

CHAUDHRY AMARJIT & KAMALJIT  
9371 FALCON HILL DR #  
LAKELAND TN 38002

CITY OF LAKELAND TENNESSEE  
10001 HIGHWAY 70 #  
LAKELAND TN 38002

CLEMMONS WILLIAM B JR AND LYNETTE K  
9570 MEMPHIS ARLINGTON RD #  
LAKELAND TN 38002

CRAFT DALE M & TERESA S  
4766 SEED TICK RD #  
LAKELAND TN 38002

CREECH SHANNON W & LAWONNA P  
9853 MEMPHIS ARLINGTON RD #  
LAKELAND TN 38002

CROCKETT RONNY JR AND DANA CROCKETT  
9850 HIGHWAY 70 #  
ARLINGTON TN 38002

HAMILTON LAWRENCE S SR AND JOAN E  
2710 RUTHERFORD WAY #  
CHARLESTON SC 29414

HARDING ACADEMY OF MEMPHIS INC  
1100 CHERRY RD #  
MEMPHIS TN 38117

HARRELL TIM S & KRISTIE M  
9941 HIGHWAY 70 #  
ARLINGTON TN 38002

HAWKINS BRIAN & TERESA  
9920 MEMPHIS ARLINGTON RD #  
LAKELAND TN 38002

HOWARD EUGENE SR & BETTY J  
9905 MEMPHIS-ARLINGTON RD #  
LAKELAND TN 38002

HOWARD JEFF A & DENISE  
9885 MEMPHIS ARLINGTON RD #  
LAKELAND TN 38002

JAMES JASON AND PRISCILLA K JAMES  
11359 S LOTHAIR AVE #  
CHICAGO IL 60643

JONES GILLILAND GROUP LLC  
5100 POPLAR AVE #30  
MEMPHIS TN 38137

LAKELAND COMMONS LP  
6075 POPLAR AVE #630  
MEMPHIS TN 38119

LAKELAND COMMONS PH II LLC  
355 TARA LN #  
MEMPHIS TN 38111

MILLER THOMAS F AND CANDACE S BROWN (RS)  
9685 HIGHWAY 70 #  
ARLINGTON TN 38002

NASH JENNIFER H & WINFRED D JR  
9950 MEMPHIS ARLINGTON RD #  
LAKELAND TN 38002

SAINT RITA REAL ESTATE COMPANY LLC  
6105 SUMMER AVE #  
BARTLETT TN 38134

SEED TICK LLC  
492 SWEETBRIAR RD #  
MEMPHIS TN 38120

SSYAMA HOLDINGS LLC  
PO BOX 157 #  
EADS TN 38028

TWIN OAKS PLAZA NO 3 LLC  
8499 DEADFALL RD #  
MILLINGTON TN 38053





## Municipal Planning and Design Review Commission

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**Meeting Date:** Thursday, March 12, 2026

**Project:** Hilton LivSmart – Site Plan Application

**Staff Contact:** Alex Barthol, Staff Planner

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### PROJECT INFORMATION

Parcel ID: L0159Q A00008

Zoning District: C-2: Regional Commercial (Planned Development Overlay)

Site Area: 2.35 acres

Applicant: MXR Development, LLC

Representative: Eric Watts

### STAFF RECOMMENDATION

City Staff is not making a recommendation at this time due to not receiving certain revisions to elevations and site details.

### BACKGROUND:

The Lake District Planned located at the southeast corner of Canada Road and Interstate 40. The Outline Plan was approved by the Board of Commissioners on June 6, 2016, with the plat for this proposed property being recorded in March of 2020.

### DISCUSSION:

This application is a request for approval by the Municipal Planning Commission of all site improvements including all civil work, site access, parking and circulations, and site lighting as well as Design Review Commission approval of building elevations and landscaping. The proposed use is a 4-story hotel.

**MATERIAL LEGEND:**

	EX-01: SHERWIN WILLIAMS - WORLDLY GRAY SW 7043
	EX-02: SHERWIN WILLIAMS - ITELLECTUAL GRAY SW 7045
	EX-03: SHERWIN WILLIAMS - URBANE BRONZE SW 7048
	EX-04: ACME THIN BRICK CANTERBURY - MODULAR - RUMBLED
	EX-05: FACTORY FINISH BLACK KYNAR
	EX-06: METEON - LUMEN L90.0.0 METROPOLIS BLACK

**ELEVATIONS:**

All elevations are proposed to consist of mainly siding with a singular brick column at the main entrance. The following siding colors are proposed: Sherwin Williams - Worldly Gray Sw 7043, Sherwin Williams - Intellectual Gray Sw 7045, Sherwin Williams - Urbane Bronze Sw 7048. The brick color proposed is Acme Thin Brick Canterbury - Modular – Rumbled. All elevations will also feature an aluminum store front in Meteor – Lumen L90.0.0 Metropolis Black as well as aluminum coping at the roof line in Factory Finish Black Kynar.



**PARKING AND CIRCULATION:**

All access to the site is provided off of two access points on Lake District Drive North. The Land Development Regulations require 1.5 parking spaces per room which would bring the total required parking to 182. The applicant is requesting 105 total spaces. In order to approve this change, the applicant would need to apply for a variance to the parking minimums or propose an alternate parking plan to justify the discrepancy. See excerpt from the Land development Regulations:

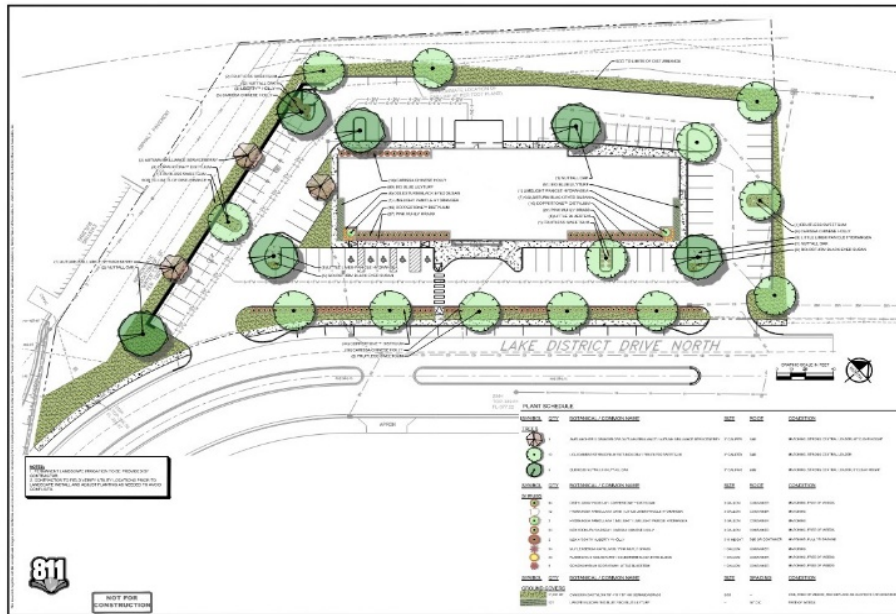
- D. Alternative Parking Plan (APP). The parking requirements set forth in this Section (*Table III.4.1 Off-Street Parking Requirements*) may be modified through a APP. The Planning Director may accept an APP in place of the parking requirement for a use if the below requirements are met:
  1. A parking study must be submitted that is prepared by a registered Professional Engineer or a Certified Land Use Planner.
  2. The study must include the size, type, and use(s) of the development; anticipated peak parking; anticipated normal parking amounts; and a narrative and data as to why the parking requirements of the LDR do not accurately reflect the needs of the proposed development.
  3. An APP may be requested concurrently with Construction Plan review, as defined in Section I.4.4 Construction Plans.

**LANDSCAPING:**

Extensive landscaping is proposed around the entire perimeter of the parking lot as well as the building and dumpster enclosure.

**SITE LIGHTING**

A total of seven (7) full cut off pole lights are proposed. All lighting is consistent with the Land Development Regulations.



**ANALYSIS:**

Upon review by City Staff, the majority of the civil portion of this Site Plan Application is in basic conformance with the Land Development Regulations for the City of Lakeland as well as the approved outline plan for The Lake District. The areas of concern are with the parking which is not in line with what's required. There are also concerns with the elevations as they do not conform completely with the other buildings approved in this development or the requirements of the Land Development Regulations which call for a variation in materials, as well as facades, to help break down large elements of mass and scale. Staff has reviewed previous submittals which required a much larger masonry element than what has been submitted. The applicant has assured staff that new elevations are forthcoming, however they have not been received as of this time. Because of the discrepancies listed above, staff is withholding a recommendation of approval at this time.

**EXAMPLE MOTIONS**

1. Motion to approve the Hilton LivSmart hotel Site Plan Application without conditions.
2. Motion to approve the Hilton LivSmart Site Plan Application subject to the following conditions:
  - a. Conditions as determined by the Planning Commission
3. Motion to deny the Hilton LivSmart Site Plan Application:
  - a. Reason for denial



CITY OF LAKELAND
Application for Site Plan Approval

Case No. \_\_\_\_\_ Date of Application 02/12/2026

Name of Applicant MXR Development, LLC

Address 1468 Kimbrough Rd, Ste. 101, Germantown, TN 38138

Daytime Telephone Number 901-647-8863 Fax Number \_\_\_\_\_

E-mail eric@rreaf.com

Name of Property Owner RIC (Lake District), LLC

Address 162 Cumberland St #300, Toronto, ON M5R 3N5, Canada Telephone Number 416-966-1100

Name of Project Planning/Engineering Firm Kimley-Horn

Name of Project Manager or Contact Person Jennifer Peregoy

Address 6750 Poplar Ave Ste. 600, Memphis, TN 38138

Telephone Number 901-374-9109 Fax Number \_\_\_\_\_

E-mail jennifer.peregoy@kimley-horn.com

Name of Development Lake District Parcel ID# \_\_\_\_\_

Location of Development 9820 Lake District Dr W, Lakeland, TN 38002

Acreage 2.35 Acres Zoning District(s) C2 Multiple Phases? [ ] Check if YES

Total Gross Building Area 58,856 sf Floor Area Ratio (FAR) 0.1437 No. of Parking Spaces 123

Amount of Open Space 0.02 Acres Open Space as Percent of Total Acreage 0.009 %

Have any variances been granted by the Board of Zoning Appeals? N/A If yes, provide description and date(s).

Approval requested (Check One): Preliminary [ ] Final [X]

Date of Preliminary Site Plan approval, if applicable \_\_\_\_\_

In general, the Municipal Planning Commission (MPC) meets the third Thursday of each month at 5:30 p.m. in the Board Chambers of City Hall, at 10001 Highway 70. See attached schedule for filing deadlines. Eight (8) copies of all required materials, in addition to the required filing fee shall be submitted to the City for staff review by the application deadline. Additional copies, as directed by staff, must be provided for Municipal Planning Commission agenda packets. Contact the City at 901-867-2717 to confirm deadline and meeting dates and times.

*Eric Watts*

Applicants Signature

02/06/2026

Date

Property Owners Signature (if different from applicant)

02/10/2026

Date

**CITY OF LAKELAND**  
10001 Highway 70  
Lakeland, TN 38002  
Office: (901) 867-2717 Fax: (901) 867-2063  
www.lakelandtn.gov

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**PRE-APPLICATION CONFERENCE WITH CITY STAFF**

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The applicant or its designated design professional shall conduct a pre-application conference with City staff a minimum of thirty (30) days in advance of submitting a site plan and related documents for review and approval by the City.

A pre-application conference shall not be required for the submittal of a final site plan if a preliminary site plan has been submitted and has received approval by the Planning Commission. An applicant has the option of submitting an application for a final site plan to the Planning Commission that had not received prior approval of a preliminary site plan. In such instances, the applicant shall submit plan documents that conform to the plan submittal requirement for both a preliminary and final site plan and related documents.

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**EFFECTIVE PERIOD OF SITE PLANS**

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The preliminary site plan approval granted by the Planning Commission, including such conditions as may be a part of the record, shall be effective for a period of one (1) year from the date of approval granted by the Planning Commission. The applicant may request in writing an extension upon the effective period of the preliminary site plan approval from the Planning Commission for a period not to exceed one (1) year from date of expiration of approval of the initial approval of the preliminary site plan granted by the Planning Commission. The approval of an extension by the Planning Commission may be subject to providing revisions to the preliminary site plan in compliance with design standards adopted by the City since the initial approval of the preliminary site plan had been granted by the Planning Commission.

The final site plan approval granted by the Planning Commission, including such conditions as may be a part of the record, shall be effective for a period of one (1) year from the date of approval granted by the Planning Commission. The applicant may request in writing an extension upon the effective period of the final site plan approval from the Planning Commission for a period not to exceed one (1) year from date of expiration of approval of the initial approval of the final site plan granted by the Planning Commission. Any modifications to the final site plan may require reconsideration of approved site plan by the Planning Commission and/or the Design Review Commission.

updated 5/16/17

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## **DEVELOPMENT AGREEMENT**

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Where public improvements are required as part of site plan approval or where fees are to be assessed by the City of Lakeland in relation to a development project, the developer(s) shall enter into a Development Agreement with the City of Lakeland for all required public improvements and/or fees assessed for development of a project.

The Development Agreement may also include any required private improvements given consideration as part of the approval of the site plan including such bonding or surety as may be required to guarantee such improvements are installed accordingly. The applicant shall appear before the Board of Commissioners of the City of Lakeland to request approval of the Development Agreement and subsequent authorization for the Mayor to execute the Development Agreement between the City and the applicant. All Development Agreements shall cover one hundred percent (100%) of the required public improvements by the developer(s) and shall include any and all fees associated with the development project as well as a surety bond or irrevocable letter of credit for such improvements. The applicant shall execute the approved Development Agreement and obtain required building permits and related permits from the City within six (6) months of approval of the Development Agreement by the City of Lakeland. Failure of the applicant to execute the Development Agreement within the prescribed six (6) month time period shall nullify and void the approval of the Development Agreement by the Board of Commissioners. In the event the approval of the Development Agreement is nullified and voided by the City, the applicant may reapply in writing for approval of a Development Agreement by the Board of Commissioners. A Development Agreement shall not be executed by the City in the event the Final Site Plan for the project has not been approved by the Planning Commission and Design Review Commission.

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## **RECORDING OF FINAL PLAN DOCUMENT WITH REGISTERS OFFICE**

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The Final Site Plan shall be recorded at the Shelby County Register of Deeds Office after receiving approval of the Development Agreement by the Board of Commissioners. The Final Site Plan shall contain, at a minimum, the conditions of approval from the various boards and commissions involved in the review and approval of the site plan and related design elements including, but not limited to, the Planning Commission, Design Review Commission, and Board of Zoning Appeals. The site plan shall be presented to the City in a format suitable for recording upon completion of public and private improvements necessary for the project to function are satisfactorily completed.

The City of Lakeland requires that a copy of all CAD files (Final Plat, Landscape Plans, Detail Sheets, etc.) be submitted before the Final Plat is recorded or before CO is granted.

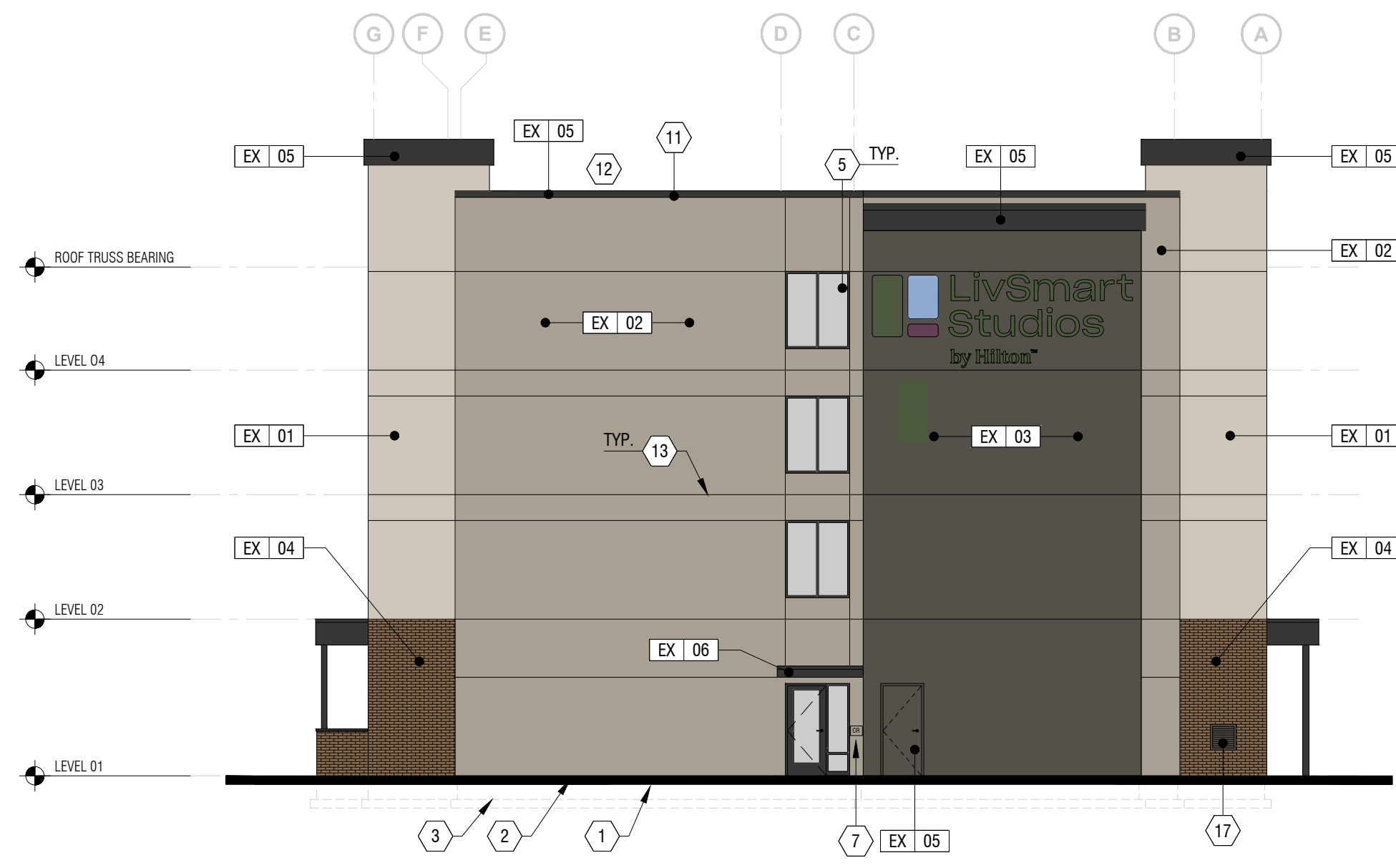
- CAD files may be submitted either on a flash drive, thumb drive, CD/DVD or by email (if possible)
- CAD files may be submitted in either DWG or DXF format
- All relevant information should be included (utilities, streets, parcels, curb, gutter, etc.)
- All multiline text (MTEXT) and all blocks should be exploded (all entities viewable/selectable individually, excluding symbols)
- All files should be in Tennessee State Plane coordinates, NAD83 with units in feet
- All external reference files (XREF) should be included with the drawing
- AutoCAD Release 2006 or later

As-Builts/Record Drawings (Final Plat, Landscape Plans, Detail Sheets, etc.) should be submitted on a CD. A scan of the drawing with the hand written as built information can be submitted in either jpeg or tiff format.

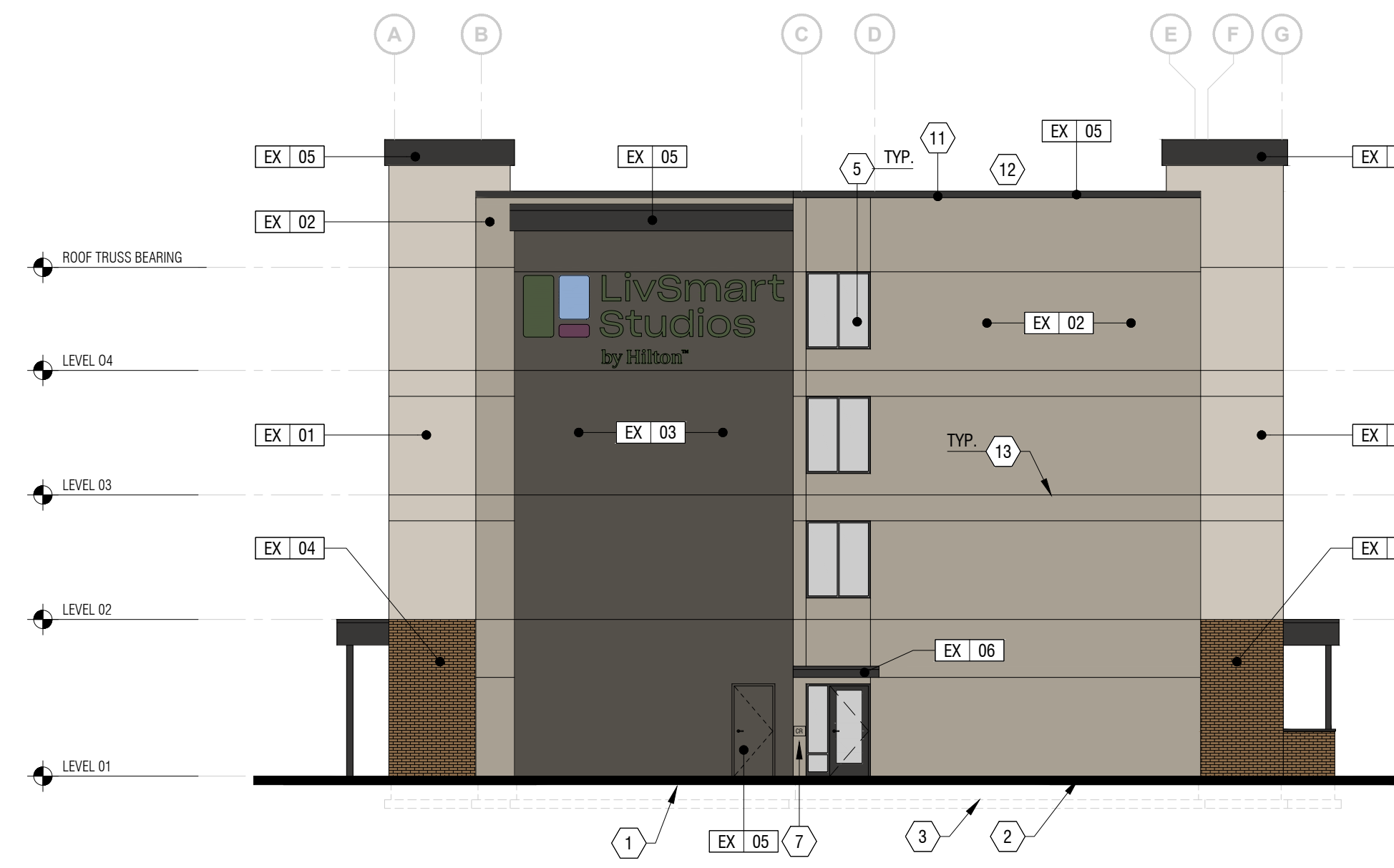
The Final Plat must have no less than three points labeled with coordinates in NAD 83 State Plane with units in feet along development boundary.

## SITE PLAN SUBMISSION CHECKLIST

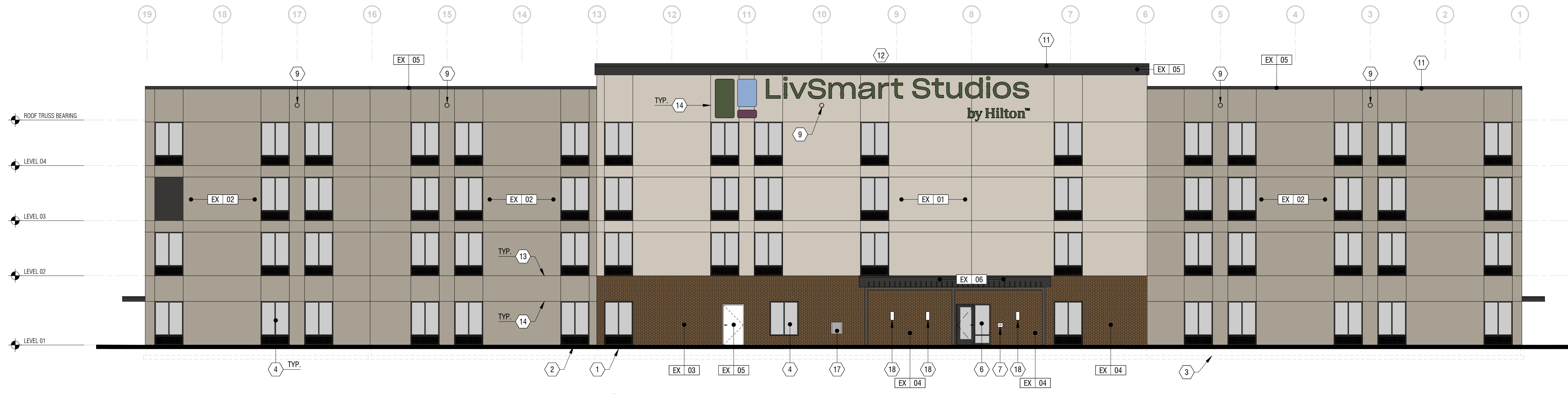
	For Office Use Only
<p><b><u>I. Site Plan Review</u></b>            Application. The Applicant shall submit the following to the Code Administrator to constitute a Complete Application.</p> <ol style="list-style-type: none"> <li>a. Application Form and Fee. The application, fee list, and MPC Filing and Meeting Schedule can be obtained at City Hall.</li> <li>b. Digital and Paper. All Plats and plans shall be submitted in both digital and paper format.</li> <li>c. Tree Bank Contributions. Refer to the Tree Management Ordinance, Title 13, Chapter 4 of the Municipal Code.</li> <li>d. Plan Requirements.               <ol style="list-style-type: none"> <li>(1) A Plat of survey with metes and bounds legal description and property identification number.</li> <li>(2) The site plan shall be at a scale of one (1) inch equal to or less than two hundred (200) feet and include the date and north arrow. It shall also detail:                   <ol style="list-style-type: none"> <li>(a) Names, addresses, and telephone numbers of the Applicant and developer.</li> <li>(b) Existing buildings, structures, points of access, parking or loading areas, and public or private utilities.</li> <li>(c) Dimensioned Lot and Property Lines, including those abutting the Parcel(s) in question, Right(s)-of-Way, and Easements, as well as names of the existing streets and the Zoning designation of the Lots.</li> <li>(d) Existing natural conditions, including existing vegetation, trees, drainageways, flood elevation and/or Area of Special Flood Hazard per Section III.11, slope, and other unique features.</li> <li>(e) Proposed private and Public Improvements, including but not limited to Building Types, Accessory Structures, points of access, parking and loading areas, Easements, Right(s)-of-Way, and open space.</li> </ol> </li> <li>(3) Additional plans required, unless deemed not applicable by the Code Administrator include:                   <ol style="list-style-type: none"> <li>(a) Architectural elevations (all Facades) for all structures and buildings.</li> <li>(b) Tree Survey (refer to Tree Management Ordinance, Title 13, Chapter 4 of the Municipal Code)</li> <li>(c) Tree Replacement Plan (refer to Tree Management Ordinance, Title 13, Chapter 4 of the Municipal Code)</li> <li>(d) Tree Protection Plan (refer to Tree Management Ordinance, Title 13, Chapter 4 of the Municipal Code)</li> <li>(e) Storm water Management Plans (refer to III.7.A(6))</li> <li>(f) Protection Zone Plan (refer to III.9.A(4)).</li> <li>(g) Traffic Impact Study (refer to IV.2).</li> <li>(h) Traffic Circulation Plan (on-site and off-site and vehicular and pedestrian).</li> <li>(i) Landscape Plan (refer to III.5 Landscape Standards).</li> <li>(j) Lighting plan.</li> <li>(k) Parking Plan (refer to III.6.A(4)).</li> <li>(l) Utility plans.</li> <li>(m) Signage, including entrance treatment plans.</li> <li>(n) Qualifying Features Delineation (refer to II.11.B).</li> <li>(o) Conservation Area Map (refer to III.8.B(7))</li> <li>(p) Restoration and Management Plan, to be concurrently approved by the BOC (refer to III.8.C).</li> <li>(q) Soil Erosion and Sediment Plan, refer to III.9)</li> <li>(r) Statement of Intent. Describe the intended Use of the proposed development, including public and private Uses, the number of new Lots per Block, the number of new residential units by type, the new commercial or industrial Uses by square feet, number of employees and other Users, number of parking spaces provided, and quantity (acreage) of open space.</li> </ol> </li> </ol> </li> </ol>	



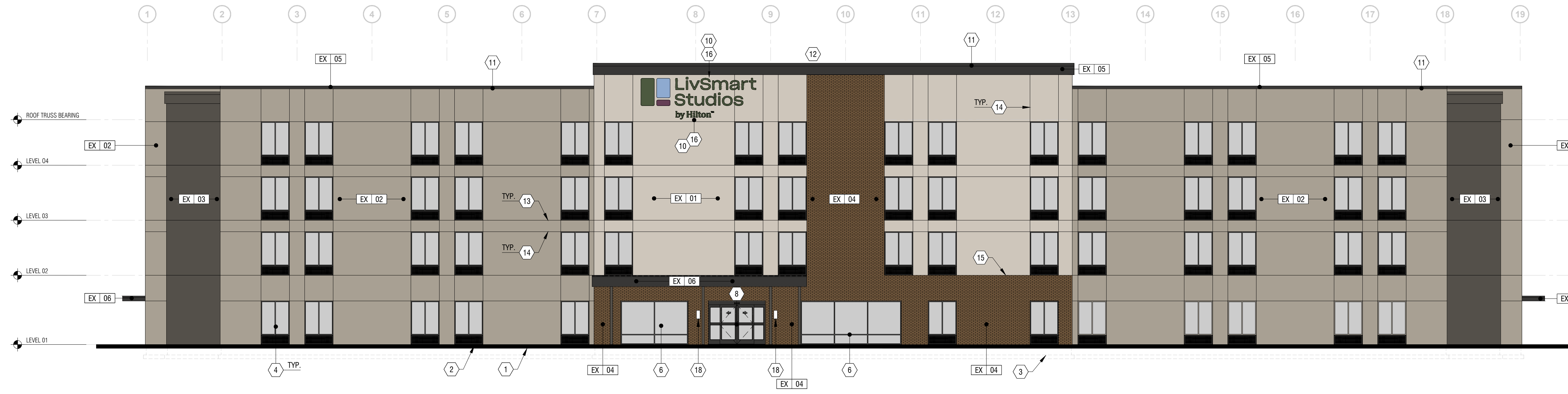
**4 WEST ELEVATION**  
SCALE: 3/32" = 1'-0"



**3 EAST ELEVATION**  
SCALE: 3/32" = 1'-0"



**2 NORTH ELEVATION**  
SCALE: 3/32" = 1'-0"



**1 SOUTH ELEVATION**  
SCALE: 3/32" = 1'-0"

**MATERIAL LEGEND:**

- EX-01: SHERWIN WILLIAMS - WORLDLY GRAY SW 7043
- EX-02: SHERWIN WILLIAMS - ITELLECTUAL GRAY SW 7045
- EX-03: SHERWIN WILLIAMS - URBANE BRONZE SW 7048
- EX-04: ACME THIN BRICK CANTERBURY - MODULAR - RUMBLED
- EX-05: FACTORY FINISH BLACK KYNAR
- EX-06: METEON - LUMEN L90.0.0 METROPOLIS BLACK

**KEY NOTES:**

- 1 APPROXIMATE LINE OF GRADE
- 2 ABOVE GRADE EXPOSED FOUNDATION WALL
- 3 CONCRETE FOOTING AND FOUNDATION WALL AS REQUIRED PER LOCAL FROST DEPTHS
- 4 ALUMINUM FIXED WINDOW W/ THERMAL BROKEN FRAME, INSULATED GLAZING WITH INTEGRAL ALUMINUM LOUVER AT PTAC UNITS
- 5 ALUMINUM FIXED WINDOW W/ THERMAL BROKEN FRAME, INSULATED GLAZING
- 6 ALUMINUM STOREFRONT SYSTEM W/ THERMAL BROKEN FRAME AND INSULATED GLAZING
- 7 KEY CARD READER ENTRANCE HARDWARE MOUNTED SO THAT THE TOP OF THE READER IS A MAXIMUM OF 48" ABOVE GRADE OR FINISH FLOOR
- 8 ALUMINUM AUTOMATIC SLIDING ENTRY DOOR W/ INSULATED GLAZING
- 9 OVERFLOW SCUPPER
- 10 SIGNAGE
- 11 KYNAR FINISH ALUMINUM COPING/ GRAVEL STOP SYSTEM - COLOR TO MATCH ADJACENT MATERIAL
- 12 REVIEW ALL VIEWS AROUND PROPERTY BEFORE LOCATING ALL ROOF TOP MECHANICAL UNITS - VERIFY ALL EQUIPMENT IS ADEQUATELY SCREENED
- 13 EXPANSION JOINT @ FLOOR LINE W/ BACKER ROD AND SEALANT
- 14 ACCENT "V" JOINT
- 15 LED WALL GRAZER - OPTICAL BEAM LED TAPELIGHT IN BLACK ALUMINUM EXTRUSION WITH LENS COVER
- 16 ELECTRICAL CONDUIT FOR THE BUILDING SIGNS MUST BE ROUTED FROM THE ROOF PARAPET OR CONTAINED WITHIN THE EXTERIOR WALL ASSEMBLY. EXPOSED CONDUIT OR OTHER ELECTRICAL DEVICES WILL NOT BE PERMITTED IN THE ADJACENT STAIRWELL OR GUESTROOM.
- 17 ALUMINUM LOUVER - COLOR TO MATCH ADJACENT WALL MATERIAL
- 18 WALL MOUNTED LIGHT FIXTURE

# CIVIL SITEWORK PLANS FOR HILTON LIVSMART HOTEL

LAKELAND, SHELBY COUNTY, TENNESSEE 38105

**STATEMENT OF INTENT:**

THE SCOPE OF THIS PROJECT IS TO CONSTRUCT A NEW FOUR FLOOR LEVEL, 58,856 SQUARE FOOT HOTEL AT A HEIGHT OF 49'-4". DRAINAGE, LANDSCAPE, UTILITY, AND CIRCULATION IMPROVEMENTS. THIS PROJECT IS LOCATED WITHIN THE LAKE DISTRICT IN LAKELAND, TENNESSEE. THE OVERALL SITE IS APPROXIMATELY 2.35 ACRES.

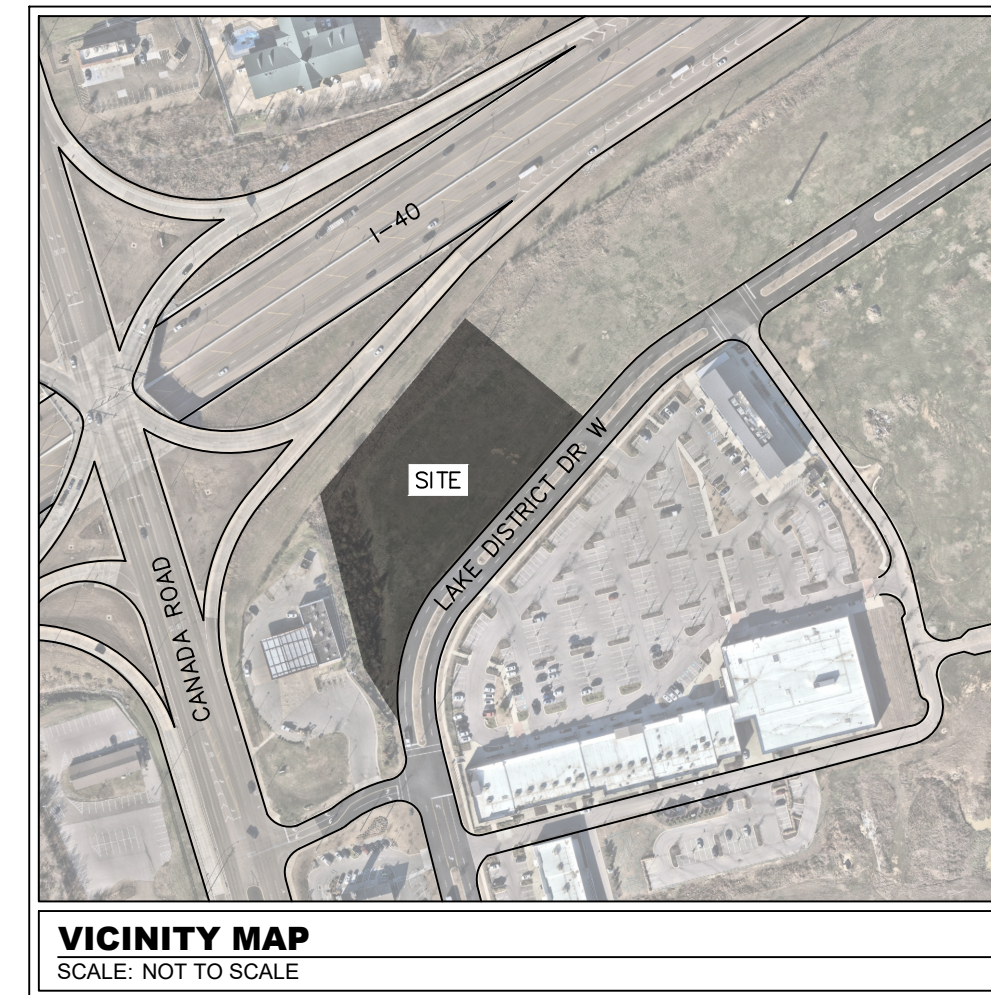
**N.O.I.:**

THIS PROJECT IS NOT CURRENTLY COVERED UNDER A NPDES CONSTRUCTION GENERAL PERMIT. A NPDES CONSTRUCTION PERMIT IS REQUIRED BEFORE ANY LAND DISTURBANCE ACTIVITIES CAN BEGIN.

**NOTES:**

- ATTENTION IS DRAWN TO THE FACT THAT THE SCALE OF THESE DRAWINGS MAY HAVE BEEN DISTORTED DURING THE REPRODUCTION PROCESS. THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION FROM KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.
- IF ANY CONFLICTS, DISCREPANCIES, OR ANY OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR FIELD CONDITIONS, THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT COMMENCE FURTHER OPERATIONS UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.
- THE APPROVAL OF THESE PLANS AND THE ISSUANCE OF THIS LAND DISTURBANCE PERMIT DOES NOT IN ANY WAY SUGGEST THAT ALL OTHER REQUIREMENTS FOR THE LEGAL OR APPROPRIATE OPERATIONS FOR THIS ACTIVITY, WHICH MAY REQUIRE ADDITIONAL PERMITTING HAVE BEEN MET. THE ONUS IS ON THE OWNER/BUILDER/DEVELOPER TO DISCOVER WHAT ADDITIONAL PERMITTING OR APPROVALS MAY BE NECESSARY TO OPERATE FROM THIS POINT IN AN APPROPRIATE AND LEGAL MANNER. PLAN APPROVAL OR PERMIT ISSUANCE DOES NOT ABSOLVE THE APPLICANT FROM COMPLYING WITH ALL APPLICABLE LAWS, STANDARDS, OR OTHER PERMITS WHICH MAY BE REQUIRED FOR THIS PROJECT.

SITE PLAN APPLICATION: FEBRUARY 12, 2026



Sheet List Table	
Sheet Number	Sheet Title
C0-00	COVER SHEET
C0-10	EXISTING CONDITIONS PLAN
C1-00	SITE PLAN
C2-00	GRADING & DRAINAGE PLAN
C3-00	UTILITY PLAN
L1-00	LANDSCAPE PLAN
L2-00	LANDSCAPE NOTES AND DETAILS

SITE DATA	
<b>SITE INFORMATION:</b>	
PROPOSED USE:	HOTEL
PARCEL ID:	L0159QA00008
<b>OWNER INFORMATION:</b>	
NAME:	RIC (LAKE DISTRICT) LLC
<b>APPLICANT/DEVELOPER INFORMATION:</b>	
NAME:	RREAF HOLDINGS
<b>ZONING:</b>	
EXISTING PROPERTY	C2 REGIONAL COMMERCIAL
ADJOINING PROPERTY (NORTH)	Hwy RW
ADJOINING PROPERTY (SOUTH)	C2 REGIONAL COMMERCIAL
ADJOINING PROPERTY (EAST)	C2 REGIONAL COMMERCIAL
ADJOINING PROPERTY (WEST)	C2 REGIONAL COMMERCIAL
<b>LOT COVERAGE:</b>	
GROSS SITE AREA	102,366± SF (2.35± AC)
EXISTING IMPERVIOUS AREA	0± SF (0± AC)
EXISTING PERVIOUS AREA	102,366± SF (102,500± AC)
PROPOSED IMPERVIOUS AREA	67,820± SF (1.56± AC, 66.3%)
PROPOSED PERVIOUS AREA	34,546± SF (0.79± AC, 33.7%)
PROPOSED OPEN SPACE AREA	.02 ACRES
<b>BUILDING INFORMATION:</b>	
GROSS BUILDING AREA	58,856 SF
TOTAL ROOMS	121 ROOMS
STORIES	4 STORIES
BUILDING FOOTPRINT	14,714 SF
<b>PARKING DATA:</b>	
PROPOSED PARKING:	123 SPACES (INCLUDES 5 ADA SPACES (3 ADA + 2 VAN ADA))
<b>REQUIRED SETBACK DATA:</b>	
FRONT	50 FEET
REAR	7.5 FEET
WEST SIDE	10 FEET
EAST SIDE	10 FEET

**PROJECT DESIGN TEAM**

**ARCHITECT**

ALAMEDA ARCHITECTURE  
8730 CINCINNATI DAYTON ROAD, SUITE 8170  
WEST CHESTER, OH 45069  
PHONE: (513) 379-5839  
CONTACT: JASON DOBROZSI, NCARB

**DEVELOPER**

RREAF HOLDINGS  
1909 WOODALL RODGERS FWY, THIRD FLOOR  
DALLAS, TX 75201  
PHONE: (214) 522-3300  
CONTACT: ERIC WATTS

**CIVIL ENGINEER**

KIMLEY-HORN AND ASSOCIATES, INC.  
6750 POPLAR AVENUE SUITE 600  
MEMPHIS, TN 38138  
PHONE: (901) 374-9109  
CONTACT: JENNIFER PEREGOV, PE

**PERMITTING / UTILITY CONTACTS**

**LIGHT, GAS, AND WATER**

MEMPHIS LIGHT GAS AND WATER  
220 SOUTH MAIN STREET  
MEMPHIS, TN 38103  
PHONE: (901) 528-4270  
CONTACT: TOM WORD

**BUILDING DEPT.**

SHELBY COUNTY CODE ENFORCEMENT  
6465 MULLINS STATION ROAD  
MEMPHIS, TN 38134  
PHONE: (901) 222-8350  
CONTACT: JOHN STORMS

**CITY OF LAKELAND PLANNING**

CITY OF LAKELAND PLANNING DEPARTMENT  
10001 HIGHWAY 70  
LAKELAND, TN 38002  
PHONE: (901) 867-2717  
CONTACT: PAUL LUKER

**FIRE DEPARTMENT**

SHELBY COUNTY FIRE DEPARTMENT  
1075 MULLINS STATION ROAD  
MEMPHIS, TN 38134  
PHONE: (901) 222-8010  
CONTACT: ETHAN GLADNEY - INSPECTOR  
ALVIN D BENSON - FIRE CHIEF

**Kimley»Horn**  
© 2026 KIMLEY-HORN AND ASSOCIATES, INC.  
6750 POPLAR AVENUE, SUITE 600, MEMPHIS TN 38138  
PHONE: 901.374.9109  
WWW.KIMLEY-HORN.COM

**NOT FOR CONSTRUCTION**

KHA PROJECT	115615000	DATE	02/12/2026	SCALE	AS SHOWN	DESIGNED BY	KHA	DRAWN BY	KHA	CHECKED BY	KHA
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HILTON LIVSMART  
PREPARED FOR  
RREAF HOLDINGS

TN

LAKELAND

COVER SHEET

SHEET NUMBER  
**C0-00**

No.	REVISIONS	DATE	BY

This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

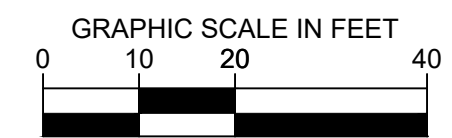
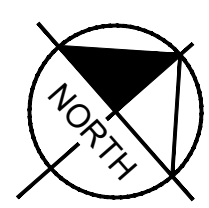


**NOT FOR CONSTRUCTION**

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**NOT FOR CONSTRUCTION**



No.	REVISIONS	DATE	BY

**Kimley»Horn**  
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 6750 POPLAR AVENUE, SUITE 600, MEMPHIS TN 38138  
 PHONE: 901.374.9109  
 WWW.KIMLEY-HORN.COM

**NOT FOR CONSTRUCTION**

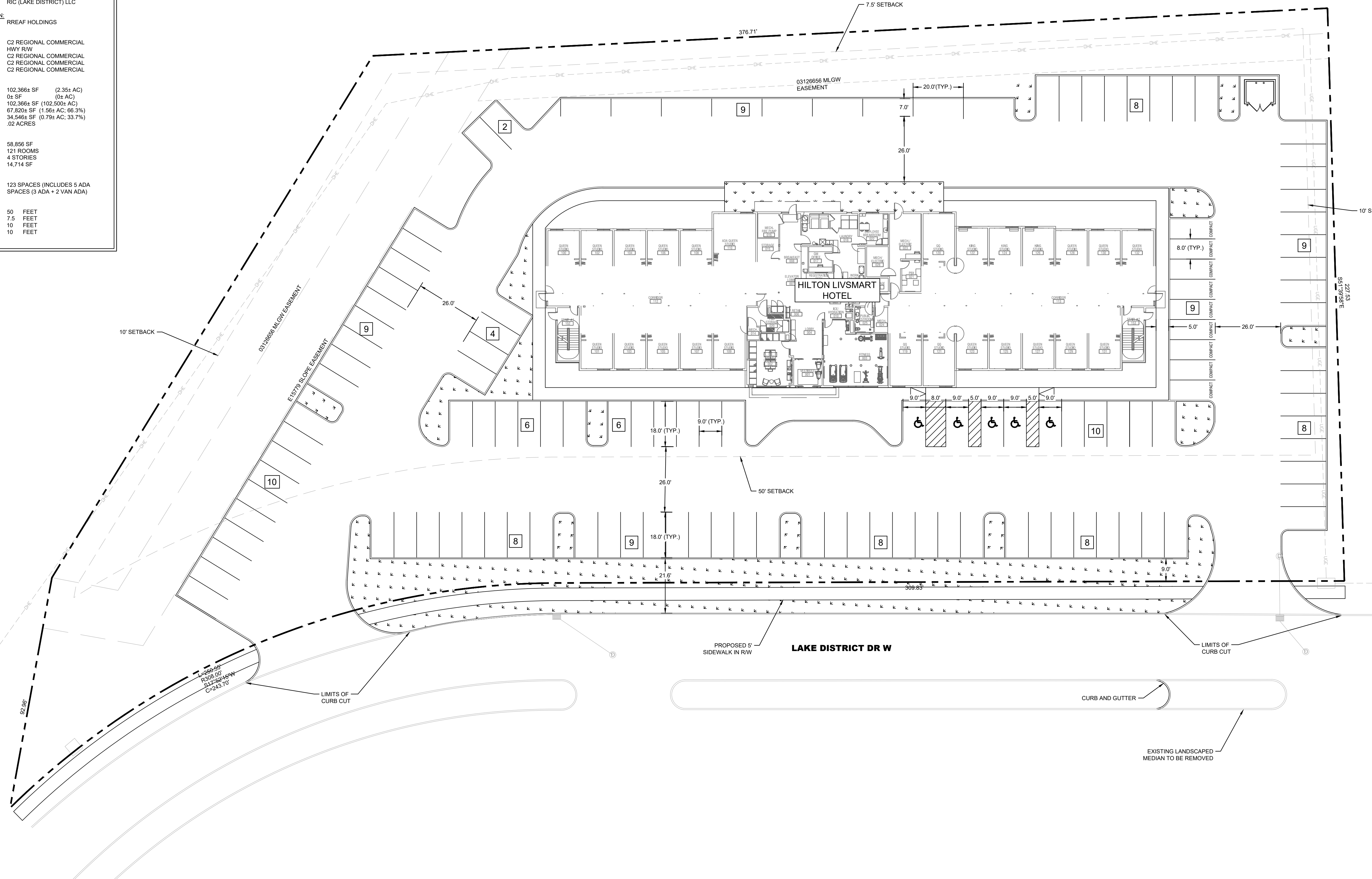
KHA PROJECT	115615000
DATE	02/12/2026
SCALE	AS SHOWN
DESIGNED BY	KHA
DRAWN BY	KHA
CHECKED BY	KHA
	TN

**HILTON LIVSMART**  
 PREPARED FOR  
**RREAF HOLDINGS**  
 LAKELAND

EXISTING CONDITIONS  
 PLAN  
 SHEET NUMBER  
**C0-10**

**SITE DATA**

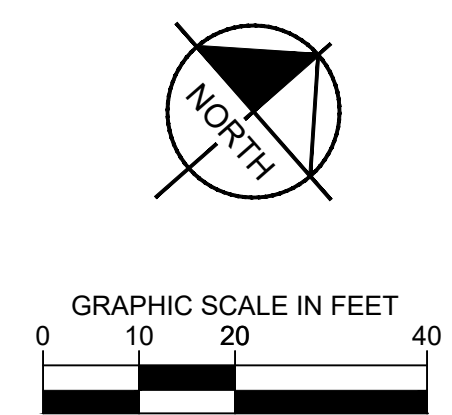
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<b>OWNER INFORMATION:</b>	
NAME:	RIC (LAKE DISTRICT) LLC
<b>APPLICANT/DEVELOPER INFORMATION:</b>	
NAME:	RREAF HOLDINGS
<b>ZONING:</b>	
EXISTING PROPERTY:	C2 REGIONAL COMMERCIAL
ADJOINING PROPERTY (NORTH):	HWY ROW
ADJOINING PROPERTY (SOUTH):	C2 REGIONAL COMMERCIAL
ADJOINING PROPERTY (EAST):	C2 REGIONAL COMMERCIAL
ADJOINING PROPERTY (WEST):	C2 REGIONAL COMMERCIAL
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PROPOSED PERVIOUS AREA:	34,546± SF (0.79± AC, 33.7%)
PROPOSED OPEN SPACE AREA:	.02 ACRES
<b>BUILDING INFORMATION:</b>	
GROSS BUILDING AREA:	58,856 SF
TOTAL ROOMS:	121 ROOMS
STORIES:	4 STORIES
BUILDING FOOTPRINT:	14,714 SF
<b>PARKING DATA:</b>	
PROPOSED PARKING:	123 SPACES (INCLUDES 5 ADA SPACES (3 ADA + 2 VAN ADA))
<b>REQUIRED SETBACK DATA:</b>	
FRONT:	50 FEET
REAR:	7.5 FEET
WEST SIDE:	10 FEET
EAST SIDE:	10 FEET



- SITE LAYOUT NOTES**
- ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
  - CROSS SLOPES SHALL BE ADA COMPLIANT ACROSS ALL DRIVEWAY CURB CUTS FOR PEDESTRIAN ACCESS (MAX 2% CROSS SLOPE).
  - THE PROPOSED BUILDING INFORMATION SHOWN HEREON IS FROM AN ELECTRONIC FILE PROVIDED BY ALAMEDA ARCHITECTURE AND IS FOR ILLUSTRATIVE PURPOSES ONLY. CONTRACTOR SHALL REFERENCE ARCHITECTURAL PLANS FOR EXACT BUILDING INFORMATION.
  - ALL SIGNAGE AND STRIPING MUST MEET THE LATEST REQUIREMENTS SET FORTH BY MUTCD, TDOT, AND TENNESSEE STATE CODE. ALL PAVEMENT MARKINGS WITHIN THE RIGHT-OF-WAY SHALL BE THERMOPLASTIC.
  - REFER TO LANDSCAPE PLANS FOR ALL HARDSCAPE AND LANDSCAPE DETAILS AND SPECIFICATIONS.

**SOURCE OF SURVEY INFORMATION**

EXISTING CONDITIONS AND SITE INFORMATION SHOWN ON THESE PLANS ARE BASED ON DATA PROVIDED BY MLGW. THE FINAL DEVELOPMENT PLAN FOR THE LAKE DISTRICT PLANNED DEVELOPMENT - PHASE 1, AND SHELBY COUNTY GIS RECORDS



This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



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NO.	REVISIONS	DATE	BY

**Kimley»Horn**

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6750 POPLAR AVENUE, SUITE 600, MEMPHIS TN 38138  
PHONE: 901.374.9109  
WWW.KIMLEY-HORN.COM

**NOT FOR CONSTRUCTION**

KHA PROJECT	115615000
DATE	02/12/2026
SCALE	AS SHOWN
DESIGNED BY	KHA
DRAWN BY	KHA
CHECKED BY	KHA

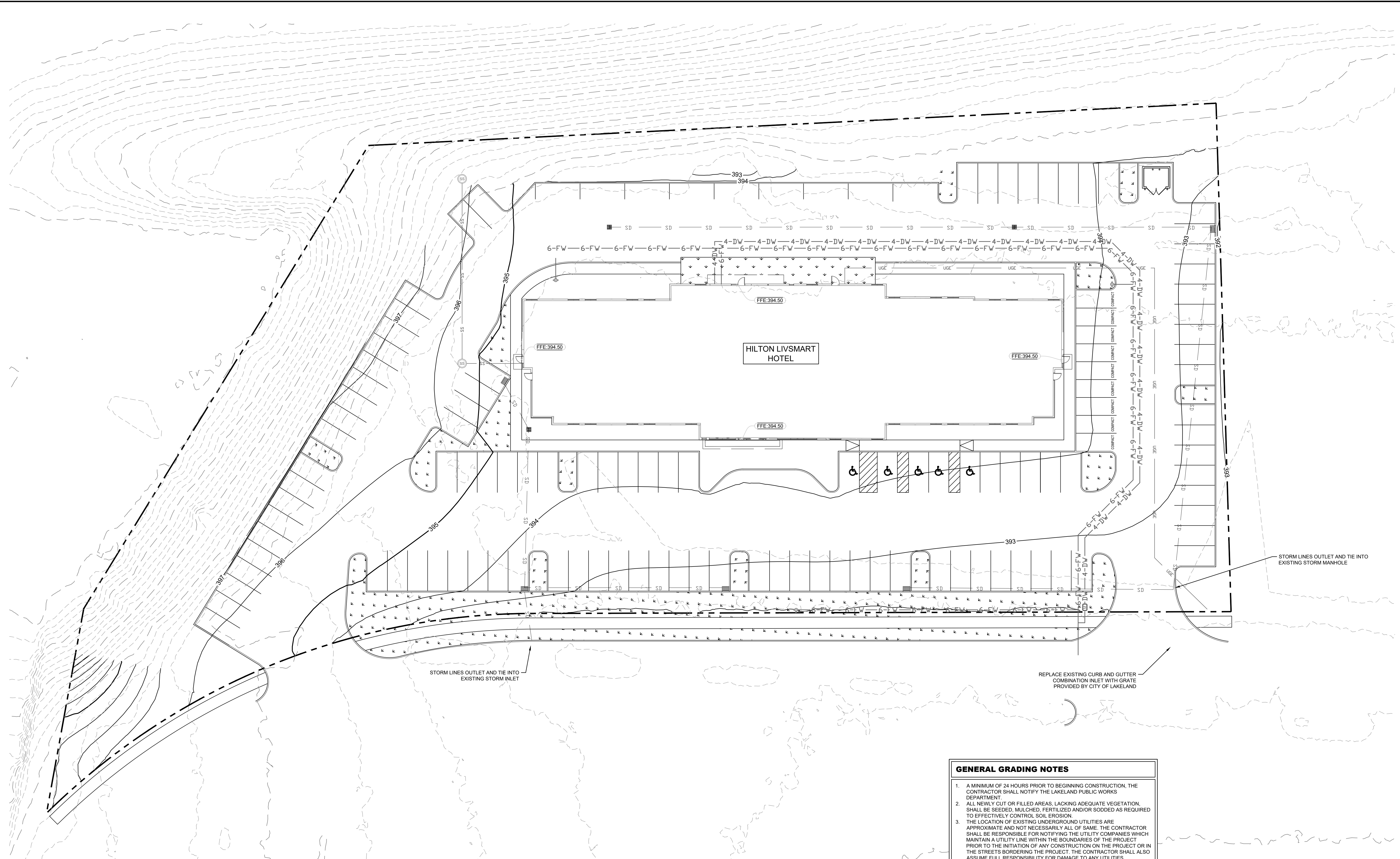
**HILTON LIVSMART**  
PREPARED FOR  
**RREAF HOLDINGS**

LAKELAND TN

SITE PLAN

SHEET NUMBER  
**C1-00**

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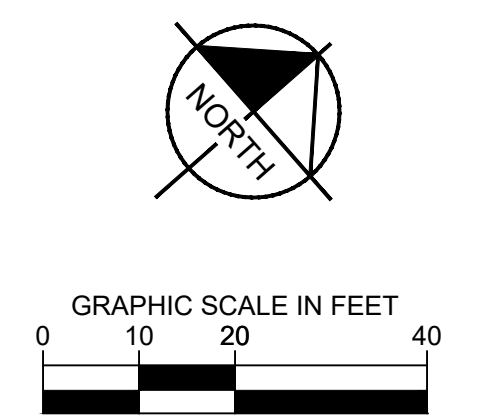
GRADING PLAN LEGEND	
SPOT ELEVATION	LP LOW POINT
HP HIGH POINT	BC BOTTOM OF CURB / GUTTER LINE
TC TOP OF CURB	BL BOTTOM OF GRADE AT EXPOSED WALL
TG TOP OF GRADE AT WALL	BR BOTTOM OF RAMP
TR TOP OF RAMP	RM TOP OF GRATE / COVER
INV INVERT	
ME MATCH EXISTING	
-500- EXISTING CONTOUR	
—500— PROPOSED CONTOUR	

**STORMWATER MANAGEMENT NOTES**

1. STORMWATER WILL BE DETAINED IN ACCORDANCE WITH THE CITY OF LAKELAND LAND DEVELOPMENT REGULATIONS AND STORMWATER MANAGEMENT REQUIREMENTS. POST-DEVELOPMENT RUNOFF FROM THIS SITE SHALL BE MANAGED VIA THE EXISTING RETENTION POND SERVING THE LAKE DISTRICT PLANNED DEVELOPMENT, LOCATED APPROXIMATELY 1,000 FEET SOUTHEAST OF THE SITE.

**GENERAL GRADING NOTES**

1. A MINIMUM OF 24 HOURS PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE LAKELAND PUBLIC WORKS DEPARTMENT.
2. ALL NEWLY CUT OR FILLED AREAS, LACKING ADEQUATE VEGETATION, SHALL BE SEEDED, MULCHED, FERTILIZED AND/OR SODDED AS REQUIRED TO EFFECTIVELY CONTROL SOIL EROSION.
3. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATE AND NOT NECESSARILY ALL OF SAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE UTILITY COMPANIES WHICH MAINTAIN A UTILITY LINE WITHIN THE BOUNDARIES OF THE PROJECT PRIOR TO THE INITIATION OF ANY CONSTRUCTION ON THE PROJECT OR IN THE STREETS BORDERING THE PROJECT. THE CONTRACTOR SHALL ALSO ASSUME FULL RESPONSIBILITY FOR DAMAGE TO ANY UTILITIES ENCOUNTERED WITHIN CONSTRUCTION PERIMETERS, WHETHER SHOWN ON THE CONSTRUCTION PLANS OR NOT, DURING THE WORK ON THE PROJECT.
4. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL PROPERTIES.
5. ALL FILL SOILS SHALL BE COMPACTED TO A MINIMUM OF 98% OF STANDARD PROCTOR DENSITY (ASTM D-698) WITHIN 2% OF OPTIMUM MOISTURE CONTENT IN LIFTS NOT TO EXCEED SIX (6) INCHES OF COMPACTED THICKNESS.
6. ALL CONSTRUCTION MATERIALS AND PROCEDURES SHALL MEET OR EXCEED THE REQUIREMENTS OF THE CITY OF LAKELAND AND SHELBY COUNTY STANDARD CONSTRUCTION SPECIFICATIONS.
7. PROPERTY LINES SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION. GRADING, CLEARING AND THE ERECTION OF REMOVAL OF FENCES ALONG PROPERTY LINES SHALL BE FULLY COORDINATED WITH ADJACENT PROPERTY OWNERS.
8. VERIFY SITE CONDITIONS PRIOR TO CONSTRUCTION. NOTIFY THE LAKELAND PUBLIC WORKS DEPARTMENT AND THE PROJECT ENGINEER OF ANY VARIATIONS PRIOR TO COMMENCEMENT OF WORK.
9. ALL GRADING WORK SHALL BE PERFORMED IN SUCH A MANNER THAT ADJACENT PROPERTIES ARE NOT DAMAGED OR ADVERSELY AFFECTED.
10. ANY EXCAVATION, FILL, OR DISTURBANCE OF THE EXISTING GROUND ELEVATION MUST BE DONE IN ACCORDANCE WITH STORM WATERMANAGEMENT ORDINANCE NO. 78-840 AND APPROVED BY THE CITY OF LAKELAND.



No.	REVISIONS	DATE	BY

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 WWW.KIMLEY-HORN.COM

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KHA PROJECT	115615000
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DRAWN BY	KHA
CHECKED BY	KHA

**HILTON LIVSMART  
 PREPARED FOR  
 RREAF HOLDINGS**

LAKELAND

GRADING & DRAINAGE PLAN

SHEET NUMBER  
**C2-00**





**GENERAL LANDSCAPE SPECIFICATIONS AND NOTES**

**1.01 SCOPE OF WORK**

- A. THE WORK CONSISTS OF: FURNISHING ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, TRANSPORTATION, AND ANY OTHER APPURTENANCES NECESSARY FOR THE COMPLETION OF THIS PROJECT AS SHOWN ON THE DRAWINGS, AS INCLUDED IN THE PLANT LIST, AND AS HEREIN SPECIFIED.
- B. WORK SHALL INCLUDE MAINTENANCE AND WATERING OF ALL CONTRACT PLANTING AREAS UNTIL CERTIFICATION OF ACCEPTABILITY BY THE OWNER.
- C. THE CONTRACTOR SHALL CONTACT THE OWNER AND TENNESSEE ONE CALL AT (615) 351-1111, TWO (2) FULL BUSINESS DAYS PRIOR TO THE BEGINNING OF WORK.
- D. THE CITY MUST APPROVE ALL WORK HOURS AND LANE CLOSURE REQUESTS AT LEAST TWO (2) FULL WORKING DAYS IN ADVANCE OF THE START OF ANY SUCH WORK ON A LOCATION BY LOCATION BASIS. THE INDIVIDUAL(S) INSTALLING THE MAINTENANCE OF TRAFFIC SETUP SHALL HAVE COMPLETED A TDOT APPROVED WORK ZONE TRAFFIC CONTROL TRAINING COURSE. DOCUMENTATION SHALL BE FURNISHED TO THE CITY AT THE PRE-CONSTRUCTION MEETING OR PRIOR TO START OF WORK.
- E. ALL LANDSCAPE MATERIAL SHALL BE INSTALLED AND MAINTAINED IN A MANNER WHEREBY TRAFFIC CONTROL SIGNAGE AND DEVICES ARE VISIBLE TO MOTORISTS AND PEDESTRIANS.

**1.02 PROTECTION OF EXISTING STRUCTURES**

- A. ALL EXISTING BUILDINGS, WALKS, WALLS, PAVING, PIPING, OTHER SITE CONSTRUCTION ITEMS, AND PLANTING ALREADY COMPLETED OR ESTABLISHED SHALL BE PROTECTED FROM DAMAGE BY THE CONTRACTOR UNLESS OTHERWISE SPECIFIED. ALL DAMAGE RESULTING FROM NEGLIGENCE SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE OWNER AND AT NO COST TO THE OWNER.
- B. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL NECESSARY BMP DEVICES ACCORDING TO TDOT, COUNTY, OR CITY STANDARDS THROUGH THE DURATION OF ALL CONSTRUCTION ACTIVITIES.
- C. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UTILITIES, WHETHER PUBLIC OR PRIVATE, PRIOR TO EXCAVATION. THE OWNER AND DESIGN PROFESSIONAL SHALL NOT BE RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF ANY SUCH INFORMATION OR DATA, AND THE CONTRACTOR SHALL HAVE FULL RESPONSIBILITY FOR REVIEWING AND CHECKING ALL SUCH INFORMATION AND DATA, FOR LOCATING ALL UNDERGROUND FACILITIES DURING CONSTRUCTION, FOR THE SAFETY AND PROTECTION THEREOF, AND REPAIRING ANY DAMAGE THERETO RESULTING FROM THE WORK. THE COST OF COMPLIANCE WITH THIS SECTION WILL BE CONSIDERED AS HAVING BEEN INCLUDED IN THE CONTRACT PRICE. THE CONTRACTOR SHALL NOTIFY ANY AFFECTED UTILITY COMPANIES OR AGENCIES IN WRITING AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.

**1.03 PROTECTION OF EXISTING PLANT MATERIALS OUTSIDE LIMIT OF WORK**

- A. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL UNAUTHORIZED CUTTING OR DAMAGE TO TREES AND SHRUBS EXISTING OR OTHERWISE, CAUSED BY CARELESS EQUIPMENT OPERATION, MATERIAL STOCKPILING, ETC. THIS SHALL INCLUDE COMPACTION BY DRIVING OR PARKING INSIDE THE DRIP-LINE AND SPILLING OIL, GASOLINE, OR OTHER DELETERIOUS MATERIALS WITHIN THE DRIP-LINE. NO MATERIALS SHALL BE BURNED ON SITE. EXISTING TREES KILLED OR DAMAGED SO THAT THEY ARE MISSHAPEN AND/OR UNSIGHTLY SHALL BE REPLACED AT THE COST TO THE CONTRACTOR OF ONE HUNDRED DOLLARS (\$100) PER CALIPER INCH ON AN ESCALATING SCALE WHICH ADDS AN ADDITIONAL TWENTY (20) PERCENT PER INCH OVER FOUR (4) INCHES CALIPER AS FIXED AND AGREED LIQUIDATED DAMAGES. CALIPER SHALL BE MEASURED SIX (6) INCHES ABOVE GROUND LEVEL FOR TREES UP TO AND INCLUDING FOUR (4) INCHES IN CALIPER AND TWELVE (12) INCHES ABOVE GROUND LEVEL FOR TREES OVER FOUR (4) INCHES IN CALIPER.

**1.04 MATERIALS**

**A. GENERAL**

MATERIAL SAMPLES LISTED BELOW SHALL BE SUBMITTED FOR APPROVAL, ON SITE OR AS DETERMINED BY THE LANDSCAPE ARCHITECT. UPON APPROVAL, DELIVERY OF MATERIALS MAY COMMENCE.

MATERIAL	SAMPLE SIZE
MULCH	ONE (1) CUBIC FOOT
TOPSOIL MIX	ONE (1) CUBIC FOOT
PLANTS	ONE (1) OF EACH VARIETY (OR TAGGED IN NURSERY)

**B. PLANT MATERIALS**

- 1. PLANT SPECIES AND SIZE SHALL CONFORM TO THOSE INDICATED ON THE DRAWINGS. ALL NURSERY STOCK SHALL BE IN ACCORDANCE WITH GRADES AND STANDARDS AS SET FORTH IN ANSI Z60.1-2014-AMERICAN STANDARD FOR NURSERY STOCK. ALL PLANTS SHALL BE HEALTHY, VIGOROUS, SOUND, WELL-BRANCHED, AND FREE OF DISEASE AND INSECTS, INSECT EGGS AND LARVAE AND SHALL HAVE ADEQUATE ROOT SYSTEMS. TREES FOR PLANTING IN ROWS SHALL BE UNIFORM IN SIZE AND SHAPE. ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE OWNER. WHERE ANY REQUIREMENTS ARE OMITTED FROM THE PLANT LIST, THE PLANTS FURNISHED SHALL BE NORMAL FOR THE VARIETY. PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY WITH APPROVAL FROM OWNER OR LANDSCAPE ARCHITECT. NO SUBSTITUTIONS SHALL BE MADE WITHOUT WRITTEN PERMISSION FROM THE LANDSCAPE ARCHITECT.
- 2. MEASUREMENTS: THE HEIGHT AND/OR WIDTH OF TREES SHALL BE MEASURED FROM THE GROUND OR ACROSS THE NORMAL SPREAD OF BRANCHES WITH THE PLANTS IN THEIR NORMAL POSITION. THIS MEASUREMENT SHALL NOT INCLUDE THE IMMEDIATE TERMINAL GROWTH. PLANTS LARGER IN SIZE THAN THOSE SPECIFIED IN THE PLANT LIST MAY BE USED IF APPROVED BY THE OWNER. IF THE USE OF LARGER PLANTS IS APPROVED, THE ROOTBALL OR SPREAD OF ROOTS SHALL BE INCREASED IN PROPORTION TO THE SIZE OF THE PLANT.
- 3. INSPECTION: PLANTS SHALL BE SUBJECT TO INSPECTION AND APPROVAL AT THE PLACE OF GROWTH, OR UPON DELIVERY TO THE SITE, AS DETERMINED BY THE OWNER, FOR QUALITY, SIZE, AND VARIETY; SUCH APPROVAL SHALL NOT IMPAIR THE RIGHT OF INSPECTION AND REJECTION AT THE SITE DURING PROGRESS OF THE WORK OR AFTER COMPLETION FOR SIZE AND CONDITION OF ROOT BALLS OR ROOTS, LATENT DEFECTS OR INJURIES. REJECTED PLANTS SHALL BE REMOVED IMMEDIATELY FROM THE SITE. NOTICE REQUESTING INSPECTION SHALL BE SUBMITTED IN WRITING BY THE CONTRACTOR AT LEAST ONE (1) WEEK PRIOR TO ANTICIPATED DATE.
- 1.05 SOIL MIXTURE (PLANTING MEDIUM, PLANTING MIX, TOPSOIL MIX)
  - A. SOIL MIXTURE (PLANTING MEDIUM FOR PLANT PITS) SHALL CONSIST OF 1/3 LOOSE COMPOST (NO GREATER THAN 1" SIV), 1/3 PEAT AND 1/3 SAND, AS DESCRIBED BELOW.
  - B. TOPSOIL FOR USE IN PREPARING SOIL MIXTURE FOR BACKFILLING PLANT PITS SHALL BE FERTILE, FRIABLE, AND OF A LOAMY CHARACTER; REASONABLY FREE OF SUBSOIL, CLAY LUMPS, BRUSH WEEDS AND OTHER LITTER; FREE OF ROOTS, STUMPS, STONES LARGER THAN 2" IN ANY DIRECTION, AND OTHER EXTRANEIOUS OR TOXIC MATTER HARMFUL TO PLANT GROWTH. IT SHALL CONTAIN THREE (3) TO FIVE (5) PERCENT DECOMPOSED ORGANIC MATTER AND A PH BETWEEN 5.5 AND 7.0 - SUBMIT SAMPLE AND PH TESTING RESULTS FOR APPROVAL.
  - C. SAND SHALL BE COARSE, CLEAN, WELL-DRAINING, NATIVE SAND. CONTRACTOR SHALL SUBMIT RESULTS OF SOIL TESTS FOR TOPSOIL AND SAND PROPOSED FOR APPROVAL BY THE OWNER.
  - D. TREES SHALL BE PLANTED IN THE EXISTING NATIVE SOIL ON SITE, UNLESS DETERMINED TO BE UNSUITABLE, AT WHICH POINT THE CONTRACTOR SHALL CONTACT OWNER'S REPRESENTATIVE TO DISCUSS ALTERNATE RECOMMENDATION PRIOR TO PLANTING.
  - E. CONTRACTOR TO SUBMIT SAMPLES OF SOIL MIXTURE FOR OWNER'S REPRESENTATIVE APPROVAL PRIOR TO PLANT INSTALLATION OPERATIONS COMMENCE.
- 1.06 WATER
  - A. WATER NECESSARY FOR PLANTING AND MAINTENANCE SHALL BE OF SATISFACTORY QUALITY TO SUSTAIN ADEQUATE PLANT GROWTH AND SHALL NOT CONTAIN HARMFUL, NATURAL OR MAN-MADE ELEMENTS DETRIMENTAL TO PLANTS. WATER MEETING THE ABOVE STANDARD SHALL BE OBTAINED ON THE SITE FROM THE OWNER, IF AVAILABLE, AND THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE ARRANGEMENTS FOR ITS USE BY HIS TANKS, HOSES, SPRINKLERS, ETC. IF SUCH WATER IS NOT AVAILABLE AT THE SITE, THE CONTRACTOR SHALL PROVIDE SATISFACTORY WATER FROM SOURCES OFF THE SITE AT NO ADDITIONAL COST TO THE OWNER.
    - \* WATERING/IRRIGATION RESTRICTIONS MAY APPLY - REFER TO PROPERTY'S JURISDICTIONAL AUTHORITY.
- 1.07 FERTILIZER
  - A. CONTRACTOR SHALL PROVIDE FERTILIZER APPLICATION SCHEDULE TO OWNER, AS APPLICABLE TO SOIL TYPE, PLANT INSTALLATION TYPE, AND SITE'S PROPOSED USE. SUGGESTED FERTILIZER TYPES SHALL BE ORGANIC OR OTHERWISE NATURALLY-DERIVED.
    - \* FERTILIZER RESTRICTIONS MAY APPLY - REFER TO PROPERTY'S JURISDICTIONAL AUTHORITY.
- 1.08 MULCH
  - A. MULCH MATERIAL SHALL BE MOISTENED AT THE TIME OF APPLICATION TO PREVENT WIND DISPLACEMENT, AND APPLIED AT A DEPTH OF THREE (3) INCHES FOR ALL PLANTINGS UNLESS OTHERWISE NOTED. MULCH AT ALL PLANTING BEDS SHALL BE TRIPLE SHREDDED HARDWOOD, BROWN-DYED.
- 1.09 DIGGING AND HANDLING
  - B. PROTECT ROOTS OR ROOT BALLS OF PLANTS AT ALL TIMES FROM SUN, DRYING WINDS, WATER AND FREEZING AS NECESSARY UNTIL PLANTING. PLANT MATERIALS SHALL BE ADEQUATELY PACKED TO PREVENT DAMAGE DURING TRANSIT.
  - C. BALLED AND BURLAPPED PLANTS (B&B) SHALL BE DUG WITH FIRM, NATURAL BALLS OF SOIL OF SUFFICIENT SIZE TO ENCOMPASS THE FIBROUS AND FEEDING ROOTS OF THE PLANTS. NO PLANTS MOVED WITH A ROOT BALL SHALL BE PLANTED IF THE BALL IS CRACKED OR

BROKEN. PLANTS SHALL NOT BE HANDLED BY STEMS.

- D. EXCAVATION OF TREE PITS SHALL BE PERFORMED USING EXTREME CARE TO AVOID DAMAGE TO SURFACE AND SUBSURFACE ELEMENTS SUCH AS UTILITIES OR HARDSCAPE ELEMENTS, FOOTERS AND PREPARED SUB-BASES. ALL TREES SHALL BE PLANTED AS INDICATED ON DRAWINGS. COORDINATE WITH PLANTING DETAILS FOR EXACT DEPTH OF PLANTING SOIL.

**1.10 CONTAINER GROWN STOCK**

- A. ALL TREES SPECIFIED SHALL BE BALL AND BURLAP, UNLESS OTHERWISE APPROVED BY LANDSCAPE ARCHITECT.
- B. ALL SHRUB SPECIES SHALL BE CONTAINER GROWN.
- C. ALL CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS WHICH ARE OF GOOD QUALITY AND ARE IN A HEALTHY GROWING CONDITION.
- D. AN ESTABLISHED CONTAINER GROWN PLANT SHALL BE TRANSPLANTED INTO A CONTAINER AND GROWN IN THAT CONTAINER SUFFICIENTLY LONG ENOUGH FOR THE NEW FIBROUS ROOTS TO HAVE DEVELOPED SO THAT THE ROOT MASS WILL RETAIN ITS SHAPE AND HOLD TOGETHER WHEN REMOVED FROM THE CONTAINER. CONTAINER GROWN STOCK SHALL NOT BE HANDLED BY THEIR STEMS.
- E. PLANT ROOTS BOUND IN CONTAINERS ARE NOT ACCEPTABLE.

**1.11 MATERIALS LIST**

- A. QUANTITIES NECESSARY TO COMPLETE THE WORK ON THE DRAWINGS SHALL BE FURNISHED BY THE CONTRACTOR. QUANTITY ESTIMATES HAVE BEEN MADE CAREFULLY, BUT THE LANDSCAPE ARCHITECT OR OWNER ASSUMES NO LIABILITY FOR OMISSIONS OR ERRORS. SHOULD A DISCREPANCY OCCUR BETWEEN THE PLANS AND THE PLANT LIST QUANTITY, THE OWNER'S REPRESENTATIVE SHALL BE NOTIFIED FOR CLARIFICATION PRIOR TO BIDDING OR INSTALLATION. ALL DIMENSIONS AND/OR SIZES SPECIFIED SHALL BE THE MINIMUM ACCEPTABLE SIZE.

**1.12 FINE GRADING**

- A. FINE GRADING UNDER THIS CONTRACT SHALL CONSIST OF FINAL FINISHED GRADING OF LAWN AND PLANTING AREAS THAT HAVE BEEN DISTURBED DURING CONSTRUCTION.
- B. THE CONTRACTOR SHALL FINE GRADE THE LAWN AND PLANTING AREAS TO BRING THE ROUGH GRADE UP TO FINAL FINISHED GRADE ALLOWING FOR THICKNESS OF SOD AND/OR MULCH DEPTH. CONTRACTOR SHALL FINE GRADE BY HAND AND/OR WITH ALL EQUIPMENT NECESSARY INCLUDING A GRADING TRACTOR WITH FRONT-END LOADER FOR TRANSPORTING SOIL WITHIN THE SITE.
- C. ALL PLANTING AREAS SHALL BE GRADED AND MAINTAINED FOR POSITIVE DRAINAGE TO SURFACE/SUBSURFACE STORM DRAIN SYSTEMS. AREAS ADJACENT TO BUILDINGS SHALL SLOPE AWAY FROM THE BUILDINGS. REFER TO CIVIL ENGINEER'S PLANS FOR FINAL GRADES, IF APPLICABLE.

**1.13 PLANTING PROCEDURES**

- A. CLEANING UP BEFORE COMMENCING WORK: THE CONTRACTOR SHALL CLEAN WORK AND SURROUNDING AREAS OF ALL RUBBISH OR OBJECTIONABLE MATTER DAILY. ALL MORTAR, CEMENT, AND TOXIC MATERIAL SHALL BE REMOVED FROM THE SURFACE OF ALL PLANT BEDS. THESE MATERIALS SHALL NOT BE MIXED WITH THE SOIL. SHOULD THE CONTRACTOR FIND SUCH SOIL CONDITIONS BENEATH THE SOIL WHICH WILL IN ANY WAY ADVERSELY AFFECT THE PLANT GROWTH, CONTRACTOR SHALL IMMEDIATELY CALL IT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE. FAILURE TO DO SO BEFORE PLANTING SHALL MAKE THE CORRECTIVE MEASURES THE RESPONSIBILITY OF THE CONTRACTOR.
- B. SUBGRADE EXCAVATION: THE CONTRACTOR IS RESPONSIBLE TO REMOVE ALL EXISTING AND IMPORTED LIMEROCK AND LIMEROCK SUB-BASE FROM ALL LANDSCAPE PLANTING AREAS TO A MINIMUM DEPTH OF 36" AT TREES AND 18" AT SHRUBS AND PERENNIALS. CONTRACTOR IS RESPONSIBLE TO BACKFILL THESE PLANTING AREAS TO ROUGH FINISH GRADE WITH CLEAN TOPSOIL FROM AN ON-SITE SOURCE OR AN IMPORTED SOURCE. IF LIMEROCK OR OTHER ADVERSE CONDITIONS OCCUR IN PLANTED AREAS AFTER 36", AND DEEP EXCAVATION BY THE CONTRACTOR AND POSITIVE DRAINAGE CANNOT BE ACHIEVED, THE CONTRACTOR SHALL UTILIZE PLANTING DETAIL THAT ADDRESSES POOR DRAINAGE.
- C. VERIFY LOCATIONS OF ALL UTILITIES, CONDUITS, SUPPLY LINES AND CABLES, INCLUDING BUT NOT LIMITED TO: ELECTRIC, GAS (LINES AND TANKS), WATER, SANITARY SEWER, STORMWATER SYSTEMS, CABLE, AND TELEPHONE. PROPERLY MAINTAIN AND PROTECT EXISTING UTILITIES. CONTACT TENNESSEE ONE CALL AT (615) 351-1111 TO LOCATE ALL UTILITIES.
- D. FURNISH NURSERY'S CERTIFICATE OF COMPLIANCE WITH ALL REQUIREMENTS AS HEREIN SPECIFIED AND REQUIRED. INSPECT AND SELECT PLANT MATERIALS BEFORE PLANTS ARE DUG AT NURSERY OR GROWING SITE.
- E. GENERAL: COMPLY WITH APPLICABLE FEDERAL, STATE, COUNTY, AND LOCAL REGULATIONS GOVERNING LANDSCAPE MATERIALS AND WORK. CONFORM TO ACCEPTED HORTICULTURAL PRACTICES AS USED IN THE TRADE. UPON ARRIVAL AT THE SITE, PLANTS SHALL BE THOROUGHLY WATERED AND PROPERLY MAINTAINED UNTIL PLANTED. PLANTS STORED ON-SITE SHALL NOT REMAIN UNPLANTED OR APPROPRIATELY HEALED IN FOR A PERIOD EXCEEDING TWENTY-FOUR (24) HOURS. AT ALL TIMES WORKMANLIKE METHODS CUSTOMARY IN GOOD HORTICULTURAL PRACTICES SHALL BE EXERCISED.
- F. THE WORK SHALL BE COORDINATED WITH OTHER TRADES TO PREVENT CONFLICTS. COORDINATE PLANTING WITH IRRIGATION WORK TO ASSURE AVAILABILITY OF WATER AND PROPER LOCATION OF IRRIGATION APPURTENANCES AND PLANTS.
- G. ALL PLANTING PITS SHALL BE EXCAVATED TO SIZE AND DEPTH IN ACCORDANCE WITH ANSI Z60.1-2014 - AMERICAN STANDARD FOR NURSERY STOCK, UNLESS SHOWN OTHERWISE ON THE DRAWINGS, AND BACK FILLED WITH THE PREPARED PLANTING SOIL MIXTURE AS SPECIFIED IN SECTION 1.05. TEST ALL TREE PITS WITH WATER BEFORE PLANTING TO ASSURE PROPER DRAINAGE PERCOLATION IS AVAILABLE. NO ALLOWANCE WILL BE MADE FOR LOST PLANTS DUE TO IMPROPER DRAINAGE. TREES SHALL BE SET BUMP AND HELD IN POSITION UNTIL THE PLANTING MIXTURE HAS BEEN FLUSHED INTO PLACE WITH A SLOW, FULL HOSE STREAM. ALL PLANTING SHALL BE PERFORMED BY PERSONNEL FAMILIAR WITH PLANTING PROCEDURES AND UNDER THE SUPERVISION OF A QUALIFIED LANDSCAPE FOREMAN.
- H. TAKE ALL NECESSARY PRECAUTIONS TO AVOID DAMAGE TO BUILDINGS AND BUILDING STRUCTURES WHILE INSTALLING TREES.
- I. SOIL MIXTURE SHALL BE AS SPECIFIED IN SECTION 1.05 OF THESE SPECIFICATIONS.
- J. TREES AND SHRUBS SHALL BE SET STRAIGHT AT AN ELEVATION THAT, AFTER SETTLEMENT, THE PLANT CROWN WILL STAND ONE (1) TO TWO (2) INCHES ABOVE GRADE. EACH PLANT SHALL BE SET IN THE CENTER OF THE PIT. PLANTING SOIL MIXTURE SHALL BE BACK FILLED, THOROUGHLY TAMPED AROUND THE BALL, AND SETTLED BY WATER (AFTER TAMPING).
- K. SHRUBS AND GROUND COVER PLANTS SHALL BE EVENLY SPACED IN ACCORDANCE WITH THE DRAWINGS AND AS INDICATED ON THE PLANT LIST. MATERIALS INSTALLED SHALL MEET MINIMUM SPECIMEN REQUIREMENTS OR QUANTITIES SHOW ON PLANS, WHICHEVER IS GREATER. CULTIVATE ALL PLANTING AREAS TO A MINIMUM DEPTH OF 12". REMOVE AND DISPOSE ALL DEBRIS. COORDINATE WITH PLANTING DETAILS FOR EXACT DEPTH. MIX TOP 4" OF THE PLANTING SOIL MIXTURE AS SPECIFIED IN SECTION 1.05. THOROUGHLY WATER ALL PLANTS AFTER INSTALLATION.
- L. TREE GUYING AND BRACING SHALL BE INSTALLED BY THE CONTRACTOR IN ACCORDANCE WITH THE PLANS TO INSURE STABILITY AND MAINTAIN TREES IN AN UPRIGHT POSITION. IF THE CONTRACTOR AND OWNER DECIDE TO WAIVE THE TREE GUYING AND BRACING, THE OWNER SHALL NOTIFY THE PROJECT LANDSCAPE ARCHITECT IN WRITING AND AGREE TO INDEMNIFY AND HOLD HARMLESS THE PROJECT LANDSCAPE ARCHITECT IN THE EVENT UNSUPPORTED TREES PLANTED UNDER THIS CONTRACT FALL AND DAMAGE PERSON OR PROPERTY.
- M. HERBICIDE WEED CONTROL: ALL PLANT BEDS SHALL BE KEPT FREE OF NOXIOUS WEEDS UNTIL FINAL ACCEPTANCE OF WORK. IF DIRECTED BY THE OWNER, "ROUND-UP" SHALL BE APPLIED FOR WEED CONTROL BY QUALIFIED PERSONNEL TO ALL PLANTING AREAS IN SPOT APPLICATIONS PER MANUFACTURER'S PRECAUTIONS AND SPECIFICATIONS. PRIOR TO FINAL INSPECTION, TREAT ALL PLANTING BEDS WITH AN APPROVED PRE-EMERGENT HERBICIDE AT AN APPLICATION RATE RECOMMENDED BY THE MANUFACTURER (AS ALLOWED BY JURISDICTIONAL AUTHORITY).

**1.14 LAWN SODDING**

- A. THE WORK CONSISTS OF LAWN BED PREPARATION, SOIL PREPARATION, AND SODDING COMPLETE, IN STRICT ACCORDANCE WITH THE SPECIFICATIONS AND THE APPLICABLE DRAWINGS TO PRODUCE A TURF GRASS LAWN ACCEPTABLE TO THE OWNER.
- B. LAWN BED PREPARATION: ALL AREAS THAT ARE TO BE SODDED SHALL BE CLEARED OF ANY ROUGH GRASS, WEEDS, AND DEBRIS BY MEANS OF A SOD CUTTER TO A DEPTH OF THREE (3) INCHES, AND THE GROUND BROUGHT TO AN EVEN GRADE. THE ENTIRE SURFACE SHALL BE ROLLED WITH A ROLLER WEIGHING NOT MORE THAN ONE-HUNDRED (100) POUNDS PER FOOT OF WIDTH. DURING THE ROLLING, ALL DEPRESSIONS CAUSED BY SETTLEMENT SHALL BE FILLED WITH ADDITIONAL SOIL, AND THE SURFACE SHALL BE REGRADED AND ROLLED UNTIL PRESENTING A SMOOTH AND EVEN FINISH TO THE REQUIRED GRADE.
- C. SOIL PREPARATION: PREPARE LOOSE BED FOUR (4) INCHES DEEP. HAND RAKE UNTIL ALL BUMPS AND DEPRESSIONS ARE REMOVED. WET PREPARED AREA THOROUGHLY.
- D. SODDING
  - 1. THE CONTRACTOR SHALL SOD ALL DISTURBED AREAS WITHIN THE CONTRACT LIMITS NOT COVERED BY HARDSCAPE OR VEGETATIVE MATERIAL, UNLESS SPECIFICALLY NOTED OTHERWISE.
  - 2. SOD PANELS SHALL BE LAID TIGHTLY TOGETHER SO AS TO MAKE A SOLID SODDED LAWN AREA. SOD SHALL BE LAID UNIFORMLY AGAINST THE EDGES OF ALL CURBS AND OTHER HARDSCAPE ELEMENTS, PAVED AND PLANTED AREAS. IMMEDIATELY FOLLOWING SOD LAYING, THE LAWN AREAS SHALL BE ROLLED WITH A LAWN ROLLER CUSTOMARILY USED FOR SUCH PURPOSES, AND THEN THOROUGHLY IRRIGATED. IF, IN THE OPINION OF THE OWNER, TOP-DRESSING IS NECESSARY AFTER ROLLING TO FILL THE VOIDS BETWEEN THE SOD PANELS AND TO EVEN OUT INCONSISTENCIES IN THE SOD, CLEAN SAND, AS APPROVED BY THE OWNER'S REPRESENTATIVE, SHALL BE UNIFORMLY SPREAD OVER THE ENTIRE SURFACE OF THE SOD AND THOROUGHLY WATERED IN. FERTILIZE INSTALLED SOD AS ALLOWED

BY PROPERTY'S JURISDICTIONAL AUTHORITY.

- 3. DURING DELIVERY PRIOR TO, AND DURING THE PLANTING OF THE LAWN AREAS, THE SOD PANELS SHALL AT ALL TIMES BE PROTECTED FROM EXCESSIVE DRYING AND UNNECESSARY EXPOSURE OF THE ROOTS TO THE SUN. ALL SOD SHALL BE STACKED SO AS NOT TO BE DAMAGED BY SWEATING OR EXCESSIVE HEAT AND MOISTURE.

**E. LAWN MAINTENANCE**

- 1. WITHIN THE CONTRACT LIMITS, THE CONTRACTOR SHALL PRODUCE A DENSE, WELL ESTABLISHED LAWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR AND RE-SODDING OF ALL ERODED, SUNKEN OR BARE SPOTS (LARGER THAN 12"x12") UNTIL CERTIFICATION OF ACCEPTABILITY BY THE OWNER'S REPRESENTATIVE. REPAIRED SODDING SHALL BE ACCOMPLISHED AS IN THE ORIGINAL WORK (INCLUDING RE-GRADING IF NECESSARY).
- 2. CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING AND MAINTAINING SOD/LAWN UNTIL ACCEPTANCE BY THE OWNER'S REPRESENTATIVE. PRIOR TO AND UPON ACCEPTANCE, CONTRACTOR TO PROVIDE WATERING/IRRIGATION SCHEDULE TO OWNER. OBSERVE ALL APPLICABLE WATERING RESTRICTIONS AS SET FORTH BY THE PROPERTY'S JURISDICTIONAL AUTHORITY.

**1.15 CLEANUP**

- A. UPON COMPLETION OF ALL PLANTING WORK AND BEFORE FINAL ACCEPTANCE, THE CONTRACTOR SHALL REMOVE ALL MATERIAL, EQUIPMENT, AND DEBRIS RESULTING FROM HIS WORK. ALL PAVED AREAS SHALL BE BROOM-CLEANED AND THE SITE LEFT IN A NEAT AND ACCEPTABLE CONDITION AS APPROVED BY THE OWNER'S REPRESENTATIVE.

**1.16 PLANT MATERIAL MAINTENANCE**

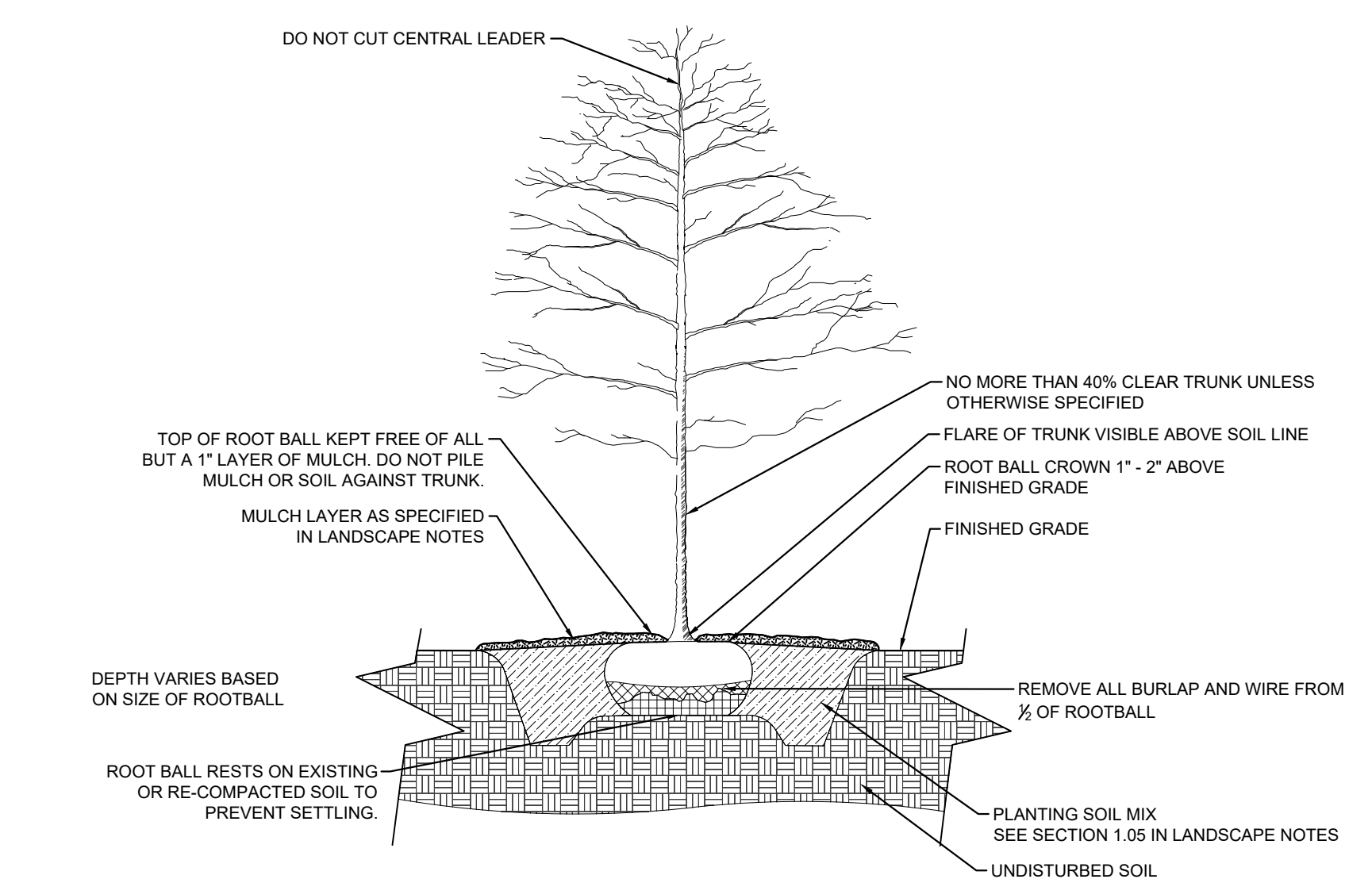
- A. ALL PLANTS AND PLANTING INCLUDED UNDER THIS CONTRACT SHALL BE MAINTAINED BY WATERING, CULTIVATING, SPRAYING, AND ALL OTHER OPERATIONS (SUCH AS RE-STAKING OR REPAIRING GUY SUPPORTS) NECESSARY TO INSURE A HEALTHY PLANT CONDITION BY THE CONTRACTOR UNTIL CERTIFICATION OF ACCEPTABILITY BY THE OWNER'S REPRESENTATIVE.

**1.17 FINAL INSPECTION AND ACCEPTANCE OF WORK**

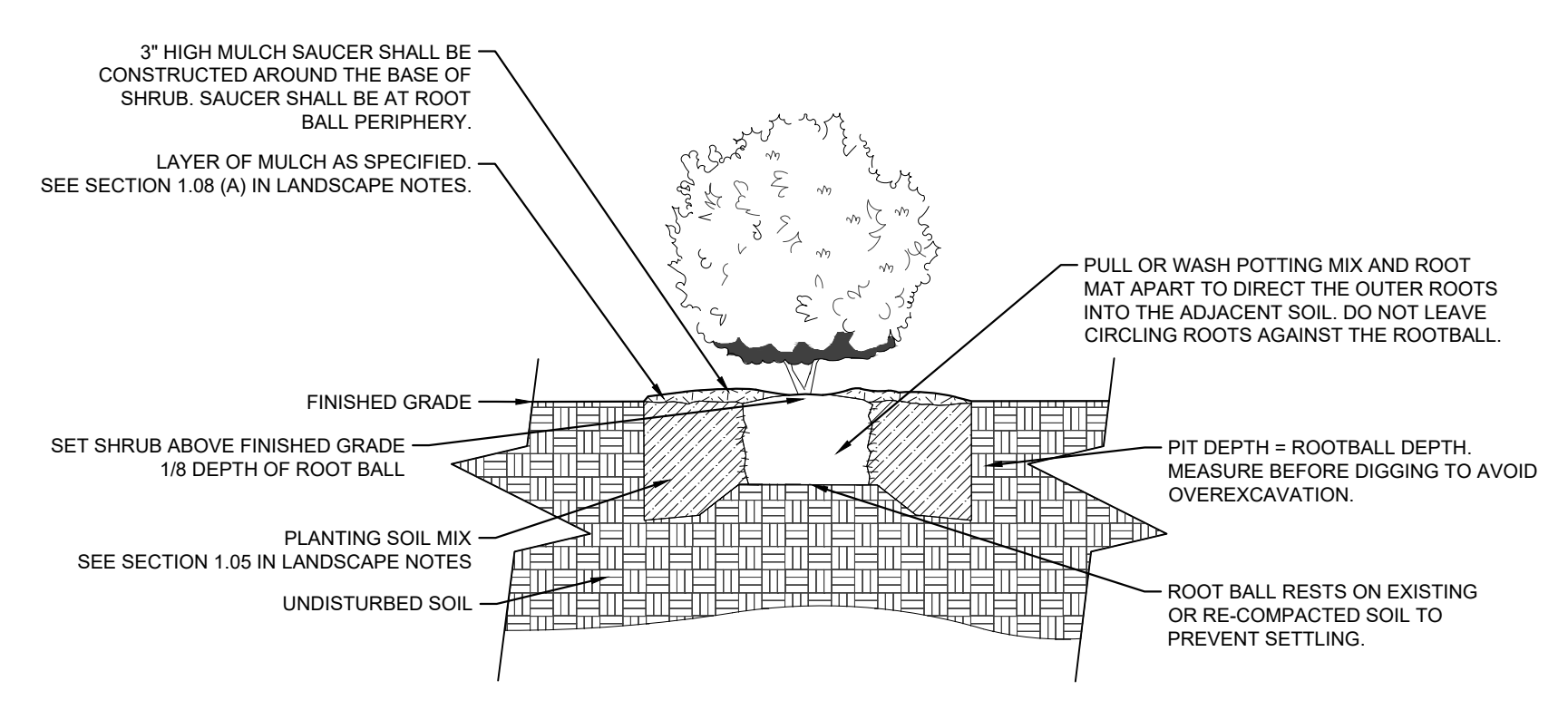
- A. FINAL INSPECTION AT THE END OF THE WARRANTY PERIOD SHALL BE ON PLANTING, CONSTRUCTION AND ALL OTHER INCIDENTAL WORK PERTAINING TO THIS CONTRACT. ANY REPLACEMENT AT THIS TIME SHALL BE SUBJECT TO THE SAME ONE (1) YEAR WARRANTY (OR AS SPECIFIED BY THE LANDSCAPE ARCHITECT OR OWNER IN WRITING) BEGINNING WITH THE TIME OF REPLACEMENT AND ENDING WITH THE SAME INSPECTION AND ACCEPTANCE HEREIN DESCRIBED.

**1.18 WARRANTY**

- A. THE LIFE AND SATISFACTORY CONDITION OF ALL PLANT MATERIAL INSTALLED (INCLUDING SOD) BY THE LANDSCAPE CONTRACTOR SHALL BE WARRANTED BY THE CONTRACTOR FOR A MINIMUM OF ONE (1) CALENDAR YEAR COMMENCING AT THE TIME OF CERTIFICATION OF ACCEPTABILITY BY THE OWNER'S REPRESENTATIVE.
- B. REPLACEMENT: ANY PLANT NOT FOUND IN A HEALTHY GROWING CONDITION DURING THE WARRANTY PERIOD SHALL BE REMOVED FROM THE SITE AND REPLACED WITHIN TEN (10) DAYS OF NOTICE, OR BETWEEN SEPTEMBER/NOVEMBER, MARCH/MAY. ALL REPLACEMENTS SHALL BE PLANTS OF THE SAME KIND AND SIZE AS SPECIFIED IN THE PLANT LIST. THEY SHALL BE FURNISHED, PLANTED AND MULCHED AS SPECIFIED AT NO ADDITIONAL COST TO THE OWNER.
- C. IN THE EVENT THE OWNER DOES NOT CONTRACT WITH THE CONTRACTOR FOR LANDSCAPE MAINTENANCE, THE CONTRACTOR IS ENCOURAGED TO VISIT THE PROJECT SITE PERIODICALLY DURING THE ONE (1) YEAR WARRANTY PERIOD TO EVALUATE MAINTENANCE PROCEDURES BEING PERFORMED BY THE OWNER, AND SHALL NOTIFY THE OWNER IN WRITING OF MAINTENANCE PROCEDURES OR CONDITIONS WHICH THREATEN VIGOROUS AND HEALTHY PLANT GROWTH. IT IS SUGGESTED SUCH SITE VISITS SHALL BE CONDUCTED A MINIMUM OF ONCE PER MONTH FOR A PERIOD OF TWELVE (12) MONTHS FROM THE DATE OF ACCEPTANCE.



**1 B&B TREE PLANTING**  
NOT TO SCALE



**2 CONTAINER SHRUB PLANTING**  
NOT TO SCALE

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**Kimley»Horn**  
© 2026 KIMLEY-HORN AND ASSOCIATES, INC.  
6750 POPLAR AVENUE, SUITE 600, MEMPHIS TN 38198  
PHONE: 901-374-9109  
WWW.KIMLEY-HORN.COM

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KHA PROJECT	115615000
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SCALE	AS SHOWN
DESIGNED BY	KHA
DRAWN BY	KHA
CHECKED BY	KHA

**HILTON LIVSMART**  
PREPARED FOR  
**BREAF HOLDINGS**

LAKELAND TN

LANDSCAPE NOTES AND DETAILS

SHEET NUMBER