



Municipal Planning & Design Review Commission
Regular Meeting Agenda
Wednesday, March 24, 2021, 5:30 PM
City Hall, Lakeland, Tennessee 38002

- I. CALL TO ORDER:
- II. ROLL CALL:
- III. PUBLIC HEARING:
 - 1. Action to Amend Article II. Neighborhood Development Regulations, Figure 1.B-1 Neighborhood Types Map from Type IV to Type II at 9905 Memphis Arlington Road.
 - 2. Action to Amend Article II. Neighborhood Development Regulations, Section 3; and Section 10.C.8 to amend the Neighborhood Type II and Stormwater Management Sections.
- IV. APPROVAL OF MINUTES OF PREVIOUS MEETING:
 - 1. Regular Meeting: February 24, 2021
- V. PUBLIC DISCUSSION:
- VI. REPORTS OF OFFICERS AND COMMITTEES:
- VII. OLD BUSINESS:
- VIII. NEW BUSINESS:
 - 1. Action to Amend Article II. Neighborhood Development Regulations, Figure 1.B-1 Neighborhood Types Map from Type IV to Type II at 9905 Memphis Arlington Road.
 - 2. Action on a recommendation to the Board of Commissioners to amend the Official Zoning Map to rezone property from AG to RE located at 9905 Memphis Arlington Road.
 - 3. Action on approval of Fence Height Special Exception for a fence to exceed 6' in height at 9650 Green Spruce Drive.

4. Action on approval of a Land Disturbance Permit for Evergreen PD Phase 1
5. Discussion on a Vehicular Services Use (Car Wash) on Highway 64 (between LA Fitness & Banfield Pet Hospital).
6. Action to Amend Article II. Neighborhood Development Regulations, Section 3; and Section 10.C.8 to amend the Neighborhood Type II and Stormwater Management Sections.
7. Action on a recommendation to Amend Article I Administration, Section 4.T C.(6) and E.(2).g and Article III Zoning Regulations, Section 2, Table 2.L-1; Section 2.M.; Section 3.H-M and Table 3.B-2; Section 3.N-V and Table 3.B-1; Section 7.C.8 to make interim amendments to the Land Development Regulations concerning building facades, stormwater, and allowed uses.
8. Discussion on Design Review Guidelines.

IX. ANNOUNCEMENTS:

X. ADJOURNMENT:

**LAKELAND MUNICIPAL PLANNING COMMISSION
MEETING MINUTES
WEDNESDAY, FEBRUARY 24, 2021, 5:30 PM
CITY HALL, LAKELAND, TN.**

- I. **CALL TO ORDER:** The meeting was called to order at 5:30 PM by Chairman Susan Mitchell

II. **ROLL CALL BY ACTING RECORDER:**

Jeff Adams	Present
Commissioner Jim Atkinson	Present (via phone)
Scott Carmichael	Absent (excused)
Mayor Mike Cunningham	Present
Todd Laessig	Absent (excused)
Clint Starnes	Present
(C) Susan Mitchell	Present

Others present:

Shane Horn, City Manager
Richard Donovan, Planning Director
Emily Harrell, City Engineer
Will Patterson, City Attorney

For the record: Commissioner Richard Gonzales and Commissioner Wesley Wright were present in the audience.

III. **APPROVAL OF MEETING MINUTES:**

Mr. Starnes moved to approve the regular meeting minutes of January 21, 2021 as written.

Mayor Cunningham seconded the motion.

Motion passed, voice vote, 5 in favor 0 against.

IV. **PUBLIC DISCUSSION:**

For the record: Comments were heard the following:

Commissioner Wright expressed his concerns of drawings matching the word documents.

V. **REPORTS OF OFFICERS AND COMMITTEES:** *None*

VI. **OLD BUSINESS:**

1. ***Action on approval of Preliminary Site Plan – Lot 7 Lakeland Commons.***

Mr. Starnes moved to bring this item to the floor.

**LAKELAND MUNICIPAL PLANNING COMMISSION
MEETING MINUTES
WEDNESDAY, FEBRUARY 24, 2021, 5:30 PM
CITY HALL, LAKELAND, TN.**

Mr. Adams seconded the motion.

Motion passed unanimously, voice vote, 5 in favor 0 against.

Discussion ensued.

For the record: Public comments were heard from the following:

- David Smith, A2H
- Dr. Raif Elsagr, Lakeland Commons Applicant (*present in audience*)

After conclusion of the discussion, Mr. Starnes moved to approve the Outline Plan for Lakeland Commons Lot 7 Preliminary Site Plan as recommended by staff and the Commission's discussion as illustrated in the revision C2.0 dated December 17, 2020 presented in the packet for tonight's meeting.

Mayor Cunningham seconded the motion.

Motion passed unanimously, roll call vote, 5 in favor 0 against.

Adams	Yea
Atkinson	Yea
Cunningham	Yea
Starnes	Yea
(C) Mitchell	Yea

VII. NEW BUSINESS:

1. ***Discussion on Land Development Regulations Amendments regarding Vehicular Service, Multi-family, Neighborhood Types, Detention Ponds, PD, Impervious Surface, and Transparency requirements.***

Mr. Starnes moved to bring this item to the floor.

Mr. Adams seconded the motion.

Motion passed unanimously, voice vote, 5 in favor 0 against.

Discussion ensued. No action was taken.

VIII. ANNOUNCEMENTS:

**LAKELAND MUNICIPAL PLANNING COMMISSION
MEETING MINUTES
WEDNESDAY, FEBRUARY 24, 2021, 5:30 PM
CITY HALL, LAKELAND, TN.**

IX. ADJOURNMENT:

Mayor Cunningham moved to adjourn the meeting. Mr. Adams seconded the motion.

Motion passed unanimously, voice vote, 5 in favor 0 against.

The meeting was adjourned at 6:37 p.m.

Clint Starnes, *Secretary*

ATTEST:

Debra Murrell, *City Recorder*

These minutes were approved on March 24, 2021.

Meeting Cycle: Wednesday, March 24, 2021

Subject: Action to Amend Article II. Neighborhood Development Regulations, Figure 1.B-1 Neighborhood Types Map from Type IV to Type II at 9905 Memphis Arlington Road.

Staff Contact: Richard Donovan, Planning Director

STAFF RECOMMENDATION

Staff recommends approval based on compliance with the Comprehensive Plan, Land Development Regulations, and consistency with the scenic corridor's current development.

DISCUSSION

LOCATION:	9905 Memphis Arlington Road
PARCEL ID:	Part of L0150 00482
ZONING:	A (Agriculture) to RE (Exurban)
NEIGHBORHOOD TYPE:	Type IV to Type II
AREA:	7.46 Acres
OWNER:	Eugene and Betty Howard
APPLICANT:	Denise Howard
REPRESENTATIVE:	Kyle Ham, Ledford Engineering, Planning, and Architecture

LAND USE PLAN:

Lakeland's Comprehensive Land Use Plan Update, adopted March of 2006, recommends "Suburban Neighborhood" and "Conservation Overlay" for the property.

"Suburban Neighborhood" is defined as *"Primarily single-family residential lots with a maximum density of 2.5 dwelling units per acre, but may contain religious facilities, schools, and public buildings. Development requires public water and sanitary sewer service. Streets shall be designed with an urban cross section"*.

"Conservation Overlay" is defined as *"Primarily Planned Developments containing single-family residential lots that require conservation development practices in the design and preservation of natural resources. Areas shall contain substantial passive open space and possibly some limited active open space. Development requires public water and sanitary sewer service. Streets may be designed with a rural or urban cross-section as approved by the Municipal Planning Commission and Board of Commissioners."*

UTILITIES:

The property at 9905 Memphis Arlington Road does not currently have access to sewer. The nearest sewer is a 12 line at 10120 Memphis Arlington Road, approximately 0.41 miles away. The Exurban zoning district does allow for the development of property with the use of septic systems.

SCENIC CORRIDOR:

The portion of the Memphis Arlington Road from Seed Tick east to the City Limits is a scenic corridor. The scenic corridor requires a 50-foot buffer on both sides of the road designated as a scenic corridor.

Below are the regulations for Neighborhood Type VI and Neighborhood Type II.

Neighborhood Type VI

A. General Requirements.

1. Intent. Neighborhood Type IV is primarily intended to be developed as a residential neighborhood with smaller-Scale Nodes of commercial development than Neighborhood Type V, which occur along more intensive Street Types. Single family detached homes are predominant, but single family attached housing is also permitted.
2. Applicability. These standards apply to the Subdivision of all land designated as Neighborhood Type IV on the Neighborhood Types Map, with standards in blue text being applicable to subdivision requirements, and black text being applicable to zoning requirements. Refer to Figure 1.B-1.
3. Neighborhood Type Illustration. Figure 5.A-1 conceptually illustrates one example that graphically represents one combination of the requirements of a Type IV Neighborhood (not to scale).

B. Zoning Districts and Requirements.

1. Zoning District Requirements. Refer to II.1.C for General Zoning District Requirements.
 - a. Commercial and office district minimum and maximum requirements are defined in Table 5.A-1.
 - (1) Location. Commercial and office districts shall be located on an Avenue or Connector Street Type within the Subdivision. The edge of the commercial Node shall be located less than one Block

from an Avenue, Boulevard, or Scenic Corridor.

- (2) Exception. For all neighborhoods, commercial, and office districts are not required if all residences are located within one-quarter (1/4) mile of an existing Mixed Use or commercial district.
 - b. A minimum mix of permitted residential districts is defined per Table 5.A-1.
2. Permitted Districts. Permitted districts are defined in Table 5.A-1. Refer to III.1 Zoning Districts for more information.
 - a. NO: Office Districts Restriction. No more than fifty (50) percent of the total commercial space and no more than 20,000 square feet may be office districts.
 - b. R6: Attached District Restriction. No more than ten (10) percent of all Dwelling Units may be Attached.
 - c. RE: Ex-Urban District Restriction. No more than ten (10) percent of all Dwelling Units may be Ex-Urban, with the following exception:
 - (1) RE zoned Lots providing a transition to existing adjacent RE zoned Lots are exempt from this limitation.

C. Open Space Requirements.

1. Refer to II.1.D for General Open Space Requirements.
2. Refer to Table 5.A-1 for permitted open space districts, and Neighborhood Scale Open Space Requirements.

D. Block Design and Street Layout.

1. Street Configuration. Refer to II.1.E for General Block, Lot, and Street Design Requirements.
 - a. Refer to Table 5.A-1 for specific Block and street layout requirements, including maximum Block size, minimum number of intersections per square mile of Developable Area, minimum miles of Street Centerlines per square mile of Developable Area, and minimum number of Access Points per Open Boundary.
 - b. Mixed Use, Commercial and Office Districts Blocks. Pedestrianways shall be provided through the Block for every four hundred (400) feet of Block Face.
 - c. Residential Districts Block Size Exceptions. If a mid-Block Pedestrianway is provided, Block Length may be increased to twelve hundred (1,200) feet.
2. Street Types. Permitted Street Types and their requirements are designated on Table 5.A-1. Refer to II.8 Street Type Standards for more information.
 - a. Connectors. Connectors shall not constitute more than ten (10) percent of the linear miles of Street Centerline.
 - b. Boulevards and Avenues. Boulevards and Avenues may be used only for streets designated as future streets on the Comprehensive Plan.

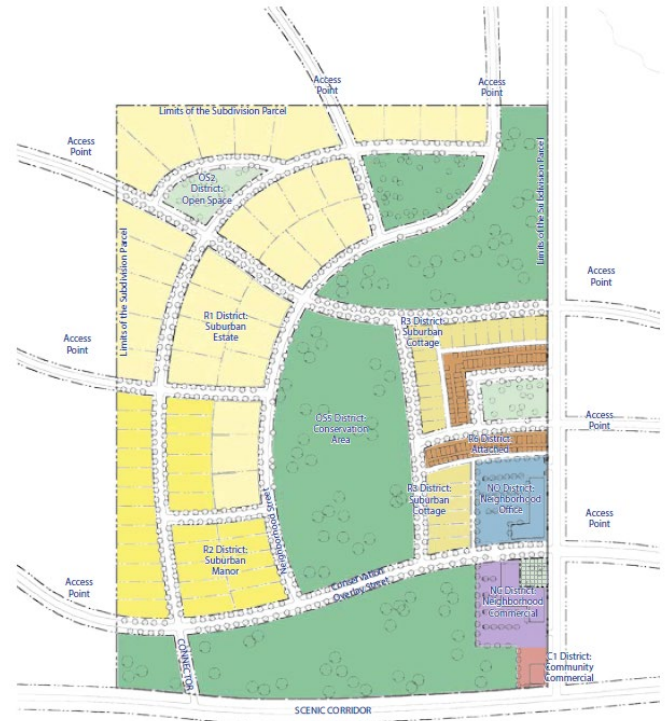


Figure 5.A-1. Neighborhood Type IV illustration (not to scale).

Illustration Key

NC: Neighborhood Commercial	RE: Ex-Urban
C1: Community Commercial	R1: Suburban Estate
C2: Regional Commercial	R2: Suburban Manor
	R3: Suburban Cottage
	R4: Urban Estate
	R5: Urban Manor
	R6: Attached
	R7: Multifamily
NO: Neighborhood Office	
O: Community Office	
OS1: Neighborhood Civic Space	
OS2: Neighborhood Open Space	
OS3: General Open Space	
OS4: Outdoor Recreation	
OS5: Conservation Area	

	Type IV		
	less than 15 Acres of Developable Area	15-30 Acres of Developable Area	more than 30 Acres of Developable Area
Commercial Minimum Requirements minimum Gross Building Area (in sf) of permitted commercial and office districts	no minimum	minimum 20,000 sf; none if all residences within 1/4 mile of existing district	minimum 20,000 sf; none if all residences within 1/4 mile of existing district
Commercial Maximum Limitations maximum Gross Building Area (in sf) of permitted commercial and office districts	maximum 50,000 sf	maximum 50,000 sf	maximum 50,000 sf
Minimum Residential Mix Requirements minimum 10 Dwelling Units of minimum number of different permitted residential districts	no minimum	at least 1 District	at least 3 different Districts
Mixed Use/ Commercial, Office & Institutional Districts	NC District: Neighborhood Mixed Use/Commercial	●	●
	C1 District: Community Mixed Use/Commercial	●	●
	C2 District: Regional Mixed Use/Commercial		
	NO District: Neighborhood Office NO & O Districts maximum 50% of total commercial space	● (maximum 20,000 sf)	● (maximum 20,000 sf)
	O District: General Office NO & O Districts maximum 50% of total commercial space		
	P District: Institutional		
Residential Districts	R7 District: Multifamily Building		
	R6 District: Attached House	● (no more than 10% of all Dwelling Units)	● (no more than 10% of all Dwelling Units)
	R5 District: Urban Manor		
	R4 District: Urban Estate		
	R3 District: Suburban Cottage	●	●
	R2 District: Suburban Manor	●	●
	R1 District: Suburban Estate	●	●
	RE District: Ex-Urban		● (no more than 10% of all Dwelling Units)
	AG District: Rural Single Family, Agriculture		

Table S.A-1. Neighborhood Type IV Requirements.

Table Key
● Permitted

		Type IV		
		less than 15 Acres of Developable Area	15-30 Acres of Developable Area	more than 30 Acres of Developable Area
Neighborhood Scale Open Space Requirements	Residential: Neighborhood Scale Open Space Requirement	One permitted Open Space District (OS) required within 1/6 mile of each residential unit.		
	Non-Residential: Neighborhood Scale Open Space Requirement	Minimum one OS District permitted Open Space District (OS) within 1/8 mile of the front door of each non-residential unit.		
Permitted Open Space Districts	OS5 District: Conservation	● (Required for Conservation Areas, Streamside Management Buffers, and Scenic Corridor Buffers only. Refer to III.1.D.5(e))		
	OS4 District: Outdoor Recreation			
	OS3 District: General Open Space	●	●	●
	OS2 District: Neighborhood Open Space	●	●	●
	OS1 District: Neighborhood Civic Space	●	●	●
Street Configuration	Cul-de-sacs (refer to II.8.Q)	not permitted	not permitted	maximum 10 per Developable Square Mile
	Intersections Minimum Number per Developable Square Mile	130		
	Street Centerlines (miles) Minimum Number per Developable Square Mile	20		
	Access Points Minimum Number per Open Boundary	minimum 2 total and 1 per every 1500' of Open Boundary		
	Commercial Maximum Block Size (in feet)	600' deep by 1000' long		
	Commercial Through-Block Pedestrianway Requirement	every 400' of Block Face		
	Residential Maximum Block Area size (in feet) (no maximum Block size for R-1 or AG District Blocks)	350' deep by 700' long (see exception II.5D(1)(c))		
Street Types	Street Type: Alley	permitted per Building Type (refer to III.3)		
	Street Type: Boulevard			
	Street Type: Urban Avenue			
	Street Type: Rural Avenue			
	Street Type: Urban Connector	●		
	Street Type: Rural Connector	●		
	Street Type: Urban Neighborhood Street	●		
	Street Type: Rural Neighborhood Street	●		
	Conservation Street Overlay	permitted on all Street Types (refer to II.8)		

Table Key
● Permitted

Table S.A-1. (continued) Neighborhood Type IV Requirements.

Neighborhood Type II

A. General Requirements.

1. Intent. Neighborhood Type II is intended to result in a traditional suburban built environment. Only single family detached residential Building Types are permitted for the residential component.
2. Applicability. These standards apply to the Subdivision of all land designated as Neighborhood Type II on the Neighborhood Types Map, with standards in blue text being applicable to subdivision requirements, and black text being applicable to zoning requirements. Refer to Figure 1.B-1.
3. Neighborhood Type Illustration. Figure 3.A-1 conceptually illustrates one example that graphically represents one combination of the requirements of a Type II Neighborhood (map not to scale).

B. Zoning Districts and Requirements.

1. Zoning District Requirements. Refer to II.1.C for General Zoning District Requirements.
 - a. A minimum mix of permitted residential districts is defined per Table 3.A-1.
2. Permitted Districts. Permitted districts are defined in Table 3.A-1. Refer to III.1 Zoning Districts for more information.
 - a. R1: Suburban Estate. An R1-primary option is provided, which permits all R1 lots for a Type II Neighborhood.
 - b. R1: Suburban Estate. When the R1-primary option is not utilized, at least twenty (20) percent of all residential Lots shall be zoned R1.
 - c. R3: Suburban Cottage. For developments fifteen (15) acres or more, no more than fifty (50) percent of all residential Lots may be zoned R3, with the following exception:
 - (1) If fifty (50) percent or more of the gross Subdivision area is designated as open space per II.1.D, up to eighty (80) percent of all residential Lots may be zoned R3.

- d. RE: Ex-Urban District Restriction. When permitted, no more than ten (10) percent of all residential Lots may be Ex-Urban, with the following exception:
 - (1) RE zoned Lots providing a transition to existing adjacent RE zoned Lots are exempt from this limitation.

C. Open Space Requirements.

1. Refer to II.1.D for General Open Space Requirements.
2. Refer to Table 3.A-1 for permitted open space districts, and Neighborhood Scale Open Space Requirements.

D. Block Design and Street Layout.

1. Street Configuration. Refer to II.1.E for General Block, Lot, and Street Design Requirements.
 - a. Refer to Table 3.A-1 for specific Block and street layout requirements, including maximum Block size, minimum number of intersections per square mile of Developable Area, minimum miles of Street Centerlines per square mile of Developable Area, and minimum number of Access Points per Open Boundary.
 - b. Residential Districts Block Size Exception. If a mid-Block Pedestrianway is provided, Block Length may be increased to fourteen hundred (1,400) feet.
2. Street Types. Permitted Street Types and their requirements are designated on Table 3.A-1. Refer to II.8 Street Type Standards for more information.
 - a. Connectors. Connectors shall not constitute more than ten (10) percent of the linear miles of Street Centerlines.
 - b. Boulevards and Avenues. Boulevards and Avenues may be used only for streets designated as future streets on the Street Type Map in this section.

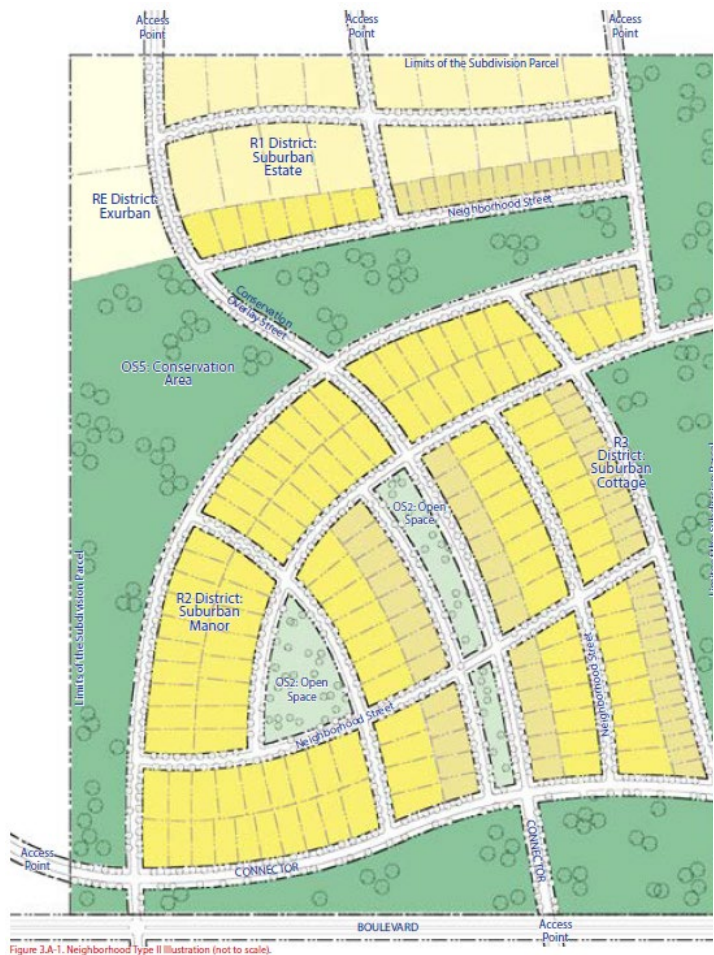


Figure 3A-1. Neighborhood Type II Illustration (not to scale).

	Type II		R1-primary option any sized Developable Area
	less than 15 Acres of Developable Area	15 Acres or more of Developable Area	
Commercial Minimum Requirements minimum Gross Building Area (in sf) of permitted commercial and office districts	none permitted	none permitted	none permitted
Commercial Maximum Limitations maximum Gross Building Area (in sf) of permitted commercial and office districts	none permitted	none permitted	none permitted
Minimum Residential Mix Requirements minimum 10 Dwelling Units of minimum number of different permitted residential districts	no minimum	at least 2 Districts	no minimum
Mixed Use/Commercial, Office & Institutional Districts	NC District: Neighborhood Mixed Use/Commercial		
	C1 District: Community Mixed Use/Commercial		
	C2 District: Regional Mixed Use/Commercial		
	NO District: Neighborhood Office NO & O Districts maximum 50% of total commercial space		
	O District: General Office NO & O Districts maximum 50% of total commercial space		
	P District: Institutional		
Residential Districts	R7 District: Multifamily Building		
	R6 District: Attached House		
	R5 District: Urban Manor		
	R4 District: Urban Estate		
	R3 District: Suburban Cottage	●	● no more than 50% of all residential Lots, with exception per II.3.B
	R2 District: Suburban Manor	●	●
	R1 District: Suburban Estate	● at least 20% of all residential Lots must be this district	● at least 20% of all residential Lots must be this district ●
	RE District: Ex-Urban		● (no more than 10% of all residential Lots) ● (no more than 10% of all residential Lots)
	AG District: Rural Single Family, Agriculture		

Table 3A-1. Neighborhood Type II Requirements.

Table Key
● Permitted

Illustration Key

NC: Neighborhood Commercial	RE: Ex-Urban
C1: Community Commercial	R1: Suburban Estate
C2: Regional Commercial	R2: Suburban Manor
NO: Neighborhood Office	R3: Suburban Cottage
O: Community Office	R4: Urban Estate
OS1: Neighborhood Civic Space	R5: Urban Manor
OS2: Neighborhood Open Space	R6: Attached
OS3: General Open Space	R7: Multifamily
OS4: Outdoor Recreation	
OS5: Conservation Area	

		Type II	
		Less than 15 Acres of Developable Area	15 Acres or more of Developable Area
Neighborhood Scale Open Space Requirements	Residential: Neighborhood Scale Open Space Requirement	One permitted Open Space District (OS) required within 1/6 mile of each residential unit.	
	Non-Residential: Neighborhood Scale Open Space Requirement	not applicable	
Permitted Open Space Districts	OS5 District: Conservation	● (Required for Conservation Areas, Streamside Management Buffers, and Scenic Corridor Buffers only. Refer to III.1.D(5)(e))	
	OS4 District: Outdoor Recreation	●	●
	OS3 District: General Open Space	●	●
	OS2 District: Neighborhood Open Space	●	●
	OS1 District: Neighborhood Civic Space		
Street Configuration	Cul-de-sacs (refer to II.8.Q)	maximum 10 per Developable Square Mile	
	Intersections Minimum Number per Developable Square Mile	130; minimum 100 if R-1 Districts utilized	
	Street Centerlines (miles) Minimum Number per Developable Square Mile	20	
	Access Points Minimum Number per Open Boundary	minimum 2 total and 1 per every 1500' of Open Boundary	
	Commercial Maximum Block Size (in feet)	not applicable	
	Commercial Through-Block Pedestrianway Requirement	not applicable	
	Residential Maximum Block Area size (in feet) (no maximum Block size for R-1 or AG District Blocks)	350' deep by 900' long (see exception II.3.E)	
Street Types	Street Type: Alley	permitted per Building Type (refer to III.3)	
	Street Type: Boulevard		
	Street Type: Urban Avenue		
	Street Type: Rural Avenue		
	Street Type: Urban Connector	●	
	Street Type: Rural Connector	●	
	Street Type: Urban Neighborhood Street	●	
	Street Type: Rural Neighborhood Street	●	
	Conservation Street Overlay	permitted on all Street Types (refer to II.8)	

Table Key

● Permitted

Table 3.A-1. (continued) Neighborhood Type II Requirements.

ANALYSIS:

The main difference in the Neighborhood Types is the Zoning Mix. Type VI allows greater density (smaller lots), including townhomes. The style of development required by the Neighborhood Type is not consistent with the Scenic Corridor requirements nor the existing development along Memphis Arlington. The change to Type II would be more consistent with the Scenic Corridor requirements and the development along the same portion of Memphis Arlington.

PROPOSED (EXAMPLE) MOTIONS:

1. To approve the Neighborhood Type change at 9905 Memphis Arlington Road with the following conditions:
 - a. Commission's discussion.
2. To approve the Neighborhood Type change at 9905 Memphis Arlington Road without conditions.
3. To deny the Neighborhood Type change at 9905 Memphis Arlington Road based on:
 - a. Or another reason for denial.

February 8, 2021

File 1468-00

Mr. Richard Donovan
Planning Director
City of Lakeland
10001 US Highway 70
Lakeland, Tennessee 38002

RE: Rezoning of 7.46 Acres located at 9905 Memphis Arlington Road

Dear Mr. Donovan,

On behalf of the Ms. Denise Howard we are requesting an amendment to the Lakeland Zoning Map for a parcel of land located at 9905 Memphis Arlington Road, near the intersection of Memphis Arlington Road and Seed Tick Road. The original parcel was approximately 20.33 acres. At one time a total of 2 acres was quit claimed to Jeff and Denise Howard (9885 Memphis Arlington Road), then a total of 10.87 acres at the rear of the property was sold to a different party. At this time there is a total of 7.46 acres remaining. The remaining 7.46 acres are currently zoned AG Agriculture. **Our client would like to have the zoning changed to RE (Exurban) and change the neighborhood type to Type 1.** According the Lakeland Maps, a portion of this property is Neighborhood Type IV and a portion is Neighborhood Type II.

I have attached a proposed Plat that will be submitted in the future to subdivide the remaining 7.46 acres.

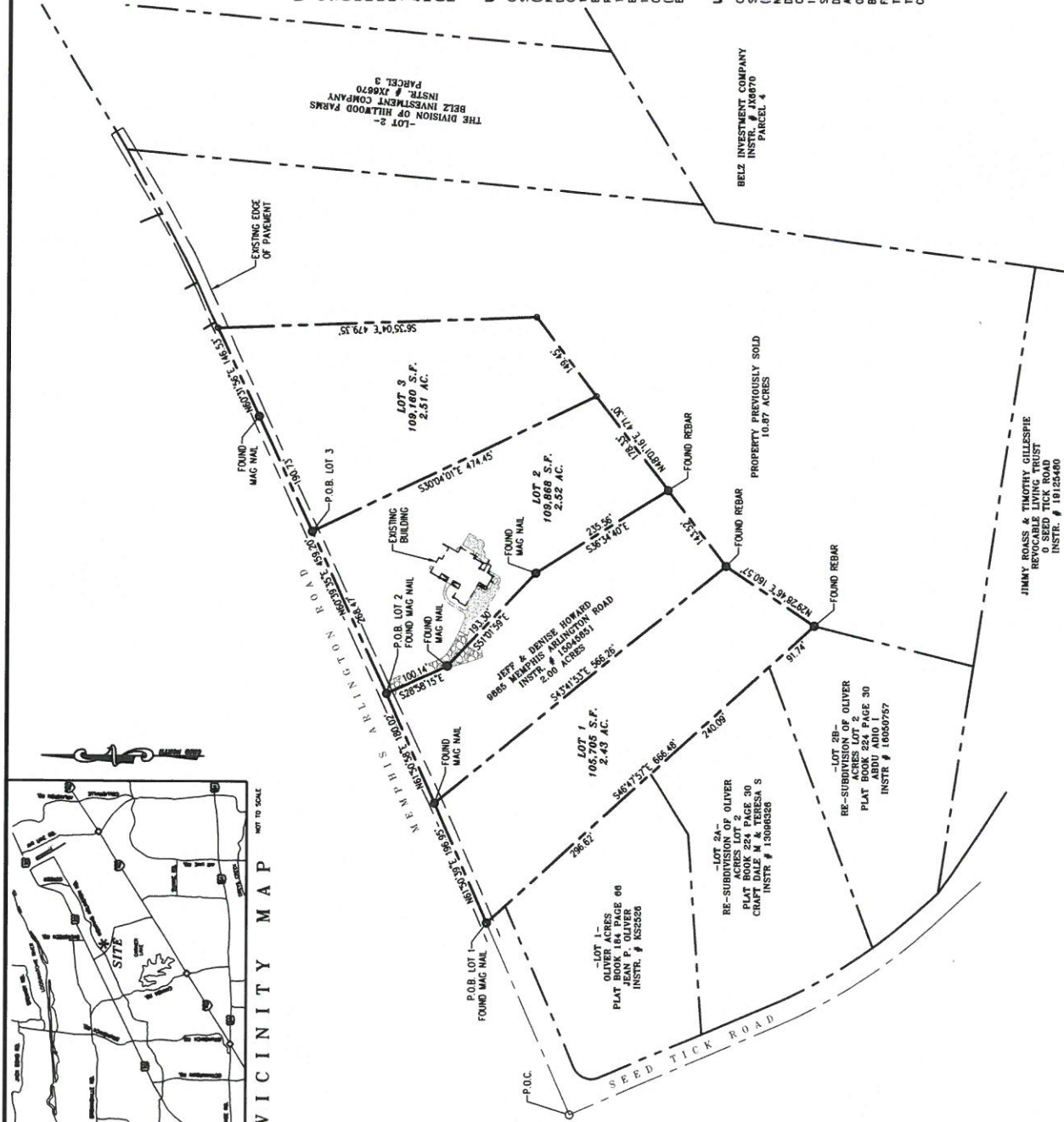
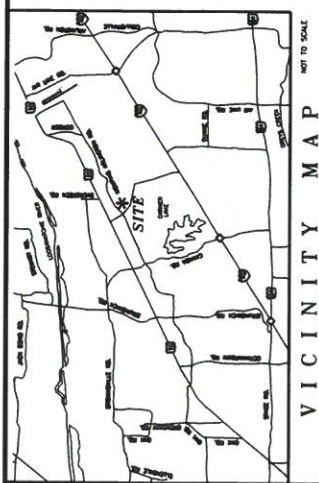
To the best of our knowledge we believe that this rezoning does not adversely affect the adjoining landowner's, nor does the owner or any group of landowner's profit from the zoning change to the detriment of the general public.

With this letter we are transmitting the requirements per the City of Lakeland's Rezoning Application.

Respectfully,



Kyle Ham, E.I.
Project Engineer



LEGAL DESCRIPTION OF LOT 1:

COMMENCING AT A POINT (P.O.C.) BEING THE INTERSECTION OF THE CENTERLINE OF SEED TICK ROAD (66' R.O.W.) AND THE CENTERLINE OF MEMPHIS ARLINGTON ROAD (R.O.W. VARE); THENCE N61°56'37"E A DISTANCE OF 315.27 FEET TO A FOUND MAG NAIL, SAID POINT BEING THE POINT OF BEGINNING (P.O.B.); THENCE S46°47'57"E A DISTANCE OF 666.48 FEET TO THE SOUTHWEST CORNER OF LOT 1, PASSING THE SOUTH LINE OF LOT 1 OF THE OLIVER ACRES SUBDIVISION AS RECORDED IN PLAT BOOK 184 PAGE 66; THENCE N07°28'06"E A DISTANCE OF 160.57 FEET TO A FOUND IRON PIN; THENCE S88°01'00"E A DISTANCE OF 160.57 FEET TO THE SOUTHWEST CORNER OF THE JEFF & BETTY HOWARD PROPERTY AS RECORDED IN INSTRUMENT #15045851; THENCE S01°50'39"W A DISTANCE OF 196.95 FEET TO THE POINT OF BEGINNING, CONTAINING 105,705 SQUARE FEET OR 2.43 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF LOT 2:

COMMENCING AT A POINT (P.O.C.) BEING THE INTERSECTION OF THE CENTERLINE OF SEED TICK ROAD (66' R.O.W.) AND THE CENTERLINE OF MEMPHIS ARLINGTON ROAD (R.O.W. VARE); THENCE N61°56'37"E A DISTANCE OF 315.27 FEET TO A FOUND MAG NAIL, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1; THENCE N61°50'39"E A DISTANCE OF 196.95 FEET TO A FOUND MAG NAIL, SAID POINT BEING THE NORTHWEST CORNER OF THE JEFF & BETTY HOWARD PROPERTY AS RECORDED IN INSTRUMENT #15045851; THENCE S01°50'39"W A DISTANCE OF 100.02 FEET TO THE POINT OF BEGINNING, CONTAINING 109,868 SQUARE FEET OR 2.52 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF LOT 3:

COMMENCING AT A POINT (P.O.C.) BEING THE INTERSECTION OF THE CENTERLINE OF SEED TICK ROAD (66' R.O.W.) AND THE CENTERLINE OF MEMPHIS ARLINGTON ROAD (R.O.W. VARE); THENCE N61°56'37"E A DISTANCE OF 315.27 FEET TO A FOUND MAG NAIL, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1; THENCE N61°50'39"E A DISTANCE OF 196.95 FEET TO A FOUND MAG NAIL, SAID POINT BEING THE NORTHWEST CORNER OF THE JEFF & BETTY HOWARD PROPERTY AS RECORDED IN INSTRUMENT #15045851; THENCE S01°50'39"W A DISTANCE OF 100.02 FEET TO A FOUND MAG NAIL, SAID POINT BEING THE NORTHWEST CORNER OF LOT 2; THENCE S47°04'07"E A DISTANCE OF 288.47 FEET TO THE POINT OF BEGINNING (P.O.B.); THENCE S37°04'07"E A DISTANCE OF 474.45 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 3; THENCE N40°10'16"E A DISTANCE OF 149.45 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 3; THENCE N61°50'39"E A DISTANCE OF 479.35 FEET TO A POINT ON THE CENTERLINE OF MEMPHIS ARLINGTON ROAD (R.O.W. VARE); THENCE S00°31'36"W A DISTANCE OF 146.53 FEET TO A FOUND COTTON SPINDLE; THENCE S00°39'35"W A DISTANCE OF 190.73 FEET TO THE POINT OF BEGINNING, CONTAINING 108,180 SQUARE FEET OR 2.51 ACRES MORE OR LESS.

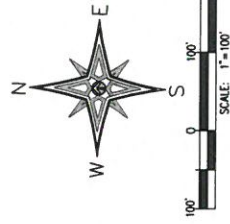
FINAL PLAT

HOWARD PROPERTY

(SUBDIVISION OF PARCELS RECORDED IN INSTRUMENT #14113602)

LAKELAND, TENNESSEE

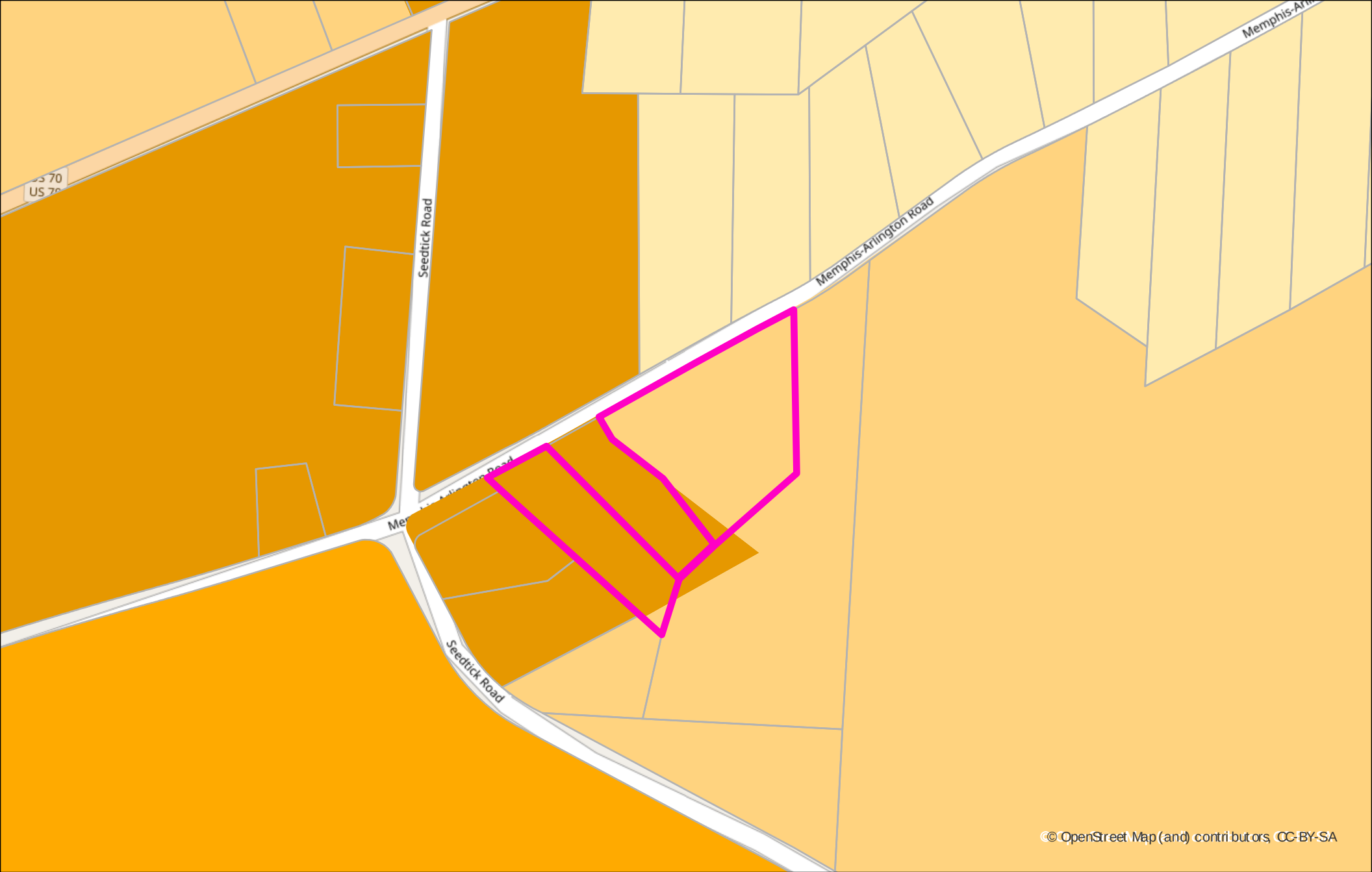
DATE: 01/20/21
OWNER/DEVELOPER:
EUGENE & BETTY HOWARD
9905 MEMPHIS ARLINGTON ROAD
LAKELAND, TN 38002



Ledford
Engineering • Planning • Architecture
5567 Commander Drive, Suite 105, Arlington, TN 38002
phone: 901.867.5220 fax: 901.867.5331

TOTAL LOTS: 3
ZONED: R-2
SCALE: 1"=100'
SHEET 1 OF 2

LEPA JOB: 1468-00



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Legend

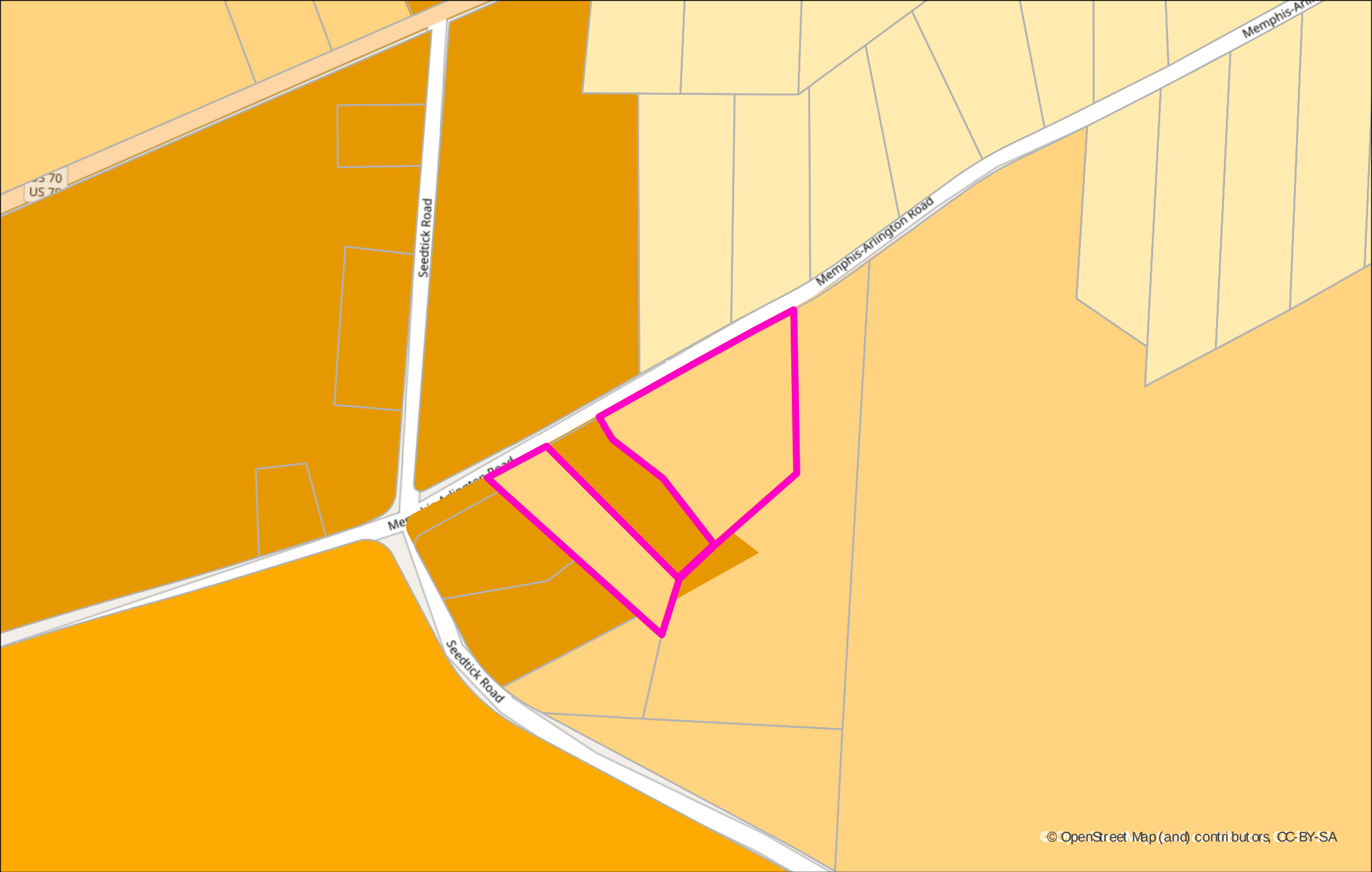
- Howard Property
- Parcel

Neighborhood Type

- Type I
- Type II
- Type III
- Type IV
- Type V

Current Neighborhood Type
9905 Memphis Arlington Road





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Legend

- Howard Property
- Parcel

Neighborhood Type

- Type I
- Type II
- Type III
- Type IV
- Type V

Proposed Neighborhood Type
9905 Memphis Arlington Road



Meeting Cycle: Wednesday, March 24, 2021

Subject: Action on a recommendation to the Board of Commissioners to amend the Official Zoning Map to rezone property from AG to RE located at 9905 Memphis Arlington Road.

Staff Contact: Richard Donovan, Planning Director

STAFF RECOMMENDATION

Staff recommends approval based on compliance with the Comprehensive Plan and Land Development Regulations.

Staff may update this recommendation depending on MPC's decision on the Neighborhood Type Amendment proposed for this site.

DISCUSSION

LOCATION:	9905 Memphis Arlington Road
PARCEL ID:	Part of L0150 00482
ZONING:	A (Agriculture) to RE (Exurban)
NEIGHBORHOOD TYPE:	Type II and IV (Pending Amendment)
AREA:	7.46 Acres
OWNER:	Eugene and Betty Howard
APPLICANT:	Denise Howard
REPRESENTATIVE:	Kyle Ham, Ledford Engineering, Planning, and Architecture

LAND USE PLAN:

Lakeland's Comprehensive Land Use Plan Update, adopted March of 2006, recommends "Suburban Neighborhood" and "Conservation Overlay" for the property.

"Suburban Neighborhood" is defined as *"Primarily single-family residential lots with a maximum density of 2.5 dwelling units per acre, but may contain religious facilities, schools, and public buildings. Development requires public water and sanitary sewer service. Streets shall be designed with an urban cross section"*.

"Conservation Overlay" is defined as *"Primarily Planned Developments containing single-family residential lots that require conservation development practices in the design and preservation of natural resources. Areas shall contain substantial passive open space and possibly some limited active open space. Development requires public water and sanitary sewer service."*

Streets may be designed with a rural or urban cross-section as approved by the Municipal Planning Commission and Board of Commissioners.”

UTILITIES:

The property at 9905 Memphis Arlington Road does not currently have access to sewer. The nearest sewer is a 12 line at 10120 Memphis Arlington Road, approximately 0.41 miles away. The Exurban zoning district does allow for the development of property with the use of septic systems.

ALLOWANCES IN LDRs:

Below are two excerpts from the LDRs for the RE zoning district. The first excerpt is the definition of the RE district. The second excerpt is the setback and other bulk requirements of the district.

- a. RE: ExUrban District. RE allows for the large Lot residential development. It permits the construction of the Exurban and Civic Building Types. These areas may be served by a rural level of municipal services (public water and sewer are not required if conditions are met).

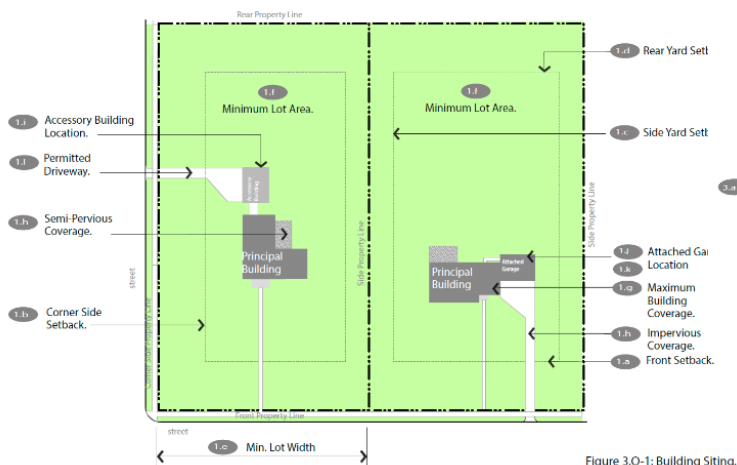


Figure 3.O-1: Building Siting

1. Building Siting. (Refer to Figure 3.O-1)

Street Frontage.

- 1.a Front building Facade shall be set back a minimum of fifty (50) feet from the Front Property Line.
- 1.b Corner side building Facade shall be set back a minimum of fifty (50) feet from the Corner Side Property Line.

Side & Rear Yard Setbacks.

- 1.c Side Yard Setback shall be a minimum of twenty-



five (25) feet.

- 1.d Rear Yard Setback shall be a minimum of fifty (50) feet.

Buildable Area.

- 1.e Minimum Lot Width is one hundred fifty (150) feet.
- 1.f Minimum Lot Area is 87,120 square feet (two acres).
- 1.g Maximum Building Coverage shall be six (6) percent of the Lot Area.
- 1.h Maximum Impervious Site Coverage shall be ten (10) percent of Lot Area and an additional five (5) percent of the site may be Semi-Pervious.

Parking & Accessory Buildings (Refer to III.2.Q(2)(a) Accessory Buildings).

- 1.i Surface parking and Accessory Buildings are permitted in the Corner Side, Side, and Rear Yards.
- 1.j Attached garages may be in the Front Yard, but garage doors shall be at a minimum angle of ninety (90) degrees to the Front Property Line.

- 1.k Attached garages with garage doors parallel to the Front Property Line are permitted on the front Facade with the following conditions.
 - (1) Attached garage Facade shall be located a minimum of fifteen (15) feet behind the front Facade.
 - (2) Attached garage Facade shall not occupy a space larger than thirty (30) percent of the building's total front Facade.
 - (3) A porte-cochere is permitted on the front Facade when a Drop-Off Drive is utilized.

Driveways & Access.

- 1.l Access is permitted from a driveway; up to one (1) permitted per Lot.
 - (1) One (1) additional driveway is permitted if a Drop-Off Drive is developed. Refer to III.6.G(3)
 - (d) Drop-Off Drive.

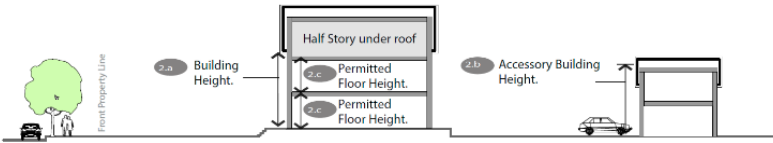


Figure 3.O-2: Height and Use Requirements

2. Height & Use Requirements. (Refer to Figure 3.O-2)
Building & Floor Heights. (See III.3.E Measuring Height)

- 2.a Principal Building height shall be a minimum of one (1) story and a maximum of three (3) stories with a maximum height in feet of forty-two (42) feet.
- 2.b Accessory Building height shall be a maximum of two (2) stories; Accessory Building height shall not exceed the height of the Principal Building.
- 2.c Permitted floor height is a minimum of eight (8) feet, maximum of fourteen (14) feet.

Uses. Refer to III.2 Uses for specific Use information.
 Figure 3.O-3: Façade Requirements

3. Residential Façade Requirements. (Refer to Figure 3.O-3)

Transparency. (See III.3.F Measuring Transparency)

- 3.a A minimum of ten (10) percent of the front Facade shall have transparent, non-reflective windows.

Building Entrance.

- 3.b The primary entrance shall be on the front or corner side Facade. Entrances at the corner of the building satisfy this requirement.

Permitted Cap & Base Types. (See III.3.C-D)

- 3.c Permitted Cap Types are parapet, pitched roof, and tower.
- 3.d Permitted Base Types are stoop and porch.

Building Materials. Refer to III.3.A(5) for Building Materials requirements.

POTENTIAL HOUSING COUNT:

Below are potential lot counts based on the requirements of the LDRs. The calculations below estimate the number of lots allowed based on the allowances in the RE district. Staff has provided this as a rough estimate of what the property is likely to yield in terms of the number of lots. Staff has not done a layout on the property.

Lot size	105,705 sf	219,028 sf
Min Lot size	87,120 sf	87,120 sf
Lot Count	1.21	2.51
Estimated Total Lot Count	3 lots	

ANALYSIS:

The parcel under consideration has one structure on a lot larger than 5 acres and is classifies as a Type II and IV neighborhood (pending amendment). The zoning of surrounding properties is generally AG (Agriculture) except to the west, and those properties are zoned RE (Exurban). Lakeland Commons also is just to the west of the Seed Tick and Memphis Arlington intersection.

The applicant seeks to rezone the property to RE, which meets the Land Use Plan's intent for less than 2.5 units an acre. The Comprehensive Plan requires sewer with the Suburban Neighborhood and Conservation Overlay areas; however, the LDRs allow development on

septic for lots greater than 2 acres. The intent of the sewer requirement is to provide service to lots that cannot provide on-site sewage treatment. The concept shows three two-acre lots that are more consistent with the development along Memphis Arlington Road and at the intersection with Seed Tick.

PROPOSED (EXAMPLE) MOTIONS:

1. To recommend approval of the rezoning at 9905 Memphis Arlington Road with the following conditions:
 - a. Commission's discussion.
2. To recommend approval of the rezoning at 9905 Memphis Arlington Road without conditions.
3. To recommend denial of the rezoning at 9905 Memphis Arlington Road based on:
 - a. Or another reason for denial.



CITY OF LAKE LAND

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

Case No. _____ Parcel ID# _____ Date of Application 01/22/2021

Name of Applicant Ledford Engineering, Planning, & Architecture, LLC.

Address 5567 Commander Drive, Suite 105, Arlington, TN 38002

Daytime Telephone Number 901-867-5220 Email Address kyle@ledforddep.com

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

Name Denise Howard (Power of Attorney)

Address 9885 Memphis Arlington Road, Lakeland, TN 38002

Daytime Telephone Number _____ Email Address _____

Amendment to Zoning Map

Site Location: 9905 Memphis Arlington Road Present Use Vacant Land

Site Acreage 7.46 Acres Proposed Use(s) Single Family Residential

Present Zoning District (AG) Agriculture Requested Zoning District (RE) Exurban

Reason for Rezoning: Owners are preparing to subdivide and sell portion of property for single family homes.

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.

Applicants Signature

Denise Howard

Property Owners Signature (if different from applicant)

01/22/2021

Date

1/22/21

Date

CITY OF LAKE LAND
10001 US Highway 70
Lakeland, TN 38002

REVIEW AND RECOMMENDATION OF THE PLANNING COMMISSION

The Planning Commission shall review and make a recommendation to the Board of Commissioners on all proposed amendments to the Zoning Ordinance and Official Zoning Map. No change in or departure from the text or map, as certified by the Planning Commission, shall be made unless such change or departure is first submitted to the Planning Commission for a recommendation of approval and if recommended for disapproval by the Planning Commission, receive the favorable vote of a majority of the entire membership of the Board of Commissioners. During consideration by the Planning Commission, a public hearing will be held to facilitate public comment. Changes in zoning classification and text amendments are approved by Ordinance by the Board of Commissioners and require two (2) separate readings of an Ordinance and a public hearing.

GROUND S FOR AMENDMENT

Eligible Applicant: An owner may apply for Rezoning provided that a Preapplication Conference (I.4.A) was completed within the six (6) months prior to application. The Code Administrator or the MPC, on behalf of any City department or the BOC, may also make an application.

ZONING AMENDMENT APPLICATION SUBMISSION CHECKLIST

This application shall be accompanied by maps, drawings and other supportive information necessary to demonstrate that the proposed amendment is in general conformance with the Land Use Plan of the area and that public necessity, convenience, and general welfare require the adoption of the proposed amendment. Specifically, the application shall contain, at a minimum, the following information:

	For Office Use Only
The Applicant shall submit the following to the Code Administrator to constitute a Complete Application. a. Application Form and Fee. If the Applicant is not the City, an application shall be completed and fees paid. The application, fee list, MPC meeting schedule, and submission deadline can be obtained at City Hall. b. Digital and Paper. All Plats and plans shall be submitted in both digital and paper format. c. Rezoning Plan Requirements. (1) A Plat of survey with metes and bounds legal description and property identification number. (2) The plan shall be at a scale of one (1) inch equal to or less than two hundred (200) feet and shall include the date and north arrow, as well as the following information: (a) Present and proposed zoning designation and proposed Use of each Parcel in question. (b) The recommended land Use classification contained in the adopted Land Use Plan of the City. (c) Map of proposed Building and Open Space Types (refer to III.3-4), Conservation Area (refer III.8), Streamside Buffers (refer to III.12) per Lot. (d) Additional Requirements. Applicant shall provide the following unless determined unnecessary by the Code Administrator. (1) Traffic Impact Study (refer to IV.2). (2) Vicinity Map. A vicinity map showing the subject property and all other Parcels, buildings, structures, Rights-of-Way, and Zoning Districts within one thousand (1,000) feet of the outer boundary of the Parcel under consideration. (3) When in conjunction with Preliminary Plat, all submittals for Preliminary Plat are required.	



Sheldandra Y. Ford
Shelby County Register of Deeds

Owner: HOWARD EUGENE SR & BETTY J

Owner:

Parcel Address: 9905 MEMPHIS ARLINGTON RD

Parcel ID: L0150 00482

2020 Appraisal: \$679,900

Tax District: LAKE LAND

Year Built: 2006

Lot Number:

Subdivision:

Plat BK & PG: UNKNOWN

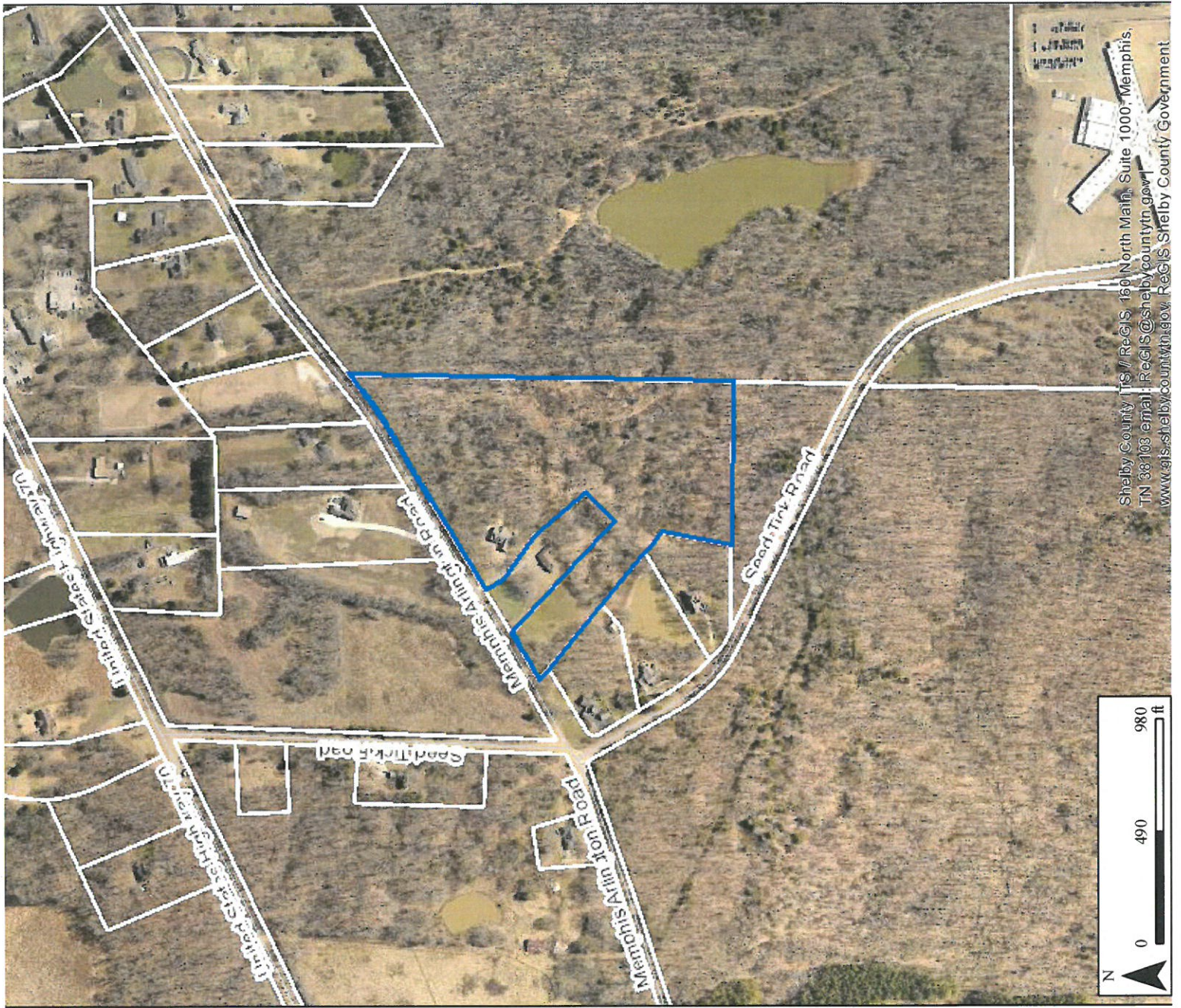
Dimensions:

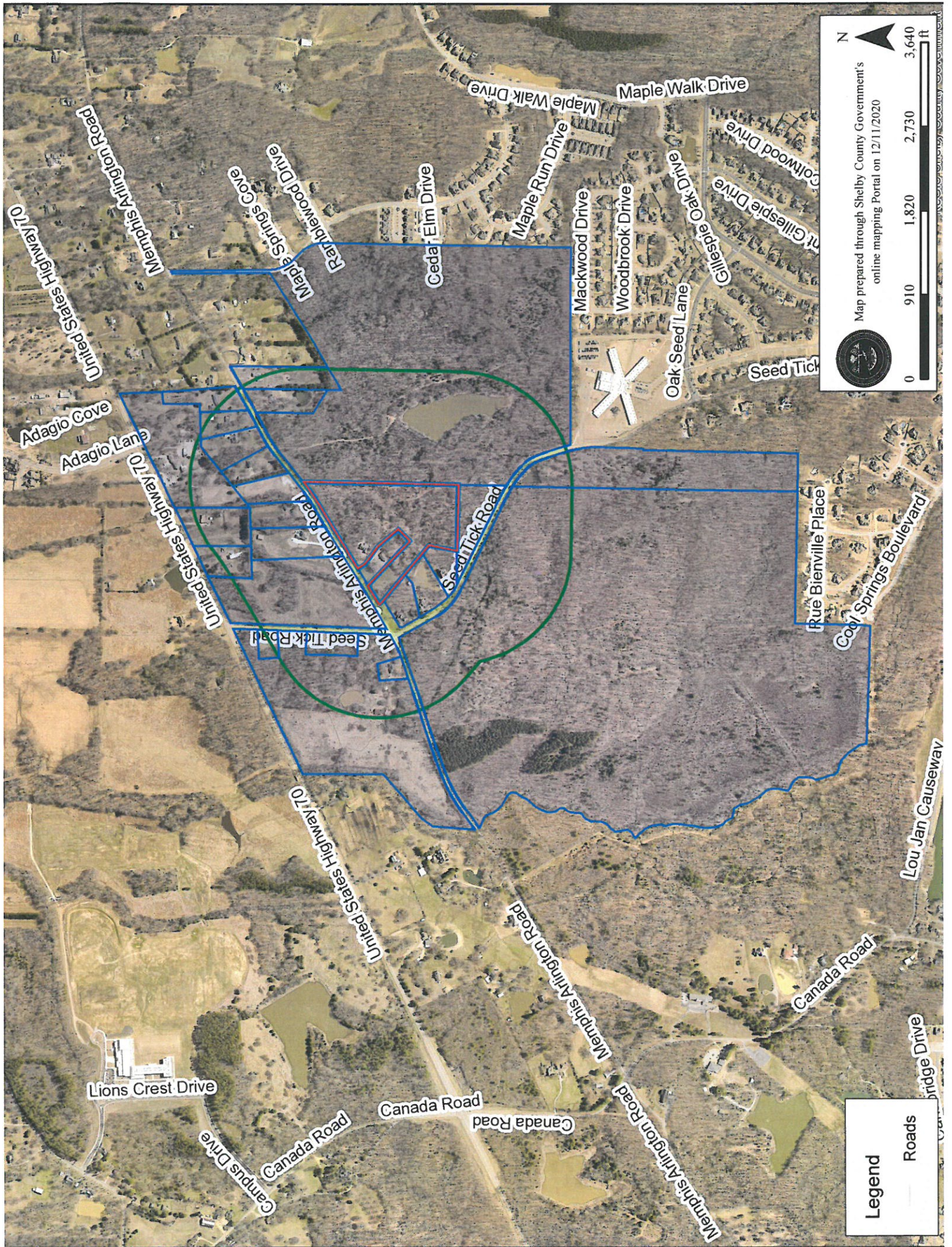
Total Acres: 18.33

Owner Address: 9905 MEMPHIS ARLINGTON RD

LAKE LAND TN

38002 4641





Map prepared through Shelby County Government's
online mapping Portal on 12/11/2020

0 910 1,820 2,730 3,640 ft

Legend

— Roads

BELZ INVESTCO GP
PO BOX 3661
MEMPHIS TN 38173

HAMILTON LAWRENCE S SR AND JOAN E
3911 WINDOLYN CIR
BARTLETT TN 38133

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

BROCK MYRA A R
9889 HIGHWAY 70
ARLINGTON TN 38002

THIE MATTHEW A
3933 POTTER WOODS CV S
ARLINGTON TN 38002

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

SAGE JERRY W & GEORGIA A
10036 MEMPHIS ARLINGTON RD
ARLINGTON TN 38002

ABDU ADIO I
4746 SEED TICK RD
LAKELAND TN 38002

LAKELAND COMMONS LP
6075 POPLAR AVE #630
MEMPHIS TN 38119

HAWKINS BRIAN & TERESA
9920 MEMPHIS ARLINGTON RD
LAKELAND TN 38002

CLANTON JAMES N & LINDA S
9996 MEMPHIS ARLINGTON RD
LAKELAND TN 38002

TWIN OAKS PLAZA NO 3 LLC
PO BOX 123
ELLENDALE TN 38029

LAKELAND CITY OF
10001 HIGHWAY 70
LAKELAND TN 38002

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

HAWKINS GERALDINE
10050 MEMPHIS ARLINGTON RD
LAKELAND TN 38002

SIMPSON MICHAEL D
10063 MEMPHIS ARLINGTON RD
ARLINGTON TN 38002

LAKELAND CITY OF
10001 HIGHWAY 70
LAKELAND TN 38002

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

DE KONING MARGARET H & ROELAND
9950 MEMPHIS ARLINGTON RD
LAKELAND TN 38002

COFIE DANIEL Q & SUSAN HAIZEL-COFIE
9016 ANDERTON SPRINGS DR
MEMPHIS TN 38133

MYERS TAYLOR C
10059 MEMPHIS ARLINGTON RD
ARLINGTON TN 38002

HAMILTON LAWRENCE S SR AND JOAN E
3911 WINDOLYN CIR S
BARTLETT TN 38133

OLIVER JEAN P
9853 MEMPHIS ARLINGTON RD
LAKELAND TN 38002

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

JONES JANIE C LIVING TRUST
10018 MEMPHIS ARLINGTON RD
ARLINGTON TN 38002

LAKELAND COMMONS LP
6075 POPLAR AVE #630
MEMPHIS TN 38119



Tom Leatherwood

Shelby County Register

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.

	
03105170	
05/30/2003 - 12:11 PM	
3 PGS : R - WARRANTY DEED	
BUDDY 138752-3105170	
VALUE	373900.00
MORTGAGE TAX	0.00
TRANSFER TAX	1383.43
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	1401.43
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

THIS INSTRUMENT PREPARED BY:
THE SCHNEIDER LAW FIRM
6363 Poplar, Suite 101
Memphis TN 38119
SLF File Number: 03-2343

RETURN TO:
SHAW & PORTEOUS, P.C.
6075 POPLAR AVENUE
SUITE 420
MEMPHIS, TN 38119

WARRANTY DEED

THIS INDENTURE IS made and entered into this the 15th day of May, 2003, by and between **GILBERT L. RIVERA and wife, BEVERLE J. RIVERA**, party of the first part, and **EUGENE HOWARD, SR.**, party of the second part.

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00) cash in hand paid and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part has bargained and sold and does hereby bargain, sell, convey, and confirm unto the party of the second part the following described real estate, situated in Shelby County, Tennessee:

Lot 1, HILLWOOD FARMS Subdivision and the RIVERA 22.02 acre tract, formerly the WILLIAM BARMER and JEAN BARMER 22.02 acres in the SUSIE CANADA 101.92 acres in the RICHARD JONES 177.75 acre Entry #203 and in the THOMAS WORTHAM 200 acre Entry #111, located in Lakeland, Shelby County, Tennessee, and being more particularly described as follows:

BEGINNING at a found iron pipe in the northeasterly corner of the 4.60 acre tract conveyed to GARY & DIANE DIXON (Y7 0706), formerly the W.L. JONES 152 acres, being the southeasterly corner of the tract herein conveyed, and being in the westerly line of the 61.80 acre tract conveyed to BELZ INVESTCO L.P. (AW 5946) formerly the tract conveyed to HAGGARD by Deed of Record in Book 5437, Page 84, in the Register's Office of Shelby County, Tennessee; thence proceed South 86 degrees 43 minutes 12 seconds West, along DIXON'S northerly line, a distance of 607.72 feet to a found iron pin, said point being the southeasterly corner of the 7.0 acre tract conveyed to JEAN P. OLIVER, ALBERT L. and MARION O. CARSON by Deed of Record in Instrument # JT 8781; thence proceed North 02 degrees 02 minutes 28 seconds East, along OLIVER and CARSON'S easterly line, a distance of 247.50 feet to a found iron pin; thence proceed North 54 degrees 08 minutes 53 seconds West, continuing along said OLIVER and CARSON'S easterly line, a distance of 666.48 feet to a found P.K. nail in the centerline of the Memphis-Arlington Road, said point being 315.33 feet eastwardly of the intersection of the centerline of Memphis-Arlington Road and the centerline of Seed Tick Road; thence proceed northeastwardly along said centerline of the Memphis-Arlington road the following courses: North 54 degrees 31 minutes 15 seconds East, a distance of 376.85 feet; North 53 degrees 17 minutes 38 seconds East a distance of 508.81 feet; North 53 degrees 07 minutes 06 seconds East, a distance of 212.31 feet; North 49 degrees 21 minutes 19 seconds East, a distance of 186.27

feet to a set P.K. nail, said point being the common corner of Lot 1 and Lot 2, HILLWOOD FARMS Subdivision; thence proceed South 06 degrees 35 minutes 19 seconds East, along the line dividing Lot 1 and Lot 2, a distance of 872.47 feet to a set iron pin in the northerly line of said BELZ INVESTCO Tract; thence proceed South 46 degrees 42 minutes 38 seconds West, along said BELZ INVESTCO northerly line, a distance of 31.13 feet to a found iron pin, said point being the northwesterly corner of said BELZ INVESTCO 61.80 acres; thence proceed South 03 degrees 40 minutes 10 seconds East a distance of 208.05 feet to a found iron pin; thence proceed South 04 degrees 23 minutes 13 seconds East a distance of 279.66 feet to the point of beginning. Containing 885,574 square feet or 20.33 acres.

Being part of the property conveyed to GILBERT L. RIVERA and wife, BEVERLE J. RIVERA, by Warranty Deeds recorded in Book 5524, Page 41, and the same property conveyed to GILBERTO L. RIVERA and wife, BEVERLE JUNE REIVERA under Instrument Number M1 2858, in the above Register's Office. GILBERT L. RIVERA covenants and warrants that he is one and the same as GILBERTO L. RIVERA, and BEVERLE J. RIVERA covenants and warrants that she is one and the same as BEVERLE JUNE RIVERA.

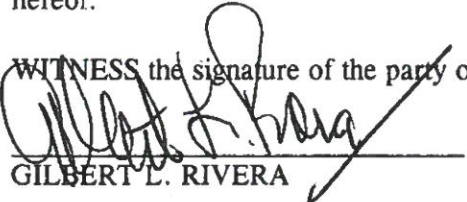
This conveyance is made subject to 2003 County and City of Lakeland taxes, not yet due and payable, which the party of the second part assumes and agrees to pay; and easements recorded in Book 1918, Page 241, Book 3177, Page 284, and in Book 6006, Page 140; and deed restrictions recorded under Instrument Numbers L7 9378 and M1 2858, all recorded in the above Register's Office; and any part underlying Memphis-Arlington Road. This conveyance is made subject to all Rollback taxes, which the party of the first part covenants and warrants it will pay prior to the delinquency date.

TO HAVE AND TO HOLD the above described real estate, together with all of the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the party of the second part, its heirs, successors and assigns in fee simple forever.

The party of the first part does hereby covenant with the party of the second part that it is lawfully seized in fee of the above described real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except as described above; and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if it refers to more than one person or entity, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the party of the first part as of the day and year first above written.


GILBERT L. RIVERA

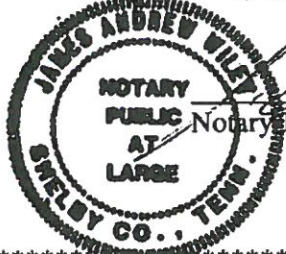

BEVERLE J. RIVERA

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 15th day of May, 2003, before me, the undersigned Notary Public, personally appeared GILBERT L. RIVERA and BEVERLE J. RIVERA, to me known (or proved to me on the basis of satisfactory evidence) to be the person(s) described in and who executed the foregoing instrument, and who acknowledged that they executed the same as their free act and deed.

WITNESS my hand and Notarial Seal at office this 15th day of May, 2003.

My Commission Expires: ~~6/23/2004~~
5/16/06



I hereby swear or affirm that, to the best of affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is **\$373,900.00** which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

Deirdre R. Berry
Affiant

Subscribed and sworn to before me this the 14th day of May, 2003.

Linda Davis
Notary Public

My commission expires: _____

Property Address: vacant

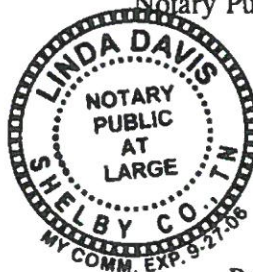
Tax I.D. Number: L01-050-00428

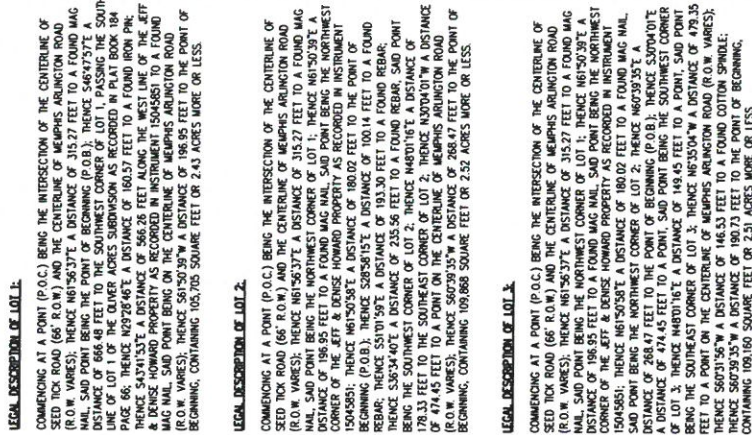
Person or agency responsible for payment of taxes:

Eugene Howard Sr
107 Walnut Bend
Cordova TN 38018

Property owner and address:

Eugene Howard Sr
107 Walnut Bend
Cordova TN 38018







Aerial
9905 Memphis Arlington Road
Rezoning
A to RE

Legend

Parcel

Subject Property

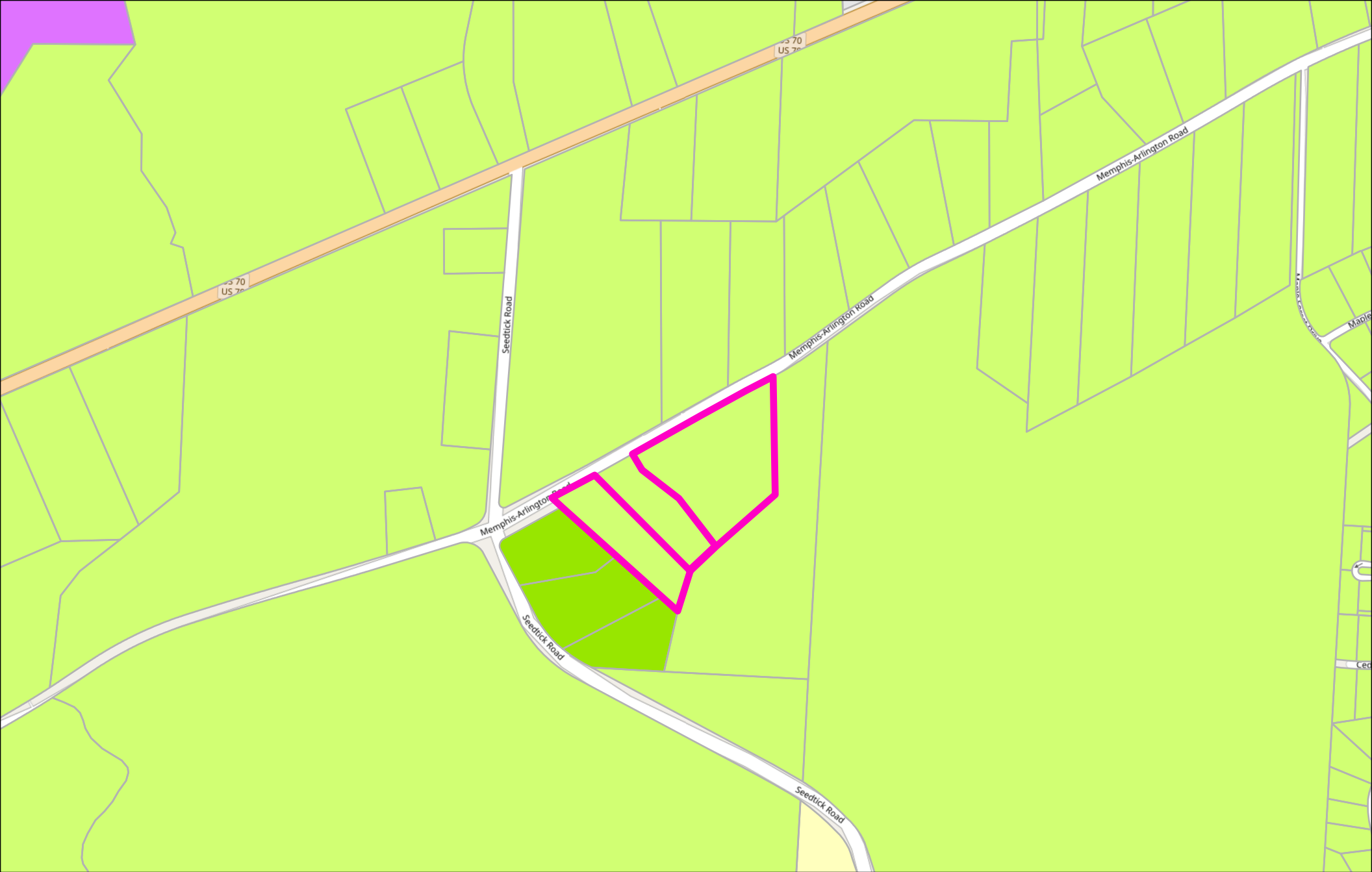
Green: Green Green: Green

Blue: Blue Blue: Blue

Image

Red: Red Red: Red





Zoning

9905 Memphis Arlington Road

Rezoning

A to RE

Legend

Parcel

Zoning District

AG: Agriculture

RE: ExUrban

R-1 (PRD): Planned Low Density Residential

R-1: Suburban Estate

R-2 (PRD): Planned Medium Density Residential

R-2: Suburban Manor

R-2A: Alternate Medium Density Residential

R-3: Suburban Cottage

R7: Multifamily

OS-2: General Open Space

OS-5: Conservation Area

P: Institutional

C-1: Neighborhood Business

C-2: General Business

ML: Light Manufacturing

Subject Property



Meeting Cycle: Wednesday, March 24, 2021

Subject: Action on approval of Fence Height Special Exception for a fence to exceed 6' in height at 9650 Green Spruce Drive.

Staff Contact: Richard Donovan, Planning Director

STAFF RECOMMENDATION

Staff recommends approval of the fence height exception due to the slope at the rear property line and the higher surrounding properties.

DISCUSSION

LOCATION: 9650 Green Spruce Drive
ZONING: R2 (Suburban Manor)
AREA: 0.37 acres (16,291.4 sq. ft.)
APPLICANT: Jason and Becky Collins

BACKGROUND:

The applicant at 9650 Green Spruce Drive was sent a courtesy notice that the fence was required to have a permit for replacement. Upon sending of that notice, staff also became aware that the fence was greater than the 6 feet allowed by the LDRs, and the applicant would need to seek DRC approval for any increase in fence height. The applicant has submitted for a fence permit and DRC review.

Below is the excerpt of the LDR regarding fence height:

- (5) On Lots with steep slopes at Property Lines, height may exceed six (6) feet up to a height that would not exceed six (6) feet above the existing Yard or house grade, but in no case, shall the height exceed ten (10) feet.
 - (a) Design Review Commission (DRC) review through the Site Plan (I.4.K) or Design Review Process (refer to I.4.Q) is required for all fences or walls exceeding six (6) feet in height because of steep slopes. Documentation justifying the additional height shall be provided, including such items as proof that a six (6) foot height fence or wall would not provide adequate privacy due to the slope.

The DRC will need to decide if the fence height is justified based on a lack of privacy. The staff has provided a couple of screenshots from Google Street of the existing fence from Green Spruce Bend. Those pictures (Figures 1 & 2) show the slope change along the rear fence and

provide a view of the back porch for the property in question. The neighboring properties are also higher than the subject property reducing privacy in the back yard. Figures 3 and 4 show the taller fence that is installed today.

Figure 1: Subject lot with the previous fence. From Green Spruce Drive and Green Spruce Bend.



Figure 2: Subject lot with the previous fence. From Rear Property Line and Green Spruce Bend.



Figure 3: Fence as installed today from Green Spruce Bend.



Figure 4: Fence as installed today from the rear property line on Green Spruce Bend.





FENCE PERMIT APPLICATION

A PERMIT FOR A FENCE WILL BE ISSUED CONTINGENT UPON REVIEW AND APPROVAL OF PLANS, SPECIFICATIONS AND DRAWINGS ATTACHED HERETO.

14-703(10) No fence shall impede or divert the flow of water through any drainage way unless, by adequate investigation by the city engineer "or designee", it can be determined that such fence will not adversely impact any property owner and will contribute to an improvement in the overall drainage system.

DATE: 02/19/2021 LOT #: _____ SUBDIVISION: Lakeland Estates

APPLICANT: _____

CO-APPLICANT: Jason Collins

APPLICANT ADDRESS: 9650 Green Spruce Dr

OWNER: Becky and Jason Collins

OWNER ADDRESS: 9650 Green Spruce Dr

PHONE: 901-570-1167

DESCRIPTION OF FENCE & MATERIALS TO BE USED

TYPE OF FENCE: ☒ WOOD ☐ WROUGHT IRON ☐ OTHER: _____

HEIGHT OF FENCE 8 Feet

CLASS OF WORK

☐ NEW ☐ ADDITION ☒ REPAIR

NOTE: All perimeter fencing or walls shall provide aesthetic values for off-site public viewing. The exterior surfaces and street sides shall be the finished side. Subdivision covenants are private in scope and may be more restrictive than City Ordinances.

APPLICANT MUST SIGN TO INDICATE UNDERSTANDING OF CONDITIONS OF PERMIT ISSUANCE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN SIX (6) MONTHS, OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF SIX (6) MONTHS AFTER CONSTRUCTION IS COMMENCED. WORK SHALL BE CONSIDERED SUSPENDED IF AN APPROVED INSPECTION HAS NOT BEEN MADE WITHIN A SIX (6) MONTH PERIOD. ISSUANCE OF PERMIT SHALL NOT BE HELD TO PERMIT OR TO BE AN APPROVAL OF THE VIOLATION OF AN CITY OR COUNTY ORDINANCE, RESOLUTION, OR STATE LAW.

Becky Collins

SIGNATURE OF OWNER/APPLICANT

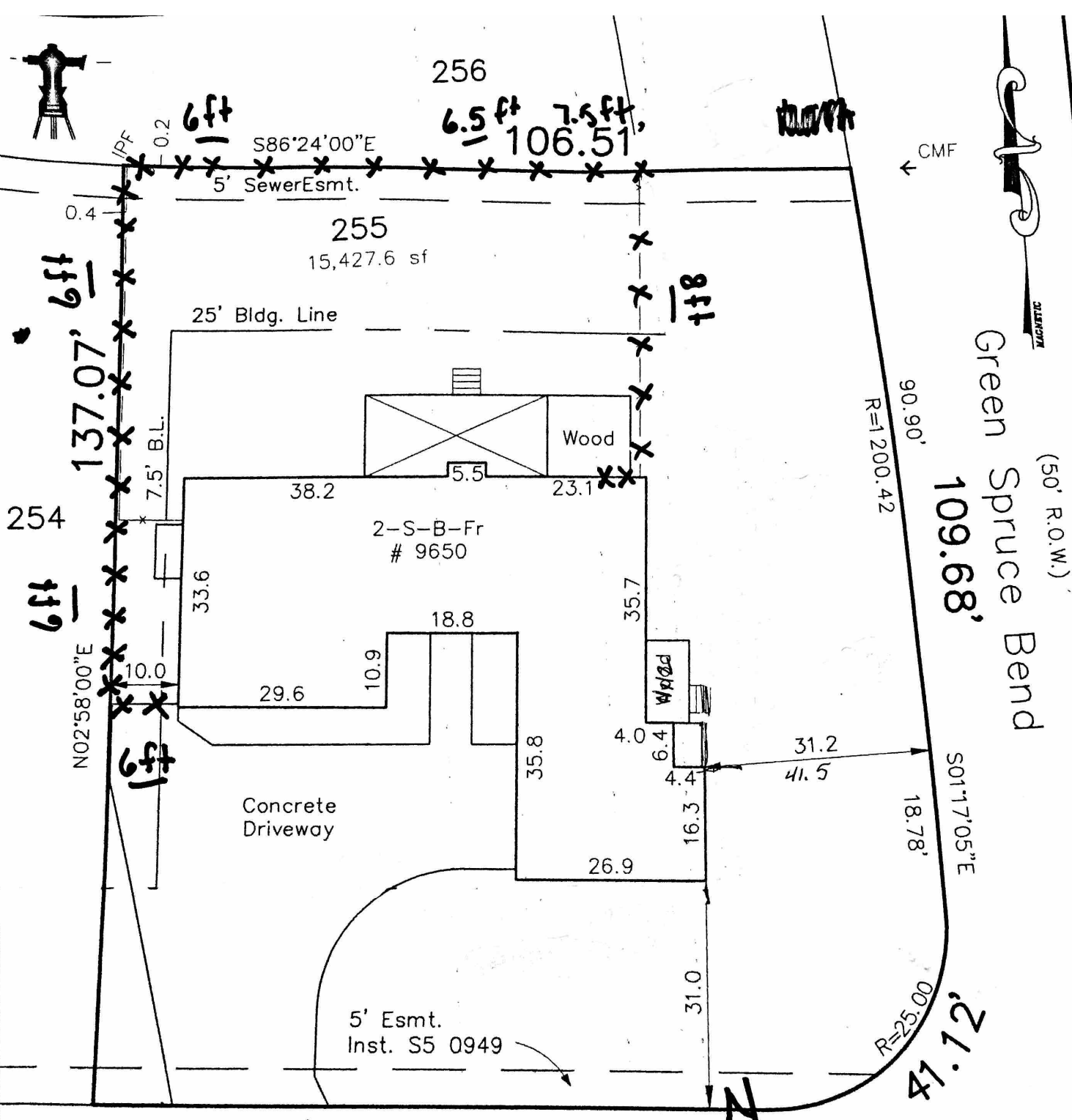
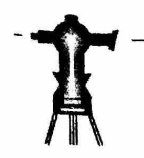
02/19/2021

DATE

Jason Collins

SIGNATURE OF CO-APPLICANT

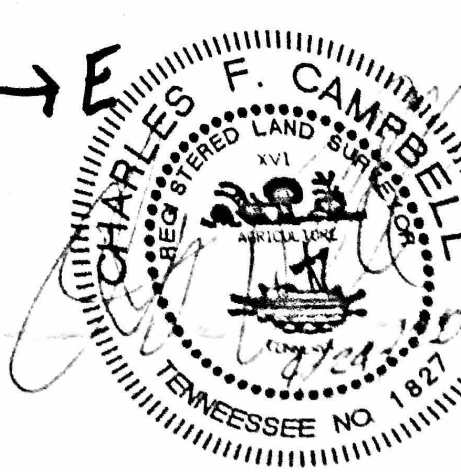
DATE



93.13' N87°02'10"W
Green Spruce Drive
(50' R.O.W.)

SURVEY OF:

9650 Green Spruce Drive
Lakeland, Tennessee
Lot 255, Fourth Addition
Lakeland Estates Subdivision
Plat Book 83, Page 51
Shelby County Register's Office



Date: 04/24/2008

Meeting Cycle: Wednesday, March 24, 2021

Subject: Action on approval of a Land Disturbance Permit for Evergreen PD Phase 1.

Staff Contact: Richard Donovan, Planning Director

STAFF RECOMMENDATION

Staff recommends approval of the Land Disturbance for the Evergreen Phase 1.

DISCUSSION

SITE INFORMATION:

LOCATION:	Old Brownsville Road
PARCEL ID:	Part of L0140 00071
ZONING:	A (Agriculture) with Evergreen PD Overlay
AREA:	42.2 Acres
APPLICANT:	Bill May
REPRESENTATIVE:	Wesley Wooldridge, Renaissance Group

BACKGROUND:

The City of Lakeland received an application for a Land Disturbance Permit for Phase 1 of the Evergreen Phase on February 18, 2021. The City reviewed the plans, and the Technical Review Committee made no comments.

PROPOSED (EXAMPLE) MOTIONS:

1. To approve the Land Disturbance for the Evergreen Phase 1 without conditions.
2. To deny the Land Disturbance for the Evergreen Phase 1.
 - a. State the reason for denial



Renaissance Group

architecture ■ engineering ■ planning ■ interiors

9700 Village Circle, Suite 100, Lakeland, TN 38002 (p) 901.332.5533 www.rgroup.biz

CITY OF LAKELAND LAND DISTURBANCE NARRATIVE

Project Name and Location:

Evergreen Planned Development Phase 1

North side of Old Brownsville Rd 1,000 l.f. west of intersection with Evergreen Rd
Lakeland, TN 38002

Owner Name and Address:

Bill & Ron May
10971 Chapel Hill Rd
Lakeland, TN 38002

Project Description:

This project will be conducted in three phases. Soil disturbing activities associated with the project will include construction entrance/exit road, clearing, grubbing, placement of Phase 1 BMP's, grading, installation of storm drainage, installation of utilities, and installation of infrastructure. Off-site fill will NOT be required for this site.

This project is for the construction of a residential subdivision with associated utility and road infrastructure to Old Brownsville Rd on a 42.20-acre site. The "Limits of Disturbance" encapsulates 22.82 acres internal to the site.

All 22.82 acres to be in the "Limits of Disturbance" drains north and west to Ivy Creek, a tributary of the Loosahatchie River.

Existing Site Conditions/Adjacent Areas:

The site currently consists of fields of grass previously cultivated for row crops. Ivy Creek runs along the west property line lined with mature hardwood trees. The north and south property lines are lined with hardwood trees, and the east property line borders more row crops and a stand of hardwood trees. There are wetlands located in the northeast corner of the site. The terrain is graded land sloped north and west to Ivy Creek. The typical grade is about 2% along the south side of the site but flattens out to about 0.5% on the north side. The stand of trees along the east property line contains grades ranging from 10% to 16%.

Soils:

According to the NRCS website, there are seven different types of soil spanning the site: Ca, Fm, GaB, GaC3, GaD2, He, and Wv. Ca is a Calloway silt loam with 0-2% slopes and located on the western end of the site. Fm is Falaya silt loam with 0-1% and located across the western property line and central portion of the site. GaB is Gernada silt loam with 2-5% and located on the southern and center portions of the site. GaC3 is Gernada silt loam with 5-8% slopes and located in the central and eastern side of the site. GaD2 is Gernada silt loam with 8-12% and located in the stand of trees located along the eastern property line. He is Henry silt loam is located at the northwest corner of the site. Wv is Waverly silt loam with 0-2% and located along the north property line and northeast corner of the site.

Critical Areas:

Cut and fill slopes have the highest potential for erosion. There are fill slopes located along the western and northern portions of the development and a large cut slope along the eastern side of the development.

Erosion and Sediment Control Measures:

During its predeveloped state, all 42.20 acres drains to existing conveyances leading to the Ivy Creek or sheet flows to the Ivy Creek. It is our intention to continue to let the site drain with as little over all change as possible. Appropriate control measures to be used are as follows:

1. 20 ft. by 50 ft. entrance/exit construction drive with wash basin and concrete washout. (Phase 1)
2. Perimeter silt fence is to be placed before construction begins. (Phase 1)
3. Excavate and install temporary sediment basin (Phase 1)
4. Dandy bag protection to be placed around new inlet structures (Phase 2)
5. Catch Basin Protection to be installed at new headwall inlets. (Phase 2)
6. Temporary diversion ditches to be installed to redirect water away from stream buffer along western lots. (Phase 2)
7. Maintain Phase 2 bmp's until final stabilization and then remove. (Phase 3)
8. Contractor to sod all denuded slopes upon completion of final grading and seed & mulch denuded areas upon completion of final grading. (Phase 3)

22.82 acres of the total site could be disturbed by construction activities consisting of clearing, grubbing, grading, installation of storm drainage, installation of utilities, and installation of infrastructure. All measures have been designed to retain at minimum the runoff generated by the 5-year, 24-hour return storm.

There will be one temporary sediment basin (T.S.B.) to control silt-laden water during earth moving operations. T.S.B. 1 will drain 33.04 acres to the unnamed tributary west of the project. The remaining acreage is undisturbed and sheet flows to ditches leading Ivy Creek.

Permanent Stabilization:

The primary, permanent stabilization methods used for this project will be asphalt surfacing of streets and permanent seeding & mulching of disturbed areas per project specifications. Steep slopes 6:1 and greater will require sod for permanent stabilization.

Temporary or permanent soil stabilization will be accomplished within 14 days after final grading or other land disturbance activity. Permanent stabilization with perennial vegetation or other permanently stable, non-eroding surface will replace any temporary measures as soon as practical.

Stormwater Management Considerations:

Stormwater management of discharges after construction operations have been completed are incorporated into the design and consist of open vegetative swales, grassed lawns, and drainage culverts & inlets, and one detention pond. They will permanently control stormwater run-off leaving and passing through the site. During construction, the controls will be protected with catch basin protections and dandy bags.

The large detention basin on-site will significantly reduce the run-off to below the pre-developed state and lessen flooding downstream of the site.

Maintenance:

Maintenance needs identified in inspections or by other means shall be accomplished before the next storm event, but in no case more than 7 days after the need is identified.

Calculations:

There will be one temporary sediment basin used on this site. The sediment basin was designed according to the Tennessee Erosion Prevention and Sediment Control Handbook. The details of storage increments and associated elevations are seen in appendix C of this report.

Storm water runoff was calculated using the SCS curve number TR-55 method. The following variables are used in determining storm water runoff:

Q = runoff (in.)

P = rainfall (in.)

S = potential maximum retention after runoff begins (in)

The equation for potential maximum retention is as follows:

$$S = \left(\frac{1000}{CN} \right) - 10$$

where CN is the SCS curve number.

Rainfall depth, P, is 4.89 in. for a 5-year storm according to the Memphis and Shelby County Storm water management manual.

The following equation is used to calculate runoff:

$$Q = \frac{(P - 0.2S)^2}{(P + 0.8S)}$$

For batch-treated, temporary sediment basin calculations, Tennessee Department of Environment and Conservation requires a minimum wet storage volume, 120% design storm volume, and total treatment volume to be calculated.

The equation used in calculating minimum wet storage volume:

$$\text{Minimum Wet Storage} = 945 \frac{\text{ft}^3}{\text{acre}} \times \text{Drainage area (acres)}$$

The equation used in calculating 120% design storm volume:

$$\text{Design Storm} + 20\% = [(Q)(\text{Drainage area})] \times 1.20$$

The equation used in calculating total treatment volume:

$$\text{Total Treatment Volume} = \text{Minimum Wet Storage} + (\text{Design Storm} + 20\%)$$

Temporary Sediment Basin #1 is located at the west end of the site. The basin will have the following minimum requirements shown below:

West Basin (T.S.B. #1)	33.04 acres			
Weighted CN	86			
S	1.63			
P	4.89			
Q	3.36	in	0.28	ft
wet storage	31,185	c.f.		
design + 20%	482,993	c.f.		
total treatment volume	514,178	c.f.		

TDEC NOC



City of Lakeland, Tennessee

INFORMATION ON OBTAINING A LAND-DISTURBING PERMIT

A Land Disturbing Permit is required prior to any excavating, filling or clearing of land. Clearing is defined as the removal of vegetation and disturbance of soil prior to grading or excavating in anticipation of construction activities at some time in the future.

The City Engineer may issue Land Disturbing Permits for sites one acre or less in area. The Municipal Planning Commission may approve the Land Disturbing Permit for sites over one acre in area. Building permit site plans with approved erosion control provisions are exempted.

Also exempted per TCA § 6-54-126 – Zoning Limitations on Agricultural Land “For any land that is presently used for agricultural purposes a municipality may not use its zoning power to interfere in any way with the use of such land for agricultural purposes as long as the land is used for agricultural purposes.”

Contact the City Engineer at Lakeland City Hall, 10001 US Highway 70, Lakeland, TN 38002, (901) 867-2717.

- A. Refer to the Tennessee Erosion and Sediment Control Handbook, Second Edition, March 2002, distributed by the Tennessee Department of Environment and Conservation. This handbook can be found on the web at www.state.tn.us/environment/wpc/sed-ero-controlhandbook/index.html. Complete the Land Disturbing Permit application, including the submission of a site-specific erosion control plan using TDEC guidelines.
- B. Pay the appropriate fee depending on the site size.
- C. Your plan will be reviewed by City staff and the Municipal Planning Commission. A revised plan may be required.
- D. You may be required to post a surety bond or letter of credit.
- E. Upon satisfactory completion of the permit application and approval by the Municipal Planning Commission you will be issued a Land Disturbing Permit.
- F. This permit will be valid for a period of 6 months from the date of approval. If the project is incomplete, the applicant will have to resubmit the application to the Municipal Planning Commission prior to expiration of the permit.

CITY OF LAKELAND, TENNESSEE

CHECKLIST

For Erosion and Sediment Control Plans

NARRATIVE

- X Project Description – Briefly describes the nature and purpose of the land disturbing activity, and the amount of grading involved.
- X Existing site conditions – A description of the existing topography, vegetation and drainage.
- X Adjacent areas – A description of neighboring areas such as streams, lakes, residential areas, roads, etc., which might be effected by the land disturbance.
- X Soils – A brief description of the soils on the site giving such information as soil name, mapping unit, erodibility, permeability, depth, texture and soil structure.
- X Critical Areas – A description of areas on the site which have potentially serious erosion problems.
- X Erosion and sediment control measures – A description of the methods which will be used to control erosion and sedimentation on the site. (Must satisfy the “General Criteria”).
- X Permanent stabilization – A brief description, including specifications, of how the site will be stabilized after construction is completed.
- X Stormwater management considerations – Will the development of the site result in increased peak rates of runoff? Will this result in flooding or channel degradation downstream? If so, considerations should be given to stormwater control structures on the site. (See “General Criteria”).
- X Maintenance – A schedule of regular inspections and repair of erosion and sediment control structures should be set forth.
- X Calculations – Any calculations made for the design of such items as sediment basins, diversions, waterways, and calculations for runoff and stormwater detention basin design (if necessary or required).
- X Permits – All required permits from other agencies shall be obtained including approval from TDEC of a Storm Water Pollution Prevention Plan. Copies of correspondence indicating approval shall be provided to the City of Lakeland prior to issuance of the permit.

SITE PLAN

- X** **Vicinity map** – A small map locating the site in relation to the surrounding area.
- X** **Existing contours** – The existing contours of the site should be shown on a map.
- X** **Existing vegetation** – The existing tree lines, grassy areas, or unique vegetation should be shown on a map.
- X** **Soils** – The boundaries of the different soil types should be shown on a map.
- X** **Indicate north** – The direction of north in relation to the site should be shown with plan scale.
- X** **Critical erosion areas** – Area with potentially serious erosion problems should be shown on a map.
- X** **Existing drainage patterns** – The dividing lines and the direction of flow for the different drainage areas should be shown on a map.
- X** **Final contours** – Changes to the existing contours should be shown on a map.
- X** **Limits of clearing and grading** – Areas which are to be cleared and graded should be outlined on a map.
- X** **Location and practices** – The locations of the erosion and sediment control and stormwater management practices used on the site should be shown on a map.
- X** **Detail drawings** – Any structural practices used that are not referenced to the Tennessee Erosion and Sediment Control Handbook, should be explained and illustrated with detail drawings.
- X** **Tree Removal Plan**, - The locations, sizes and species of trees located on site should be shown on a map as detailed in the Lakeland Tree Ordinance.
- X** **Tree Management Plan**, - The locations and protection of trees located on site that are designated as remaining should be shown on a map as detailed in the Lakeland Tree Ordinance.
- X** **Tree Replacement Plan**, - The locations, sizes and species of trees to be planted on site should be shown on a map as detailed in the Lakeland Tree Ordinance.

CITY OF LAKELAND, TENNESSEE

APPLICATION FOR LAND DISTURBING PERMIT

Project File # _____

Date of Application _____

Permit Effective Date _____

Permit Expires _____

Applicant Bill May Phone 901-277-1696

Address 10971 Chapel Hill Rd

Landowner SAME Phone _____

Address _____

Plan prepared by Renaissance Group - Wesley Wooldridge

Project Evergreen PD Phase 1

(Name and Description)

Location North side of Old Brownsville Rd 1,000 l.f. west of Evergreen Rd intersection.

Tax Map 76 Parcel L0140 00071 (Part 1) Land Area = 1,838,232 sq. ft.

I, Bill May, hereby certify that I fully understand the provisions of
(Print name)

the City of Lakeland Erosion and Sediment Control Program, and that I accept responsibility for carrying out the Erosion and Sediment Control Plan for the above-referenced project as approved by the Lakeland Municipal Planning Commission.

I further grant the right-of-entry onto this property, as described above, to the designated personnel of the City of Lakeland for the purpose of inspecting and monitoring for compliance with the aforesaid Regulation.

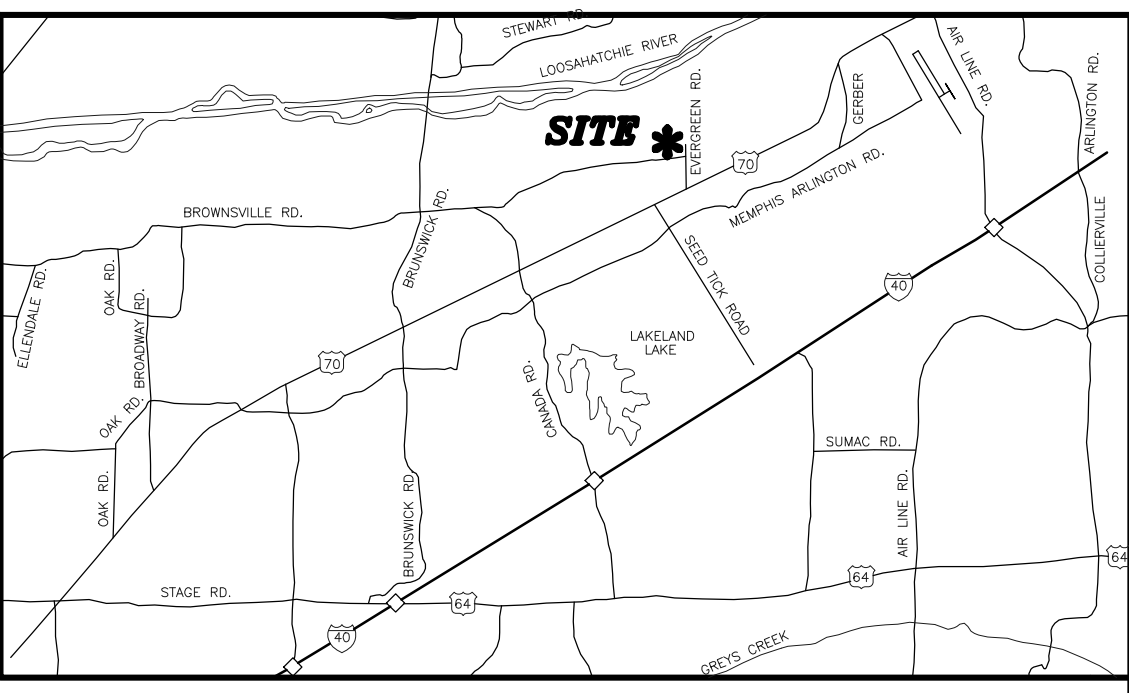
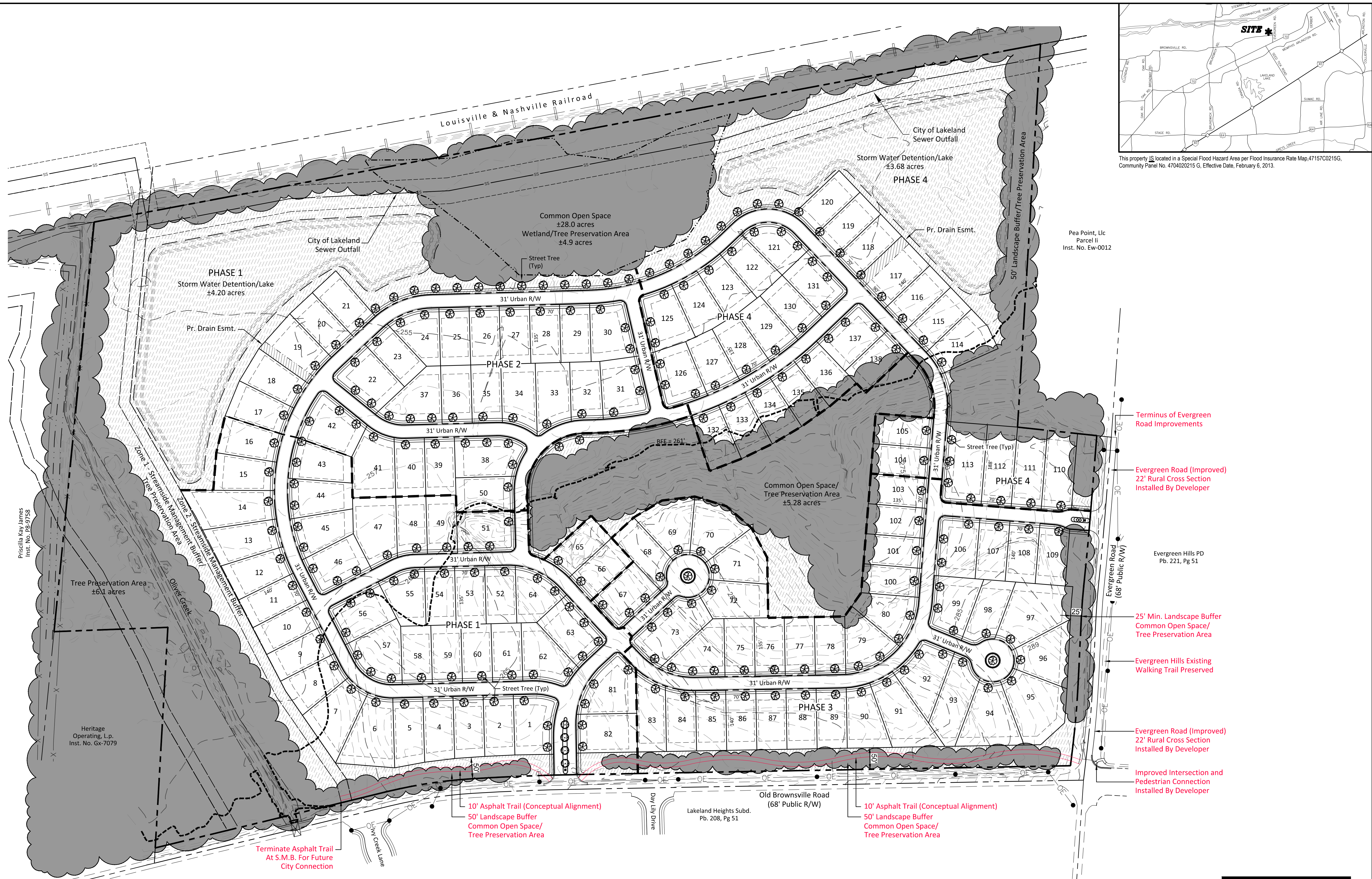
Bill May
(Land Owner/Applicant)

2/18/21
Date

Approved:

(City Engineer)

Date



This property is located in a Special Flood Hazard Area per Flood Insurance Rate Map, 47157C0215G, Community Panel No. 4704020215 G, Effective Date, February 6, 2013.

Terminus of Evergreen Road Improvements

Evergreen Road (Improved) 22' Rural Cross Section Installed By Developer

Evergreen Hills PD Pb. 221, Pg 51

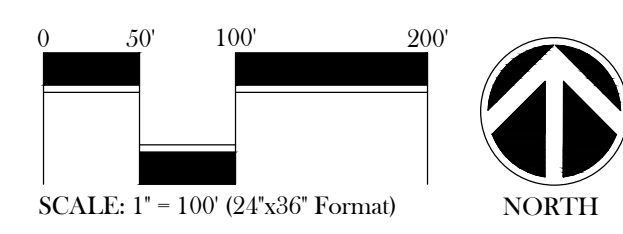
25' Min. Landscape Buffer Common Open Space/ Tree Preservation Area

Evergreen Hills Existing Walking Trail Preserved

Evergreen Road (Improved) 22' Rural Cross Section Installed By Developer

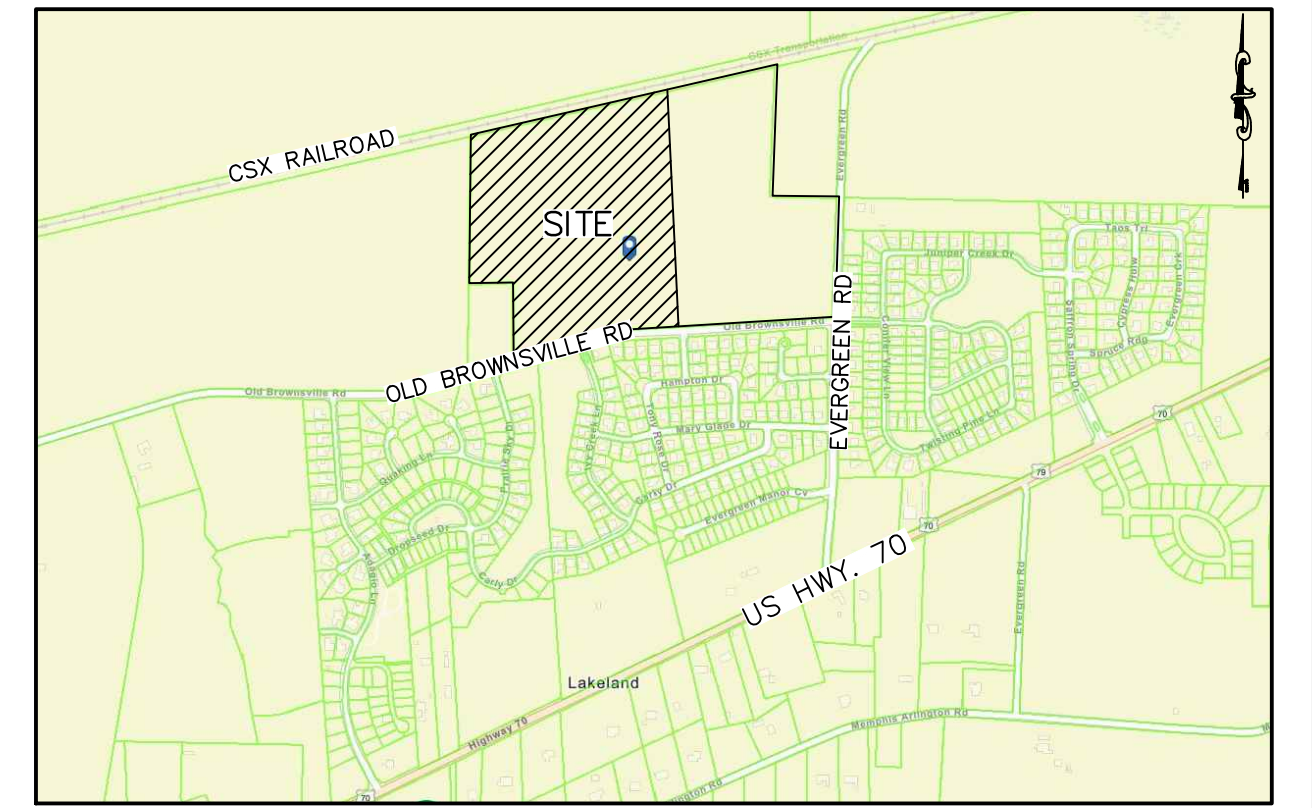
Improved Intersection and Pedestrian Connection Installed By Developer

Amended Outline Plan (Revised September 8, 2020)
EVERGREEN PLANNED DEVELOPMENT
Prepared For: May Family Properties



This conceptual subdivision plan is preliminary in nature, subject to approval by the governing municipality. This plan is subject to change and should be used for planning and reference purposes only. All rights of ownership are maintained by Integrated Land Solutions, PLLC.

landscape architecture
planning
ils
INTEGRATED LAND SOLUTIONS, PLLC
9967 Bentwood Creek Cv. Collierville, TN 38017
901.493.6996 corybrady@gmail.com



DEPARTMENT OF ENGINEERING

GRADING & DRAINAGE PLAN

LAKELAND, TENNESSEE

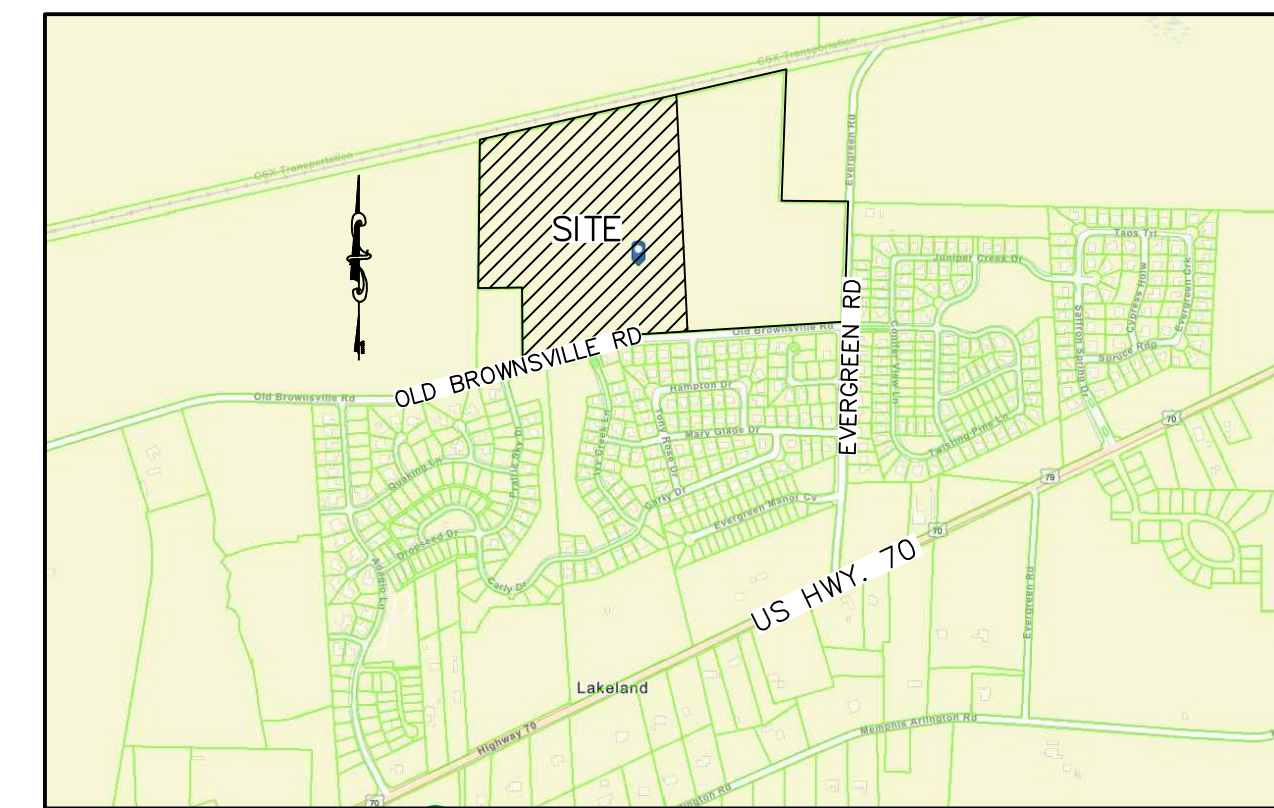
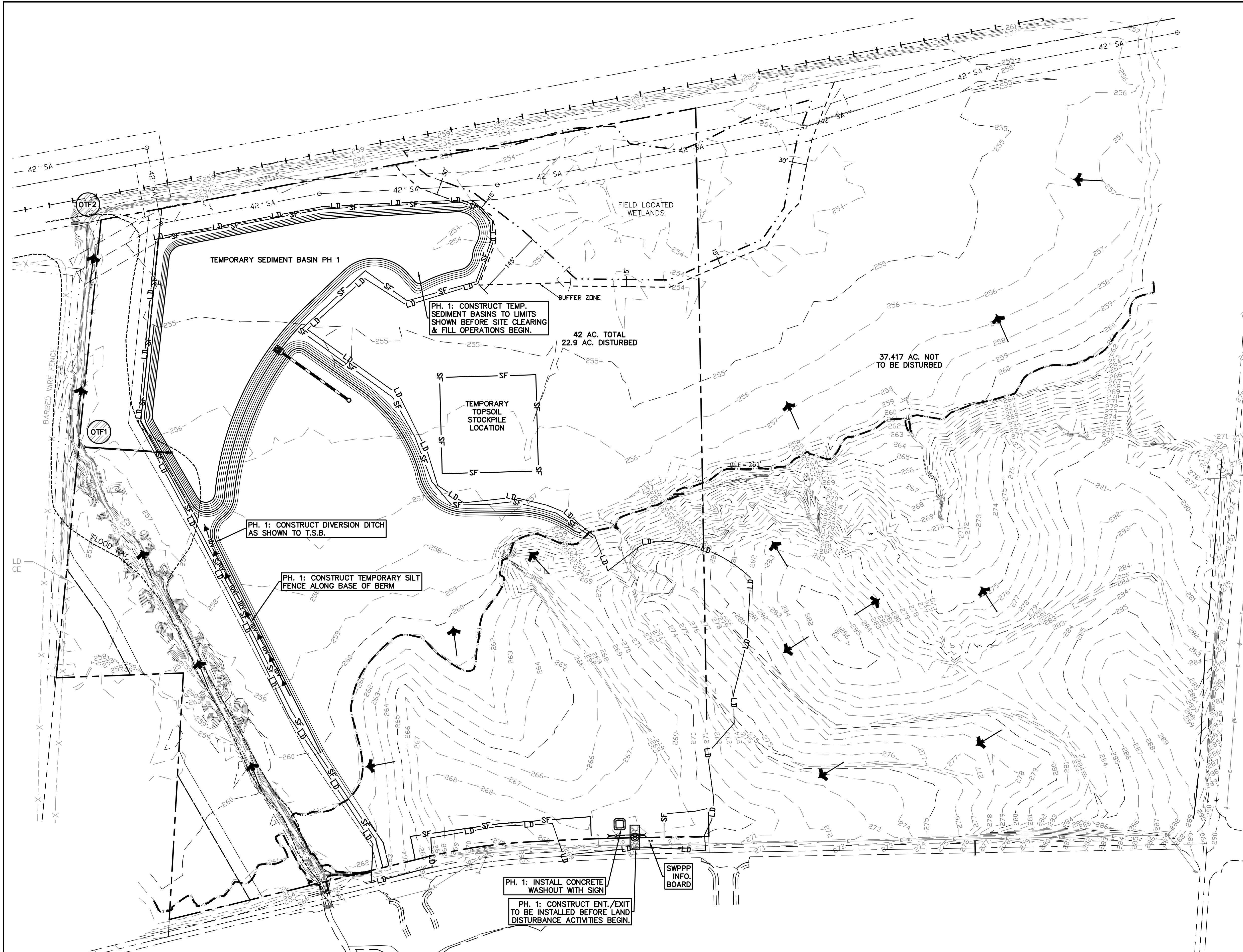
FROM: _____ TO: _____

SURVEY: MILESTONE DATE: _____ BOOK: _____

DESIGN: CBB DATE: 10/20 CKD: JW DATE: 10/20 SCALE: 60

REVIEWED _____

TOWN ENGINEER _____ DATE _____



VICINITY MAP

CAUTION NOTICE TO CONTRACTOR

IN CASE OF CONFLICTS BETWEEN EROSION CONTROL PLANS, THE SWPPP DOCUMENT, ANY PROJECT OR MUNICIPAL SPECIFICATIONS AND THE ACTUAL STATE NPDES GENERAL PERMIT, THE MOST STRINGENT REQUIREMENTS SHALL APPLY. IF PROPERLY IMPLEMENTED, THIS PLAN WILL PROVIDE AN EFFECTIVE MEANS FOR CONTROLLING EROSION. HOWEVER, IT IS ACKNOWLEDGED THAT NO ONE PLAN CAN BE PREPARED THAT WILL DEPICT ALL POSSIBLE CONTROL MEASURES NECESSARY FOR VARIOUS STAGES OF CONSTRUCTION. THE CONTRACTOR SHALL INCLUDE IN THE BASE BID ADEQUATE FUNDS TO PROVIDE ALL EROSION CONTROL MEASURES NECESSARY TO COMPLY WITH CODES FOR THE DURATION OF THE CONSTRUCTION PROJECT.

QUALITY ASSURANCE SITE ASSESSMENT

QUALITY ASSURANCE OF EROSION PREVENTION AND SEDIMENT CONTROLS SHALL BE DONE BY PERFORMING A SITE ASSESSMENT AT THE CONSTRUCTION SITE. THE SITE ASSESSMENT SHALL BE CONDUCTED AT EACH OUTFALL INVOLVING DRAINAGE TOTALING 10 OR MORE ACRES OR 5 OR MORE ACRES IF DRAINING TO AN IMPAIRED OR EXCEPTIONAL QUALITY WATERS WITHIN A MONTH OF CONSTRUCTION COMMENCING AT EACH PORTION OF THE SITE THAT DRAINS THE QUALIFYING ACREAGE OF SUCH PORTION OF THE SITE. THE SITE ASSESSMENT SHALL BE PERFORMED BY INDIVIDUALS WITH FOLLOWING QUALIFICATIONS:

- A LICENSED PROFESSIONAL ENGINEER OR LANDSCAPE ARCHITECT
- A CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC) OR
- A PERSON THAT SUCCESSFULLY COMPLETED THE "LEVEL II DESIGN PRINCIPLES FOR EROSION PREVENTION AND SEDIMENT CONTROL FOR CONSTRUCTION SITES" COURSE.

LIMITS OF DISTURBANCE

ALL GROUND AND SUBGRADE DISTURBING ACTIVITIES SHALL BE RESTRICTED TO WITHIN THE LIMITS OF DISTURBANCE SHOWN ON THE EROSION CONTROL PLANS. NO GROUND OR SUBGRADE DISTURBANCES NOR STORAGE OF NEW, SALVAGED OR WASTE MATERIALS OR CHEMICALS SHALL OCCUR OR BE STORED BEYOND THE LIMITS SHOWN. IF SUCH DISTURBANCES OR STORAGE NEEDS ARE REQUIRED BEYOND THE LIMITS SHOWN, THE CONTRACTOR SHALL UPDATE THE NPDES PERMIT COVERAGE FOR THE SITE PRIOR TO INITIATING SUCH CONSTRUCTION ACTIVITIES.

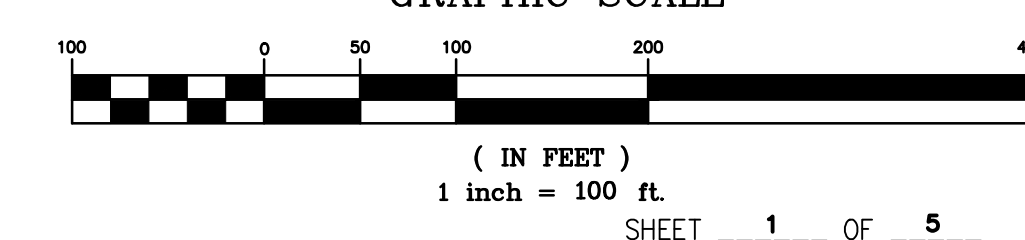
BEST MANAGEMENT PRACTICES SEQUENCE

NOTE: UPON IMPLEMENTATION AND INSTALLATION OF THE FOLLOWING AREAS (AS APPLICABLE): TRAILER, PARKING, LAY DOWN, PORTA-POTTY, WHEEL WASH, CONCRETE WASHOUT, MASON'S AREA, FUEL AND MATERIAL STORAGE CONTAINERS, SOLID WASTE CONTAINERS, ETC., IMMEDIATELY DENOTE THEM ON THE SITE MAPS AND NOTE ANY CHANGES IN LOCATION AS THEY OCCUR THROUGHOUT THE CONSTRUCTION PROCESS. IN ADDITION, NOTE ANY OFF-SITE AREAS WHERE FILL IS IMPORTED FROM OR SOIL IS EXPORTED TO ON THE SITE MAPS.

PHASE 1 - EROSION CONTROL SEQUENCING

1. INSTALL SWPPP INFORMATION BOARD.
2. INSTALL CONSTRUCTION ENT./EXIT AS SHOWN.
3. INSTALL TEMPORARY SILT FENCE ALONG BASE OF BERMS AS SHOWN.
4. INSTALL CONTRACTOR STAGING AREA AND POST NPDES PERMIT IN TRAILER.
5. INSTALL CONCRETE WASH-OUT LOCATION AND ASSOCIATED SIGN.
6. INSTALL TEMPORARY BATCH-TREATMENT SEDIMENT BASIN AND TEMPORARY O.C.S.
7. CLEAR AND GRUB SITE.
8. BEGIN CUT IN BASIN LOCATION TO ESTABLISH SEDIMENT BASIN AS EARLY AS POSSIBLE IN GRADING OPERATIONS.

GRAPHIC SCALE



EROSION PREVENTION AND SEDIMENT CONTROL SHEETS 1 THRU 5 AND NPDES PERMIT SHALL BE POSTED IN JOB TRAILER

THE GENERAL CONTRACTOR MAY COMPLETE CONSTRUCTION-RELATED ACTIVITIES CONCURRENTLY ONLY IF ALL PRECEDING BMP'S HAVE BEEN COMPLETELY INSTALLED.

EROSION CONTROL LEGEND

	- DRAINAGE PATTERN		- DANDY BAG INLET PROTECTION
	- LIMITS OF DISTURBANCE		- SEDIMENTATION/SILT FENCE
	- CATCH BASIN PROTECTION		- TEMPORARY DIVERSION DITCH
	- ENHANCED ROCK CHECK DAM		- OUT-FALL



ITEM NO.	REVISION DESCRIPTION OF CHANGE	APPROVAL DATE

Temporary Benchmark (T.B.M.):
Top of sewer manhole at the intersection of Old Brownsville Road and Day Lilly Drive. Elevation = 270.41
Portions of this property are located in zone x, and zone a as a 100 year flood hazard area, according to firm panel 47157c-0215g, dated feb 6, 2013. base flood elevation: 281.00

EVERGREEN PLANNED DEV.

PHASE 1
DEVELOPER: EVERGREEN LLC

RENAISSANCE GROUP, INC.

9700 VILLAGE CIRCLE, SUITE 100
LAKELAND, TN 38002
(901) 332-5533 VOICE (901) 332-5534 FAX

DEPARTMENT OF ENGINEERING

EROSION PREVENTION AND SEDIMENT CONTROL PH 1

LAKELAND, TENNESSEE

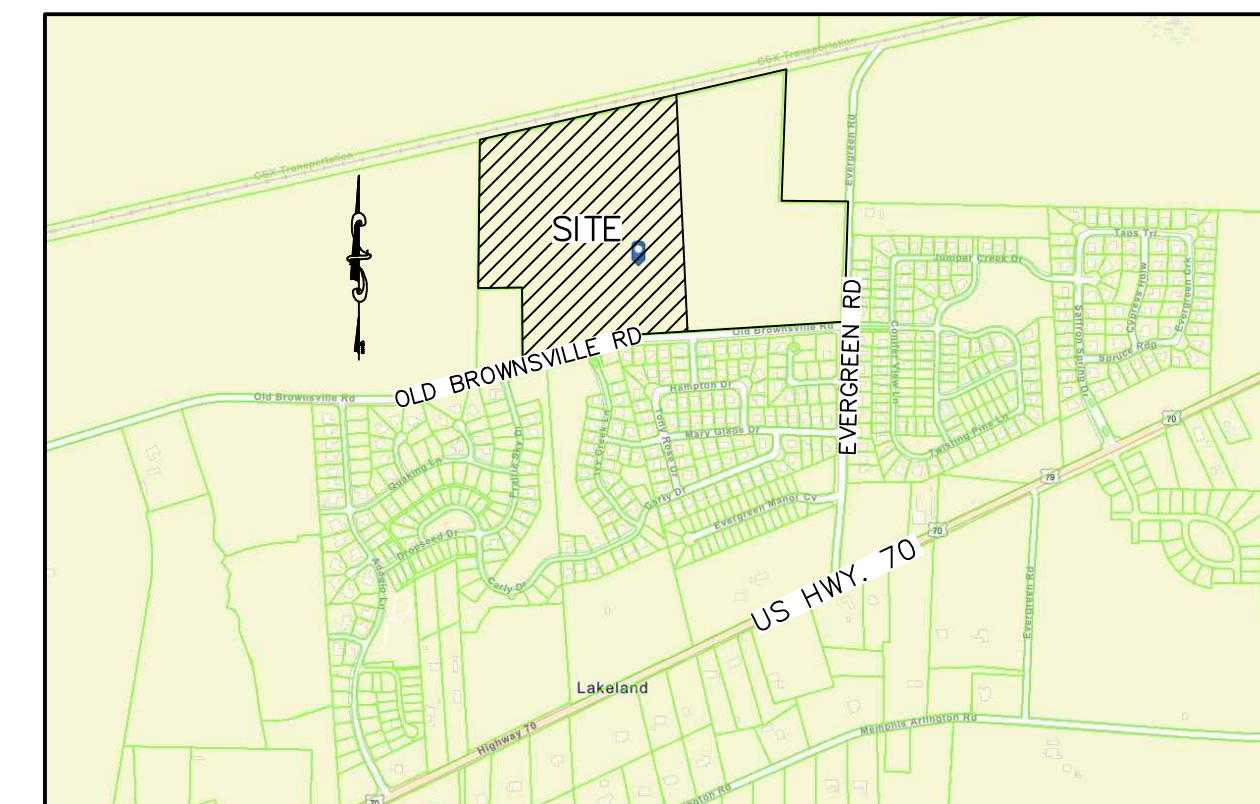
FROM: _____ TO: _____

SURVEY: MILESTONE DATE: _____ BOOK: _____

DESIGN: CBB DATE: 10/20 CKD: JW DATE: 10/20 SCALE: 1/100

REVIEWED

TOWN ENGINEER _____ DATE _____



CAUTION NOTICE TO CONTRACTOR-

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IF PROPERLY IMPLEMENTED, THIS PLAN WILL PROVIDE AN EFFECTIVE MEANS FOR CONTROLLING EROSION, SEDIMENT, AND POLLUTION. HOWEVER, THE CONTRACTOR WILL BE REQUIRED TO TAKE ALL POSSIBLE CONTROL MEASURES NECESSARY FOR VARIOUS STAGES OF CONSTRUCTION. THE CONTRACTOR SHALL INCLUDE IN THE BASE BID ADEQUATE FUNDS TO PROVIDE ALL EROSION CONTROL MEASURES NECESSARY TO COMPLY WITH CODES FOR THE DURATION OF THE CONSTRUCTION PROJECT.

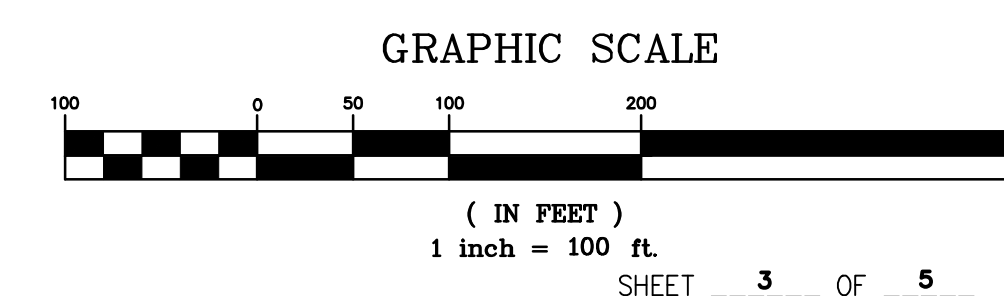
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- A CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC) OR
- A PERSON THAT SUCCESSFULLY COMPLETED THE "LEVEL II DESIGN PRINCIPLES FOR EROSION PREVENTION AND SEDIMENT CONTROL FOR CONSTRUCTION SITES" COURSE.

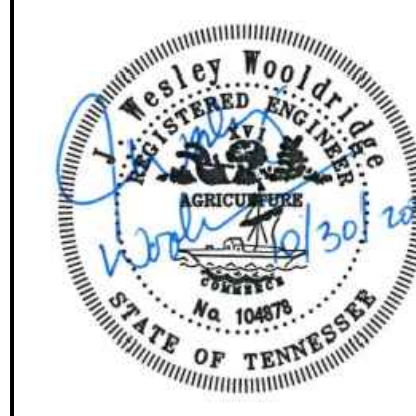
ALL GROUND AND SUBGRADE DISTURBING ACTIVITIES SHALL BE RESTRICTED TO WITHIN THE LIMITS OF DISTURBANCE SHOWN ON THE EROSION CONTROL PLANS. NO GROUND OR SUBGRADE DISTURBANCES NOR STORAGE OF NEW, SALVAGED OR WASTE MATERIALS OR CHEMICALS SHALL OCCUR OR BE STORED BEYOND THE LIMITS SHOWN. IF SUCH DISTURBANCES OR STORAGE NEEDS ARE REQUIRED BEYOND THE LIMITS SHOWN, THE CONTRACTOR SHALL UPDATE THE NPDES PERMIT COVERAGE FOR THE SITE PRIOR TO INITIATING SUCH CONSTRUCTION ACTIVITIES.

NOTE: UPON IMPLEMENTATION AND INSTALLATION OF THE FOLLOWING AREAS (AS APPLICABLE): TRAILER, PARKING, LAY DOWN, PORTA-POTTY, WHEEL WASH, CONCRETE WASHOUT, MASON'S AREA, FUEL AND MATERIAL STORAGE CONTAINERS, SOLID WASTE CONTAINERS, ETC., IMMEDIATELY DENOTE THEM ON THE SITE MAPS AND NOTE ANY CHANGES IN LOCATION THAT OCCUR THROUGHOUT THE CONSTRUCTION PROCESS. IN ADDITION, NOTE ANY OFF-SITE AREAS WHERE FILL IS IMPORTED FROM OR SOIL IS EXPORTED TO ON THE SITE MAPS.

1. MAINTAIN ALL PHASE 2 BMPs AS NEEDED.
2. SOD ALL 4:1 AND GREATER SLOPES.
3. HYDROSEED AND MULCH ALL DISTURBED/DENUDED AREAS UPON COMPLETION OF FINAL GRADING. AREAS SHOULD BE STABILIZED WITHIN FOURTEEN (14) DAYS UPON COMPLETION OF FINAL GRADING.
4. REMOVE ALL BMP'S AFTER SITE HAS ACHIEVED A MINIMUM OF 70% STABILIZATION.
5. CONVERT TEMPORARY SEDIMENT BASIN INTO PERMANENT DETENTION BASIN.

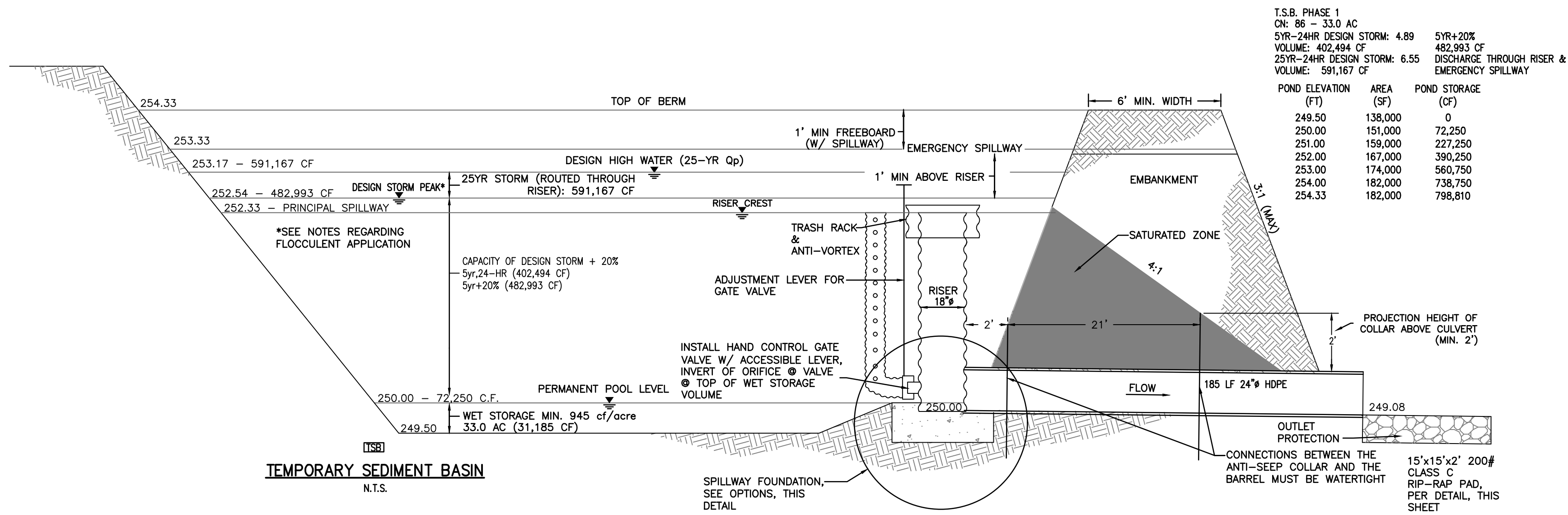


	- DRAINAGE PATTERN		- DANDY BAG INLET PROTECTION
	- LIMITS OF DISTURBANCE		- SEDIMENTATION/SILT FENCE
	- CATCH BASIN PROTECTION		- TEMPORARY DIVERSION DITCH
	- ENHANCED ROCK CHECK DAM		- OUT-FALL

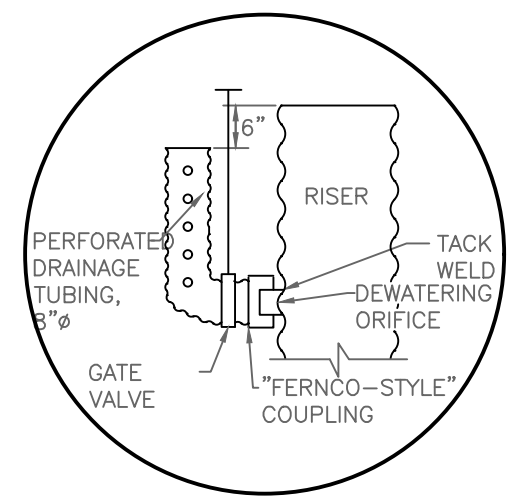
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9700 VILLAGE CIRCLE, SUITE 100
LAKELAND, TN 38002
(901) 332-5533 VOICE (901) 332-5534 FAX

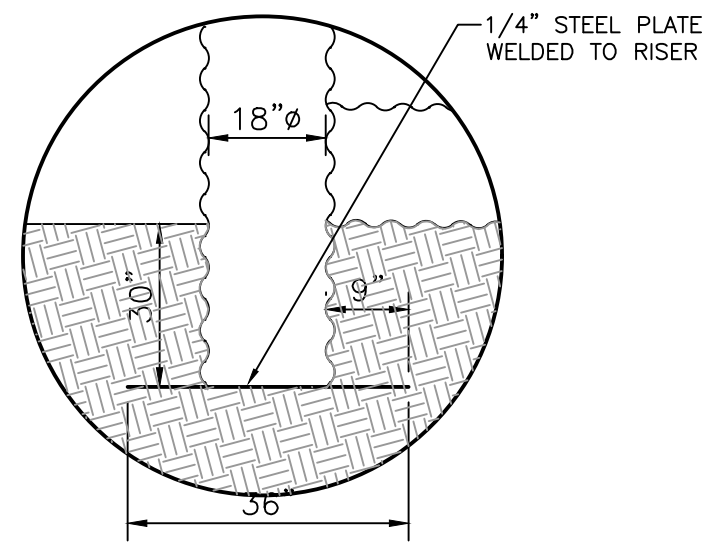
TOTAL EMPLOYED		DATE
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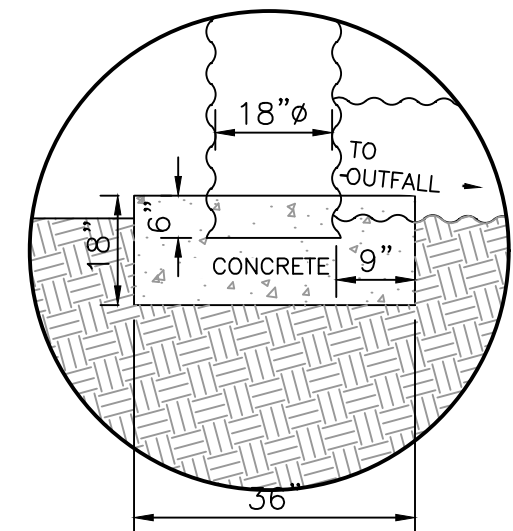
TOTAL OFFSITE & ONSITE DRAINAGE AREA (ACRES)	33.0 AC
WET STORAGE VOLUME	72,250 CF
DESIGN STORM + 20% STORAGE VOLUME	482,993 CF
VOLUME OF WATER IN BASIN WHEN FLOCCULANT MUST BE APPLIED	402,494 CF
25-YEAR, 24-HOUR STORM ELEVATION	253.17
PERMANENT POOL LEVEL/WET STORAGE ELEVATION	250.00
DESIGN STORM + 20% STORAGE ELEVATION	252.54
BOTTOM OF BASIN ELEVATION	249.50
PRINCIPAL SPILLWAY ELEVATION	252.33
OUTFALL PIPE DISCHARGE ELEVATION	250.00
ELEVATION OF THE RECEIVING MEDIUM DOWNSTREAM OF THE OUTFALL	15'x15' RIPRAP
EMERGENCY SPILLWAY ELEVATION	253.33
DESIGN STORM ABOVE WHICH THE BASIN WILL DISCHARGE VIA THE EMERGENCY SPILLWAY	100-YR
EMERGENCY SPILLWAY SIDESLOPE	3:1
EMERGENCY SPILLWAY WIDTH	12 FT
TOP OF EMBANKMENT ELEVATION	254.33
FLOCCULATE AND DEWATER ELEVATION	252.07



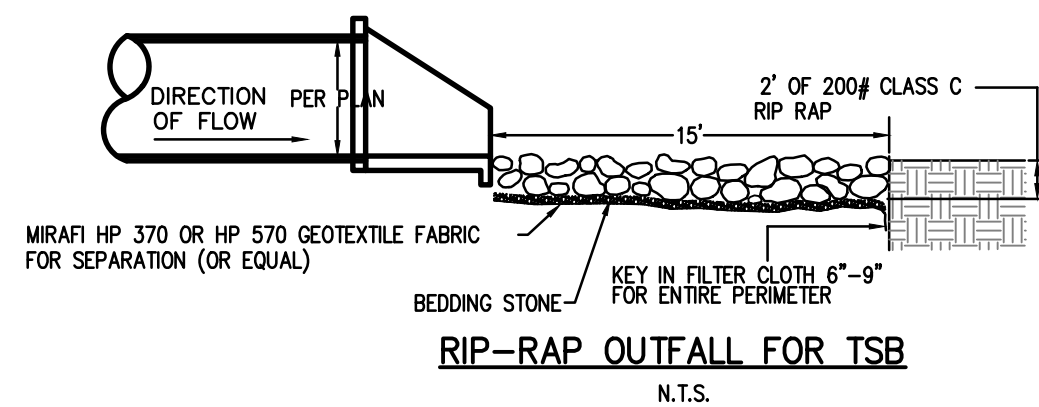
ENLARGEMENT OF PERFORATED DRAINAGE TUBE CONNECTION TO RISER PIPE (TYP.)



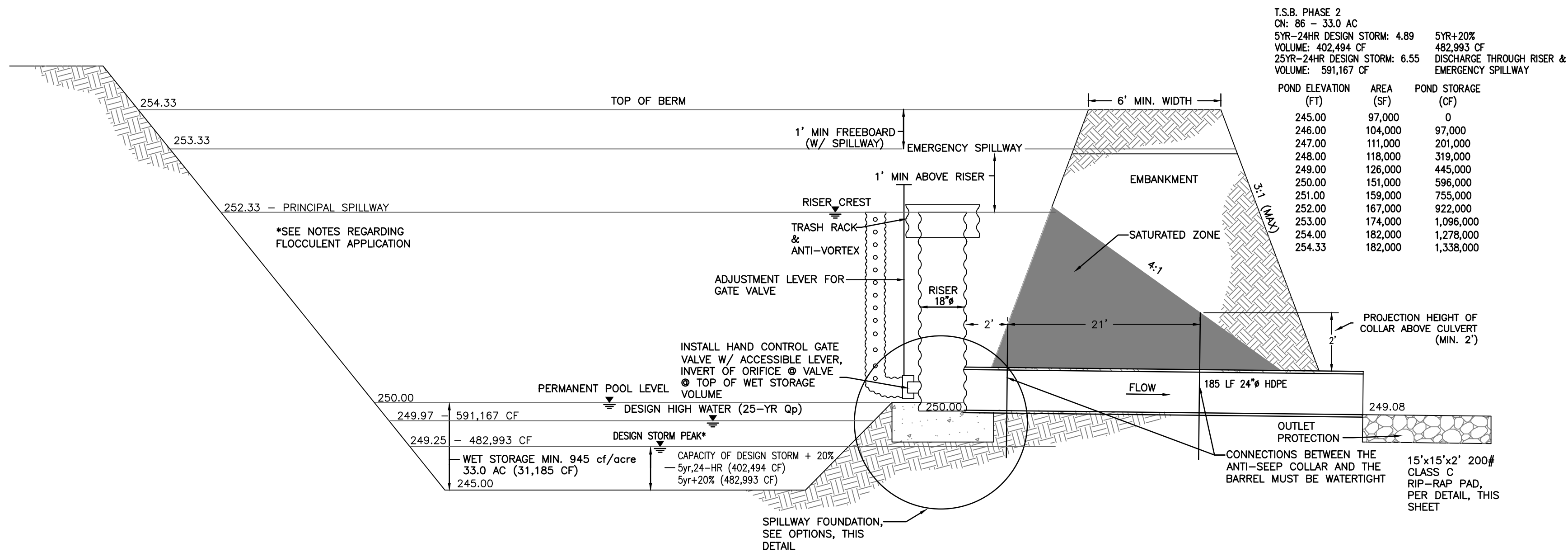
STEEL BASE FOR EMBANKMENT 10 OR LESS IN HEIGHT



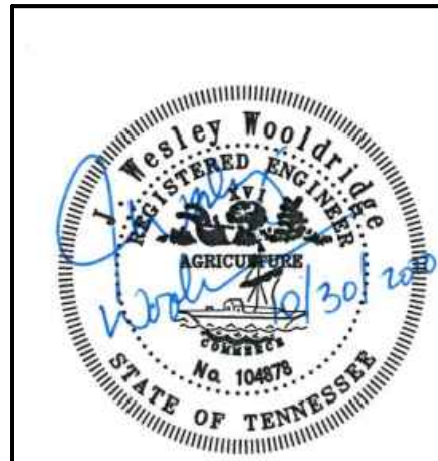
CONCRETE BASE FOR EMBANKMENT 10 OR LESS IN HEIGHT



RIP-RAP OUTFALL FOR TSB
N.T.S.



TOTAL OFFSITE & ONSITE DRAINAGE AREA (ACRES)	33.0 AC
WET STORAGE VOLUME	72,250 CF
DESIGN STORM + 20% STORAGE VOLUME	482,993 CF
VOLUME OF WATER IN BASIN WHEN FLOCCULANT MUST BE APPLIED	402,494 CF
25-YEAR, 24-HOUR STORM ELEVATION	249.97
PERMANENT POOL LEVEL/WET STORAGE ELEVATION	250.00
DESIGN STORM + 20% STORAGE ELEVATION	249.25
BOTTOM OF BASIN ELEVATION	245.00
PRINCIPAL SPILLWAY ELEVATION	252.33
OUTFALL PIPE DISCHARGE ELEVATION	250.00
ELEVATION OF THE RECEIVING MEDIUM DOWNSTREAM OF THE OUTFALL	15'x15' RIPRAP
EMERGENCY SPILLWAY ELEVATION	253.33
DESIGN STORM ABOVE WHICH THE BASIN WILL DISCHARGE VIA THE EMERGENCY SPILLWAY	100-YR
EMERGENCY SPILLWAY SIDESLOPE	3:1
EMERGENCY SPILLWAY WIDTH	12 FT
TOP OF EMBANKMENT ELEVATION	254.33
FLOCCULATE AND DEWATER ELEVATION	248.66



ITEM NO.	REVISION DESCRIPTION OF CHANGE	APPROVAL DATE

Temporary Benchmark (T.B.M.):
 Top of sewer manhole at the intersection of Old Brownsville Road and Day Lilly Drive. Elevation = 270.41

Portions of this property are located in zone x, and zone aa a 100 year flood hazard area, according to firm panel 47157c-0215g, dated feb 6, 2013. base flood elevation: 261.00

EVERGREEN PLANNED DEV.
 PHASE 1
 DEVELOPER: EVERGREEN LLC
RENAISSANCE GROUP, INC.
 9700 VILLAGE CIRCLE, SUITE 100
 LAKELAND, TN 38002
 (901) 332-5533 VOICE (901) 332-5534 FAX

SHEET 4 OF 5

DEPARTMENT OF ENGINEERING

SEDIMENT BASIN DETAILS

LAKELAND, TENNESSEE

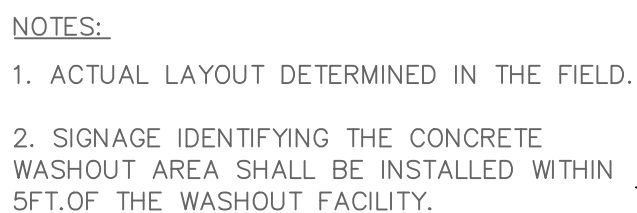
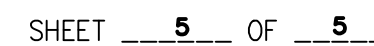
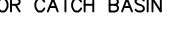
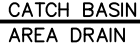
FROM: _____ TO: _____

SURVEY: MILESTONE DATE: _____ BOOK: _____

DESIGN: CBB DATE: 10/20 CKD: JW DATE: 10/20 SCALE: N/A

REVIEWED

TOWN ENGINEER _____ DATE _____

[illegible]

Temporary Benchmark (T.B.M.):
Top of sewer manhole at the intersection of Old Brownsville Road and Day Lilly Drive. Elevation = 270.41

Portions of this property are located in zone x, and zone ae a 100 year flood hazard area, according to firm panel 47157C-0215G, dated feb 6, 2013. base flood elevation: 261.00

EVERGREEN PLANNED DEV.

PHASE 1

DEVELOPER: EVERGREEN LLC

RENAISSANCE GROUP, INC.

9700 VILLAGE CIRCLE, SUITE 100
LAKELAND, TN 38002

(901) 332-5533 VOICF (901) 332-5534 FAX

DEPARTMENT OF ENGINEERING

EPSC DETAILS

LAKELAND, TENNESSEE

FROM: _____ TO: _____

SURVEY: MILESTONE DATE: _____ BOOK: _____

DESIGN: CBB DATE: 10/20 CKD: JW DATE: 10/20 SCALE: N/A

REVIEWED _____ DATE _____

SIGNATURE _____ DATE _____

Meeting Cycle: Wednesday, March 24, 2021

Subject: Discussion on a Vehicular Services Use (Car Wash) on Highway 64 (between LA Fitness & Banfield Pet Hospital).

Staff Contact: Richard Donovan, City Planner

STAFF RECOMMENDATION

BUDGET IMPACT

DISCUSSION

The potential applicant's Engineer reached out to City Staff requesting to have a discussion with the MPC about a potential car wash on Highway 64. The applicant and Engineer will be at the meeting on Wednesday to discuss the item.

Meeting Cycle: Wednesday, March 24, 2021

Subject: Action to Amend Article II. Neighborhood Development Regulations, Section 3; and Section 10.C.8 to amend the Neighborhood Type II and Stormwater Management Sections.

Staff Contact: Richard Donovan, Planning Director

STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments.

DISCUSSION

BACKGROUND:

Below are two amendments to the Subdivision Regulations to address issues that have manifested in the last several months. Both amendments were generated from a Resolution from the Board of Commissioners on February 11th.

PROPOSED AMENDMENTS:

Fountains in Wet Detention Ponds:

This amendment is unique as it will both the Zoning Regulations and the Neighborhood Development Regulations (Subdivision Regulations). The amendment will require if wet detention ponds are used, they must include fountains.

The following text will be added to Section 7 - Stormwater Management:

- k. Wet detention basins shall include a fountain to reduce excessive algae growth, aerate the water to reduce foul odors, and reduce mosquito activity. The Stormwater Plans shall consist of documentation that proves the fountain and associated pump are of adequate size for the size and shape of the detention basin in which they are being installed.*

Neighborhood Type II Zoning Distribution:

This amendment will be to the Neighborhood Development Regulations (Subdivision Regulations). This amendment will change the distributions of zoning types required in Neighborhood Type II. Staff ran a few scenarios to see how changes to this section of the code would affect density on potential developments. The below proposed changes match the City's currently adopted Comprehensive Plan. This is important as the Type II neighborhood is the most prevalent in the City and should be working in concert with our adopted plans instead of against them.

B. Zoning Districts and Requirements.

1. *Zoning District Requirements. Refer to II.1.C for General Zoning District Requirements.*
 - a. *A minimum mix of permitted residential districts is defined per Table 3.A-1.*
2. *Permitted Districts. Permitted districts are defined in Table 3.A-1. Refer to III.1 Zoning Districts for more information.*
 - a. *R1: Suburban Estate. An R1-primary option is provided, which permits all R1 lots for a Type II Neighborhood.*
 - b. *R1: Suburban Estate. For developments fifteen (15) acres or more and when the R1-primary option is not utilized, at least fifty (50) ~~twenty (20)~~ percent of all residential Lots shall be zoned R1.*
 - c. *R3: Suburban Cottage. For developments fifteen (15) acres or more, no more than ~~twenty (20)~~ fifty (50) percent of all residential Lots may be zoned R3, with the following exception:*
 - (1) *If fifty (50) percent or more of the gross Subdivision area is designated as open space per II.1.D, up to ~~fifty (50)~~ eighty (80) percent of all residential Lots may be zoned R3.*
 - d. *RE: Ex-Urban District Restriction. When permitted, no more than ten (10) percent of all residential Lots may be Ex-Urban, with the following exception:*
 - (1) *RE zoned Lots providing a transition to existing adjacent RE zoned Lots are exempt from this limitation.*

		Type II		
		Less than 15 Acres of Developable Area	15 Acres or more of Developable Area	R-1 primary option any sized Developable Area
Residential Districts	R7 District: Multi-Family			
	R6 District: Attached			
	R5 District: Urban Manor			
	R4 District: Urban Estate			
	R3 District: Suburban Cottage	• no more than 10% of all residential lots	• no more than 20% of all residential lots, with exception per II.3.B	
	R2 District: Suburban Manor	•	•	
	R1 District: Suburban Estate	• at least 60% of all residential lots must be this district	• at least 50% of all residential lots must be this district	•
	RE District: Exurban		• no more than 10% of all residential lots	• no more than 10% of all residential lots
	AG District: Agriculture			

• permitted

Meeting Cycle: Wednesday, March 24, 2021

Subject: Action on a recommendation to Amend Article I Administration, Section 4.T C.(6) and E.(2).g and Article III Zoning Regulations, Section 2, Table 2.L-1; Section 2.M.; Section 3.H-M and Table 3.B-2; Section 3.N-V and Table 3.B-1; Section 7.C.8 to make interim amendments to the Land Development Regulations concerning building facades, stormwater, and allowed uses.

Staff Contact: Richard Donovan, Planning Director

STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments.

DISCUSSION

BACKGROUND:

Below are six amendments to the Zoning Regulations to address issues that have manifested in the last several months. Three of the amendments were generated from a Resolution from the Board of Commissioners on February 11th, and three originated with City Staff. Each of the proposed amendments has a brief explanation, and the recommended text follows the explanation.

PROPOSED AMENDMENTS:

Vehicular Service:

This amendment will be to the Zoning Regulations. This amendment will seek to limit the locations of vehicular service uses with the City provide some additional design criteria. The vehicular service use will affect automobile service stations, automotive repairs, car washes, and tire sales and mounting. This amendment will not affect the approvals of any existing PD or existing businesses.

A supplemental document has been prived for MPC review. The document contains staff research into gas stations. This will provide you an idea of how other Cities in Tennessee addresses gas stations.

Text highlighted text below will be added to the vehicular service portion of the LDRs.

Uses	Regional Commercial	Light Manufacturing
	C2	M1
Vehicle Service	○	○

16. Vehicular Service. In the district where Vehicle Service requires a Conditional Use Permit (I.4.N) (“○”), the following apply:

- a. When a Conditional Use Permit is required, it is the Applicant’s burden to prove that granting the permit will not negatively impact the neighborhood or that the site is designed in such a way as to mitigate any such impacts, including traffic, noise, and light.
- b. Use Limitation. Repair and wash facilities for semi-trucks, recreational vehicles, boats, and other oversized vehicles are only permitted in the M1 District.
- c. Structures: Principal Structure. Principal Structures shall be constructed using one of the permitted Building Types in the District. The Pitched Cap Type and Parapet are the only permitted Cap Type for this Use.
- d. Structures: Canopies. Canopies shall be developed using the following:
 - (1) Canopies, including the roof, shall be no taller than twenty-eight feet.
 - (2) Canopy roof structures shall match the roof structure of the Principal Structure on the Lot. Refer to permitted Cap Types per non- Residential Building Types in III.3.H through M.
 - (3) Columns shall be located on the outer edges of the pump islands, outside of and partially screening the pumps.
 - (4) Columns shall be a minimum of 18” in width in all directions and a maximum of fifteen (15) feet in height.
 - (5) Column and canopy materials shall meet the requirements of III.3.A(5) Non-Residential Building Materials.
- e. Service Bays. Vehicular service bays, including garages and car wash bays, shall not be located on the Front Facade. This is illustrated in Figure 2.M-1

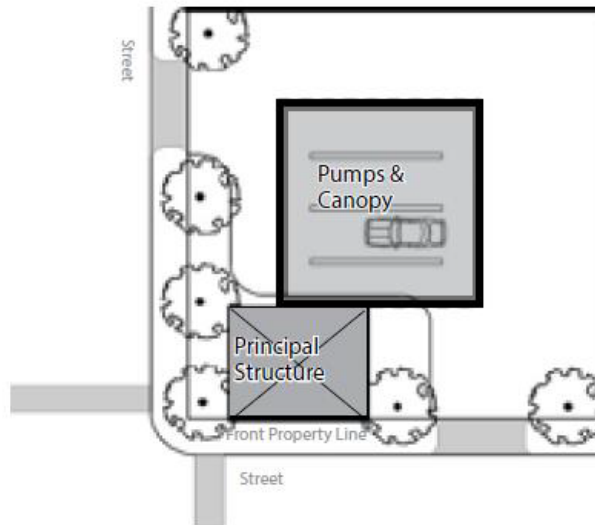


Figure 2.M-1. Relationship between the Principal Structure and the pump islands.

- f. Outdoor Storage. Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if:
 - (1) The vehicles are not stored for more than two days.
 - (2) The storage area is in the Rear Yard screened from view of the Front Property Line.
 - (3) The storage area is screened using the Heavy Side or Rear Yard Buffer outlined in III.5.K regardless of the adjacent land Uses.
 - (4) Car sales are not permitted.
- g. Outdoor Activities.
 - (1) All repairs or washing activities shall occur inside a building.
 - (2) Vacuuming activities may occur in open air, but shall be in the Side or Rear Yards, screened from the Front Property Line.
 - (3) Outdoor sales are prohibited except for temporary outdoor display of seasonal items, such as windshield wiper fluid or salt, permitted during business hours under the canopy and adjacent to the Principal Structure.
- h. Vehicular Service shall be located within 500 feet of the intersection of two (2) arterials or the intersection of an arterial and collector.
- i. Vehicular Service shall not be located adjacent to a residential, open space, or conservation lot, unless approved a part of a planned development. If approved as a part of a planned development a solid fence or wall of at least four (4) feet in height shall be erected along all property lines separating the site from any lot allowed to have a residential use, open space, or conservation area and along all alley property lines where the property opposite allows for residential uses.
- j. The primary building shall have a useable/active pedestrian entrance on the arterial façade.

- k. Motor vehicle service and fuel center canopies and their associated columns and supports shall be removed at such time that the fuel center pumps and tanks are removed. New uses of the property, other than those for motor vehicle service and fuel centers, shall not be allowed to utilize the canopies previously constructed. New uses of the property, other than those for motor vehicle service and fuel centers, shall remove the canopies and their associated support columns and supports previously constructed prior to being allowed to occupy the site with the new use.

Multi-family in Commercial Districts:

This amendment will be to the Zoning Regulations. This amendment will remove multi-family uses from all commercial districts in the City.

The table that follows will be amended to only allow apartments in the R7 district.

	Neighborhood C	Neighborhood Community Commercial 1	Regional Commercial 2	Neighborhood Office O	Office O	Institutional P	Exurban R E	Suburban Estate R 1	Suburban Manor R 2	Suburban Cottage R 3	Urban Estate R 4	Urban Manor R 5	Attached R 6	Multi-Family R 7	Neighborhood Civic S 1	Neighborhood Open S 2	General Open Space S 3	Outdoor Recreation S 4	Conservation S 5	Agriculture A	Light Manufacturing M 1	Manufacturing M 2	Infrastructure M 3
Multi-family	●	●	●	●										●									

Fountains in Wet Detention Ponds:

This amendment is unique as it will both the Zoning Regulations and the Neighborhood Development Regulations (Subdivision Regulations). The amendment will require if wet detention ponds are used, they must include fountains.

The following text will be added to Section 7 - Stormwater Management:

- k. Wet detention basins shall include a fountain to reduce excessive algae growth, aerate the water to reduce foul odors, and reduce mosquito activity. The Stormwater Plans shall consist of documentation that proves the fountain and associated pump are of adequate size for the size and shape of the detention basin in which they are being installed.*

Planned Development Requirements:

This amendment will be to the Zoning Regulations. This amendment will add the requirement that a letter be provide by the applicant for each PD that states:

1. What sections of the LDRs they are seeking relief from?
2. Why relief is needed?
3. What sections of the LDRs they are exceeding?

The amendment will require with each PD Outline or PDP the developer will submit a letter answering the three questions about. The letter will help Staff, MPC and BOC have a better understanding of the request for each PD being reviewed.

The following text will be added to Section 4 – Process Criteria and Application:

- (6) The outline plan shall be accompanied by a letter stating the Articles and Sections the Developer is requesting flexibility from the requirements of these Land Development Regulations and why the flexibility is required for the development. The letter shall also include any Articles and Sections being exceeded by the PD.*
- g. If not provided as a part of the outline plan, a letter meeting the requirements of I.T.4.C.(6) shall be accompany the PDP.*

Impervious Surface:

This amendment will remove the impervious surface requirements for residential districts. This removal is consistent with other Cities in the immediate area and statewide. Most do have a maximum building coverage area; that standard is currently in place for Lakeland. The issue with the impervious surface requirement has come to light in the last several months with numerous appeals to the Board of Appeals. Many existing neighborhoods have difficulty meeting this requirement because driveways, houses, accessory structures, etc. cover larger portions of the lots. This requirement has been part of at least three appeals in the last five months. It is Staff's opinion that this many appeals mean the Code needs to be amended to resolve the issues.

Text highlighted and stricken through are being removed.

	Buildable Area	
	Maximum Building Coverage	Maximum Impervious + Semi-Pervious Coverage
Residential Buildings		
Agriculture	4%	7% impervious + 3% semi-pervious
Exurban	6%	10% impervious + 5% semi-pervious
Suburban Estate	20%	30% impervious + 10% semi-pervious
Suburban Manor	35%	45% impervious + 10% semi-pervious
Suburban Cottage	40%	45% impervious + 10% semi-pervious
Urban Estate	40%	50% impervious + 10% semi-pervious
Urban Manor	45%	60% impervious + 10% semi-pervious
Attached House	45%	60% impervious + 15% semi-pervious
Multifamily	45%	65% impervious + 15% semi-pervious

Section 3.N – Residential Building Type Standards: Agriculture

1. Building Siting. (Refer to Figure 3.N-1)

Buildable Area.

1.g Maximum Building Coverage shall be four (4) percent of the Lot Area.

~~1.h Maximum Impervious Site Coverage shall be seven (7) percent of Lot Area and an additional three (3) percent of the site may be Semi-Pervious.~~

Section 3.O – Building Type Standards: Exurban

1. Building Siting. (Refer to Figure 3.O-1)

Buildable Area.

1.g Maximum Building Coverage shall be six (6) percent of the Lot Area.

~~1.h Maximum Impervious Site Coverage shall be ten (10) percent of Lot Area and an additional five (5) percent of the site may be Semi Pervious.~~

Section 3.P – Building Type Standards: Suburban Estate

1. Building Siting. (Refer to Figure 3.P-1)

Buildable Area.

1.g Maximum Building Coverage shall be twenty (20) percent of the Lot Area.

~~1.h Maximum Impervious Site Coverage shall be thirty (30) percent of Lot Area and an additional ten (10) of the site may be Semi Pervious.~~

Section 3.Q – Building Type Standards: Suburban Manor

1. Building Siting. (Refer to Figure 3.Q-1)

Buildable Area.

1.g Maximum Building Coverage shall be thirty-five (35) percent of the Lot Area.

~~1.h Maximum Impervious Site Coverage shall be forty-five (45) percent of Lot Area and an additional ten (10) of the site may be Semi Pervious.~~

Section 3.R – Building Type Standards: Suburban Cottage

1. Building Siting. (Refer to Figure 3.R-1)

Buildable Area.

1.f Maximum Building Coverage shall be forty (40) percent of the Lot Area.

~~1.g Maximum Impervious Site Coverage shall be forty-five (45) percent of Lot Area and an additional ten (10) percent of the site may be Semi Pervious.~~

Section 3.S – Building Type Standards: Suburban Cottage

1. Building Siting. (Refer to Figure 3.S-1) Street Frontage.

Buildable Area.

1.g Maximum Building Coverage shall be forty (40) percent of the Lot Area.

~~1.h Maximum Impervious Site Coverage shall be fifty (50) percent of Lot Area and an additional ten (10) percent of the site may be Semi Pervious.~~

Section 3.T – Building Type Standards: Urban Manor

1. Building Siting. (Refer to Figure 3.T-1) Street Frontage.

Buildable Area.

1.f Maximum Building Coverage shall be forty-five (45) percent of the Lot Area.

~~1.g Maximum Impervious Site Coverage shall be sixty~~
~~1.h (60) percent of Lot Area and an additional ten (10) percent of the site may be Semi Pervious.~~

Section 3.U – Building Type Standards: Attached House

. Building Siting. (Refer to Figure 3.U-1)

Buildable Area.

1.j Maximum Building Coverage shall be forty-five (45) percent of the Lot area.

~~1.k Maximum Impervious Site Coverage shall be sixty (60) percent of Lot Area and an additional fifteen (15) percent of the site may be Semi Pervious.~~

Section 3.V – Building Type Standards: Multifamily Building

1. Building Siting. (Refer to Figure 3.V-1)

Buildable Area.

~~1.f Maximum Impervious Site Coverage shall be 65%; an additional 15% of the site may be Semi Pervious.~~

1.i Maximum Building Coverage shall be forty-five (45) percent of the Lot area.

Transparency:

This amendment will change the transparency requirements for non-residential buildings. The MPC has reviewed several site plans in the last few months that have need some degree of relief or exception to the current transparency requirements. The Code currently requires that all sides have some percentage of transparency on all sides. The amendment changes the transparency requirements to only being required to face the street, parking areas, or open space. This would provide transparency to the most visible portion of the building but allow “back of house” areas without transparency.

Text highlighted and stricken through are being removed, and highlighted text will be added.

Transparency	
Upper Story Front and Corner Side Façade Facades Facing Street, Open Space, or 30% of parking	
Mixed Use, Commercial, Industrial, and Civic Buildings	
Mixed Use Building	20%
Commercial Building, Type A	20%
Commercial Building, Type B	15%
Cottage Commercial	20%
Corridor Building	20%
Warehouse Building	20% on admin/ofc bldg
Civic Building	10%

III. Zoning Regulations

Section 3.H – Building Type Standards: Mixed Use Building

3. Façade Requirements. (See Figure 3.H-3)

Transparency. (See III.3.F Measuring Transparency)

- 3.a. ~~A minimum of twenty (20) percent of all Facades shall have Transparency.~~
Any façade that is facing a public street, open-space, or parking lot with more than thirty (30) percent of the required parking shall have a minimum of twenty (20) percent transparency.

Section 3.I – Building Type Standards: Commercial Building Type A

3. Façade Requirements. (See Figure 3.I-3)

Transparency. (See III.3.F Measuring Transparency)

- 3.a. ~~A minimum of twenty (20) percent of all Facades shall have Transparency.~~
Any façade that is facing a public street, open-space, or parking lot with more than thirty (30) percent of the required parking shall have a minimum of twenty (20) percent transparency.

Section 3.Ib – Building Type Standards: Commercial Building Type B

3. Facade Requirements. (See Figure 3.I-3)

The following requirements apply only to street facing facades, facades facing any Open Space Type and rear facades on parking lots with more than forty (40) percent of required parking.

Transparency. (See III.3.F Measuring Transparency)

- 3.a A minimum of fifteen (15) percent of all facades facing the Front Property Line shall have Transparency.

Any façade that is facing a public street, open-space, or parking lot with more than thirty (30) percent of the required parking shall have a minimum of fifteen (15) percent transparency.

Section 3.J – Building Type Standards: Cottage Commercial Building

3. Facade Requirements. (Refer to Figure 3.J- 3).

Transparency. (See III.3.F Measuring Transparency)

- 3.a A minimum of twenty (20) percent of all Facades shall have Transparency.

Any façade that is facing a public street, open-space, or parking lot with more than thirty (30) percent of the required parking shall have a minimum of twenty (20) percent transparency.

Section 3.K – Building Type Standards: Corridor Building

3. Facade Requirements. (Refer to Figure 3.K-3)

Transparency. (See III.3.F Measuring Transparency)

- 3.a A minimum of twenty (20) percent of all Facades shall have Transparency.

Any façade that is facing a public street, open-space, or parking lot with more than thirty (30) percent of the required parking shall have a minimum of twenty (20) percent transparency.

Section 3.L – Building Type Standards: Warehouse Building

Transparency. (See III.3.F Measuring Transparency)

- 3.a A minimum of twenty (20) percent of all Facades of the administration/office portion of the building shall have Transparency.

Any façade that is facing a public street, open-space, or parking lot with more than thirty (30) percent of the required parking shall have a minimum of twenty (20) percent transparency. This shall only apply to administration/office portion of the building.

Section 3.M – Building Type Standards: Civic Building

3. Facade Requirements. (See Figure 3.M-3)

Transparency.

- 3.a A minimum of ten (10) percent of the all Facades shall have Transparency.

Any façade that is facing a public street, open-space, or parking lot with more than thirty (30) percent of the required parking shall have a minimum of ten (10) percent transparency.

Gas Station Research

Hendersonville

10.3.7 | MOTOR VEHICLE SERVICE STATION

- A. Motor vehicle service station and fuel center canopies shall be designed with luminaires full recessed into the ceiling of the canopy to minimize light pollution. Light intensity directly under the canopy shall not exceed thirty (30) footcandles at any location. All lighting mounted under the canopy, including auxiliary lighting within signage and panels over pumps, shall be included in the thirty (30) footcandle limit. For service stations and fuel centers adjacent to residential zones, see Chapter 11.3.3 (Light Trespass).
- B. All motor vehicle service station driveways must be located and designed to ensure that they will not adversely affect the safety and efficiency of traffic circulation on adjoining streets.
- C. Motor Vehicle service stations may offer convenience items for sale as secondary activity.
- D. Motor vehicle service stations may also include an automatic car wash with one (1) bay. Stacking spaces shall be in accordance with Chapter 11.2 (Off-Street Parking and Loading). More than one (1) bay constitutes a separate principal use and requires compliance as such.
- E. In addition, Minor Motor Vehicle Repair Shops may be included as part of a Motor Vehicle Service Station. However, they shall be subject to the provisions of this Chapter and the standards of Chapter 10.3.10 (Motor Vehicle Service and Repair, Major or Minor) below.
- F. Motor vehicle service and fuel center canopies and their associated columns and supports shall be removed at such time that the fuel center pumps and tanks are removed. New uses of the property, other than those for motor vehicle service and fuel centers, shall not be allowed to utilize the canopies previously constructed. New uses of the property, other than those for motor vehicle service and fuel centers, shall remove the canopies and their associated support columns and supports previously constructed prior to being allowed to occupy the site with the new use.

Jackson

GASOLINE SERVICE STATIONS

1. Gasoline pump islands, compressed air connections, and similar equipment shall be set back a minimum of fifteen (15) feet from any right-of-way line.
2. Canopies for the gasoline pump islands may be permitted provided: no canopy shall be located closer than seven (7) feet to any street right-of-way line; a minimum ten (10) feet clearance shall be provided between the ground elevation and the canopy; no advertising or signs of any nature shall be attached to the canopy; and the width of the canopy shall not exceed the width of the gasoline pump island by more than forty percent (40%).
3. The length of curb openings shall not exceed fifty (50) feet.
4. No driveway or curb cut for a driveway shall be located within ten (10) feet of an adjoining property line, as extended to the curb or pavement, or within twenty (20) feet of an exterior (corner) lot line as extended.
5. Any two (2) driveways providing access to a single street shall be separated by an island with a minimum dimension of twenty (20) feet at both the right-of-way line and the curb or edge of the pavement.
6. A raised curb of at least six (6) inches in height shall be erected along all of the streets' property lines, except for driveway openings.
7. The entire service area shall be paved with a permanent surface of concrete or asphalt. Any unpaved areas of the site shall be landscaped and separated from the paved areas by a curb or other barrier.
8. A solid fence or wall four (4) feet in height shall be erected along all property lines separating the site from any lot zoned for residential use, and along all alley property lines where the property opposite is zoned for residential purposes.
9. Off street parking of one parking space for each two employees (with a minimum of two (2) employee spaces) plus one (1) space for each service bay shall be provided. Exterior lighting shall be arranged so that it is deflected away from adjacent properties.

Franklin

Gas Stations

1. Gas stations shall not be located on a lot at a street intersection composed of two or more arterial streets.
2. Gas stations on lots at intersections, where permitted, shall be designed so that any fueling pumps and associated canopies are located away from the intersection and to the side or rear of the building.
3. Gas stations shall not be located adjacent to a residential lot, unless approved by the BOMA as a part of a development plan.
4. Gas stations shall have a pitched roofs for buildings and canopies.
5. Canopies shall have a maximum clearance height of 15 feet from the finished grade to the underside of the canopy.
6. Canopies shall use the same exterior materials and architectural style as the principle building. Each column or pier shall have a base of brick, natural stone, or cultured stone.
7. Canopy lighting shall comply with Subsection 14.3.5, Canopy and Awing Lights.
8. A gas station canopy is permitted one sign that does not exceed 15 percent of the canopy face that does not project above or below the canopy or roofline.

Columbia

E. Convenience Stores with Gasoline Sales Facilities

1. Convenience stores with gasoline sales facilities shall be permitted in accordance with the use table in Sec. 8.1, subject to the following:
2. Fuel pumps shall be located at least 15 feet from the property line.
3. No outdoor storage shall be allowed.
4. Storage of vehicles for 15 days or more shall be prohibited.
5. A spill prevention and counter measures plan shall be provided prior to construction plan approval that includes, at a minimum:
 - a. Clean up procedures for fuel (or other hazardous material) spills occurring inside and outside the building;
 - b. Counter measures for use in preventing fuel (or other hazardous material) spills from entering the stormwater collection system; and
 - c. Routine cleanup procedures for work areas and parking areas. Washdown water shall not be permitted to enter the stormwater collection system.
6. Pump island canopies shall be so located that a vertical downward projection of the edge nearest the front lot line shall not be closer than 1/2 the building setback for the district in which the use is located.
7. Within the CBD district, the maximum number of fueling stations shall be limited to eight district-wide

Gallatin

08.04.060 Special Conditions for Convenience Sales and Services Commercial Activities

- A. Personal convenience services, as described in Section 03.07.090, shall be exempt from this special condition section.
- B. Convenience Sales and Service structures shall be designed to be compatible with the character of residential structures in the surrounding area. Scale of materials and building forms are considered important elements of compatibility.
- C. In order to determine compatibility, the applicant shall provide information concerning building design and materials, including elevations of all sides of the proposed buildings and structures. The features shown in the elevations shall include information concerning building materials, heights, scale, door and window openings, façade offsets, roof pitch and colors.
- D. The design of such facilities shall comply with the requirements of Section 13.08, Architectural Character and Compatibility Standards. In addition, the following architectural standards shall apply:
 - 1. Building height and design shall be in keeping with the character and scale of the proposed and surrounding development.
 - a. Building colors should be subdued, with natural earth tones and colors compatible with surrounding development predominating.
 - b. Building rooflines and pitches should be comparable to typical residential roofline styles. To harmonize with residential structures, convenience sales and service structures should have roofs that are visible from the street, preferably with a pitch not less than 1-foot rise in 2-foot run. Roofs should be a dark earth tone in color.
 - 2. Canopy height and design shall be in keeping with the character and scale of the proposed development. The canopies shall have pitched rooftops compatible with the design of the proposed building(s).
 - 3. Canopies over gas pumps shall use colors and materials that blend with proposed and surrounding building facades. The use of earth tones or dark colors is encouraged.
 - 4. The use of primary, secondary or other bright, bold colors on building facades, canopies and awnings shall be avoided.
 - 5. Heating and cooling equipment, solid waste disposal equipment and facilities and mechanical equipment and facilities shall be adequately screened so as not to be visible from streets and adjacent properties. In addition, mechanical equipment placed on rooftops should be concealed from view from public streets and adjacent properties.
- E. The number of gasoline pumps, if any, permitted with this use shall be determined by the Planning Commission. In making this determination the

Planning Commission shall consider the location, size, and design of such facilities so that the proposed development will be compatible with the development within the surrounding area, thus reducing the impact upon the surrounding area.

Farragut

Sec. IX. - Gasoline/fuel service stations.

- A. The intent of this section is to provide for facilities that fuel and service automobiles and light trucks only. The design criteria used as a guide to construct such facilities are biased towards automobile and light truck traffic only. Service stations shall not be designed to refuel and/or service trucks with more than three axles or more than ten wheels.

The principal building used in conjunction with the service stations shall conform to the setback requirements for principal buildings for the district in which they are located.

- B. Fuel pump islands shall:
1. Be designed and oriented for automobile and light truck service only.
 2. Be located not closer than 30 feet to any street right-of-way.
 3. Be separated by a driveway of at least 22 feet in width when two islands are located parallel to each other.
 4. Be separated from the principal building by a driveway of at least 20 feet where the islands are constructed parallel to the building, excluding a service attendant building constructed as a part of a pump island.
 5. Be separated from the principal building by a driveway of at least 30 feet in width where the islands are constructed perpendicular to the building.
 6. Be set back at least 30 feet from all property lines other than street rights-of-way.
- C. Canopies shall be designed for automobiles, light trucks, and recreational vehicles. They shall not be constructed closer than 20 feet from any street right-of-way.
- D. A raised curb at least six inches in height shall be constructed along boundaries of the driveways, except at the openings. On-site drainage may not be discharged through the driveway openings into the public right-of-way.
- E. Access to the public right-of-way shall be governed by the Farragut Municipal Code. Sites are not automatically granted multiple access points.

RESOLUTION R-20-2021

A RESOLUTION DIRECTING STAFF TO BEGIN PREPARATION OF
DESIGN REVIEW GUIDELINES

WHEREAS, the Board of Commissioners is aware that the Land Development Regulations allow certain design standards that are no longer in the City's best interest; and

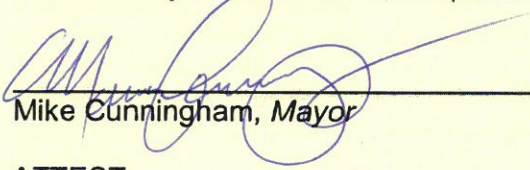
WHEREAS, the Board of Commissioners plan to initiate the process of creating a stand-alone design review document; and

WHEREAS, the Board of Commissioners desires to create a clear and concise document that sets forth design standards to ensure future development meet the character and context the City of Lakeland desires; and

WHEREAS, the Board of Commissioners desires to take immediate action to add Design Review Guideline to the City's Development Regulations.

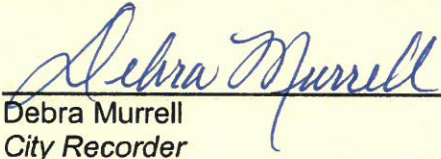
NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Lakeland that the City Manager or his designee hereby directed to initiate the preparation of Design Review Guidelines.

PASSED AND ADOPTED by the Board of Commissioner of Lakeland, Tennessee on this 11th day of March 2021, the public welfare requiring it.



Mike Cunningham, Mayor

ATTEST:



Debra Murrell
City Recorder