



*City of Bartlett*  
A. Keith McDonald, Mayor

## **BOARD OF MAYOR AND ALDERMEN MEETING AGENDA**

**TUESDAY, NOVEMBER 22, 2016 - BARTLETT STATION MUNICIPAL CENTER,  
COMM ROOM A - 7:00 PM**

### **INVOCATION**

Opening Prayer by Andrew Raymond, New Hope Christian Church

### **FUTURE MEETINGS**

City Beautiful Commission, December 1 at 7 p.m.

Family Assistance Commission, December 5 at 6 p.m.

Planning Commission, December 5 at 7 p.m.

Bartlett Station Commission, December 7 at 7:30 a.m.

Bartlett Board of Education Work Session, December 8 at 7 p.m.

Bartlett Historical Society, December 12 at 7 p.m.

### **RECOGNITIONS**

Firefighter Badge Presentation

\*\*\*Official Business of the Day\*\*\*

### **MINUTES ACCEPTANCE**

**Minutes of the November 10, 2016 Board of Mayor and Aldermen Regular Meeting**

### **PUBLIC HEARING**

Individuals will have a maximum of three minutes to speak either for or against the item, with a total of 20 minutes for each side.

1. Resolution 14-16, a resolution approving amendments to the Richland Valley Planned Development.
2. Ordinance 16-07, an ordinance to designate the Brunswick Rosenwald School, 4549 Brunswick Road, a historic landmark.

3. Ordinance 16-08, an ordinance to designate Cedar Hall, 3712 Broadway Road, a historic landmark.
4. Ordinance 16-09, an ordinance amending Title 20, Chapter I Air Pollution Control Code, to update permit and emissions fees.

### **UNFINISHED BUSINESS**

- 1 **Resolution 14-16, a resolution approving amendments to the Richland Valley Planned Development. (Terry Emerick, Director of Planning and Economic Development)**
- 2 **Third Reading of Ordinance 16-07, an ordinance to designate the Brunswick Rosenwald School, 4549 Brunswick Road, a historic landmark. (Terry Emerick, Director of Planning and Economic Development)**
- 3 **Third Reading of Ordinance 16-08, an ordinance to designate Cedar Hall, 3712 Broadway Road, a historic landmark. (Terry Emerick, Director of Planning and Economic Development)**
- 4 **Third Reading of Ordinance 16-09, an ordinance amending Title 20, Chapter I Air Pollution Control Code, to update permit and emissions fees. (Mark Brown, Chief Administrative Officer)**

### **CONSENT AGENDA**

- 1 **Authorization to purchase Right-of-Way for the widening of Old Brownsville Road. (Rick McClanahan, Director of Engineering)**  
  
Request approval to purchase one right-of-way tract for a total of \$71,411.00. Funds are available in Account 311.48311.770.422.
- 2 **Site Plan contract for L.A. Fitness. (Rick McClanahan, Director of Engineering)**  
  
The developer, Realty Income Properties 17, LLC. will pay \$10,133.98 in City Fees. The Bond is set at \$72,955.00.
- 3 **Treasurer's Report for October 2016. (Dick Phebus, Director of Finance)**

**NEW BUSINESS**

- I     Appoint Michael Bollinger as Director of Bartlett Performing Arts and Conference Center. (A. Keith McDonald, Mayor)**
  
- 2     Appeal of the Design Review Commission's decision regarding the proposed multi-tenant ground sign for LA Fitness, 6050 Stage Road. (Terry Emerick, Director of Planning and Economic Development)**

**OPEN DISCUSSION**

**ADJOURNMENT**



*City of Bartlett*  
A. Keith McDonald, Mayor

## **BOARD OF MAYOR AND ALDERMEN MEETING MINUTES**

**THURSDAY, NOVEMBER 10, 2016 - BARTLETT CITY HALL - 7:00 PM**

### **CALL TO ORDER**

Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Absent, Alderman Emily Elliott: Present, Alderman David Parsons: Present, Alderman Bobby Simmons: Present, Vice Mayor Jack Young: Present, Alderman Paula Sedgwick: Present.

### **INVOCATION**

Opening Prayer by Fred Shakelford, Ellendale Baptist Church

### **FUTURE MEETINGS**

Bartlett Historical Society, November 14 at 7 p.m.

BPACC Advisory Board, November 15 at 6 p.m.

Design Review Commission, November 15 at 6:30 p.m.

Bartlett Board of Education, November 17 at 7 p.m.

Historic Preservation Commission, November 21 at 7 p.m.

Bartlett Arts Council, November 15 at 6:30 p.m.

### **RECOGNITIONS**

#### **Reserve Firefighters check presentation to Dream Factory**

Using funds raised through the Annual Pancake Breakfast, the City's Reserve Firefighters will fulfill the wish of one local child through the Dream Factory.

#### **Fire Department check presentation to Wings Cancer Foundation**

Chief Wiggins presented a \$4,000 check to WINGS Supportive Care Division. The Fire Department raised these funds be their annual sale of Pink Heals T-shirts.

**\*\*\*Official Business of the Day\*\*\***

Minutes Acceptance: Minutes of Nov 10, 2016 7:00 PM (MINUTES ACCEPTANCE)

**MINUTES ACCEPTANCE****Minutes of the October 25, 2016 Board of Mayor and Aldermen Regular Meeting**

|                  |                                            |
|------------------|--------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | Bobby Simmons, Alderman                    |
| <b>SECONDER:</b> | David Parsons, Alderman                    |
| <b>AYES:</b>     | Elliott, Parsons, Simmons, Young, Sedgwick |

**UNFINISHED BUSINESS**

- 1      **Second Reading of Ordinance 16-07, an ordinance to designate the Brunswick Rosenwald School, 4549 Brunswick Road, a historic landmark. (Terry Emerick, Director of Planning and Economic Development)**

|                  |                                               |                                 |
|------------------|-----------------------------------------------|---------------------------------|
| <b>RESULT:</b>   | <b>APPROVED ON SECOND READING [UNANIMOUS]</b> | <b>Next: 11/22/2016 7:00 PM</b> |
| <b>MOVER:</b>    | Jack Young, Vice Mayor                        |                                 |
| <b>SECONDER:</b> | David Parsons, Alderman                       |                                 |
| <b>AYES:</b>     | Elliott, Parsons, Simmons, Young, Sedgwick    |                                 |

- 2      **Second Reading of Ordinance 16-08, an ordinance to designate Cedar Hall, 3712 Broadway Road, a historic landmark. (Terry Emerick, Director of Planning and Economic Development)**

|                  |                                               |                                 |
|------------------|-----------------------------------------------|---------------------------------|
| <b>RESULT:</b>   | <b>APPROVED ON SECOND READING [UNANIMOUS]</b> | <b>Next: 11/22/2016 7:00 PM</b> |
| <b>MOVER:</b>    | David Parsons, Alderman                       |                                 |
| <b>SECONDER:</b> | Emily Elliott, Alderman                       |                                 |
| <b>AYES:</b>     | Elliott, Parsons, Simmons, Young, Sedgwick    |                                 |

- 3      **Second Reading of Ordinance 16-09, an ordinance amending Title 20, Chapter I Air Pollution Control Code, to update permit and emissions fees. (Mark Brown, Chief Administrative Officer)**

|                  |                                               |                                 |
|------------------|-----------------------------------------------|---------------------------------|
| <b>RESULT:</b>   | <b>APPROVED ON SECOND READING [UNANIMOUS]</b> | <b>Next: 11/22/2016 7:00 PM</b> |
| <b>MOVER:</b>    | David Parsons, Alderman                       |                                 |
| <b>SECONDER:</b> | Jack Young, Vice Mayor                        |                                 |
| <b>AYES:</b>     | Elliott, Parsons, Simmons, Young, Sedgwick    |                                 |

Minutes Acceptance: Minutes of Nov 10, 2016 7:00 PM (MINUTES ACCEPTANCE)

**CONSENT AGENDA**

|                  |                                            |
|------------------|--------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | Bobby Simmons, Alderman                    |
| <b>SECONDER:</b> | Jack Young, Vice Mayor                     |
| <b>AYES:</b>     | Elliott, Parsons, Simmons, Young, Sedgwick |

- 1 Bid for one fork lift. (Bill Yearwood, Director of Public Works)**  
Recommend accepting the lowest bid from Briggs Equipment at a cost of \$ 21,681.00. Funds are available in Account 311.48311.785.30716.
- 2 Bid for three Dodge Chargers. (Gary Rikard, Chief of Police)**  
Recommend accepting the lowest bid from Premier Automotive at a cost of \$25,505.00 each for a total cost of \$76,505.00. Funds are available in Account 31148311.785.20317.
- 3 Bid for Appling Road Soccer Field parking lot asphalt paving. (Wade Towles, Assistant Director of Engineering)**  
Recommend accepting the lowest bid from Lehman Roberts Co. in the amount of \$68,000.00, plus a contingency amount of \$7,000.00 for a total cost of \$75,000.00. Funds are available in Account 311.48311.780.51417.
- 4 Bid for Shadowlawn Road Sewer Extension Project, Phase 2. (Wade Towles, Assistant Director of Engineering)**  
Recommend accepting the lowest bid from Ensco, LLC in the amount of \$421,182.20, plus a contingency amount of \$40,000.00 for a total cost of \$461,182.20. Funds are available in Account 312.48312.780.8114.
- 5 Proposal for survey and design of Elmore Park Road drainage basins. (Rick McClanahan, Director of Engineering)**  
Recommend approving the proposed survey and engineering design for Elmore Park from Allen & Hoshall at a cost of \$42,000. Funds are available in Account 311.48311.772.63616.
- 6 Contract for temporary employment services. (Dick Phebus, Director of Finance)**  
Recommend awarding temporary employment services contract to Conexx Staffing Services, Inc. Funds are available in each department's accounts.
- 7 Contract payment to Retail Strategies. (Mark Brown, Chief Administrative Officer)**  
Request authorization to pay consulting firm Retail Strategies \$24,000 for Service Year 3, as agreed upon in contract approved October 2014. Funds are available in Account 110.41100.897.
- 8 Dispense with second Board of Mayor and Aldermen meeting in December. (Mark Brown, Chief Administrative Officer)**

Minutes Acceptance: Minutes of Nov 10, 2016 7:00 PM (MINUTES ACCEPTANCE)

**NEW BUSINESS****I Appoint Doug Bailey as Police Inspector. (A. Keith McDonald, Mayor)**

Inspector Bailey's appointment will begin January 1, 2017 and run through December 31, 2018.  
Mayor McDonald swore in Doug Bailey as his wife held the Bible.

|                  |                                            |
|------------------|--------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | Jack Young, Vice Mayor                     |
| <b>SECONDER:</b> | Emily Elliott, Alderman                    |
| <b>AYES:</b>     | Elliott, Parsons, Simmons, Young, Sedgwick |

**OPEN DISCUSSION**

Mayor McDonald noted that the Board meetings will be held in Bartlett Station Municipal Center Community Room A until further notice. The Assembly Chamber will be renovated. All other meetings held in the Assembly Chamber will also be held in various City facilities.

City Engineer Rick McClanahan announced that there would be ongoing work along Yale Road to sync the traffic signals.

Mayor McDonald invited the audience to the Veterans Day Ceremony at Veterans Park at 10 a.m. Friday, November 11.

**ADJOURNMENT**

Meeting adjourned at 7:25 PM

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W.C. Pleasant, Register to the  
Board of Mayor and Alderman

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A. Keith McDonald  
Mayor

Minutes Acceptance: Minutes of Nov 10, 2016 7:00 PM (MINUTES ACCEPTANCE)



## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

### SCHEDULED

## RESOLUTION (ID # 1970)

Meeting: 11/22/16 07:00 PM

Department: Planning and Economic Development

Category: Amendment

Prepared By: Stefanie McGee

Initiator: Terry Emerick

Sponsors:

DOC ID: 1970

## Resolution 14-16, a resolution approving amendments to the Richland Valley Planned Development.

**WHEREAS**, an application has been made for amendments to the Planned Development for Richland Valley P.D.,

**WHEREAS**, the Planning Commission reviewed the proposed amendments to the Planned Development for Richland Valley P.D. on September 6, 2016, in accordance with their regulations and recommended DENIAL of the amendments to the Planned Development; and

**WHEREAS**, the Board of Mayor and Aldermen held a Public Hearing on November 10, 2016 and approved the amendment to the Planned Development for Richland Valley PD located to the north adjacent to the Bartlett Logistic Center on Wolf Lake Road, and is within the "RS-15" Residential Zoning District, subject to the following conditions:

### Engineering Conditions:

1. This is submitted in order to remove 5.1 acres from the Richland Valley Master Plan.
2. The revised Master Plan submitted by the Applicant/ Engineer provides for a cove bubble to be constructed at the intersection of Butterfly View Lane and Richland View Lane and implies that the 5.1 acres will be rezoned from Residential to Industrial. This cannot be approved at this time. A previously approved plan provides a stub to the property which will require the 5.1 acre parcel to build the cove bubble.
3. An application to develop the remaining portion of Richland Valley Phase 4 as residential property and provides a stub into this 5.1 acre parcel is in keeping with the Master Plan for Richland Valley and was approved at the April 4, 2016 Planning Commission.
4. The developer of this 5.1 acre parcel will be responsible for the construction of a cove bubble at the end of the stub street if his property is rezoned.
5. If this property is not rezoned and is developed as residential, then the stub street can be extended into the 5.1 acre parcel as part of the residential development.
6. If a site plan contract has not been approved within 1 year of approval of the site plan, then this development may have to comply with the new TDEC runoff reduction guidelines.
7. All new utilities shall be underground.
8. Dealing with the 5.1 acre parcel, then the applicant's engineer shall submit the stamped and signed detention calculations for the detention basins required for this property and show the 'pre' and the 'post' runoff for the 2, 5, 10, 25 year storms.
9. Show drainage and detention areas on master plan for drainage to the north.
10. A water extension will be required across the site to tie the residential into the Bartlett Logistics 5.1 acre parcel.

### Planning Conditions:

1. Staff recommends that should this request be approved, the applicant shall design and build a cul-de-sac within the 5.1-acre parcel for Fire Department and Public Works access as was originally intended for Richland Valley P.D., Phase 4.
2. The approval of this amendment shall be contingent upon property being rezoned from "RS-15" Residential to "I-P" Planned Industrial, and then added to the Bartlett Logistics Planned Development.

**WHEREAS**, the Board of Mayor and Aldermen have determined that the proposed amendments to the Planned Development for Richland Valley P.D. should be *approved*;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE**, that the amendments to the Planned Development for Richland Valley P.D., located to the north adjacent to the Bartlett Logistic Center on Wolf Lake Road, and is within the "RS-15" Residential Zoning District, incorporating the above listed conditions, are approved.

**ADOPTED THIS 22nd DAY OF NOVEMBER 2016.**

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W.C. Pleasant, Register to the  
Board of Mayor and Aldermen

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A. Keith McDonald, Mayor

Attest: \_\_\_\_\_

Stefanie McGee, City Clerk

# Bartlett Municipal Planning Commission Minutes

**TUESDAY, September 6<sup>th</sup>, 2016 -- City Hall -- 7:00 P.M.**

The Bartlett Municipal Planning Commission met in the Assembly Chamber at Bartlett City Hall on Tuesday, September 6<sup>th</sup>, 2016 at 7:00 p.m. for their regular scheduled meeting. Mr. Jay Caughman, Chairman, presided over the meeting.

**Members Present: All members were present.**

**The following advisors were present:** Terry Emerick, Director, Planning and Economic Development; Kim Taylor, Deputy Director, Planning and Economic Development; Sam Harris, Planner; Rick McClanahan, Director of Engineering; Wade Towles, Asst. Director of Engineering; John Horne, Engineer; Jim Brown, Director, Code Enforcement; Mike Adams, Assistant Director, Public Works; Howard McNatt, Fire Marshal; and Will Wyatt, for City Attorney.

## **Richland Valley P.D. Phase 4, Butterfly View Lane (Brenda Solomito Basar, Solomito Land Planning)**

*Chairman stated that he wanted to make one disclosure himself. I just learned yesterday that my firm has been hired in some aspect of this project and would recuse myself of any voting or discussion. Unless there is opposition from members of the commission I would like to lead the vote if there is one but will recuse myself of the voting. Hearing none he requested Mr. Emerick to introduce the item.*

**INTRODUCTION:** Mr. Terry Emerick explained Ms. Brenda Solomito Basar with Solomito Land Planning is requesting Planning Commission approval to amend the Richland Valley Planned Development (P.D.), Phase 4. This phase of the subdivision is located north of Wolflake Drive, south of Spotted Fawn Drive, and west of New Brunswick Road within the "RS-15" Residential Zoning District. He explained that the first two items deal with the same piece of property and the process would require that the 5.1 acres in question would have to be removed from the Richland Valley Phase 4 Planned Development which is currently the governing rules for this property in order to have the property rezoned which is Item 2 and combined in the industrial zoning district. However, during the resent housing market collapse the 5.1 acres was separated from the remaining portion and all of it were basically taken back by the bank and the bank did sell the 5.1 acres to Bartlett Logistics and a residential developer bought the remaining 7.25 acres and is underway with residential development of that section. A couple of months ago the Planning Commission approved for 23 lots to be built on the remaining piece of Phase 4 which is still part of the Richland Valley. That particular plan extends a stub street to this 5.1 acre tract so that was required for approval since it is still in the Richland Valley Plat. The staff has reviewed the application and is not recommending the removal and deletion from the Richland Valley Planned Development. We have attached conditions if your recommendation is favorable but staff is not recommending approval of that amendment as requested by the applicant.

**BACKGROUND:** On March 5, 2007, the Planning Commission approved Richland Valley P.D., Phase 4. The original approved Phase 4 plan was for the development of 42-residential lots on 12.628-acres of land. The plan included an extension of Butterfly View Lane through the 5.1-acre parcel with a cul-de-sac. On April 4, 2016, the Planning Commission approved a revised Construction and Final Plan for Phase 4 for 23-lots on 7.25- acres of land. The revised plan shows that Butterfly Lane stubs to the 5.1 acres of land. The reduction of the land/lots was due to the industrial land owner to the south of the Richland Valley purchasing a vacant 5.1-acre portion of Phase 4.

**DISCUSSION:** The specific request by the applicant is for approval to remove the 5.1-acre parcel of land from the Richland Valley P.D., Phase 4. In the future, the applicant intends to rezone the property from “RS-15” Residential to “I-P” Planned Industrial and add the land to the adjacent industrial park. This will provide an opportunity for the applicant to add and expand industrial buildings on the site.

**Recommendation: Denial,** it is recommended that the property stay with the residential planned development as approved by the Planning Commission. Also, the Planning Commission recently approved a portion of Phase 4 for 23-residential lots. The subject property can be developed at a later date with the remaining 19-lots and cul-de-sac as previously planned.

**Motion was made by Russ Abernathy to deny this application. Ron Sandlin seconded the motion. Roll Call Vote: 6 yes votes, 1 no vote, 1 pass. Motion to deny was carried.**

# Solomito Land Planning

September 15, 2016

Honorable A. Keith McDonald  
Mayor  
City of Bartlett  
6400 Stage Road  
Bartlett, TN 38134

And

Mr. Terry Emerick  
Director  
City of Bartlett Office of Planning and Economic Development  
6382 Stage Road  
Bartlett, TN 38134

RE: Bartlett Logistics Planned Development and Richland Valley Planned Development  
Applications for Rezoning and Planned Development Amendments  
Schedule for Mayor and Board of Aldermen Hearings

Dear Mayor McDonald and Terry,

Please allow this letter to serve as our official request to be heard by the City of Bartlett Mayor and Board of Aldermen as follows:

|                |                           |
|----------------|---------------------------|
| First Reading  | Tuesday, October 11, 2016 |
| Second Reading | Tuesday October 25, 2016  |
| Public Hearing | Tuesday November 8, 2016  |

Thank you for your time and consideration in this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,

**SOLOMITO LAND PLANNING**



Brenda Solomito Basar  
Land Planner



## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

### SCHEDULED

### ORDINANCE (ID # 1935)

Meeting: 11/22/16 07:00 PM

Department: Planning and Economic Development

Category: Designation

Prepared By: Sam Harris

Initiator: Terry Emerick

Sponsors:

DOC ID: 1935

## Ordinance 16-07, an ordinance to designate the Brunswick Rosenwald School, 4549 Brunswick Road, a historic landmark.

**WHEREAS**, an application has been received to designate the Brunswick Rosenwald School, 4649 Brunswick Road, a Historic Landmark in the City of Bartlett; and

**WHEREAS**, a public hearing was held before this body on the 22nd day of November 2016 and notice thereof published in *The Bartlett Express*,

**NOW, THEREFORE**, be it ordained by the Board of Mayor and Aldermen of the City of Bartlett:

**SECTION 1.** The property described as follows is hereby designated as Historic Landmark HL-9, in accordance with Zoning Ordinance, Article VI, Section 25.F, to be maintained in accordance with the attached "Historic Preservation Guidelines for the Landmark Structure known as the " Brunswick Rosenwald School":

Property located at 4549 Brunswick Road in Bartlett a/k/a the Brunswick Rosenwald School identified as Shelby County Tax Parcel B0149C00024.

**SECTION 3. SEVERABILITY** -Should any provision or part of this Ordinance be rendered void or unenforceable by any court of law, statute or other authority, the rest and remainder of this Ordinance shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE** -This Ordinance shall be effective from and after its final passage, the public welfare requiring it.

First Reading: October 25, 2016

Second Reading: November 10, 2016

Third Reading: November 22, 2016

W. C. Pleasant, Register to the

A. Keith McDonald, Mayor

Board of Mayor and Aldermen

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Stefanie McGee, City Clerk

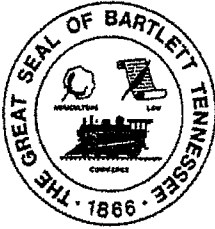
**HISTORY:**

10/25/16 Board of Mayor and Aldermen **APPROVED ON FIRST READING**

Next: 11/10/16

11/10/16 Board of Mayor and Aldermen **APPROVED ON SECOND READING**

Next: 11/22/16



# BARTLETT HISTORIC PRESERVATION COMMISSION

City Hall Annex, 6382 Stage Road, Bartlett, Tennessee 38134

A. Keith McDonald, Mayor

Date 07-01-16

Chairman, Historic Preservation Commission  
6382 Stage Road  
Bartlett TN 38134

In accordance with Ordinance 99-12 adopted on October 26, 1999, which charges the Commission to identify historic resources within our community and designate them as Historic Landmarks. These Historic Landmarks are resources for the public's education, pleasure and welfare and should be identified and preserved as one of the communities' treasures. A plaque, furnished and installed by the City of Bartlett, is presented and erected at the site to symbolize the historic character and history of the site and the value it bestows to the community.

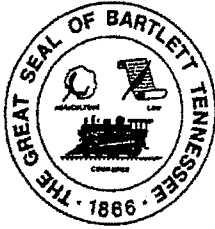
On behalf of the Growth Central Church, Bartlett, TN, I am submitting this Letter of Interest requesting that the Brunswick Rosenwald School be recognized as a Historic Landmark.

The Brunswick Rosenwald School was established in 1923.

Please contact Christopher Barnes at 901-568-2154 if you require any further information. We will be pleased to provide any information necessary to complete this process.

We sincerely hope that our request will be honored by the Historic Preservation Commission.

Owner Signature Pastor  
Owner Signature Chairman of Deacon Board



A. Keith McDonald, Mayor

# BARTLETT HISTORIC PRESERVATION COMMISSION

City Hall Annex, 6382 Stage Road, Bartlett, Tennessee 38134

## GUIDELINES

The purpose of the guidelines is to preserve the historic integrity of the Brunswick Rosenwald School located at 4519 Brunswick Road including its natural, environmental, and man-made structures, in order to maintain its significant past. To achieve this purpose, these guidelines are intended to encourage compatible development and discourage the introduction of incompatible alterations. No financial hardship shall be imposed as per Bartlett City Ordinance 99-12.

1. Every reasonable effort shall be made to provide a compatible use for the property that requires minimal alteration of buildings, site and environment, and to use the property for its original intended purpose.
2. All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.
3. The property will be maintained in good condition.
4. Distinctive architectural features or examples of skilled craftsmanship which characterize the site shall be treated with sensitivity.
5. New plant materials, fencing, walkways, etc., must be compatible with the character of the neighborhood in size, scale, material and color.
6. Efforts shall be made to preserve trees where possible. Therefore, prior to the removal of a living tree with a circumference of at least thirty-eight (38) inches at breast height, a request shall be submitted to the Historic Preservation Commission seeking approval of the removal of the tree, unless the tree is deemed to be a threat to life or property as the result of aging, rotting or insect damage, or damages by wind and storm activity.

# Brunswick Rosenwald School

In 1912, Booker T. Washington approached philanthropist Julius Rosenwald about his concept to build rural schools desperately needed for African-American children across the segregated south. That partnership sparked an initiative that eventually created more than 5300 schools, vocational shops, and teacher's homes across 15 states in the South and Southwest from 1912-1932.

The Brunswick School sits on the site of one of the original Rosenwald schools. The Brunswick School was built in 1923 and was a five-teacher type. There were five teachers assigned to the school and the building included workrooms, cloak rooms, auditorium, offices, kitchen, and a library.

Although, the Brunswick School has been remodeled, the site is still in its original location. For 34 years, the Brunswick School was Brunswick Headstart. After closing in 2002, the building was used mainly for community events. As in the past when Rosenwald School Days were celebrated annually by a gathering of teachers, principals, students, and parents. The current Brunswick School is a gathering place for the community.

Several of the current members of Growth Central, formerly Bush Grove Baptist Church, were students at the Brunswick School. They attended the school, cleaned the grounds, painted the building, and worked the fields around the property in order to maintain the school that was the focal point of the community.

Although the Rosenwald program did not challenge school segregation head-on, it did challenge the racial ideology behind segregation. This original Rosenwald school site remains an integral part of the Brunswick Community after 93 years and represents an important part of America's heritage.

Today, this historical building serves as an educational building for Growth Central. Future plans are to make it a premier Christian Academy in the Bartlett community. Because we value education, we want to exemplify and continue the legacy started by the forerunners of our community.

G. K. Chesterton says that "Education is simply the soul of a society as it passes from one generation to another". That is exactly our goal to pass this rich history and heritage from one generation to the next. Our vision started in 1923 and will be manifested with the foundation that we lay today for the next generation, our children.

*Mr. Roscoe McVay attended Blacks and remembers it as a two teacher school located on Brunswick Road near Davies Plantation.*

**Blanches Crossing Roads(closed 1926)**

The school is paid \$25 for the use of the building in 1927 while bids are received for a new school.

**Bolton Bottom( consolidated with Noah's Chapel 1950)**

First mentioned in the 1907 Board minutes. Repairs are done to the school in 1909. The Rosenwald school building is built in 1923, a two teacher school with the county providing \$3,000.

**Bridgewater (consolidated with Bartlett and Pisgah 1960)**

There are dates of 1911,1912 and 1916 in relation to the land used for this school. This was a three teacher school. In 1918 the principle receives a pay of \$50 per month. And an addition to the school is added at a cost of \$1,500. the Board also uses the monies raised from the sale of the Fullview building to dig a well at this school. Bridgewater is in need of an addition in 1925 but the board has no action on this motion. In 1926 the school needs more room and a playground but no action is taken. The school gets minor repairs in 1928. Repairs are done in 1932

**Brooks Ave( consolidated with Geeter 1959)**

Brooks Ave. school dates back to 1891. New school built in 1907. In 1907 Brooks Avenue is ordered held open until new residents move into the area. By 1909 they get a teacher's aide with a monthly pay of \$25. In 1913 \$250 is provided for an addition to the school. In 1922 a colored patron of the school offers to purchase the school building for \$25, said building being beyond repair. The Rosenwald building was a two teacher school. \$3,000 of county funding goes to the building of the Rosenwald school. In 1927 the school gets a two room addition. Dora Whitworth is the teacher in 1929. In 1930 Theodore Robinson is principle with Luck Strong and Ophelia Ford teachers.

**Brown**

First mentioned in the 1907 Board minutes.

**Brunswick (consolidated with Shadowlawn 1968)**

First mention of a black school in Brunswick is in 1920 when the board decides to locate a school in this community. Bids are placed on a four teacher school in 1923 and \$3,000 of county funds are used in the construction of the Rosenwald building. In 1926 the school gets an agricultural room.(shop?). Brunswick, a five teacher school, continued to serve the community as a head start center until recently. In 1930 the school asks to be made a Sr. High but it is put on hold.

***Elmira remembers:*** " it was a four or five class room school. We had wood and coal to heat but we had to keep it up. It had an auditorium ... we had a little old room called the cafeteria but they would only make sandwiches in there and gives us eggs and things like that, also orange juice. I don't remember who made the sandwiches, it wasn't the teacher. Mr. Graves was principal at that time, he also taught. It, the school, is much

*altered. added to, but in the same place. Children would walk from Brownsville road up to the Brunswick school. That was three times as far as I walked. I don't know what time they got up to get there. For a long time we walked to school and the white children waved at us as they passed us on their buses....oh, yah, they were having fun with us because we were walking. When I graduated from eight grade I went to Barrets Chapel. "*  
**John remembers:** *"When I was there (as staff) it was a large school, ten rooms and an auditorium. Grades one thru ten. We also taught classes in the two churches. We could use all of the facilities without asking permission. There was limited bus service then."*

#### Cane Creek (annexed 1950)

Mentioned for the first time in the 1908 Board minutes. In 1929 a one acre site at Blakemore and Ellis Ave for a new school one mile from the old which is to be annexed. Bennie Foster is Principal in 1930 with Effie Washington, Eleanor Rice and Sara Browne as teachers.

#### Capleville-Shebly (Macedonia)

First mention of this school is in 1912 when \$100 is allotted for an additional addition to the school. This was originally a two teacher school. In 1918 Reverend Woods spoke in interest of the Macedonia school reporting on the condition and asking for a new school building. Macedonia received a well in 1921. In 1923 the Rosenwald school building is built with the county providing \$5,950. The school raises \$400 to help erect a two room addition, the Board agrees to the addition. \$400 worth of repairs are done to the school in 1928. More repairs are needed in 1929 and additional classrooms. The school also requests at this year to become a four year high school but no action is taken. In 1930 they raise \$150 towards an agricultural building. A Mr. Lewis Pasina, an Italian, has given the school many plants and they have a big garden 1932. The school also receives repairs in 1932

**John remembers:** *"it was a rather large school, they were cutting the boundaries between Collierville and Geeter....maybe at what would be called Elvis Presley now. We had about twelve classrooms and grades one thru twelve. The building was brick and closed in 1970."*

#### Cemetery School(National Cemetery)

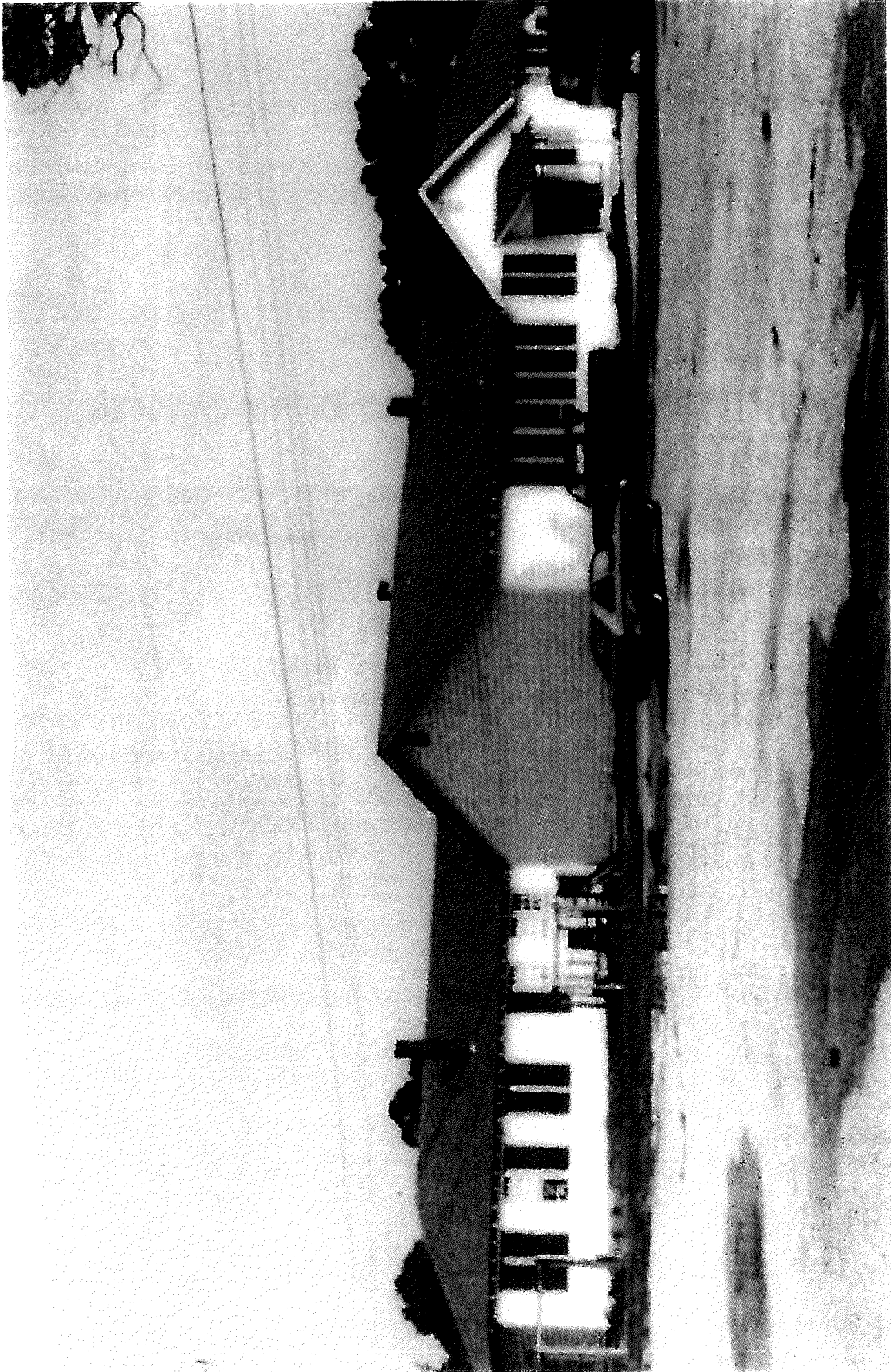
First mentioned in the 1907 Board minutes. Cemetery school to be enlarged in 1908 The first field of its kind is added to Cemetery school in 1909, but it isn't stated whether this is the first in the state or county and if it is an athletic field. In 1911 the shops are closed because they were selling whiskey.

#### Coahoma Landing (closed 1927)

This school is established in 1911

#### Collierville- Byhalia (closed by court order consolidated with Peters 1970)

Mentioned for the first time in the 1908 Board Minutes. In 1912 Miss Taylor is the teacher at Collierville. In 1920 the school building is sold for \$485 with the proceeds to go toward a new school.



Attachment: Brunswick Rosenwald School Landmark Request Letter (1935 : Ordinance 16-07 Brunswick Rosenwald School Landmark)



## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

### SCHEDULED

### ORDINANCE (ID # 1936)

Meeting: 11/22/16 07:00 PM

Department: Planning and Economic Development

Category: Designation

Prepared By: Sam Harris

Initiator: Terry Emerick

Sponsors:

DOC ID: 1936

## Ordinance 16-08, an ordinance to designate Cedar Hall, 3712 Broadway Road, a historic landmark.

**WHEREAS**, an application has been received to designate Cedar Hall, 3712 Broadway, a Historic Landmark in the City of Bartlett; and

**WHEREAS**, a public hearing was held before this body on the 22nd day of November 2016 and notice thereof published in The Bartlett Express,

**NOW, THEREFORE**, be it ordained by the Board of Mayor and Aldermen of the City of Bartlett:

**SECTION 1.** The property described as follows is hereby designated as Historic Landmark HL-10, in accordance with Zoning Ordinance, Article VI, Section 25.F, to be maintained in accordance with the attached "Historic Preservation Guidelines for the Landmark Structure known as "Cedar Hall":

Property located at 3712 Broadway Road in Bartlett a/k/a Cedar Hall identified as Shelby County Tax Parcel B015800254.

**SECTION 3. SEVERABILITY** -Should any provision or part of this Ordinance be rendered void or unenforceable by any court of law, statute or other authority, the rest and remainder of this Ordinance shall remain in full force and effect.

**SECTION 4. EFFECTIVE DATE** -This Ordinance shall be effective from and after its final passage, the public welfare requiring it.

First Reading: October 25, 2016

Second Reading: November 10, 2016

Third Reading: November 22, 2016

\_\_\_\_\_  
W.C. Pleasant, Register to the  
Board of the Mayor and Aldermen

\_\_\_\_\_  
A. Keith McDonald, Mayor

Stefanie McGee, City Clerk

**HISTORY:**

10/25/16            Board of Mayor and Aldermen **APPROVED ON FIRST READING**  
Next: 11/10/16

11/10/16            Board of Mayor and Aldermen **APPROVED ON SECOND READING**  
Next: 11/22/16



**BARTLETT HISTORIC PRESERVATION  
COMMISSION**  
City Hall Annex, 6382 Stage Road, Bartlett, Tennessee 38134

A. Keith McDonald, Mayor

7/12/2016

Chairman Paul Kaiser, Historic Preservation Commission  
6382 Stage Road  
Bartlett TN 38134

In accordance with Ordinance 99-12 adopted on October 26, 1999, which charges the Commission to identify historic resources within our community and designate them as Historic Landmarks. These Historic Landmarks are resources for the public's education, pleasure and welfare and should be identified and preserved as one of the communities' treasures. A plaque, furnished and installed by the City of Bartlett, is presented and erected at the site to symbolize the historic character and history of the site and the value it bestows to the community.

I am submitting this Letter of Interest requesting that **Cedar Hall** located at **3712 Broadway Road** be recognized as a Historic Landmark.

Built in 1846, Cedar Hall was a grand town home, the oldest still standing in Bartlett, Tennessee today and listed as the John H McFadden House on the National Historic Register. The original owners, William and Elizabeth Bond came to Tennessee in the early 1800's. They purchased a large amount of land and built a temporary, small log cabin with a dirt floor to live in while this grand home was being built. After living in the home for two years, it burned to the ground. The home was rebuilt to the 12 acres that is sits on today by Samuel Bond, William and Elizabeth's grandson. He had grown and was an established physician. It got its name from the many cedar trees that lined the long drive to the house. Kate bond, a familiar name in the Bartlett area, was Samuel bond's granddaughter, she was known as "the flower lady of Cordova", and had a thriving floral business. The bond family was also responsible for bringing the first railroad into Shelby County. In 1870, Edmond Orgill purchased Cedar Hall. The fine architectural work seen in the home today was imported from Europe, while the Orgill family resided there. John and Denise Suthoff purchased Cedar Hall from Jay and Jeanette Rainey in September of 2012. The Rainey's had owned the home for nearly 40 years.

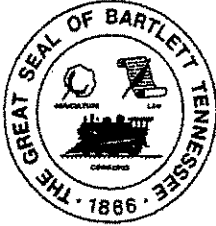
Please contact John/Denise Suthoff at 901-428-1954 if you require any further information. We will be pleased to provide any information necessary to complete this process.

We sincerely hope that our request will be honored by the Historic Preservation Commission.

John A. Suthoff Jr.  
Signature

Denise Suthoff  
Signature

Attachment: Cedar Hall Landmark Request Letter (1936 : Ordinance 16-08 Cedar Hall Landmark)



A. Keith McDonald, Mayor

# BARTLETT HISTORIC PRESERVATION COMMISSION

City Hall Annex, 6382 Stage Road, Bartlett, Tennessee 38134

## GUIDELINES

The purpose of the guidelines is to preserve the historic integrity of **Cedar Hall** located at **3712 Broadway Road** including its natural, environmental, and man-made structures, in order to maintain its significant past. To achieve this purpose, these guidelines are intended to encourage compatible development and discourage the introduction of incompatible alterations. No financial hardship shall be imposed as per Bartlett City Ordinance 99-12.

1. Every reasonable effort shall be made to provide a compatible use for the property that requires minimal alteration of buildings, site and environment, and to use the property for its original intended purpose.
2. All buildings, structures, and sites shall be recognized as products of their own time. Alterations which have no historical basis and which seek to create an earlier appearance shall be discouraged.
3. The property will be maintained in good condition.
4. Distinctive architectural features or examples of skilled craftsmanship which characterize the site shall be treated with sensitivity.
5. New plant materials, fencing, walkways, etc., must be compatible with the character of the neighborhood in size, scale, material and color.
6. Efforts shall be made to preserve trees where possible. Therefore, prior to the removal of a living tree with a circumference of at least thirty-eight (38) inches at breast height, a request shall be submitted to the Historic Preservation Commission seeking approval of the removal of the tree, unless the tree is deemed to be a threat to life or property as the result of aging, rotting or insect damage, or damages by wind and storm activity.



## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

### SCHEDULED

## ORDINANCE (ID # 1951)

Meeting: 11/22/16 07:00 PM  
Department: Administration  
Category: Amendment  
Prepared By: Stefanie McGee  
Initiator: Mark Brown  
Sponsors:  
DOC ID: 1951

# Ordinance 16-09, an ordinance amending Title 20, Chapter 1 Air Pollution Control Code, to update permit and emissions fees.

WHEREAS, the City of Bartlett established a local air pollution program in September 1970 to protect air quality in Bartlett and Shelby County; and

WHEREAS, Title V of the Federal Clean Air Act of 1990 requires air pollution control programs which operate a major source operating program to establish a fee structure sufficient to fund all direct and indirect costs of such a program; and

WHEREAS, the Memphis and Shelby County Air Pollution Board met September 18, 2014 and recommend an increase in permit and emissions fees; and

WHEREAS, it is necessary for the City of Bartlett Board of Mayor and Aldermen amend the municipal codified ordinances to reflect these fee increases;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE, that Title 20, Chapter 1, Sections 20-111 and 20-112 be amended as follows:

**SECTION 1.** Deleting Section 20-111 Permits and fees-permit fee schedule in its entirety and replacing it as follows:

20-111 Permits and fees-permit fee schedule.

Fees for permits are hereinafter set out as follows, and shall apply to any "person" as defined in this chapter:

### I. Construction permits

(a) Any person making application to the Shelby County Health Department for a construction permit shall pay an initial filing fee of \$200 per permit unit. The filing fee shall not be refundable if the permit is denied or if the application is withdrawn, nor shall it be applied to any subsequent application.

(b) In addition to the fees in (I)(a), the largest of the following fees, if applicable, shall be paid:

|   |                                                      |         |
|---|------------------------------------------------------|---------|
| i | Prevention of significant deterioration (PSD) review | \$3,960 |
|---|------------------------------------------------------|---------|

|     |                                                                                                 |         |
|-----|-------------------------------------------------------------------------------------------------|---------|
| ii  | Major source or major modification review, except PSD sources review, requiring modeling        | \$2,640 |
| iii | Minor source or minor modification review, requiring modeling                                   | \$660   |
| iv  | New source performance standard (NSPS) source review, per permit unit                           | \$660   |
| v   | National Emission Standards for Hazardous Air Pollutant (NESHAP) source review, per permit unit | \$660   |

## 2. Inspection/operating permit

(a) Any person making application to the Shelby County Health Department for an inspection/operating permit shall pay the larger of the applicable fees in accordance with the following schedule:

|      |                                                                                                                                                         |         |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| i    | Asbestos demolition/renovation removal, per notice                                                                                                      | \$130   |
| ii   | Air curtain destructor, per permit unit                                                                                                                 | \$130   |
| iii  | NSPS source, per permit unit                                                                                                                            | \$130   |
| iv   | NESHAP source, per permit unit                                                                                                                          | \$130   |
| v    | Any source issued a permit pursuant to local rules implementing Title 40, Code of Federal Regulations, Section 70 (Major Source Permits)                | \$2,000 |
| vi   | Any permit unit with actual emissions of 50 tons or more a year, but less than 100 tons per year of any single pollutant                                | \$130   |
| vii  | Any permit unit with actual emissions of 25 tons or more per year, but less than 50 tons per year of a single pollutant                                 | \$100   |
| viii | Any permit unit with actual emissions of less than 25 tons per year of a single pollutant                                                               | \$65    |
| ix   | Any permit issued as the result of a permit by rule or annual notification and general standards application to a particular business or business group | \$130   |
| x    | Any source issued an operating permit for which a construction permit was never obtained. (Enforcement action may also apply.)                          | \$265   |

(b) No portion of the inspection/operating fee shall be refundable in the event the source discontinues operation or service during the permitted period.

### 3. Modification of a permit.

(a) Any person making application to the Shelby County Health Department for the modification of a permit shall pay a fee for each permit unit being modified, except that no fee is required for modification of a permit to correct clerical, typographical, or calculation errors. This fee shall be set out as follows:

|     |                                                                                                                                                         |                              |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| i   | If the modifications is anticipated to result in an increase in all pollutants less than 10 tons per year                                               | \$130                        |
| ii  | If the modification is anticipated to result in an increase in all pollutants equal to or greater than 10 tons per year, but less than 50 tons per year | \$330                        |
| iii | If the modification is anticipated to result in an increase in all pollutants equal to or greater than 50 tons per year                                 | \$660                        |
| iv  | Name change                                                                                                                                             | \$130                        |
| v   | Ownership change - new owner pays inspection and operating fees, based on tonnage                                                                       | Varies based on tonnage fees |
| vi  | Address change - new owner pays inspection and operating fees, based on tonnage, for the new address                                                    | \$265 plus tonnage fees      |
| vii | Permit revision with no emissions consequences                                                                                                          | \$130                        |

### 4. Stack sampling

(a) If a source is required to demonstrate compliance by stack sampling its emission, it shall pay the following additional fees:

|     |                                                                                                                                                   |       |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| i   | Any testing requiring U.S./EPA Methods 1 through 4 only, per stack test                                                                           | \$130 |
| ii  | Particulate emissions testing requiring U.S./ EPA Method 5, per stack test                                                                        | \$400 |
| iii | Any other pollution testing by methods other than U.S./EPA Method 5, except those subject to subsection (D)(1)(a) of this section, per stack test | \$660 |

(b) Any retest required to demonstrate compliance shall be subject to the fee schedule as stated in subsection 4(a)(i) through (iii) of this section.

**SECTION 2.** Deleting Section 20-112 Permits and fees-emissions fee for stationary sources in its entirety and replace it as follows:

20-112 Permits and fees-emissions fee for stationary sources.

I. Emissions fee. A fee shall be collected annually from each stationary air pollution source which emits more than one ton of actual emissions annually of a regulated pollutant as defined herein, called the "emissions fee," which shall equal the amount determined by the requirements set forth as follows:

Forty-eight dollars (\$48) per ton of actual emissions emitted during Calendar Year 2013 to be collected beginning in 2015 and for successive years until such time as the Board of Mayor and Aldermen approve a further increase or decrease, not including fugitive emissions and actual excess emissions that are the result of process malfunctions and facility start-up and shutdown determined by the Shelby County Health Department to be in compliance with the air pollution code sections that excuse these emissions from enforcement of each regulated pollutant as defined in section 502(b)(3)(B)(ii) of the Federal Clean Air Amendments of 1990.

This is the effective Emissions Fee Rate, after adjustment for carryover overage, approved by the City of Bartlett:

| Approved Rate | Adopted In | Effective Rate | Applicable to  |
|---------------|------------|----------------|----------------|
| \$9.00        | 1992       | \$9.00         | 1991 Emissions |
| \$18.00       | 1993       | \$18.00        | 1992 Emissions |
| \$19.00       | 1994       | \$17.10        | 1993 Emissions |
| \$29.65       | 1995       | \$29.65        | 1994 Emissions |
| --            | --         | \$29.65        | 1995 Emissions |
| --            | --         | \$29.65        | 1996 Emissions |
| \$29.65       | 1998       | \$29.65        | 1997 Emissions |
| \$29.65       | 1999       | \$29.65        | 1998 Emissions |
| \$29.65       | 2001       | \$29.65        | 1999 Emissions |
| \$29.65       | 2001       | \$29.65        | 2000 Emissions |

|         |      |         |                |
|---------|------|---------|----------------|
| \$29.65 | 2003 | \$29.65 | 2002 Emissions |
| \$29.65 | 2004 | \$26.68 | 2003 Emissions |
| \$30.63 | 2005 | \$27.57 | 2004 Emissions |
| \$31.67 | 2006 | \$28.50 | 2005 Emissions |
| \$30.00 | 2008 | \$27.00 | 2006 Emissions |
| \$30.00 | 2009 | \$27.00 | 2007 Emissions |
| \$43.00 | 2012 | \$43.00 | 2011 Emissions |
| \$48.00 | 2014 | \$48.00 | 2013 Emissions |

2. Maximum amount subject to emissions fee. Each stationary air pollution source shall be assessed the emissions fee on no more than four thousand (4,000) tons per year of each regulated pollutant it emits.

3. Exemption for units subject to Section 404 Provisions of the Federal Clean Air Amendments of 1990. No fee will be charged until the year 2000 with respect to remissions from any unit which is classified as “an affected unit” under Section 404 of the Federal Clean Air Act amendments of 1990, entitled “Phase I Sulfur Dioxide Requirements.

**SECTION 3. Severability.** Should any provision of this Ordinance be rendered unconstitutional or null and void by a Court of Law, legislative act or otherwise, all other provisions of this Ordinance shall remain in full force and effect.

**SECTION 4. Effective Date.** **BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon its passage on third and final reading, the public welfare requiring it.

FIRST READING:                      October 25, 2016  
 SECOND READING:                    November 10, 2016  
 THIRD READING:                    November 22, 2016

\_\_\_\_\_  
 W.C. Pleasant, Register to the Board

\_\_\_\_\_  
 A. Keith McDonald

of Mayor and Aldermen

Mayor

ATTEST: \_\_\_\_\_  
Stefanie McGee  
City Clerk

**HISTORY:**

10/25/16 Board of Mayor and Aldermen **APPROVED ON FIRST READING**  
Next: 11/10/16

11/10/16 Board of Mayor and Aldermen **APPROVED ON SECOND READING**  
Next: 11/22/16



## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

### SCHEDULED

### AGENDA ITEM

Meeting: 11/22/16 07:00 PM

Department: Engineering

Category: Purchase

Prepared By: Dena Hathaway

Department Head: Rick McClanahan

## Authorization to purchase Right-of-Way for the widening of Old Brownsville Road.

The following tract has been negotiated and right-of-way offer has been accepted. Please authorize payment to:

|          |              |          |
|----------|--------------|----------|
| Tract 12 | Jo Ann Rimer | \$71,411 |
|          |              |          |
|          | TOTAL        | \$71,411 |

Please authorize this purchase with funds to come from Old Brownsville Road Right-of-Way, Account 311.48311.770.422.

**Board of Mayor and Aldermen**

6400 Stage Road  
Bartlett, TN 38134

**SCHEDULED****AGENDA ITEM**

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Meeting: 11/22/16 07:00 PM

Department: Engineering

Category: Contract

Prepared By: John Horne

Department Head: Rick McClanahan

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**Site Plan contract for L.A. Fitness.**

## SUBDIVISION CONTRACT

THIS AGREEMENT, made and executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ between the CITY OF BARTLETT, SHELBY COUNTY , TENNESSEE, hereinafter referred to as the CITY and REALTY INCOME PROPERTIES 17, LLC. hereinafter referred to as the DEVELOPER.

### WITNESSETH:

WHEREAS, the CITY PLANNING COMMISSION has by resolution of APRIL 4, 2016, approved the Site Plan, Grading, and Erosion Control Plans for L.A. FITNESS and established certain conditions for approval of this Site Plan, Grading, and Erosion Control Contract by the CITY BOARD OF MAYOR AND ALDERMEN; and

WHEREAS, the CITY and the DEVELOPER by the terms of this contract desire to specify those detailed costs, division of responsibilities and maintenance and other conditions in addition to the Subdivision Regulations and the Site Plan, Grading, and Erosion Control Plans heretofore approved, according to Law by the CITY PLANNING COMMISSION, said additional terms not to be considered as a variance from or modification to regulations, plans or plat, as approved on the date of execution; and

WHEREAS, this Site Plan, Grading, and Erosion Control Contract is entered into by the CITY at the insistence of the DEVELOPER upon the understanding that the DEVELOPER shall remain fully responsible for specific compliance with the requirements of the Subdivision Regulations, the Technical Specifications of the CITY, and the Site Plan, Grading, and Erosion Control Plan, duly approved by the CITY PLANNING COMMISSION subject to review and recommendation of the CITY ENGINEER, and

NOW, THEREFORE, in consideration of the promises and mutual covenants of the parties herein contained, and other considerations herein recited, it is agreed and understood as follows:

# I

## **GENERAL PROVISIONS**

1. That the DEVELOPER shall at its expense provide all improvements and installations to be constructed as set forth herein and on the approved Site Plan, Grading, and Erosion Control Plans, including construction of all off-site improvements and erosion control systems (pertaining to this development).
2. That the DEVELOPER shall pay the expenses of engineering inspection by the CITY ENGINEER, however, that the DEVELOPER shall remain fully responsible for construction to the approved design and quality control, and that the CITY ENGINEER is vested with the right of periodic inspections, final approval and stop work order as a measure of secondary or subsequent enforcement.
3. That the CITY in its proprietary function does not purport to specify the development layout nor the choice of available land uses; nor does the CITY PLANNER design, supervise, nor certify the adequacy, structural integrity, or capacity of improvements or installations within or without the limits of the development; neither is the CITY ENGINEER vested with any authority or responsibility for the design of any improvements or installations within or without the limits of the development; nor is the CITY ENGINEER required to determine the structural integrity, capacity, elevation, location, type or adequacy of any improvements or installations.
4. That in providing technical assistance, planning and review of the proposed grading and erosion control measures the CITY seeks to enforce its minimal governmental standards and does not relieve or accept any of the DEVELOPER'S liability and responsibility for proper design, construction and installation of improvements within or without the limits of the site plan.

5. That subject to the warranty provisions herein, after completion of the improvements, subject to final inspection and written approval of the CITY ENGINEER, the DEVELOPER does thereafter accept responsibility for all the maintenance of all improvements.
6. That the DEVELOPER shall haul all scrap building materials, debris, rubbish, and other de-gradable materials to a permitted landfill, and not bury any such materials within the limits of said site plan (except if they are permitted to burn by Shelby County Health Department and the Bartlett Fire Department).
7. That if a bond has been executed to secure the value of the improvements to be constructed and installed under this contract and said bond, due to inflation and/or rising costs, is inadequate to secure the cost of said improvements when an extension of the contract period is sought, the DEVELOPER shall provide the additional security to bring the bond amount in line with current cost projections by the CITY ENGINEER and approved by the CITY BOARD OF MAYOR AND ALDERMEN.
8. That the CITY and any of its agencies will not unreasonably withhold approval of time extensions where the DEVELOPER has provided the required notice to the CITY ENGINEER and such additional security as may be deemed necessary.
9. That the DEVELOPER understands that failure to follow this time extension procedure constitutes a breach of contract and places the DEVELOPER in violation of the Subdivision Regulations and subject to a declaration of default.
10. That the DEVELOPER will not transfer the property on which this subdivision is to be located without first providing the CITY ENGINEER with prior notice of when and to whom transfer is to be made. If the transferee intends to develop this site plan in accordance with the approved Master Plan, the DEVELOPER shall provide the CITY ENGINEER and the CITY ATTORNEY an Assumption Agreement by which the transferee agrees to perform and complete all the requirements of this contract and to provide the surety needed to secure such performance. Said

agreement shall be subject to approval of the CITY BOARD OF MAYOR AND ALDERMEN.

11. That the DEVELOPER understands that transfer of said property without providing the notice of transfer and Assumption Agreement as required herein shall be a breach of contract and places the DEVELOPER in violation of the Subdivision Regulations and subject to a declaration of default.

12. That the DEVELOPER shall comply with all applicable Federal, State, and local laws, and it shall be the DEVELOPER'S responsibility to furnish proof of said compliance upon demand.

13. That should the DEVELOPER default in any part of this contract and it becomes necessary to engage an attorney to file necessary legal action to enforce the provisions of this contract or sue for any sums of money due and owing or liability arising incident to this contract, the DEVELOPER shall pay to the CITY reasonable attorney's fees.

14. That the Developer shall furnish, on demand of the CITY ATTORNEY, satisfactory evidence that the DEVELOPER has the lawful right to enter into this contract for the purpose herein contained.

## II

### **FIXED IMPROVEMENTS**

1. The construction of all required improvements by the DEVELOPER including but not limited to the sediment ponds, silt fence, rip-rap check dams, erosion control blankets, storm drain systems, sidewalk, driveway apron, landscape screen, and other related items, shall be in accordance with the subdivision regulations and specifications of the CITY OF BARTLETT, which are incorporated by reference herein and said fixed improvements required approval and acceptance by the CITY OF BARTLETT. Said plans shall bear the signature of approval by the CITY ENGINEER before construction may commence. The DEVELOPER will pay the expenses of engineering inspection by the CITY ENGINEER, the DEVELOPER shall remain primarily responsible for construction to approve design and quality control and the CITY ENGINEER is vested with the right of periodic inspections, final approval and stop work order as a measure of

secondary or subsequent enforcement.

### III

#### **SEDIMENT AND DEBRIS**

1. The DEVELOPER will hold the CITY OF BARTLETT and the CITY ENGINEER harmless and defend all claims, judgments and demands of all persons for damage caused by the deposit of more sediment or debris from drainage flowing from said site plan. Further, the DEVELOPER shall bear the expense of erosion and sediment control and dust abatement before, during and after construction during the warranty period.
2. That the DEVELOPER shall provide necessary erosion control in accordance with the CITY Subdivision Regulations and Technical Specifications and TDEC approval. All freshly excavated and embankment areas, not covered with satisfactory vegetation, shall be fertilized, mulched and seeded and/or sprigged and/or sodded as required by the CITY ENGINEER to prevent erosion. In event it is determined by the CITY ENGINEER that the necessary erosion control is not being provided by the DEVELOPER, the CITY ENGINEER shall officially notify the DEVELOPER of the problem. If the DEVELOPER fails to provide satisfactory erosion control within fifteen (15) days after notice, then the CITY shall make all necessary improvements to eliminate the erosion problem, documenting all expenses incurred performing the work. Prior to releasing any bonds or other securities covering said subdivision, all expenses incurred by the CITY shall be paid in full by the DEVELOPER.
3. That the DEVELOPER shall maintain work sites within and without the subdivision in a

manner which will prevent increased sedimentation, debris and pollution from drainage flowing from said site. In the event of a stop work order issued by the CITY ENGINEER, the DEVELOPER shall be permitted a reasonable time to continue work required to comply with this Section. Further, the DEVELOPER shall bear the expense of erosion, sediment, and insect vector control before, during and after construction, and until termination of the warranty period. It is noted that the warranty period shall run for an indefinite period until such time as the punch list is complete, or warranty period ends; whichever is later.

#### IV

#### **DRAINAGE DESIGN RESPONSIBILITIES**

1. That the DEVELOPER shall construct and install all erosion control measures, including swales, ditches, sedimentation ponds and etc. Said erosion control measures system shall be designed such that the amount and rate of water from all sources leaving the subdivision after full building development shall not be significantly different after than before said development unless approved by the CITY ENGINEER upon certification of a Professional Engineer registered in the State of Tennessee that the Drainage system design and improvements are sufficient to accept surface and ground water reasonably expected to flow onto the subdivision and discharge all waters reasonably expected to flow from the property so as not to damage or flood properties nor to increase the established base flood elevation of the upstream or downstream portion of Flood Way within or without the site. Further, that the adequacy of the drainage shall in all cases be certified by the DEVELOPER'S engineer by his signature and seal affixed upon the Site Plan, Grading, and Erosion Control Plans of said property prior to the final approval by the CITY PLANNING COMMISSION.
2. That in any development which alters or revises the Flood Plain or Flood Way shown on the Flood Hazard Boundary Map issued by the Federal Emergency Management Region Office, the

DEVELOPER shall provide to the CITY FLOOD ADMINISTRATOR a Development Permit issued by the Federal Insurance Administration Regional Office accepting said alteration or revision of the Flood Plain or Flood Way. Further, until said Development Permit is provided the DEVELOPER shall not proceed with any work affecting the Flood Plain or Flood Way.

3. It is understood and agreed that the CITY OF BARTLETT in its proprietary function does not purport to specify the development layout nor the choice of available land uses; nor does the CITY OF BARTLETT design, construct, supervise nor certify the adequacy of the drainage improvements.

4. Neither is the CITY ENGINEER vested with any responsibility for the design of drainage improvements nor is he required to determine drainage capacities, survey elevation, cross check adequacy nor specify the type and locations of drainage improvements; and in providing technical assistance, planning and review the CITY OF BARTLETT does not commit itself to the construction, improvements or modification of the drainage system within or without the development.

5. Rather it is the responsibility of the DEVELOPER to properly anticipate, survey, design and construct all grading and erosion control improvements so that the development will not increase, alter or affect the flow of surface waters or channelized waters from or onto any property so as to damage or flood any property nor contribute to the same.

6. In providing technical assistance, planning and review the CITY OF BARTLETT seeks to enforce its minimal governmental standards and does not relieve or accept any of the Developers liability and responsibility to properly design and construct the site plan, grading, and erosion control measures.

7. The DEVELOPER further agrees to hold harmless the CITY OF BARTLETT and the CITY ENGINEER from any loss or damage from any claim, cause of action or liability resulting in

whole or part from the design, construction and/or installation of the grading and erosion control measures including reasonable costs, litigation expenses and attorneys fees for defense of same.

8. As long as the City of Bartlett holds security, be it bond, letter of credit or otherwise, the City of Bartlett reserves the right to use said security for completion or repair of the erosion control measures during the warranty period of the development or for routine maintenance not performed by the DEVELOPER.

## V

### **WARRANTY PROVISIONS**

1. That neither the final certificate of payment nor any provision of this contract or its incorporated documents shall constitute an approval or acceptance of any work not performed in accordance with the contract and its incorporated documents, nor relieve the DEVELOPER of liability with respect to any express warranty or responsibility for faulty materials or workmanship.

2. That the DEVELOPER shall remedy any defects in work and pay for any damage to other work resulting therefrom which shall appear within a period of one (1) year from the date of final written approval and acceptance. The CITY shall give notice of observed defects with reasonable promptness. Further, this Construction Warranty does not effect but is in addition to the rights and liabilities assessed herein unless a longer period is specified.

3. That throughout the warranty period beginning at final acceptance the DEVELOPER shall provide a bond or other surety securing such warranty for all improvements in a form, amount and with terms acceptable to the CITY BOARD OF MAYOR AND ALDERMEN. The warranty period is to extend to a minimum of one (1) year after the City's final acceptance.

4. That the DEVELOPER shall complete all improvements in this contract within 360 consecutive calendar days from the date hereof; however, if due to unforeseen circumstances, the DEVELOPER is unable to complete said work within the times specified, but desires to complete said contract to the satisfaction of the CITY, the DEVELOPER will submit a written request for extension of the contract period to the CITY ENGINEER at least sixty (60) days prior to the expiration date for such completion, but in no case shall such date exceed one (1) calendar year from the completion date specified in any Performance Bond, provided said bond can be extended for the additional period.

## VI

### **BONDING REQUIREMENTS**

That prior to proceeding with any site preparation, construction or installation of improvements the DEVELOPER shall deposit with the CITY all required fees and assessments for said improvements in a form approved by the CITY BOARD OF MAYOR AND ALDERMEN. Further, prior to proceeding as stated herein, the DEVELOPER shall deliver to the CITY a Certificate of Deposit, Letter of Credit, or cash bond in the amount identified on Page 12 of said contract and with terms stated in the CITY PLANNING COMMISSION RESOLUTION dated July 8, 1967 and amended to September 5, 1989. Further, prior to proceeding as stated herein, the DEVELOPER shall deliver to the City an approved N.O.I. (Notice of Intent), and SWPPP (Storm Water Pollution Prevention Plan) approved by TDEC (Tennessee Department of Environment and Conservation) as required by the Storm Water Phase 2 requirements.

**VII****HOLD HARMLESS**

That the DEVELOPER shall hold harmless the CITY and the CITY ENGINEER from any claim, cause of action or liability resulting in whole or in part from the design, construction or installation of the improvements within and without the limits of the subdivision, including reasonable costs, litigation expenses and attorney's fees for defense of same.

**SPECIAL CONDITIONS**

- 1) A permit shall be applied for and obtained from Bartlett Codes prior to the demolition of the existing building.
- 2) A SWPPP and a TDEC permit will be required and shall be submitted to TDEC and also to the City of Bartlett Engineering office.
- 3) The Landscape Plan shall be adjusted based on the actual design of the water line as designed by the City of Bartlett.

## XVII

PAYMENT AND SCHEDULE BARTLETT, TENNESSEE. THE DEVELOPER WILL  
PAY TO THE CITY OF BARTLETT THE FOLLOWING AMOUNTS AS  
HEREINBEFORE DETAILED FOR:

## REALTY INCOME PROPERTIES 17, LLC

## I. Due at Execution of Subdivision Contract and before Construction Begins:

1. Water Plant Expansion  
@ 15% of Water Main Cost  
( Water Main Cost = \$18,100.00 ) **\$2,715.00**
  
2. a. Water System Engineering and  
Subdivision Review @)  
6% of Water Main Cost \$18,100.00 **\$1,086.00**
  
  
 b. Subdivision and Site Plan Review Fee  
@ \$175 per lot or 1.5% of Public  
Improvement Cost, whichever is greater  
 $\$175 \times 1 = \$175.00$   
 $1.5\% \text{ of } \$72,955.00 = \$1,094.33$  **\$1,094.33**
  
3. Sewer Review Fee - \$10 per lot or \$25 per 250 feet  
of sewer line extension (whichever is greater)  
Minimum charge of \$25 per contract  
 $\$10.00 \text{ implies } \$10.00$   
 $\$25.00 \text{ implies } \$50.00$  **\$50.00**
  
4. Water Connection Fee  
@ \$3,000.00 per service  
(1) 3" Water Connection For Lot 1 **\$3,000.00**
  
5. City Site Plan Inspection @  
A: 3% of Development Cost \$2,188.65  
or B: \$300.00 per Lot \$300.00  
Whichever is greater  
Development Cost = \$72,955.00 **\$2,188.65**
  
6. Cost of Water and Sewer Mains to the Subdivision

## SEWER BASIN: SOUTH

|   |                                                                                                                                                 |                      |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| 7 | Sewer Connection Charge at Greater<br>of either @ \$2333 per acre<br>=<br>\$33 per Front Foot x 040'<br><i>Paid under previous S/D Contract</i> | <b><u>\$0.00</u></b> |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|

## DRAINAGE BASIN: SOUTH

|                       |                                                                                                                                                                                        |                                    |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| 8                     | a. 'Drainage Control Fee for those lots<br>not served by a Detention Basin at \$500.00 per half acre or fraction thereof<br>(in multiples of \$500) (Paid under previous S/D Contract) | <b><u>\$ -</u></b>                 |
|                       | b. 'Drainage Control Fee for those lots<br>served by a Detention Basin at \$250 per half acre or fraction thereof<br>(in multiples of \$250)                                           | <b><u>                    </u></b> |
| 9                     | City portion of Water Improvements                                                                                                                                                     | N/A                                |
| <b>TOTAL DUE CITY</b> |                                                                                                                                                                                        | <b>\$10,133.98</b>                 |

II. Due after date of Subdivision Contract and within 30 days  
after written request from the City's Department of Public Works.

|                                                         |                    |
|---------------------------------------------------------|--------------------|
| 1. Asphalt Paving Cost (Estimated<br>Construction Cost) | \$ -               |
| 2. Street Light (Estimated (Street Light Removal)       | \$ -               |
| <b>TOTAL DUE II</b>                                     | <b><u>\$ -</u></b> |

|                                                                                                                  |                    |
|------------------------------------------------------------------------------------------------------------------|--------------------|
| III. Upon Execution of Subdivision Contract and<br>Before Construction Begins 100% of Development<br>Cost (BOND) | <b>\$72,955.00</b> |
|------------------------------------------------------------------------------------------------------------------|--------------------|

IN WITNESS WHEREOF, the parties hereto have affixed their hands and seals at

Bartlett, Tennessee, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
A. Keith McDonald  
MAYOR, CITY OF BARTLETT

DEVELOPER: REALTY INCOME PROPERTIES 17,  
LLC, A DELAWARE LIMITED LIABILITY  
COMPANY

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
BONDING COMPANY

\_\_\_\_\_  
LETTER OF CREDIT, APPROVED BY CITY ATTORNEY

BY: \_\_\_\_\_  
CITY ENGINEER

DATE APPROVED BY BOARD OF MAYOR AND ALDERMEN \_\_\_\_\_

**Board of Mayor and Aldermen**

6400 Stage Road  
Bartlett, TN 38134

**SCHEDULED****AGENDA ITEM**

Meeting: 11/22/16 07:00 PM

Department: Finance

Category: Report

Prepared By: Eric Phan

Department Head: Dick Phebus

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**Treasurer's Report for October 2016.**

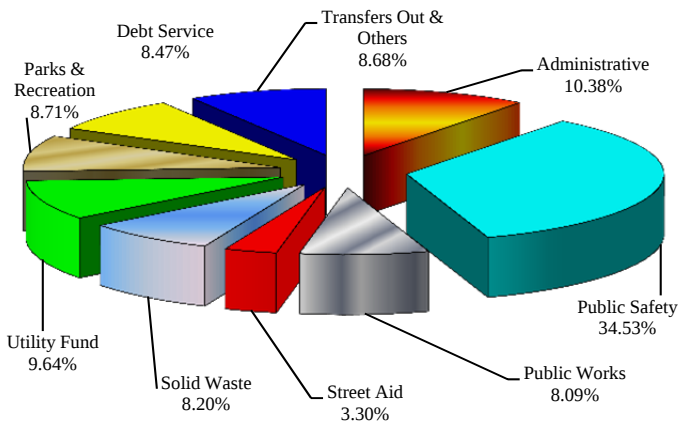


City of Bartlett

# FINANCIAL REPORT

October 31, 2016

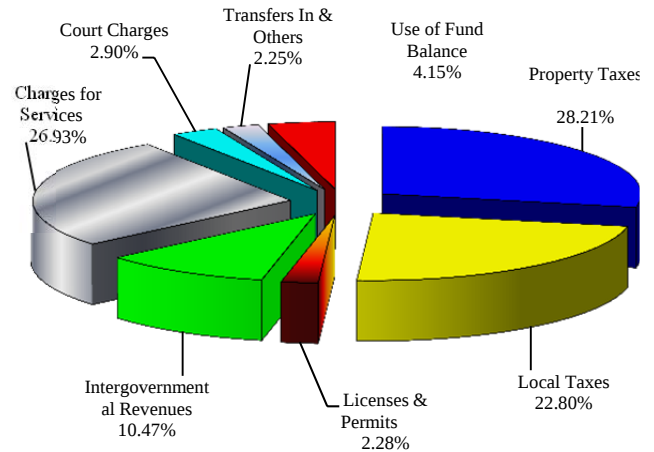
Total Expenditures, FY 2017 Budget: \$72,630,170



## BUDGET HIGHLIGHTS

- June 30, 2016 year-to-date actual is unaudited.
- Information in this report is preliminary Fiscal Year 2016 year-end.
- Property tax bills will be mailed in November and are due February 28.
- Delinquent 2015 property taxes were submitted to the Trustee for collection.

Total Revenues, FY 2017 Budget: \$72,630,170



## FY 2017 YEAR-TO-DATE For The Period Ending October 31, 2016

|                                          | Adopted Budget       | Year-to-Date Actual  |
|------------------------------------------|----------------------|----------------------|
| <b>General Fund Expenditures</b>         |                      |                      |
| Administrative                           | \$ 7,139,615         | \$ 1,845,915         |
| Public Safety                            | 24,640,729           | 7,954,761            |
| Public Works                             | 5,760,665            | 1,872,511            |
| Parks and Recreation                     | 5,634,400            | 1,775,257            |
| Performing Arts                          | 601,966              | 222,133              |
| Transfers & Other Gen. Fund Items        | 3,855,646            | 3,296,019            |
| <b>Subtotal</b>                          | <b>\$ 47,633,021</b> | <b>\$ 16,966,595</b> |
| <b>General Fund Revenues</b>             |                      |                      |
| Property Taxes                           | \$ 20,492,302        | \$ 595,806           |
| Local Taxes                              | 13,222,946           | 2,115,996            |
| Building and Development Fees            | 1,657,700            | 566,103              |
| Intergovernmental                        | 6,027,000            | 784,834              |
| Charges for Services                     | 3,985,384            | 1,167,283            |
| Court Charges                            | 180,000              | 496,078              |
| Other Revenue                            | 437,689              | 140,791              |
| <b>Subtotal</b>                          | <b>\$ 47,633,021</b> | <b>\$ 5,866,890</b>  |
| <b>Special Rev. Funds - Expenditures</b> | <b>\$ 9,855,446</b>  | <b>\$ 2,783,435</b>  |
| <b>Special Rev. Funds - Revenues</b>     | <b>\$ 9,855,446</b>  | <b>\$ 2,699,301</b>  |
| <b>Utility Expenses</b>                  | <b>\$ 10,606,000</b> | <b>\$ 4,584,740</b>  |
| <b>Utility Revenues</b>                  | <b>\$ 10,606,000</b> | <b>\$ 3,130,005</b>  |
| <b>Debt Service Expenditures</b>         | <b>\$ 4,535,703</b>  | <b>\$ 3,033,448</b>  |
| <b>Debt Service Revenues</b>             | <b>\$ 4,535,703</b>  | <b>\$ 516,136</b>    |
| <b>Total Expenditures</b>                | <b>\$ 72,630,170</b> | <b>\$ 27,368,218</b> |
| <b>Total Revenues</b>                    | <b>\$ 72,630,170</b> | <b>\$ 12,212,331</b> |

Note: FY 2017 Adopted Budget includes use of fund balance in the Special Revenue Funds, Utility Fund and Debt Service Fund.

Attachment: Oct16FinRpt (1971 : Treasurer's Report for October 2016)



## City of Bartlett -- Financial Summary For The Period Ending October 31, 2016



|                                             | FY 2016<br>Unaudited<br>Actual | FY 2017<br>Adopted<br>Budget | Increase/<br>Decrease<br>in \$ | Year-to-Date<br>Actual<br>FY 2016 | Year-to-Date<br>Actual<br>FY 2017 | Increase/<br>Decrease<br>in \$ | Percent<br>of FY 2016's<br>Actual | Percent<br>of FY 2017<br>Budget | Increase/<br>Decrease<br>in % |
|---------------------------------------------|--------------------------------|------------------------------|--------------------------------|-----------------------------------|-----------------------------------|--------------------------------|-----------------------------------|---------------------------------|-------------------------------|
| <b>General Fund Expenditures</b>            |                                |                              |                                |                                   |                                   |                                |                                   |                                 |                               |
| Administrative                              | \$ 6,495,877                   | \$ 7,139,615                 | \$ 643,738                     | \$ 1,773,092                      | \$ 1,845,915                      | \$ 72,823                      | 27.30%                            | 25.85%                          | -1.44%                        |
| Public Safety                               | 23,004,852                     | 24,640,729                   | 1,635,877                      | 7,668,502                         | 7,954,761                         | 286,259                        | 33.33%                            | 32.28%                          | -1.05%                        |
| Public Works                                | 5,393,002                      | 5,760,665                    | 367,663                        | 1,727,334                         | 1,872,511                         | 145,177                        | 32.03%                            | 32.51%                          | 0.48%                         |
| Parks and Recreation                        | 5,247,535                      | 5,599,118                    | 351,583                        | 1,855,198                         | 1,775,257                         | (79,941)                       | 35.35%                            | 31.71%                          | -3.65%                        |
| Performing Arts                             | 561,925                        | 637,248                      | 75,323                         | 194,236                           | 222,133                           | 27,896                         | 34.57%                            | 34.86%                          | 0.29%                         |
| Transfers & Other Gen. Fund Items           | 5,409,674                      | 3,855,646                    | (1,554,028)                    | 3,281,018                         | 3,296,019                         | 15,001                         | 60.65%                            | 85.49%                          | 24.83%                        |
| <b>Total General Fund Expenditures</b>      | <b>\$ 46,112,864</b>           | <b>\$ 47,633,021</b>         | <b>\$ 1,520,157</b>            | <b>\$ 16,499,381</b>              | <b>\$ 16,966,595</b>              | <b>\$ 467,215</b>              | <b>35.78%</b>                     | <b>35.62%</b>                   | <b>-0.16%</b>                 |
| <b>General Fund Revenues</b>                |                                |                              |                                |                                   |                                   |                                |                                   |                                 |                               |
| Property Taxes                              | \$ 20,086,325                  | \$ 20,492,302                | \$ 405,977                     | \$ 136,535                        | \$ 595,806                        | \$ 459,271                     | 0.68%                             | 2.91%                           | 2.23%                         |
| Local Taxes                                 | 12,924,927                     | 13,222,946                   | 298,019                        | 2,106,663                         | 2,115,996                         | 9,333                          | 16.30%                            | 16.00%                          | -0.30%                        |
| Building and Development Fees               | 1,681,585                      | 1,657,700                    | (23,885)                       | 444,652                           | 566,103                           | 121,451                        | 26.44%                            | 34.15%                          | 7.71%                         |
| Intergovernmental                           | 5,862,933                      | 6,027,000                    | 164,068                        | 775,670                           | 784,834                           | 9,164                          | 13.23%                            | 13.02%                          | -0.21%                        |
| Charges for Services                        | 3,854,165                      | 3,985,384                    | 131,219                        | 1,133,488                         | 1,167,283                         | 33,795                         | 29.41%                            | 29.29%                          | -0.12%                        |
| Court Charges                               | 1,452,213                      | 1,810,000                    | 357,787                        | 430,269                           | 496,078                           | 65,808                         | 29.63%                            | 27.41%                          | -2.22%                        |
| Other Revenue                               | 453,348                        | 437,689                      | (15,659)                       | 108,010                           | 140,791                           | 32,781                         | 23.82%                            | 32.17%                          | 8.34%                         |
| <b>Total General Fund Revenues</b>          | <b>\$ 46,315,496</b>           | <b>\$ 47,633,021</b>         | <b>\$ 1,317,525</b>            | <b>\$ 5,135,287</b>               | <b>\$ 5,866,890</b>               | <b>\$ 731,603</b>              | <b>11.09%</b>                     | <b>12.32%</b>                   | <b>1.23%</b>                  |
| <b>Special Revenue Funds</b>                |                                |                              |                                |                                   |                                   |                                |                                   |                                 |                               |
| Street Aid Fund                             | \$ 2,208,900                   | \$ 2,395,000                 | \$ 186,100                     | \$ 909,578                        | \$ 373,382                        | \$ (536,196)                   | 41.18%                            | 15.59%                          | -25.59%                       |
| Solid Waste Fund                            | 6,214,573                      | 6,157,049                    | (57,524)                       | 2,128,263                         | 1,676,278                         | (451,985)                      | 34.25%                            | 27.23%                          | -7.02%                        |
| General Improvement Fund                    | 662,366                        | 662,500                      | 134                            | 387,067                           | 388,316                           | 1,249                          | 58.44%                            | 58.61%                          | 0.18%                         |
| Drug Enforcement Fund                       | 268,214                        | 334,400                      | 66,186                         | 68,286                            | 56,256                            | (12,031)                       | 25.46%                            | 16.82%                          | -8.64%                        |
| DEA Enforcement Fund                        | 213,598                        | 100,500                      | (113,098)                      | 0                                 | 0                                 | 0                              | 0.00%                             | 0.00%                           | 0.00%                         |
| Drainage Control Fund                       | 95,245                         | 115,711                      | 20,466                         | 33,252                            | 35,233                            | 1,981                          | 34.91%                            | 30.45%                          | -4.46%                        |
| Park Improvement Fund                       | 0                              | 90,286                       | 90,286                         | 0                                 | 0                                 | 0                              | 0.00%                             | 0.00%                           | 0.00%                         |
| Grant Funds                                 | 2,352,436                      | 0                            | (2,352,436)                    | 158,870                           | 253,970                           | 95,100                         | 6.75%                             | 0.00%                           | -6.75%                        |
| <b>Special Revenue Funds - Expenditures</b> | <b>\$ 12,015,332</b>           | <b>\$ 9,855,446</b>          | <b>\$ (2,159,886)</b>          | <b>\$ 3,685,317</b>               | <b>\$ 2,783,435</b>               | <b>\$ (901,882)</b>            | <b>30.67%</b>                     | <b>28.24%</b>                   | <b>-2.43%</b>                 |
| <b>Special Revenue Funds - Revenues</b>     | <b>\$ 11,063,112</b>           | <b>\$ 9,855,446</b>          | <b>\$ (1,207,666)</b>          | <b>\$ 2,629,469</b>               | <b>\$ 2,699,301</b>               | <b>\$ 69,831</b>               | <b>23.77%</b>                     | <b>27.39%</b>                   | <b>3.62%</b>                  |
| <b>Utility Fund</b>                         |                                |                              |                                |                                   |                                   |                                |                                   |                                 |                               |
| Total Utility Operations                    | \$ 6,197,140                   | \$ 8,989,401                 | \$ 2,792,261                   | \$ 1,615,934                      | \$ 3,487,515                      | \$ 1,871,581                   | 26.08%                            | 38.80%                          | 12.72%                        |
| Total Utility Debt Expenses                 | 1,675,471                      | 1,616,599                    | (58,872)                       | 1,177,744                         | 1,097,225                         | (80,518)                       | 70.29%                            | 67.87%                          | -2.42%                        |
| <b>Total Utility Expenses</b>               | <b>\$ 7,872,611</b>            | <b>\$ 10,606,000</b>         | <b>\$ 2,733,389</b>            | <b>\$ 2,793,678</b>               | <b>\$ 4,584,740</b>               | <b>\$ 1,791,062</b>            | <b>35.49%</b>                     | <b>43.23%</b>                   | <b>7.74%</b>                  |
| <b>Total Utility Revenues</b>               | <b>\$ 8,789,603</b>            | <b>\$ 10,606,000</b>         | <b>\$ 1,816,397</b>            | <b>\$ 3,043,726</b>               | <b>\$ 3,130,005</b>               | <b>\$ 86,279</b>               | <b>34.63%</b>                     | <b>29.51%</b>                   | <b>-5.12%</b>                 |
| <b>Debt Service Fund</b>                    |                                |                              |                                |                                   |                                   |                                |                                   |                                 |                               |
| Total Debt Service Expenditures             | \$ 4,202,697                   | \$ 4,535,703                 | \$ 333,006                     | \$ 2,784,996                      | \$ 3,033,448                      | \$ 248,453                     | 66.27%                            | 66.88%                          | 0.61%                         |
| Total Debt Service Revenues                 | \$ 4,104,772                   | \$ 4,535,703                 | \$ 430,931                     | \$ 518,868                        | \$ 516,136                        | \$ (2,733)                     | 12.64%                            | 11.38%                          | -1.26%                        |
| <b>Total Expenditures</b>                   | <b>\$ 70,203,504</b>           | <b>\$ 72,630,170</b>         | <b>\$ 2,426,666</b>            | <b>\$ 25,763,371</b>              | <b>\$ 27,368,218</b>              | <b>\$ 1,604,848</b>            | <b>36.70%</b>                     | <b>37.68%</b>                   | <b>0.98%</b>                  |
| <b>Total Revenues</b>                       | <b>\$ 70,272,983</b>           | <b>\$ 72,630,170</b>         | <b>\$ 2,357,187</b>            | <b>\$ 11,327,350</b>              | <b>\$ 12,212,331</b>              | <b>\$ 884,981</b>              | <b>16.12%</b>                     | <b>16.81%</b>                   | <b>0.70%</b>                  |

**Board of Mayor and Aldermen**

6400 Stage Road  
Bartlett, TN 38134

**SCHEDULED****AGENDA ITEM**

Meeting: 11/22/16 07:00 PM

Department: Board of Mayor and Aldermen

Category: Appointment

Prepared By: Stefanie McGee

Department Head: A. Keith McDonald

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## **Appoint Michael Bollinger as Director of Bartlett Performing Arts and Conference Center.**



## Board of Mayor and Aldermen

6400 Stage Road  
Bartlett, TN 38134

### SCHEDULED

### AGENDA ITEM

Meeting: 11/22/16 07:00 PM  
Department: Planning and Economic Development  
Category: Proposal  
Prepared By: Sam Harris  
Department Head: Terry Emerick

## Appeal of the Design Review Commission's decision regarding the proposed multi-tenant ground sign for LA Fitness, 6050 Stage Road.

Mr. John Perry of Kimley-Horn requests an appeal to the Design Review Commission's decision on the proposed multi-tenant ground sign for LA Fitness located at 6050 Stage Road. This decision was made at the Design Review Commission meeting on Tuesday, November 15, 2016.

The multi-tenant identification ground sign does not meet the Sign Ordinance requirement for a landscape buffer of at least three feet on all sides for a ground sign. Also, the proposed sign is an off-premises sign for the future tenant of Lot 2 of Bartlett Villa Subdivision since the sign will be located upon the physical property for LA Fitness, which is Lot 1 of Bartlett Villa Subdivision.

### LA Fitness, 6050 Stage Road (Ground/Tenant Sign) (John Perry, Kimley-Horn)

Ms. Kim Taylor explained that Mr. John Perry with Kimley-Horn is requesting Design Review Commission (DRC) approval of a multi-tenant ground sign for LA Fitness. The subject property is located at 6050 Stage Road (existing Antique Gallery location) within the "CG-MS" General Commercial Main Street Overlay Zoning District.

The specific request by the applicant is for the approval of a multi-tenant identification ground sign for LA Fitness. The subject property was subdivided into two lots. LA Fitness will occupy Lot 1, and a future tenant will occupy Lot 2. The applicant proposes to utilize a multi-tenant ground sign as provided under 14-465 (2) to list 2-4 building occupants on no more than thirty-two (32) square feet of sign surface.

The specifics of the proposed sign is as follows:

#### Multi-Tenant Ground-Sign (1):

Location: The sign will be located in front of the business on an elongated landscape island between KFC and McDonald's perpendicular to Stage Road approximately 97.4-

feet from the ROW. The sign will be 6-feet tall from grade.

Size: The sign cabinet is 7'2" x 2'8" = 19.11-sq.ft. for LA Fitness and 7'2" x 1'8" = 11.94-sq.ft. for the future tenant on Lot 2, total face area = 31.05-sq.ft.

Font: Corporate

Materials/Colors: White background with blue and gold lettering, rectangle cabinet sign, and black aluminum trim cap.

Sign Message: **LA Fitness**

Mounting Structure: Concrete base with Cast Ledgestone Accent

Logo: None proposed

Lighting: LED

Landscaping: 105-sq.ft. - annuals, 23 - Stella de Oro Daylily, 6 - Karley Rose Fountain Grass

**Recommendation:** Approval with conditions.

**Planning Comments:**

1. The ground sign complies with the Sign Ordinance in terms of size and location.
2. Section 14-465 of the Sign Ordinance requires that a ground sign maintain a landscape buffer of three feet on all sides or a planting area minimum of 50-square feet. The proposed multi-tenant ground sign will have a landscape buffer of slightly less than two feet on the east and west sides, but it will have an overall planting area of 300 square feet.
3. The maximum signage allowed for Lot 1 is 183 square feet, and the maximum signage allowed for Lot 2 is 133 square feet.
4. The applicant has received Administrative DRC Sign approval for a wall sign and a logo for the front wall of LA Fitness. The signs utilize 90 square feet of the signage allowed.

**Planning Conditions:**

1. The future tenant sign for Lot 2 shall be consistent in design and color with the proposed sign.
2. The future tenant for Lot 2 shall make application to the DRC for all signage.
3. The applicant shall install a curb at least 6-inches tall around the landscape median.
4. It is recommended that the owner/applicant attend the meeting in order to make decisions relative to any changes that may be suggested by the DRC.

**Engineering Conditions:**

1. The Applicant shall submit a detailed plan showing the:
  - Width of the proposed Landscaping Screen.
  - The revised widths of the 3 driveway lanes surrounding the new landscaping

screen.

- Proposed spot elevations to insure the new landscaping screen will not trap storm water run-off.
- Pavement and striping markings in accordance with the MUTCD with raised pavement reflectors in area adjacent to landscape screen.

John Perry of Kimley-Horn was present to represent this application.

Motion was made by Mike Terry for LA Fitness at 6050 Stage Road, to deny approval of the ground mounted sign although this board is totally in favor of all the issues.

Keith Whaley seconded the motion.

Roll Call Vote: All members voted yes. Motion to deny was submitted with submitted Letter from applicant to the Board of Mayor and Aldermen for approval/denial.

## Sam Harris

---

**From:** Kim Taylor  
**Sent:** Wednesday, November 16, 2016 2:11 PM  
**To:** Sam Harris; Stefanie McGee  
**Subject:** Fwd: Request for Appeal, LA Fitness, November 15, 2016 Meeting

Here is the revised verbiage for the appeal.

Sent from my iPhone

Begin forwarded message:

**From:** <[John.Perry@kimley-horn.com](mailto:John.Perry@kimley-horn.com)>  
**Date:** November 16, 2016 at 1:32:13 PM CST  
**To:** <[temerick@cityofbartlett.org](mailto:temerick@cityofbartlett.org)>, <[ktaylor@cityofbartlett.org](mailto:ktaylor@cityofbartlett.org)>  
**Cc:** <[Robert@dpcre.com](mailto:Robert@dpcre.com)>, <[TSchmitt@studio222architects.com](mailto:TSchmitt@studio222architects.com)>, <[CZahn@studio222architects.com](mailto:CZahn@studio222architects.com)>, <[Logan.Stanko@kimley-horn.com](mailto:Logan.Stanko@kimley-horn.com)>  
**Subject:** Request for Appeal, LA Fitness, November 15, 2016 Meeting

Terry and Kim,

We are requesting an appeal to the Board of Mayor and Aldermen of the decision of the Design Review Commission, at the Nov. 15th meeting, to not approve the proposed L.A. Fitness ground sign. The Design Review Commission were unanimously in favor of the sign, but there were issues with the sign that are contrary to the Sign Ordinance, that resulted in the Design Review Commission not having the authority to approve the sign.

We ask that the L.A. Fitness sign appeal be placed on the next available Board of Mayor and Aldermen agenda.

**John G. Perry, PE**  
**Kimley-Horn** | 6625 Lenox Park Drive, Memphis, TN 38115  
 Direct: 901.334.5322 | Mobile: 901.488.8692 | [www.kimley-horn.com](http://www.kimley-horn.com) |  
 Connect with us: [Twitter](#) | [LinkedIn](#) | [Facebook](#) |

Attachment: LA Fitness Letter of Appeal Nov 2016 DRC (1974 : Letter of Appeal DRC LA Fitness November 2016 Meeting)

SITE DATA:

8050 STAGE ROAD, BARTLETT, TN  
RETAIL  
PARCEL ID: 80157 00463

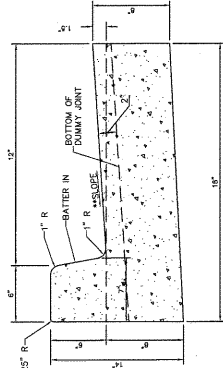
ZONING: CO-4S  
EXISTING ZONING CLASSIFICATION (PROPOSED SITE)  
EXISTING ZONING CLASSIFICATION (NORTH)  
EXISTING ZONING CLASSIFICATION (EAST)  
EXISTING ZONING CLASSIFICATION (WEST)  
EXISTING ZONING CLASSIFICATION (SOUTH)

LOT COVERAGE: 25.531  
GROSS BUILDING AREA (PHASE 1)  
EXISTING IMPERVIOUS AREA (PHASE 1)  
EXISTING PAVED AREA (PHASE 1)  
PROPOSED PAVED AREA (PHASE 1)  
PROPOSED PAVED AREA (FRONT OF LOT) 0.10 AC.

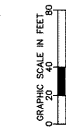
PARKING DATA:  
PROPOSED PARKING (PHASE 1)  
TOTAL PARKING SPACES (176 REQUIRED PER CITY SECTION A-1A, FIGURE N-12A PARKING DESIGN REQUIREMENTS)  
DESIGN REQUIREMENTS  
9 FT X 20 FT SPACES (6 REQUIRED)  
22 (MINIMUM)

MINIMUM YARD REQUIREMENTS:  
FRONT (SOUTH)  
SIDE (EAST)  
SIDE (WEST)  
REAR (NORTH)  
MAXIMUM BUILDING HEIGHT  
MAXIMUM BUILDING FOOTPRINT  
MAXIMUM BUILDING SETBACK WALL  
NUMBER OF STORES

NOTE:  
FINAL PARKING SECTION DESIGNS PENDING FUTURE GEOTECHNICAL EVALUATION.



ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP (FIRM), THIS PROJECT IS LOCATED IN AN AREA IDENTIFIED IN COMMUNITY PANEL NUMBER 470716 0003 G. MAP REVISED FEBRUARY 6, 2013.



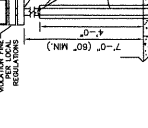
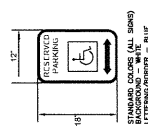
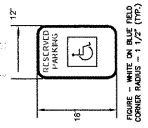
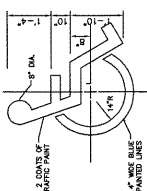
| REVISION | DESCRIPTION OF CHANGE | APPROVAL DATE |
|----------|-----------------------|---------------|
| 1        |                       |               |
| 2        |                       |               |
| 3        |                       |               |
| 4        |                       |               |
| 5        |                       |               |
| 6        |                       |               |

BARTLETT VILLA  
OWNER/DEVELOPER: DIVERSIFIED PARTNERS, LLC  
ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC.

Kimley»Horn

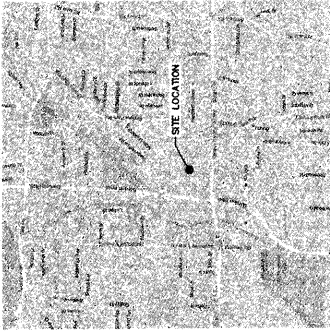
© 2016 KIMLEY-HORN AND ASSOCIATES, INC.  
6525 LEON PARKWAY, SUITE 200, MEMPHIS, TN 38115  
PHONE: 901-374-5109  
WWW.KIMLEY-HORN.COM

| Point | Numbering | Setting   | Description                   |
|-------|-----------|-----------|-------------------------------|
| 1     | 340121.51 | 812098.34 | Radius Center - Median Island |
| 2     | 340121.51 | 812098.34 | Radius Center - Median Island |
| 3     | 340121.51 | 812098.34 | Radius Center - Median Island |
| 4     | 340121.51 | 812098.34 | Radius Center - Median Island |
| 5     | 340121.51 | 812098.34 | Radius Center - Median Island |
| 6     | 340121.51 | 812098.34 | Radius Center - Median Island |



HANDICAP PARKING SIGN DETAILS  
NOT TO SCALE

HANDICAP PARKING SIGN DETAIL  
NOT TO SCALE



**SITE DATA:**

ZONING:  
EXISTING ZONING CLASSIFICATION, BOTH LOTS  
PRD-1  
EXISTING ZONING CLASSIFICATION (EAST)  
CO-MS  
EXISTING ZONING CLASSIFICATION (WEST)  
CO-MS & PRD-1  
EXISTING ZONING CLASSIFICATION (SOUTH)  
CO-MS

PARKING DATA:  
PROPOSED PARKING--BOTH LOTS  
315 SPACES (254 REQUIRED AT 4/1000 SF PER CITY OF BARTLETT ZONING ORDINANCE -- RETAIL WITH SHARED PARKING)

PARKING STALL DIMENSION  
TWO WAY AISLE WIDTHS  
22 (MINIMUM)

MINIMUM YARD REQUIREMENTS--BOTH LOTS:  
FRONT (SOUTH) 40 FEET  
SIDE (EAST) 0 FEET  
SIDE (WEST) 0 FEET  
REAR (NORTH) 0 FEET  
MAXIMUM BUILDING HEIGHT 5 STORIES  
PROPOSED BUILDING--BOTH LOTS:  
HEIGHT TO TOP OF PARAPET WALL: 38 FEET  
NUMBER OF STORIES: 1

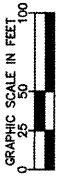
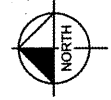
**LEGEND:**

SHARED ACCESS EASEMENT

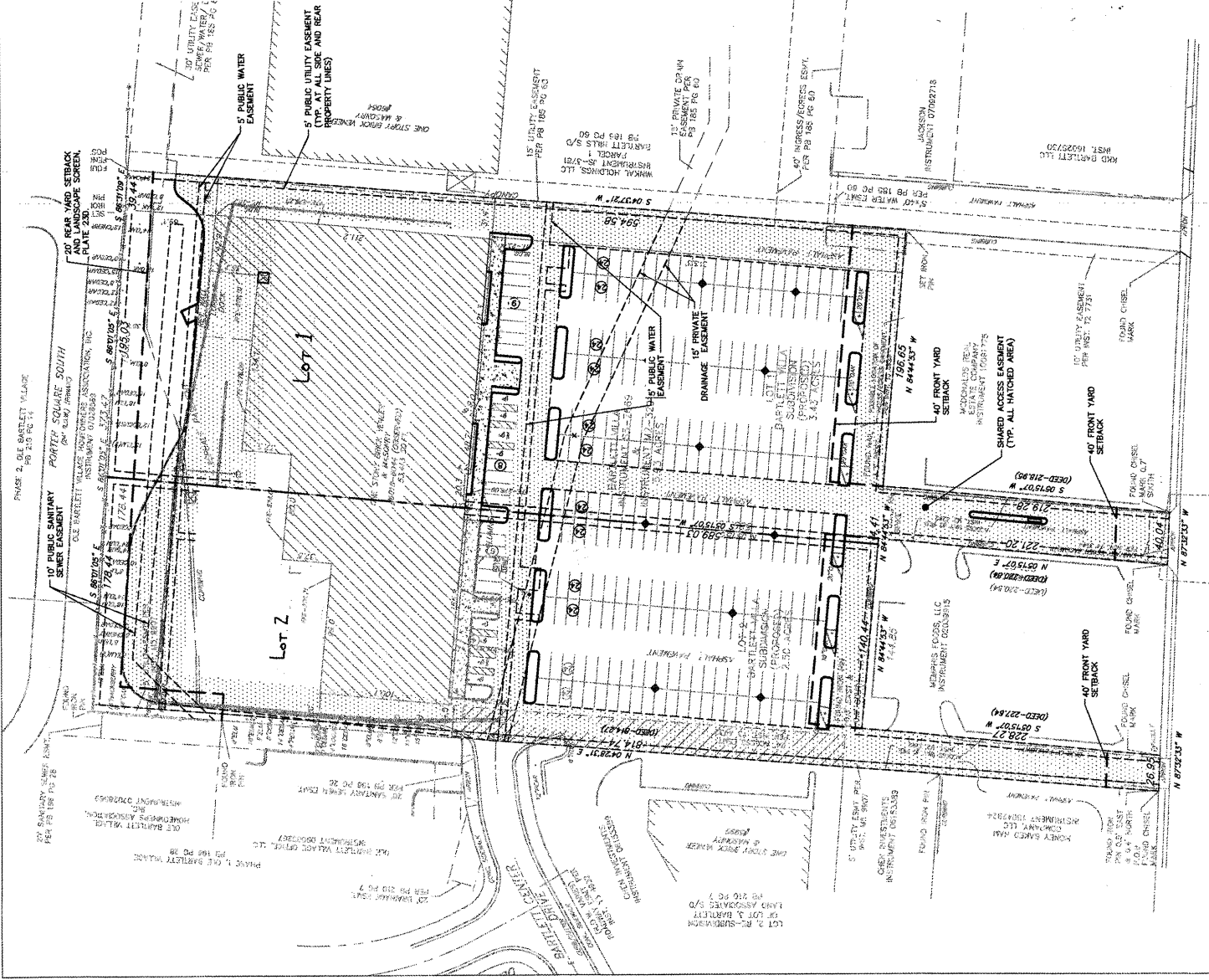
NOTE:  
PARKING SHOWN IN LOTS 1 AND 2 SHALL BE SHARED PARKING.



15100209  
3/27/2016 - 11:28 AM  
JASON  
PLAT BOOK : 270  
PAGE : 2  
JASON  
TON LEATHERWOOD  
REGISTERED PROFESSIONAL ENGINEER  
REGISTERED IN THE STATE OF MISSISSIPPI



|                                      |          |        |                |
|--------------------------------------|----------|--------|----------------|
| FINAL PLAT                           |          |        |                |
| BARTLETT VILLA                       |          |        |                |
| 6050 STAGE ROAD, BARTLETT, TENNESSEE |          |        |                |
| NO. OF LOTS:                         | PARCELS: | BLOCK: | PARCEL NUMBER: |
| 2                                    | 5        | 057    | 00456          |
| BARTLETT VILLA PARTNERS, LLC         |          |        |                |
| KIMLEY-HORN                          |          |        |                |
| 100 W. HIGDON AVE.                   |          |        |                |
| NOT APPLICABLE                       |          |        |                |
| 47075 0303G                          |          |        |                |
| FEBRUARY 6, 2013                     |          |        |                |



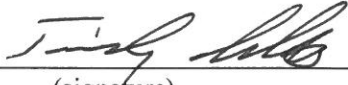
Bartlett Planning and  
Economic Development Department  
6382 Stage Road, P.O. Box 341148  
Bartlett, TN 38184-1148  
Phone 901-385-6417 FAX 901-385-6419  
www.cityofbartlett.org

## Application for Sign Approval to the Bartlett Design Review Commission

Sign Message: LA FITNESS  
Sign Location (Address): 6050 STAGE ROAD  
Business Name: LA FITNESS  
Type of Business: HEALTH CLUB  
Business Owner Contact: ROBERT LEE  
Address: 550 SILICON DR. SUITE 103  
Phone: 817 601-3510 Fax: 817 915 2560 Email: ROBERTLE@LAFITNESS.COM

Design Contact: TIM SCHMITT  
Company Name: STUDIO ZZZ ARCHITECTS  
Address: 222 S. MORRIS ST.  
Phone: 312 850-4970 Fax: 312 850 4978 Email: tschmitt@STUDIOZZZ  
ARCHITECTS.COM

Installer Contact: \_\_\_\_\_  
Company Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Submitted by TIMOTHY SCHMITT  10.17.16  
(printed name) (signature) (date)

- ☒ Attach a checked-off "Sign Checklist" and all items required therein.
- ☒ Acknowledge (by initials in the blank to the left) that the "Application Instructions: Design Review Commission" were obtained and read prior to submitting this application.
- \_\_\_\_\_ Include a fee of \$100.00 per sign (unless multiple signs are identical) with this application with a check payable to the City of Bartlett. The Code Enforcement Department also requires a permit fee, per sign, once each sign is approved. The sign will be inspected annually. The annual inspection fee is \$10.00 per sign.

***\*Please complete both the front and back pages of this application and provide any additional required information. Incomplete applications will not be accepted.***

Attachment: Ground Sign Application (1974 : Letter of Appeal DRC LA Fitness November 2016 Meeting)

## Sign Information Check List:

Sign Type: GROUND SIGN Location of Sign: ACCESS DRIVE FROM STAGE ROAD  
 Linear Building Frontage: 211'-2" Linear Storefront: NA  
(single building) (tenant space in a center)

Building Setback from Road/Face of curb: \_\_\_\_\_  
(Applicable for buildings in the Special Sign Corridor setback more the 100 feet from the road)

**Sign Details:** width x height (inches preferred)

Size – 31.77 square feet (88 " x 52 ")

Size – \_\_\_\_\_ square feet (\_\_\_\_\_ " x \_\_\_\_\_ ")

Size – \_\_\_\_\_ square feet (\_\_\_\_\_ " x \_\_\_\_\_ ")

Total Sign Area/Square footage Proposed: 31.77

Total Sign Area/Square Footage Permitted: 32.0

Sign Materials: ALUM BOX SIGN WITH ACRYLIC SIGN FACE ON EACH SIDE

Sign Face Colors: WHITE

Trim Cap Colors: TO MATCH SIDES

Sign Attachment Materials and Colors: MOUNTED TO CONCRETE BASE WITH STAKE DOWN

Lighting Type: LED

Please ☒ that the following information has been provided with this application.

- ☒ Colored Elevation Rendering (wall/window signs) ☒ Measurement Details  
☒ Site Plan (ground signs) ☒ Landscape Plan (ground signs) ☒ Sign Attachment Details  
☒ Lighting Details ☒ Material and Color Details ☒ Copies ☐ Fees

Upon receipt of a **completed** sign application, please allow 5-business days for approval.

\*Note: A valid City of Bartlett Business License must be obtained prior to submitting signs for approval if your business does \$50,000 or more in sales per year within the City limits.

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Forward to DRC: \_\_\_\_\_

Notes:

Staff Signature

Date

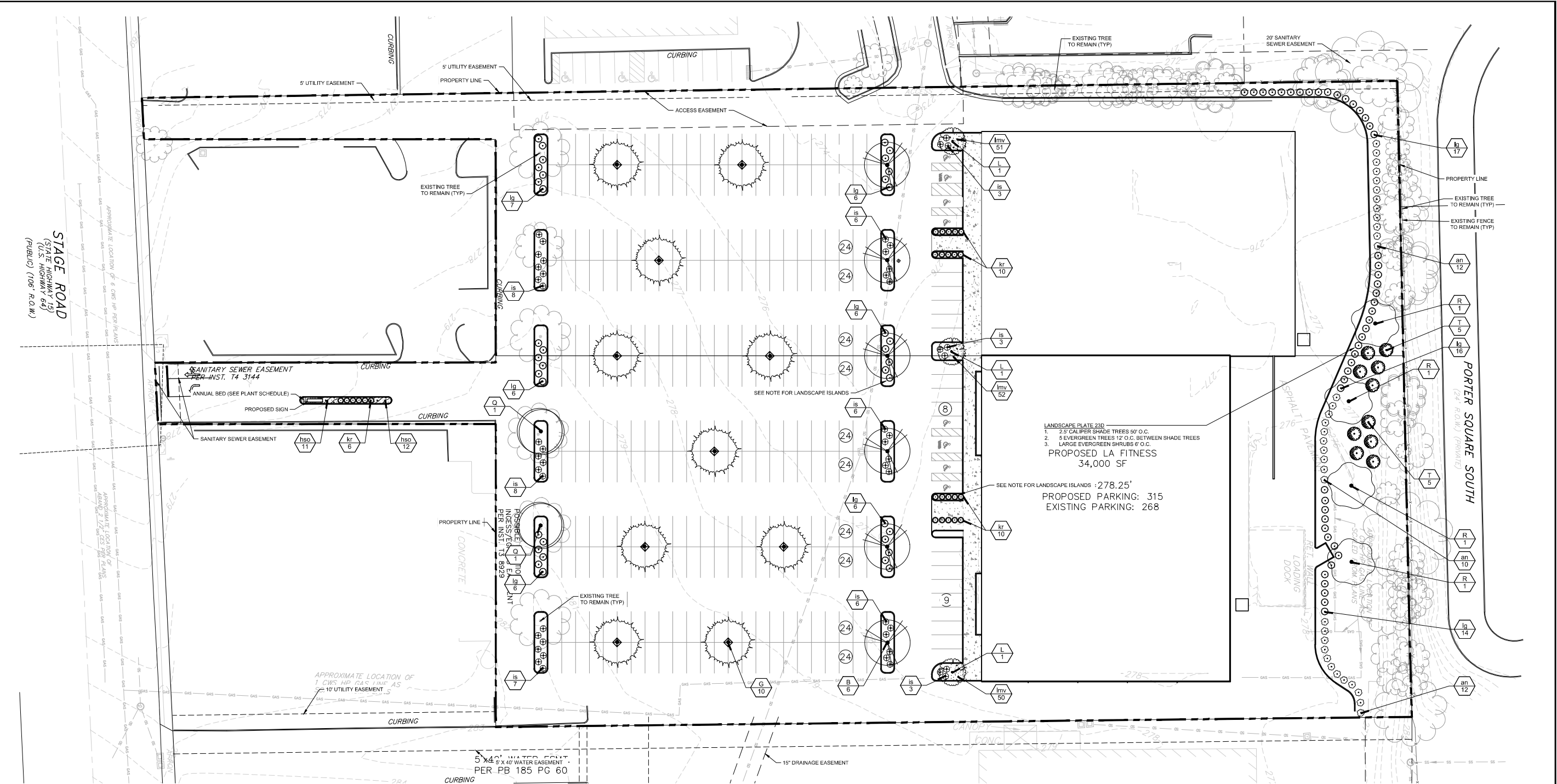


Concept Plyon Sign - Bartlett, TN

10.12.16

Packet Pg. 58

Drawing name: K:\VIEW\DEV\07287000 - LA Fitness Bartlett\Code\PlanSheets\1-00-Landscape.dwg L-1 LANDSCAPE PLAN Oct 17, 2016 11:50am by Logan.Stonko  
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

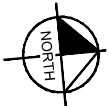
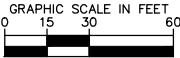


| LA FITNESS LANDSCAPE REQUIREMENTS                                                                                                                                                                                                                                                                                                                                                 | LANDSCAPE PROVIDED                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| Screening between Single-family Residential and other Uses<br>A twenty-foot-deep (20') landscape screen, Plate 230, shall be provided at the boundary between single-family residential use (or zoning, if the land is vacant) and all other land uses, on the property of the other use.                                                                                         | Provided (See plan)                         |
| Interior Parking Lot Landscaping<br>1 tree required per 20 parking spaces (318 spaces)<br>16 Trees Required                                                                                                                                                                                                                                                                       | 24 Provided (See plan)                      |
| A planting island shall have a minimum area of 400 square feet for a large density tree (20' square or 22.5' diameter), 300 square feet for a medium density tree (17.3' square or 19.5' diameter), and 200 square feet for a small density tree (14.1' square or 16' diameter).<br>All parking spaces shall be within a maximum distance of seventy-five feet (75') from a tree. | Minimum areas provided (See plan)           |
| Minimum Tree Size at Planting<br>Small density trees shall be 6'-8' high when planted. Medium density trees shall be 8'-10' high when planted. Large density trees planted for residential and non-residential developments shall be no smaller than 2'-2.5' caliper.                                                                                                             | Minimum sizes provided (See plant schedule) |
| Open Space<br>A minimum of 35% of the total land area of the lot, excluding building footprints and pavement, shall be in green/open space.<br>1% of the green/open space shall be planted in seasonal color.                                                                                                                                                                     | Variance<br>Provided                        |

| PLANT SCHEDULE |       |                                          |                              |          |                  |      |                              |
|----------------|-------|------------------------------------------|------------------------------|----------|------------------|------|------------------------------|
| TREES          | QTY   | BOTANICAL NAME                           | COMMON NAME                  | SPACING  | SIZE             | ROOT | CONDITION                    |
| B              | 6     | ACER RUBRUM 'BOWHALL'                    | BOWHALL RED MAPLE            | AS SHOWN | 2.5' CAL. MIN.   | B&B  | FULL; MIN. 8' HT.            |
| R              | 4     | ACER RUBRUM 'ARMSTRONG'                  | ARMSTRONG RED MAPLE          | 50' O.C. | 2.5' CAL. MIN.   | B&B  | FULL; MIN. 8' HT.            |
| G              | 10    | GLEDITSIA TRIACANTHOS INERMIS 'SUNBURST' | SUNBURST COMMON HONEYLOCUST  | AS SHOWN | 2.5' CAL. MIN.   | B&B  | FULL; MIN. 8' HT.            |
| L              | 3     | LAGERSTROEMIA INDICA 'CAROLINA BEAUTY'   | CAROLINA BEAUTY CRAPE MYRTLE | AS SHOWN | 2' CAL. PER STEM | B&B  | 3 STEM; MATCHED; MIN. 6' HT. |
| Q              | 2     | QUERCUS RUBRA                            | RED OAK                      | AS SHOWN | 3' CAL.          | B&B  | FULL; MIN. 8' HT.            |
| T              | 10    | THUJA OCCIDENTALIS 'EMERALD GREEN'       | EMERALD GREEN ARBORVITAE     | 12' O.C. | 6' MIN. HT.      | B&B  | FULL                         |
| SHRUBS         | QTY   | BOTANICAL NAME                           | COMMON NAME                  | SPACING  | SIZE             | ROOT | CONDITION                    |
| is             | 48    | ITEA VIRGINICA 'LITTLE HENRY'            | DWARF VIRGINIA SWEETSPICE    | AS SHOWN | 3 GAL.           | CONT | -                            |
| Ig             | 84    | THUJA OCCIDENTALIS 'LITTLE GIANT'        | LITTLE GIANT ARBORVITAE      | 4' O.C.  | 3 GAL.           | CONT | -                            |
| an             | 34    | THUJA ORIENTALIS 'AUREA NANA'            | DWARF GOLDEN ARBORVITAE      | 6' O.C.  | 3 GAL.           | CONT | -                            |
| GRASSES        | QTY   | BOTANICAL NAME                           | COMMON NAME                  | SPACING  | SIZE             | ROOT | CONDITION                    |
| kr             | 26    | PENNISETUM ORIENTALE 'KARLEY ROSE'       | KARLEY ROSE FOUNTAIN GRASS   | 4' O.C.  | 3 GAL.           | CONT | -                            |
| GROUND COVERS  | QTY   | BOTANICAL NAME                           | COMMON NAME                  | SPACING  | SIZE             | ROOT | CONDITION                    |
| hso            | 35 SF | -                                        | ANNUALS                      | -        | -                | -    | -                            |
| Inv            | 23    | HEMEROCALLIS X 'STELLA DE ORO'           | STELLA DE ORO DAYLILY        | 15' O.C. | PINT             | CONT | -                            |
|                | 153   | LIRIOPE MUSCARI 'VARIEGATA'              | VARIEGATED LILY TURF         | 18' O.C. | PINT             | CONT | -                            |

| SITE TREE DENSITY CALCULATIONS                         |         |
|--------------------------------------------------------|---------|
| Acreage:                                               | 6       |
| Tree Density Units Required:<br>(20 TDU/AC. X 6.0 AC.) | 120 TDU |
| Proposed Trees<br>22-2.5' CAL. TREES                   | 55 TDU  |
| Total Proposed:                                        | 55 TDU  |
| Existing Tree Credits:                                 | 617 TDU |
| TOTAL DENSITY UNITS PROVIDED:                          | 672 TDU |

NOTES:  
1. ALL LANDSCAPE ISLANDS SHALL RECEIVE A MULCH LAYER AS INDICATED IN THE LANDSCAPE NOTES, SECTION 1.08 (A).  
2. ALL PLANTS SPECIFIED IN THIS PLAN ARE NATIVE SPECIES. THE PROPERTY OWNER WILL PROVIDE A 3-YEAR LANDSCAPE GUARANTEE IN LIEU OF IRRIGATION.



**Kimley»Horn**

© 2016 KIMLEY-HORN AND ASSOCIATES, INC.  
6625 LENOX PARK DRIVE, SUITE 117, MEMPHIS TN 38115  
PHONE: 901-374-9109  
WWW.KIMLEY-HORN.COM

| REVISION |                       |               |
|----------|-----------------------|---------------|
| ITEM NO. | DESCRIPTION OF CHANGE | APPROVAL DATE |
|          |                       |               |
|          |                       |               |
|          |                       |               |
|          |                       |               |
|          |                       |               |
|          |                       |               |
|          |                       |               |

BARTLETT VILLA  
OWNER/DEVELOPER: DIVERSIFIED PARTNERS, LLC  
ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC.

DIVISION OF ENGINEERING  
**LANDSCAPE PLAN**  
LOCATION: 6050 STAGE ROAD  
NE CORNER OF STAGE ROAD AND BARTLETT BLVD  
BARTLETT, TENNESSEE

SURVEY BY HARRIS DATE: 12/15 BOOK: SEE SURVEY  
DESIGN BY KHA DATE: 02/16 SCALE: AS NOTED

CITY ENGINEER

DATE

L-1

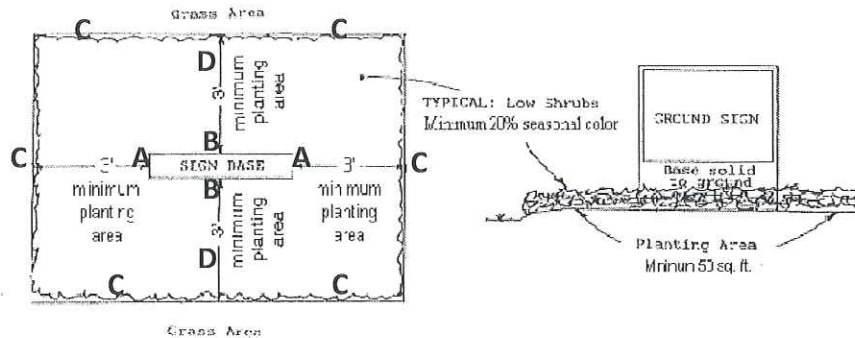
# PROPOSED CONDITIONS



**Instructions:** Please complete the table by filling in all proposed plantings that will be installed around the base of the sign. The person that signs this form will be responsible for the installation and maintenance of the sign and planting materials for the life of the project. The sign owner's signature is preferred.

**Landscaping Requirements for Ground Signs:**

Section 14-465(8) The accepted ground sign shall be landscaped for a distance of three (3) feet in all directions so as to protect the sign from vehicular traffic and inhibit pedestrian traffic in and about the sign, and if located in a parking area exposed to vehicular traffic shall have six feet of solid curbing on all sides exposed to such traffic.



**Planting Screen for Ground Signs**

A= ends B= front C= border or perennial D= seasonal color

Note: Three (3) feet of landscaping around the base of the sign is equivalent to 50 square feet. Of the 50 square feet of landscaping, 10 square feet or 20% shall be of seasonal flowers. Some form of irrigation is required.

| Quantity | Location<br>A, B, C, D | Plant Name or Common Name | Size   |
|----------|------------------------|---------------------------|--------|
| 35 SF    | A, Left                | Annuals                   | —      |
| 11       | A, Right               | Stella de Oro Daylily     | Pint   |
| 35 SF    | B                      | Annuals                   | —      |
| 6        | C, Right               | Karley Rose               | 3 gal. |
| 35 SF    | D                      | Annuals                   | —      |

Note: Landscaping approved by Planning Commission

**Proposed Irrigation:**

Not Required - Approved by Planning Commission

Sign Owner's Signature: \_\_\_\_\_

*Janet Decker, PE*

Date: \_\_\_\_\_

17 Oct 2016