



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING AGENDA

TUESDAY, JULY 10, 2018 - BARTLETT CITY HALL - 7:00 PM

INVOCATION

Opening Prayer by Larry Turner, Harmony Church

FUTURE MEETINGS

Parks and Recreation Advisory Board, July 12 at 7 p.m.

Historic Preservation Commission, July 16 at 7 p.m.

Design Review Commission, July 17 at 6:30 p.m.

RECOGNITIONS

Reserve Firefighters' Fill the Boot check presentation to the Muscular Dystrophy Association

Official Business of the Day

MINUTES ACCEPTANCE

Minutes of the June 26, 2018 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.

- I. Ordinance 18-04, an ordinance to amend the City of Bartlett Zoning Ordinance, by amending Article I, Section 2, Definitions, to modify the definition of dwelling unit and add definitions for short-term rental unit and transient guest; by amending Article V, Chart I, Uses Permitted in Zoning Districts, to identify zoning districts in which short-term rentals are permitted uses; and by amending Article VI, Supplementary District Regulations, by adding a new Section 30, establishing regulations for short-term rentals.

UNFINISHED BUSINESS

- 1 Third Reading of Ordinance 18-04, an ordinance to amend the City of Bartlett Zoning Ordinance, by amending Article I, Section 2, Definitions, to modify the definition of dwelling unit and add definitions for short-term rental unit and transient guest; by amending Article V, Chart I, Uses Permitted in Zoning Districts, to identify zoning districts in which short-term rentals are permitted uses; and by amending Article VI, Supplementary District Regulations, by adding a new Section 30, establishing regulations for short-term rentals. (Kim Taylor, Director of Planning and Economic Development)**
- 2 Second Reading of Ordinance 18-05, an ordinance to rezone from RS-10 to O-R-1 property on the north side of Yale Road at Highway 70. (Kim Taylor, Director of Planning and Economic Development)** The public hearing is set for July 24, 2018.

CONSENT AGENDA

- 1 Special event permit for Memphis Runner's Road Race Series 5-Mile Runs. (Jim Brown, Director of Code Enforcement)**

The events will be held on Sundays, August 12 and August 26 at W.J. Freeman Park.
- 2 Bid for BPACC roof replacement. (Dick Phebus, Director of Finance)**

Recommend accepting the lowest bid from Jessie Bryant Roofing at a cost of \$309,712, plus a contingency amount of \$35,000 for total cost of \$344,712. Funds are available in Accounts 311.48311.780.59118 and 311.48311.780.59119.
- 3 Planning Commission Report for July 2018. (Kim Taylor, Director of Planning and Economic Development)**

NEW BUSINESS

- 1 Set a public hearing for August 14, 2018 for Resolution 20-18, a resolution approving a special use permit for the sale of used children's clothing in a retail store named "Summer Kids," located at 2831 Bartlett Boulevard. (Kim Taylor, Director of Planning and Economic Development)**
- 2 Resolution 21-18, a resolution to delete uncollectable property taxes, interest, penalties, and associated costs from the City of Bartlett tax rolls. (Dick Phebus, Director of Finance)**

OPEN DISCUSSION

ADJOURNMENT



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

TUESDAY, JUNE 26, 2018 - BARTLETT CITY HALL - 7:00 PM

ATTENDANCE

Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Present, 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 Larry Turner, Harmony Church

FUTURE MEETINGS

Family Assistance Commission, July 2 at 6 p.m.

Planning Commission, July 2 at 7 p.m.

City Beautiful Commission, July 5 at 6:30 p.m.

Bartlett Historical Society, July 9 at 7 p.m.

RECOGNITIONS

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

MINUTES ACCEPTANCE

Minutes of the June 12, 2018 Board of Mayor and Aldermen Regular Meeting

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Bobby Simmons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

Minutes Acceptance: Minutes of Jun 26, 2018 7:00 PM (MINUTES ACCEPTANCE)

UNFINISHED BUSINESS

- I **Second Reading of Ordinance 18-04, an ordinance to amend the City of Bartlett Zoning Ordinance, by amending Article I, Section 2, definitions, to modify the definition of dwelling unit and add definitions for short-term rental unit and transient guest; by amending Article V, Chart I, uses permitted in zoning districts, to identify zoning districts in which short-term rentals are permitted uses; and by amending Article 6, Supplementary District Regulations, by adding a new Section 30, establishing regulations for short-term rentals. (Kim Taylor, Director of Planning and Economic Development)**

RESULT:	APPROVED ON SECOND READING [UNANIMOUS]	Next: 7/10/2018 7:00 PM
MOVER:	Jack Young, Vice Mayor	
SECONDER:	Emily Elliott, Alderman	
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick	

CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	W.C. Pleasant, Alderman
SECONDER:	Bobby Simmons, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

- I **Proposal for citywide pest control services. (Dick Phebus, Director of Finance)**
Recommend accepting the highest-rated proposal from Nu Era Pest Control for citywide pest control services beginning July 1, 2018.
- 2 **Proposal for yearly uniform service. (Bill Yearwood, Director of Public Works)**
Recommend accepting the proposal from UniFirst for yearly Public Works uniform service.
- 3 **Bid for annual lawn treatment services. (Bill Yearwood, Director of Public Works)**
Recommend accepting the lowest bid from Herbi Systems for the annual bid on lawn treatments services.
- 4 **Bid for paving several park walking trails. (Shan Criswell, Director of Parks and Recreation)**
Recommend accepting the lower bid from Gibson Paving at a total cost of \$300,580.00. Funds are available in Accounts 311.48311.785.51418 and 110.43300.348.

Minutes Acceptance: Minutes of Jun 26, 2018 7:00 PM (MINUTES ACCEPTANCE)

- 5 Bid for one fire pumper truck. (Terry Wiggins, Fire Chief)**
Recommend accepting the lowest bid from Sunbelt Fire at a cost of \$524,297.00. Funds are available in Account 311.48311.785.25218.
- 6 Bid for annual transportation projects. (Rick McClanahan, Director of Engineering)**
Recommend accepting the lowest bids from the following contractors:
Citywide asphalt pavement - Lehman-Roberts; Asphalt picked up at plant - Standard Construction and Lehman-Roberts. These are all budgeted items.
- 7 Bid for water treatment plant chemicals. (Rick McClanahan, Director of Engineering)**
Recommend accepting the lowest bid for Sodium Hexametaphosphate from Carus in the amount of \$.85/lb., Sodium Fluorosilicate from Ideal in the amount of \$.628/lb. and Chlorine from DPC in the amount of \$.383/lb. Funds are available in Account 510.51200.343.
- 8 Survey and design proposal to widen the west side of Appling Road to Southern Way. (Rick McClanahan, Director of Engineering)**
Recommend approving Carlson Consulting Engineers, Inc. proposal in the amount of \$68,000, plus a contingency of \$10,000. Funds are available in Account 311.48311.772.457.
- 9 Treasurer's Report for May 2018. (Dick Phebus, Director of Finance)**
- | | |
|---------------------------|--------------|
| Budgeted Expenditures | \$79,809,042 |
| Year-to-date Expenditures | \$78,779,022 |
| Budgeted Revenues | \$79,809,042 |
| Year-to-date Revenues | \$78,871,273 |
- 10 Planning Commission Report for June 2018. (Kim Taylor, Director of Planning and Economic Development)**
- Item 1 - Short-term rental Ordinance 18-05 was forwarded to the Board of Mayor and Aldermen with a favorable recommendation.
- Item 2 - Ordinance 18-05 to rezone a parcel on the north side of Yale at Highway 70 from RS-10 to O-R-1 was forwarded to the Board of Mayor and Aldermen with a favorable recommendation.
- Item 3 - Construction plan for Whitten Lakes, Phase 2, resubdivision of Lot 3 was approved with conditions.
- Item 4 - Final plan for Whitten Lakes, Phase 2, resubdivision of Lot 3 was approved with conditions.
- Item 5 - Final plan for Germantown-Brother Office Park subdivision was approved with conditions.
- Item 6 - Site plan for Germantown-Brother Office Park subdivision was approved with conditions.
- Item 7 - Site plan for Medical Office, 5905 Stage Road, was approved with conditions.
- Item 8 - Site plan for Ellendale Baptist Church restroom and concession structure was approved with conditions.

NEW BUSINESS

- 1 Resolution 17-18, a resolution of the City of Bartlett, Tennessee, authorizing the issuance of Interest Bearing General Obligation Capital Outlay Notes, Series 2018, in an amount not to exceed \$1,355,000, and providing for the payment of said notes. (Dick Phebus, Director of Finance)**

Mr. Phebus stated that this capital note will fund the City's capital purchasing of vehicles and equipment for Fiscal Year 2019.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Young, Vice Mayor
SECONDER:	Emily Elliott, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

- 2 Resolution 19-18, a resolution approving contract award for Fletcher Creek Bank Stabilization, Phase 2. (Rick McClanahan, Director of Engineering)**

Mr. McClanahan explained that the City received a grant from State of Tennessee Department of Economic and Community Development, which requires the bid contract be awarded via resolution. This project is 100 percent reimbursable by the State. Additionally, if project oversight is necessary, \$10,000 has been set aside for Carlson Consultants to perform that work.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Parsons, Alderman
SECONDER:	Emily Elliott, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

- 3 First Reading of Ordinance 18-05, an ordinance to rezone from RS-10 to O-R-1 property on the north side of Yale Road at Highway 70. (Kim Taylor, Director of Planning and Economic Development)**

Ms. Taylor explained that the developer has requested the City to rezone 8.86 acres on the north side of Yale near the intersection of Yale Road and Highway 70. The applicant plans to construct medical offices on this parcel. Ms. Taylor noted that in the Zoning Ordinance Article IV Chart 1 allows offices in O-R-1 zoning. If the Board approves the rezoning, the applicant will have to go before both the Planning Commission and the Design Review Commission for site plan approval.

The Planning Commission sent a favorable recommendation to the Board for this rezoning change.

Alderman Elliott asked if the property's neighbors were notified to the potential zoning change. Ms. Taylor stated that the neighbors were notified of the Planning Commission's public hearing on the matter.

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 7/10/2018 7:00 PM
MOVER:	Jack Young, Vice Mayor	
SECONDER:	W.C. Pleasant, Alderman	
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick	

OPEN DISCUSSION

Vice Mayor Young noted that it was Public Works Director Bill Yearwood's last Board meeting before his retirement. He thanked Mr. Yearwood for his years of service to the City.

Mayor McDonald invited Mr. Yearwood to the podium to speak. Mr. Yearwood said, "It's been great," from the audience. Mayor McDonald said that Mr. Yearwood has done a wonderful job. He consistently hears compliments about the Public Works employees, especially Sanitation.

Rick McClanahan, City Engineer, announced that part of Court Street would be closed for several weeks while new water infrastructure is installed for Bartlett High School. Mayor McDonald added that people will be unable to get into the Gotten House parking lot during that time. He asked Mr. McClanahan to work with the Historical Society about that.

Debbie Gelineau, Director of Community Relations, invited the citizens to the City's annual July 4 Extravaganza at Appling Lake. Festivities start at 6 p.m. July 3 and fireworks will start at 9:10 p.m.

ADJOURNMENT

Meeting adjourned at 7:16 PM

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

A. Keith McDonald
Mayor

Minutes Acceptance: Minutes of Jun 26, 2018 7:00 PM (MINUTES ACCEPTANCE)



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 2359)

Meeting: 07/10/18 07:00 PM

Department: Planning and Economic Development

Category: Amendment

Prepared By: Stefanie McGee

Initiator: Kim Taylor

Sponsors:

DOC ID: 2359

Ordinance 18-04, an ordinance to amend the City of Bartlett Zoning Ordinance, by amending Article 1, Section 2, Definitions, to modify the definition of dwelling unit and add definitions for short-term rental unit and transient guest; by amending Article V, Chart 1, Uses Permitted in Zoning Districts, to identify zoning districts in which short-term rentals are permitted uses; and by amending Article VI, Supplementary District Regulations, by adding a new Section 30, establishing regulations for short-term rentals.

WHEREAS, the Board of Mayor and Aldermen finds that the intent and purpose of all residential zoning districts in the City of Bartlett is to establish areas that are primarily residential in character; and

WHEREAS, with the rise of the sharing economy, the City of Bartlett and cities across the country have seen growth in the popularity of short-term rentals, which are rentals of residential units or dwellings for less than thirty consecutive days; and

WHEREAS, the Board of Mayor and Aldermen finds that the short-term rental of an owner-occupied dwelling unit for less than thirty days, or the short-term rental of sleeping rooms in an owner-occupied dwelling unit for less than thirty days, are primarily residential uses; and

WHEREAS, the Board of Mayor and Aldermen finds that the short-term rental of a dwelling unit by an owner who does not occupy the dwelling unit as his/her primary residence is not primarily a residential use; and

WHEREAS, the Board of Mayor and Aldermen is mindful of the importance of maintaining the residential character of City neighborhoods. Absent appropriate controls, neighborhoods stand to be harmed by undue commercialization and disruption to the primary and overarching purpose of a neighborhood being first and foremost a residential community, where people actually live, not a place of transient occupancy; and

WHEREAS, the Board of Mayor and Aldermen finds that restrictions on noise and maximum occupancy, and requirements providing for life safety inspections and easy reporting of concerns and complaints are necessary to help protect City residents' peaceful enjoyment of their residences and neighborhoods; and

WHEREAS, the Board of Mayor and Aldermen finds that, in the absence of a regulatory framework, the City of Bartlett cannot monitor short-term rental listings; cannot ensure public safety; and cannot assess and collect applicable taxes unless regulations are established; and

WHEREAS, the Board of Mayor and Aldermen desires to amend the City of Bartlett Zoning Ordinance to regulate the operation of short-term rentals within the City of Bartlett by amending Article I, Section 2, Definitions, to modify the definition of Dwelling Unit and add definitions for Short-Term Rental Unit and Transient Guest; to amend Article V, Chart I, Uses Permitted in Zoning Districts, to identify zoning districts in which short-term rentals are permitted; and to amend Article VI, Supplementary District Regulations, by adding a new Section 30, establishing regulations for short-term rentals; and

WHEREAS, it is the purpose of this amendment to protect the public health, safety and general welfare of individuals and the community at large; and to protect the quality of life and investment of its citizens from the transient occupancy of unregulated and/or unsupervised short-term rental businesses in residentially zoned areas of the City; and

WHEREAS, the Board of Mayor and Aldermen finds that the regulations set forth herein will provide short-term rental operators, consumers, and citizens with guidance and certainty as to the safe and reasonable operation of short-term rentals; and

WHEREAS, the Board of Mayor and Aldermen finds that the regulations set forth herein, enabling the permitting of short-term rentals, also impose minimum safety requirements and provide for the collection of applicable taxes, including the occupancy privilege tax authorized in the Charter of the City of Bartlett; and

WHEREAS, the City of Bartlett Planning Commission reviewed the proposed amendment during its regular meeting held on June 4, 2018, and made a recommendation to the Board of Mayor and Aldermen that the proposed amendment be approved; and

WHEREAS, a public hearing before the Board of Mayor and Aldermen was held on July 10, 2018, pursuant to notice thereof published in a newspaper of general circulation on June 21, 2018.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, that:

Article I, Section 2, of the Bartlett Zoning Ordinance, Definitions, shall be amended to modify and/or add the following:

Delete the current definition of “Dwelling Unit” and replace it with the following definition:

A cabin, house, or structure used or designed to be used as an abode or home of a person, family, or household, and includes a single-family dwelling, a portion of a single-family dwelling, or an individual residential dwelling in a multi-dwelling building, such as a duplex, an apartment building, condominium, cooperative, or timeshare.

Short-Term Rental (“STR”) Unit:

A dwelling unit, a portion of a dwelling unit, or any other structure or space that is occupied or intended or designed or advertised for occupancy by Transient Guests for dwelling, lodging, or sleeping, and which is offered to Transient Guests for Consideration for a period of up to 30 consecutive calendar days. Short-Term Rental Unit shall not include dwelling units owned by the federal government, the state, or any of their agencies or political subdivisions; facilities licensed by the state as health care facilities, including temporary family healthcare structures; hotels; inns; motels; boarding houses; Bed and Breakfast establishments approved by the City of Bartlett pursuant to the Bartlett Zoning Ordinance; campgrounds; or dwelling units rented to the same occupant(s) for more than thirty continuous days.

Transient Guest(s):

Person(s) who occupies a dwelling unit or portion thereof, other than his or her usual place of residence, in exchange for consideration.

Article V, Chart I, of the Bartlett Zoning Ordinance, Uses Permitted in Zoning Districts, shall be amended as follows:

- I. Add the following language under “Legend” and below “S-Uses recommended for approval with Special Use Permit approval by the Planning Commission and Board of Mayor and Aldermen:” “T*--Use recommended for approval with Short-Term Rental Permit, Type 1, issued by the Bartlett Code Enforcement Office;” and “T**--Use recommended for approval with Short-Term Rental Permit, Type 2, issued by the Bartlett Code Enforcement Office upon proof that the dwelling unit was used as a Short-Term Rental Unit and that all taxes, including room, occupancy and sales tax, due on renting the dwelling unit pursuant to Title 67, Chapter 6, Part 5 of the Tennessee Code Annotated were paid for filing periods that cover at least six (6) months within the twelve-month period immediately preceding July 10, 2018.”

2. Under the category “Dwellings,” add the term “Short-Term Rental (“STR”)-Type 1” below “Bed and Breakfast” and include “T*” in the following Zoning Districts: R-E, RS-18, RS-15, RS-12, RS-10, R-TH, R-D, R-M.
3. Under the category “Dwellings,” add the term “Short-Term Rental (“STR”)-Type 2” below “Short-Term Rental-Type 1” and include “T**” in the following Zoning Districts: A-O, R-E, RS-18, RS-15, RS-12, RS-10, R-TH, R-D, R-M, O-R-1, O-R-2.

Article VI of the Bartlett Zoning Ordinance, Supplementary Regulations, shall be amended to add the following section regulating short-term rentals:

Section 30. Short-Term Rentals.

Subsection A. Generally.

- 1.1. Purpose. The City has determined that regulation of Short-Term Rental Units is necessary in order to protect the health, safety, and welfare of the public, as well as to promote the public interest by regulating the areas and methods of operation. To meet these ends, the City has determined that all persons or entities that desire to operate Short-Term Rental Units within the City must be issued a permit pursuant to the requirements of this section.
- 1.2. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section. The word "shall" is always mandatory and not merely advisory.
 - a. Consideration. The charge, whether or not received, for occupancy in a Short-Term Rental Unit valued in money, whether to be received in money, goods, labor, or otherwise, including all receipts, cash, credits, property and services of any kind or nature. Nothing in this definition shall be construed to imply that consideration is charged when the Short-Term Rental Unit provided to the Transient Guest(s) is complimentary from the Operator(s) or, if different, the Owner(s) and no consideration of any type is charged to or received from any person.
 - b. Short-Term Rental Unit. A dwelling unit, a portion of a dwelling unit, or any other structure or space that is occupied or intended or designed or advertised for occupancy by Transient Guests for dwelling, lodging, or sleeping, and which is offered to Transient Guests for Consideration for a period of up to 30 consecutive calendar days. Short-Term Rental Unit shall not include dwelling units owned by the federal government, the state, or any of their agencies or political

subdivisions; facilities licensed by the state as health care facilities, including temporary family healthcare structures; hotels; inns; motels; boarding houses; Bed and Breakfast establishments approved by the City of Bartlett pursuant to the Bartlett Zoning Ordinance; campgrounds; or dwelling units rented to the same occupant(s) for more than thirty continuous days.

- c. Hosting Platform. A person or entity that facilitates the booking of a Short-Term Rental Unit. "Facilitate" includes, but is not limited to, the act of allowing an Operator(s) or, if different, the Owner(s) to offer to list or advertise, typically for a charge or fee, the Short-Term Rental Unit on an Internet website, in a print publication, or through another forum provided or maintained by the Hosting Platform.
- d. Residential District. Any zoning district designated in the City of Bartlett where the principal permitted uses in the district include residential uses, including houses, duplexes, and multi-dwelling structures. As of the date of the adoption of this Ordinance, Residential Districts shall include the following districts identified in the City of Bartlett Zoning Ordinance: R-E, RS-18, RS-15, RS-12, RS-10, R-TH, R-D, and R-M.
- e. Non-Residential District. Any zoning district designated in the City of Bartlett that allows residential uses, but is not a Residential District. As of the date of the adoption of this Ordinance, Non-Residential Districts shall include the following districts identified in the City of Bartlett Zoning Ordinance: A-O, O-R-1, O-R-2.
- f. Occupancy. The use or possession, or the right to the use or possession, of any room(s), lodgings, or accommodations in any Short-Term Rental Unit.
- g. Operator. The person or entity, if applicable, offering a Short-Term Rental Unit, whether as the owner or otherwise.
- h. Transient Guest. Any person(s) who exercises Occupancy or is entitled to Occupancy of any room(s), lodgings, or accommodations in a Short-Term Rental Unit for a period of less than thirty (30) consecutive calendar days.

Subsection B. Permit Types, Application.

- I.1 Operating Permit Required. It is unlawful to operate or advertise any Short-Term Rental Unit within the City of Bartlett without a Short-Term Rental Unit Operating Permit issued under this section.
- I.2 Application. Every Operator(s) or, if different, every Owner(s) desiring to operate a Short-Term Rental Unit shall submit an application for an Operating Permit to the Bartlett Code Enforcement Office. Each application shall contain, at the least, all of the following information, along with a statement that the information being provided is true and accurate. In addition to the information required by the application, the Bartlett Code Enforcement Office may request other information reasonably required.

The permit application shall not be considered complete until the Bartlett Code Enforcement Office has all information as required by the application or otherwise.

- a. Acknowledgement of Rules. Written acknowledgement by the Operator(s) and, if different, the Owner(s) that he/she/it has read and acknowledges responsibility for compliance with the provisions of this section and with all regulations pertaining to the operation of a Short-Term Rental Unit, including but not limited to the City's business license requirements, the City's Property Maintenance Code; the City's occupancy privilege tax requirements, and any additional administrative regulations promulgated or imposed by the City to implement this section.
- b. Affidavit of Life Safety Compliance/Inspection. During each Short-Term Rental Unit Occupancy, each Short-Term Rental Unit shall have the following life safety equipment on the premises and installed to manufacturer specifications: (i) a smoke alarm meeting Underwriters Laboratory (UL) 217 standards inside each sleeping room, outside of and within fifteen feet of sleeping rooms, and on each story of the dwelling unit, including basements; (ii) a carbon monoxide detector within 15 feet of all bedrooms; and (iii) a fire extinguisher. Every smoke and carbon monoxide alarm must function properly, with the alarm sounding after pushing the test button, and the fire extinguisher must be operational. It shall be unlawful to operate a Short-Term Rental Unit without a smoke alarm, carbon monoxide detector, and fire extinguisher as required by this section. An application for the issuance or renewal of a Short-Term Rental Unit Operating Permit must be accompanied by an affidavit, signed by the Operator(s) and, if different, the Owner(s), verifying the number, locations, and operation of the required life safety equipment for the Short-Term Rental Unit, and confirming compliance with all safety requirements relating to swimming pools, spas and hot tubs on the premises, including but not limited to required barriers, gates and alarms. Upon receipt of an application for issuance or renewal of a Short-Term Rental Unit Operating Permit, an inspection of the Short-Term Rental Unit will be made by the Code Official to ensure compliance with all life safety equipment and compliance with all safety requirements relating to swimming pools, spas and hot tubs on the premises.
- c. Local Contact Person. A person designated by the Operator(s) or, if different, the Owner(s) who shall be available twenty-four (24) hours per day, seven (7) days per week for the purpose of: (i) being able to physically respond, as necessary, within forty-five (45) minutes of notification of a complaint regarding the condition, operation, or conduct of occupants of the Short-Term Rental Unit, and (ii) taking remedial action necessary to resolve any such complaints. A Local Contact Person may be the Operator(s) or, if different, the Owner(s) or the Operator(s)' or Owner(s)' agent.
- d. Operator/Owner Information. The full legal name, street and mailing addresses, the e-mail address, and the telephone number of the Operator(s) and, if different, the Owner(s) of the property sought to be used as a Short-Term Rental Unit and, in cases where a business entity or trust is the owner of the property that is

sought to be used as a Short-Term Rental Unit, the individual who has the responsibility to oversee the ownership of the property sought to be used as a Short-Term Rental Unit on behalf of the business entity or trust, including the mailing address, the e-mail address, and the telephone number of the individual having such responsibility. If the Owner(s) of a Short-Term Rental Unit is a business entity, information and documentation is required demonstrating the Owner(s)' valid status with the Tennessee Secretary of State.

- e. Site Plan. A site plan and floor plan accurately and clearly depicting the size and location of the existing dwelling unit designed to be used as a Short-Term Rental Unit and the approximate square footage in the dwelling unit, the number and location of designated off-street parking spaces and the maximum number of vehicles allowed for overnight occupants. The floor plan shall describe the use of each room in the dwelling unit, and the number, location and approximate square footage of all bedrooms.
- f. Confirmation regarding private agreements. Written acknowledgement by the Operator(s) and, if different, the Owner(s) that he/she/it is solely responsible for confirming and that he/she/it has confirmed that operating the Short-Term Rental Unit would not violate any Home Owners Association agreement or bylaws, Condominium Agreement, Covenant, Codes and Restrictions, mortgage agreement, insurance contract, or any other contract or agreement governing and limiting the use of the proposed Short-Term Rental Unit.
- g. Confirmation regarding notice if the STR unit shares a common wall or driveway. Where the proposed Short-Term Rental Unit shares a common wall or driveway with another property, the Operator(s) and, if different, the Owner(s) shall provide proof of written notification to the owner of such property prior to filing the application. Proof of written notification shall be: (a) a signature of an owner; (b) a signed receipt of U.S. registered or certified mail addressed to an owner; or (c) notice from the U.S. Postal Service that registered or certified mail to an owner was refused or not timely accepted.
- h. Proof of Insurance. The Operator(s) or, if different, the Owner(s) shall provide proof of insurance evidencing homeowner's, fire, hazard, and liability insurance on the property sought to be used as a Short-Term Rental Unit. Liability coverage shall have limits of not less than one million dollars per occurrence.
- i. Proof of payment of all taxes due. For a Type 2 Permit, the Operator(s) or, if different, the Owner(s) shall provide proof that all taxes, including property taxes, room, occupancy and sales taxes due on renting the dwelling unit pursuant to Title 67, Chapter 6, Part 5 of the Tennessee Code Annotated were paid for filing periods that cover at least six (6) months within the twelve-month period immediately preceding July 10, 2018.
- j. Indemnification. Written acknowledgement and agreement by the Operator(s) and, if different, the Owner(s) that, in the event a Short-Term Rental Unit

Operating Permit is approved and issued, the Operator(s) and, if different, the Owner(s) agree to assume all risk and indemnify, defend and hold the City harmless concerning the City's approval of the Short-Term Rental Unit Operating Permit, the operation and maintenance of the Short-Term Rental Unit, and any other matter relating to the Short-Term Rental Unit.

I.3. Short-Term Rental Unit Operating Permit Types.

a. Type I Operating Permit, Owner-Occupied.

- i. Generally. A Type I Short-Term Rental Unit Operating Permit is available in the following Residential Districts: R-E, RS-18, RS-15, RS-12, RS-10, R-TH, R-D, and R-M upon meeting the criteria in this section. A Type I Short-Term Rental Unit Operating Permit can be issued only to the Owner(s) of the Short-Term Rental Unit. The property where the Short-Term Rental Unit is located must be the Owner(s)' principal residence, except in the instance of duplexes as further described in this section. A person can only hold one (1) Type I Short-Term Rental Unit Operating Permit in the City of Bartlett. The Type I Short-Term Rental Operating Permit is available only to a natural person or persons, and a Type I Short-Term Rental Unit Operating Permit holder may not be a limited liability entity, including, without limitation, a corporation or limited liability company, nor may a Type I Short-Term Rental Unit Operating Permit holder be an unincorporated entity, including, without limitation, a partnership, joint venture or trust.
- ii. Guest Units and Duplexes. A guest unit that is detached from the principal dwelling unit may not be used as a short-term rental unit. If a property houses a legal duplex and an Owner(s) owns both sides of the duplex, one (1) Type I Short-Term Rental Unit Operating Permit is available to the Owner(s) for either side of the duplex, so long as the Owner(s)' principal residence is one side of the duplex.
- iii. Proof of Ownership and Residency. Ownership shall be established by the deed for the property as recorded in the office of the Shelby County Register of Deeds. Residency shall be established by at least two of the following documents, which must list the address of the Short-Term Rental Unit on the document:
 1. The Owner(s)' motor vehicle registration;
 2. A valid driver's license or TN identification card of the Owner(s);
 3. The address of the Owner(s)' children's school registration;
 4. The Owner(s)' voter registration card; or
 5. The Owner(s)' W-2 mailing.

At least one Owner listed on the deed for the Short-Term Rental Unit must establish residency at the Short-Term Rental Unit according to the criteria set forth in this section.

b. Type 2 Operating Permit, STR Units In Operation Prior to July 10, 2018.

- i. Generally. A Type 2 Short-Term Rental Unit Operating Permit is available in the following Residential and Non-Residential Districts: R-E, RS-18, RS-15, RS-12, RS-10, R-TH, R-D, R-M, A-O, O-R-I and O-R-I to an Operator(s) or, if different, to an Owner(s) who operated a Short-Term Rental Unit and remitted all taxes, including room, occupancy and sales tax due on renting the Short-Term Rental Unit pursuant to Title 67, Chapter 6, Part 5 of the Tennessee Code Annotated for filing periods that cover at least six (6) months within the twelve-month period immediately preceding July 10, 2018 ("Qualifying Date"). A person or entity can obtain a Type 2 Short-Term Rental Unit Operating Permit for each Short-Term Rental Unit operating prior to the Qualifying Date upon meeting the criteria in this section. Proof of operation and payment of taxes shall be required upon application. A Type 2 Short-Term Rental Unit Operating Permit is specific to the Short-Term Rental Unit for which it issued; it cannot be transferred to another location.
- ii. Window of Availability/Inspection. Any application for a Type 2 Short-Term Rental Unit Operating Permit, containing all information set forth in Section 1.2 above, must be submitted by September 10, 2018, after which time no Type 2 Short-Term Rental Unit Operating Permits shall be issued under any circumstances whatsoever. Upon receipt of a timely application, an inspection of the Short-Term Rental Unit in use prior to July 10, 2018 will be made by the Code Official to ensure compliance with all life safety requirements and compliance with all safety requirements relating to swimming pools, spas and hot tubs on the premises.
- iii. Owner Eligibility. A Type 2 Short-Term Rental Unit Operating Permit can be issued to the Owner(s) of the property being used as a Short-Term Rental Unit, who does not need to occupy the Short-Term Rental Unit as a principal residence. A Type 2 Short-Term Rental Unit Operating Permit is available to a person or an entity.

Subsection C. Fees.

An application for a Short-Term Rental Unit Operating Permit under this section shall be accompanied by a fee in the amount of seventy-five dollars (\$75.00). The Bartlett

Code Enforcement Office shall collect the permit fee. There shall be no proration of fees. Fees are non-refundable once a Short-Term Rental Unit Operating Permit has been issued by the Bartlett Code Enforcement Office.

Subsection D. Issuance.

Once the Short-Term Rental Unit Operating Permit application is considered complete by the Bartlett Code Enforcement Office, a determination will be made to issue or deny the Short-Term Rental Unit Operating Permit within fourteen (14) business days. If the Bartlett Code Enforcement Office is satisfied that the application and the Short-Term Rental Unit conform to the requirements of this section and other pertinent laws and ordinances, a Short-Term Rental Unit Operating Permit shall be issued to the applicant. If the application or Short-Term Rental Unit does not conform to the requirements of this section or other pertinent laws or ordinances, the Bartlett Code Enforcement Office shall not issue the Short-Term Rental Operating Permit, but shall inform the applicant of the denial. Such denial, when requested by the applicant, shall be in writing and state the reason(s) for denial. Once issued, the Short-Term Rental Operating Permit shall be valid for one (1) calendar year from the date of issuance, unless the Short-Term Rental Unit Operating Permit is suspended or revoked pursuant to this section or terminated by ordinance or otherwise.

Subsection E. Renewal.

- I. Type I Short-Term Rental Unit Operating Permits. Unless suspended or revoked for a violation of any provision of this section or other rule or regulation of the City, a Type I Short-Term Rental Unit Operating Permit can be renewed annually, provided that a renewal fee of fifty dollars (\$50.00) is paid no later than fourteen (14) business days before the Short-Term Rental Unit Operating Permit's expiration. An application for renewal of a Type I Short-Term Rental Unit Operating Permit, which shall include an updated acknowledgement of rules signed by Owner(s); an updated affidavit of life safety compliance signed by the Owner(s); any updated information regarding the local contact person; any updated Owner(s) information; an updated confirmation regarding private agreements signed by the Owner(s); an updated proof of insurance; an updated indemnification agreement signed by the Owner(s); and proof of payment of all taxes due, shall be made through the Bartlett Code Enforcement Office. Upon receipt of an application for renewal, an inspection of the Short-Term Rental Unit will be made by the Code Official to ensure compliance with all life safety equipment and compliance with all safety requirements relating to swimming pools, spas and hot tubs on the premises. After the Short-Term Rental Unit Operating Permit's expiration, the holder of the Short-Term Rental Unit Operating Permit forfeits the right to renew and the Owner(s) must reapply for a new Short-Term Rental Unit Operating Permit. A renewed Short-Term Rental Unit Operating Permit shall be good for one calendar year from the date of issuance.

2. Type 2 Short-Term Rental Unit Operating Permits. Unless suspended or revoked earlier for a violation of any provision of this section or other rule or regulation of the City, a Type 2 Short-Term Rental Unit Operating Permit can be renewed annually, provided that a renewal fee of fifty dollars (\$50.00) is paid no later than fourteen (14) business days before the Short-Term Rental Unit Operating Permit's expiration. An application for renewal of a Type 2 Short-Term Rental Unit Operating Permit, which shall include an updated acknowledgement of rules signed by the Operator(s) and, if different, the Owner(s); an updated affidavit of life safety compliance signed by the Operator(s) and, if different, the Owner(s); any updated information regarding the local contact person; any updated Operator(s)/Owner(s) information; an updated confirmation regarding private agreements signed by the Operator(s) and, if different, the Owner(s); an updated proof of insurance; an updated indemnification agreement signed by the Operator(s) and, if different, the Owner(s); and proof of payment of all taxes due, shall be made through the Bartlett Code Enforcement Office. Upon receipt of an application for renewal, an inspection of the Short-Term Rental Unit will be made by the Code Official to ensure compliance with all life safety equipment and compliance with all safety requirements relating to swimming pools, spas and hot tubs on the premises. If a Type 2 Short-Term Rental Unit Operating Permit expires or is revoked under this section and such revocation is not reversed during the appeal process set forth herein, it cannot be renewed or reapplied for, and the ability of the Operator(s) or, if different, the Owner(s) to obtain or hold a Type 2 Short-Term Rental Unit Operating Permit for the Short-Term Rental Unit is extinguished permanently.

Subsection F. Prohibitions Against Transfer.

1. Generally. No person or entity holding a Short-Term Rental Unit Operating Permit shall sell, lend, lease, or in any manner transfer the permit for value.
2. Type 1 and Type 2 Short-Term Rental Unit Operating Permits. The permission to operate a Short-Term Rental Unit under a Type 1 or Type 2 Short-Term Rental Unit Operating Permit shall be personal and limited to the Operator(s) or, if different, the Owner(s) to whom the City issued the permit. A Type 1 and/or Type 2 Short-Term Rental Unit Operating Permit shall terminate immediately upon the transfer of the property covered by the permit, whether such transfer is by deed, by law, or otherwise.
 - a. Transfers Invalid. Any unauthorized transfer or attempt to transfer a Short-Term Rental Unit Operating Permit shall automatically void such permit. Persons violating this provision, including both the transferor and transferee, may be subject to a citation and fine. Each unauthorized transfer or attempt to transfer of a Short-Term Rental Unit Operating Permit shall constitute a separate violation, and the penalty for such violation is fifty dollars (\$50.00) per day.

Subsection G. No Vested Rights.

Except in instances where constitutional principles or binding state or federal laws otherwise provide, the provisions of this section and any ordinances or other measures concerning Short-Term Rental Units are not a grant of vested rights to continue as a Short-Term Rental Unit indefinitely. Any Short-Term Rental Unit use and permits for Short-Term Rental Units are subject to the provisions of ordinances, resolutions, or other City measures concerning Short-Term Rental Units that may be enacted or adopted at a later date, even though such ordinances, resolutions, or other city measures may change the terms, conditions, allowance, or duration for Short-Term Rental Unit use, including but not limited to those that may terminate some or all Short-Term Rental Unit uses, with or without some period of amortization. While this recitation concerning vested rights is implicit in any uses permitted by the City, this explicit recitation is set forth to avoid any uncertainty or confusion.

Subsection H. Compliance with Laws; Complaints; Remedies; and Permit Revocation.

1. Compliance with City and State Laws. It shall be unlawful to operate a Short-Term Rental Unit that does not comply with all applicable city and state laws.
2. Operation without Permit. Any Short-Term Rental Unit operating or advertising for operation without a valid Short-Term Rental Unit Operating Permit shall be deemed a public safety hazard. The City may issue and the Operator(s) or, if different, the Owner(s) or the Local Contact Person may receive a civil citation for operating or advertising for operation without a Short-Term Rental Unit Operating Permit, and the penalty for such violation is fifty dollars (\$50.00) per day.
3. Public Nuisance. It is unlawful and a violation of this section and is hereby declared a public nuisance for any person to commit, cause, or maintain a violation of any provision or to fail to comply with any of the requirements of this section. The operation or maintenance of a Short-Term Rental Unit in violation of this section or any other City ordinance or State law may be abated or summarily abated by the City in any manner authorized by the Bartlett Code of Ordinances or otherwise provided by law for the abatement of public nuisances. The City may issue and the Operator(s) or, if different, the Owner(s), the occupants, or the Local Contact Person may receive a civil citation for any violation of this section or any other City ordinance by the Operator(s) or, if different, the Owner(s), the Local Contact Person, or the occupants of the Short-Term Rental Unit, and the penalty for such violation is fifty dollars (\$50.00) per day.
4. Complaints. If a complaint is filed with the City of Bartlett alleging that the Operator(s) or, if different, the Owner(s) has violated the provisions of this section or any other applicable City ordinance or State law, the Code Official shall provide written notification of the complaint by regular mail to the Operator(s) or, if different, the Owner(s) at the Operator or Owner's address listed on the application, and the Code

Official shall investigate the complaint and inspect the property being used as a Short-Term Rental. Within twenty (20) days of the date that the notification was sent to the Operator(s) or Owner(s), the Operator(s) or, if different, the Owner(s) may respond to the complaint, present evidence, and respond to evidence produced by the investigation. If the Code Official finds the complaint to be supported by a preponderance of the evidence, the Code Official may suspend or revoke the Short-Term Rental Unit Operating Permit or take or cause to be taken other enforcement action as provided in the Bartlett Code of Ordinances. Any false complaint made against a Short-Term Rental Operator or Owner is punishable as perjury under Title 39, Chapter 16, Section 702 of the Tennessee Code Annotated.

5. Revocation of Permit. The Code Official may revoke a Short-Term Rental Unit Operating Permit if the Code Official discovers that (i) an applicant obtained the Short-Term Rental Unit Operating Permit by knowingly providing false information on the application; (ii) the continuation of the Short-Term Rental Unit presents a threat to public health or safety; (iii) the Operator(s) or, if different, the Owner(s) or Short-Term Rental Unit has violated any of the provisions of this section or has violated any other City ordinance or State law; (iv) the Operator(s) or, if different, the Owner(s) operated a Short-Term Rental Unit without a Short-Term Rental Unit Operating Permit or (v) the Short-Term Rental Unit has been in violation of a generally applicable local law three (3) or more separate times, and no appeal rights remain for any of the three (3) violations. Should the Short-Term Rental Unit Operating Permit be revoked, in addition to any other penalty, there shall be a one-year waiting period from the date of revocation for the property to become eligible again for a Short-Term Rental Unit Operating Permit. Upon reapplication, the Operator(s) or, if different, the Owner(s) must pay the full permit fee.
6. Appeal of Suspension or Revocation. If a Short-Term Rental Unit Operating Permit is suspended or revoked, the Code Official shall state the specific reason(s) for the suspension or revocation. Any Operator(s) or, if different, any Owner(s) whose Short-Term Rental Unit Operating Permit has been suspended or revoked may appeal such suspension or revocation by submitting a written request to the Bartlett Code Enforcement Office for a hearing before the Code Appeals Board within twenty (20) days of receiving the notice of suspension or revocation. A hearing date will be set within twenty (20) calendar days of the filing of an appeal. All hearings before the Code Appeals Board shall be open to the public. The appellant, the appellant's representative, the Code Official or his/her designee, and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds (2/3) of the Board membership. The Code Appeals Board may reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision, or determination as ought to be made. The decision of the Code Appeals Board shall be the final administrative decision and shall be subject only to judicial review in the Circuit or Chancery Court pursuant to state law. In addition to any other penalty imposed, if the decision of the Code Appeals Board to revoke a Type I Short-Term Rental Unit Operating Permit is upheld, the Operator(s) or, if different, the Owner(s) must wait one (1) year before reapplying for a new Short-Term Rental Unit Type I Operating Permit. Upon reapplication, the Operator(s) or, if different, the Owner(s) must pay the full permit fee. In addition to

any other penalty imposed, if the decision of the Code Appeals Board to revoke a Type 2 Short-Term Rental Unit Operating Permit is upheld, it cannot be renewed or reapplied for, and the ability of the Operator(s) or, if different, the Owner(s) to obtain or hold a Type 2 Short-Term Rental Unit Operating Permit for the Short-Term Rental Unit is extinguished permanently.

7. City Shall Not Enforce Private Agreements. The City of Bartlett shall not have any obligation or be responsible for making a determination regarding whether the issuance of a Short-Term Rental Unit Operating Permit or the use of a dwelling as a Short-Term Rental Unit is permitted under any private agreements or any covenants, codes, conditions, and restrictions, or any of the regulations or rules of a homeowners' association or maintenance organization, Condominium Agreement, mortgage agreement, insurance contract, or any other contract or agreement governing and limiting the use of the Short-Term Rental Unit, and the City shall have no enforcement obligations in connection with such private agreements or covenants, conditions and restrictions or such regulations or rules.

Subsection I. Operational Requirements.

1. Taxes. The City of Bartlett levies a privilege tax upon the privilege of occupancy in a Short-Term Rental Unit of each Transient Guest. Such tax is in the amount of five percent (5%) of the consideration charged by the Short-Term Rental Unit Property Operator(s) or, if different, the Owner(s). Such tax is a privilege tax upon the Transient Guest occupying such Short-Term Rental Unit and is to be collected and enforced by the City as provided pursuant to the Bartlett Charter. Each Short-Term Rental Unit Operator(s) or, if different, the Owner(s) is responsible for collecting such tax from the Transient Guest(s) renting the Short-Term Rental Unit and paying all applicable taxes, including, but not limited to, the Occupancy Privilege Tax to the City of Bartlett, sales tax to the State of Tennessee, and gross receipts tax to the State of Tennessee. An Operator(s) or, if different, the Owner(s) shall be required to obtain a City of Bartlett and a Shelby County business license for the purposes of the gross receipts tax.
2. Advertising. It shall be unlawful to advertise any Short-Term Rental Unit without the Operating Permit number clearly displayed on the advertisement. For the purposes of this section, the terms "advertise," "advertising" or "advertisement" mean the act of drawing the public's attention to a Short-Term Rental Unit in any forum, whether electronic or non-electronic, in order to promote the availability of the Short-Term Rental Unit.
3. Maximum Occupancy. The maximum occupancy of any Short-Term Rental Unit by Transient Guests shall not exceed ten (10) persons.
4. Term of Rental. Renting for an hourly rate, or for rental durations of less than twenty-four (24) consecutive hours, shall not be permitted.

5. Age Requirement. The principal renter (Transient Guest) of a Short-Term Rental Unit shall be at least twenty-one (21) years of age.
6. Signage. Signs or other displays on the property indicating that the dwelling unit is being utilized, in whole or in part, as a Short-Term Rental Unit, are prohibited.
7. Food Service. No food shall be prepared for or served to the Transient Guest(s) by the Operator(s) or, if different, the Owner(s).
8. Contact Information Shall Be Posted. The name and telephone number of the Operator or, if different, the Owner or Local Contact Person shall be conspicuously posted within the Short-Term Rental Unit. The person listed on this posting shall answer calls twenty-four (24) hours per day, seven (7) days a week for the duration of each short-term rental period to address problems associated with the Short-Term Rental Unit.
9. Parking. No recreational vehicle, camper, boat, boat trailer, travel trailer or other recreational-type equipment, and no bus or truck or trailer having a declared maximum Gross Vehicle Rating (GVWR) of fourteen thousand (14,000) pounds and/or more than six (6) wheels, shall be parked in any residential zoning district in the City of Bartlett in conjunction with the use of a Short-Term Rental Unit. A recreational vehicle or trailer may be parked behind the building line of the front elevation of the dwelling unit where the Short-Term Rental unit is located.
10. Compliance with Bartlett City Code. The Operator(s) or, if different, the Owner(s) must ensure that the use of the Short-Term Rental Unit is in compliance with the applicable noise, nuisance, parking, trash, property maintenance code, and public decency provisions of the Bartlett City Code. A prohibition against making loud noise in such a manner as to disturb the quiet, comfort or repose of neighboring property owners must be included in the short-term rental rules. All outdoor activities producing noise discernible from a neighboring property shall cease between the hours of 10:00 p.m. to 7:00 a.m. These requirements must be included in the short-term rental rules.
11. Simultaneous Rentals Prohibited. A Short-Term Rental Unit may only be rented as a whole unit to one party of short-term Transient Guests at any one time. Separate rooms may not be rented to separate parties of Transient Guests.
12. Rules for Transient Guests. The Operator(s) or, if different, the Owner(s) must provide the Transient Guest(s) renting the Short-Term Rental Unit with a written list of rules applicable to the short-term rental, and the Rental Agreement must contain a written acknowledgment by the Transient Guest(s) of their agreement to comply with such rules.

Subsection J. Severability.

The Board of Mayor and Aldermen for the City of Bartlett hereby declares that, should any section, paragraph, sentence, phrase, term or word of this Ordinance be declared for any reason to be invalid, it is the intent of the Board that it would have adopted all other portions of this Ordinance independent of the elimination of any such portion as may be declared invalid. If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance for any reason should 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.

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

FIRST READING: June 12, 2018

SECOND READING: June 26, 2018

THIRD READING: July 10, 2018

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

A. Keith McDonald
Mayor

ATTEST: _____

Stefanie McGee
City Clerk

HISTORY:

06/12/18 Board of Mayor and Aldermen **APPROVED ON FIRST READING**
Next: 06/26/18

Planning Director Kim Taylor explained that this ordinance will regulate short-term rental properties. Its intent is to establish a permitting process to allow for short-term rentals, while maintaining residential character in the City's neighborhoods.

This ordinance will allow the City to assess and collect occupancy taxes on these properties.

Ms. Taylor stated there will be two types of permits for short-term rental properties. Permit 1 will allow new short-term rentals in all residential zoning districts. Permit 2 will allow the continued use of such properties that were established prior to July 10, 2018, including in Agriculture and Office Zoning Districts. Permits, which will be renewed annually, will have an initial fee of \$75, and a renewal fee of \$50. Upon renewal of the permit, Code Enforcement, which will manage the permits, will be able to inspect the premises to insure all applicable laws, ordinances, and regulations are being followed, and codes complied with.

Applicants must prove that the past six months of property taxes have been paid for the property, plus provide proof of property insurance.

This ordinance also provides for a complaint-filing process and a permit revocation process.

Alderman Simmons asked how this ordinance applies to current renters with a one-year lease. Mayor McDonald explained that it does not apply; this ordinance is strictly for short-term rentals of 30 days or less.

Alderman Parsons asked about inspections. City Attorney Ed McKenney explained that Code Enforcement can inspect the premises for working safety equipment, such as carbon monoxide and smoke detectors, plus fire extinguishers. Alderman Parsons asked if inspections can take place any time. Mr. McKenney stated that inspections can occur during permit renewal and if there is sufficient cause to warrant one.

06/26/18 Board of Mayor and Aldermen **APPROVED ON SECOND READING**
Next: 07/10/18



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 2367)

Meeting: 07/10/18 07:00 PM

Department: Planning and Economic Development

Category: Zoning

Prepared By: Sam Harris

Initiator: Kim Taylor

Sponsors:

DOC ID: 2367

Ordinance 18-05, an ordinance to rezone from RS-10 to O-R-1 property on the north side of Yale Road at Highway 70.

WHEREAS, an application has been received to rezone property described herein from RS-10 to OR-I; and

WHEREAS, a public hearing was held before this body on the 24th day of July, 2018, 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 I. The property described as follows is hereby rezoned from RS-10 to OR-I. Said real estate is located in Shelby County, Tennessee, and is more particularly described as follows:

Situated in the City of Bartlett, Shelby County, Tennessee, and being known as the part of a parcel of land conveyed to Emad Towhied Moustafa by deed recorded in Instrument BG3351 in the Shelby County Register's Office that lies northerly of Yale Road.

Beginning at an iron rebar with cap set at the southwesterly corner of Lot A, Yale Road Office Park as shown by Plat recorded in Plat Book 244, Page 41 in the Shelby County Register's Office, said corner lying on the northerly Right of Way of said Yale Road (84' Right of Way).

1. Thence along said Right of Way, North 85 degrees, 56 minutes, 00 seconds west, a distance of 789.89 feet to a point of curvature:

2. Thence continuing along said Right of Way on a curve deflecting to the right a distance of 899.91 feet (said curve having a radius of 1358.00 feet and a chord which bears north 67 degrees, 05 minutes, 21 seconds west, 883.53 feet) to an angle point therein:

3. Thence continuing along said Right of Way, north 32 degrees, 12 minutes, 40 seconds west a distance of 28.67 feet to the southwesterly corner of land conveyed to Con Lee Barber by deed recorded in Instrument GS5711 in the Shelby County Register's Office, witness a crows foot chiseled on the curb at the westerly prolongation of the southerly line of land so conveyed to Barber;

4. Thence along said southerly line, South 85 degrees, 35 minutes, 58 seconds east a distance of 1618.92 feet to an iron rebar with cap set at the southeasterly corner, thereof, lying in a westerly line of Lot 27 of the Burloe Subdivision, Phase One, as shown by Plat recorded in Plat Book 236, Page 27, in the Shelby County Register's Office;

5. Thence along said westerly line and the westerly line of said Lot A of Yale

Road Office Park, South 00 degrees, 32 minutes, 56 seconds, east a distance of 300.03 feet to the place of beginning as surveyed, calculated and described in March, 2012 by Kenneth O. Beckwith, RLS 2083, subject to all highways and easements of record. Bearings contained herein are based upon record information and are intended to indicate angles only.

SECTION 2. 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 3. EFFECTIVE DATE - This Ordinance shall be effective from and after its final passage, the public welfare requiring it.

First Reading: June 26, 2018

Second Reading: July 10, 2018

Third Reading: July 24, 2018

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

A. Keith McDonald, Mayor

Stefanie McGee, City Clerk

HISTORY:

06/26/18 Board of Mayor and Aldermen **APPROVED ON FIRST READING**
Next: 07/10/18

Ms. Taylor explained that the developer has requested the City to rezone 8.86 acres on the north side of Yale near the intersection of Yale Road and Highway 70. The applicant plans to construct medical offices on this parcel. Ms. Taylor noted that in the Zoning Ordinance Article IV Chart I allows offices in O-R-I zoning. If the Board approves the rezoning, the applicant will have to go before both the Planning Commission and the Design Review Commission for site plan approval.

The Planning Commission sent a favorable recommendation to the Board for this rezoning change.

Alderman Elliott asked if the property's neighbors were notified to the potential zoning change. Ms. Taylor stated that the neighbors were notified of the Planning Commission's public hearing on the matter.

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

Bartlett Planning Commission Application for Rezoning

Consultation with the staff is encouraged prior to the completion of this application form.

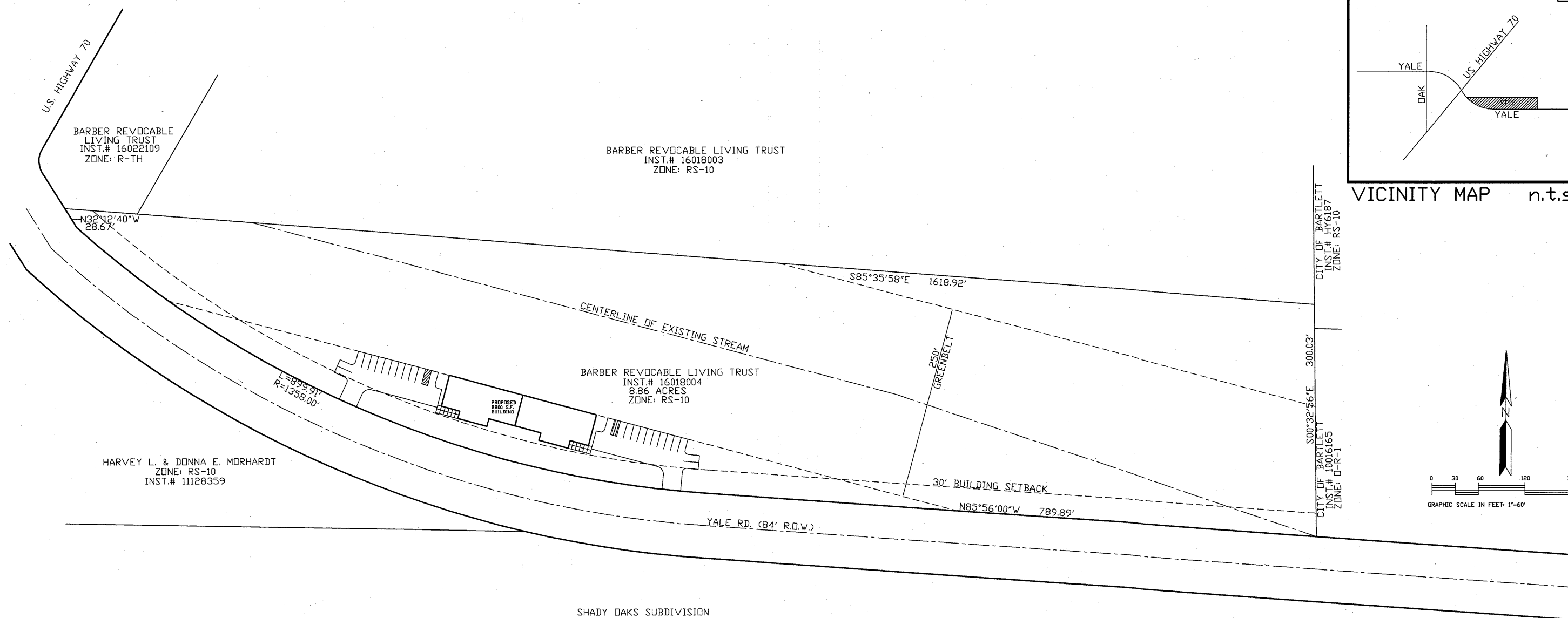
Requested Zoning DR-1
Property Address 0 YALE ROAD, NORTH SIDE YALE @ HWY 70
Present Zoning RS-10
Owner/Developer Contact _____ Phone _____
Company Name BARBER REV. LIVING TRUST Fax _____
Address 7157 US HWY 70 BARTLETT, TN 38133
Architect Contact _____ Phone _____
Company Name _____ Fax _____
Address _____
Engineer Contact DAVID BRAY Phone 901.383.8668
Company Name THE BRAY FIRM Fax 901.383.8720
Address 2950 STAGE PLAZA NORTH

Submitted by DAVID BRAY [Signature] 03.03.18
(printed name) (signature) (date)
Email Address dbray@comcast.net Phone 901.383.8668 Fax _____

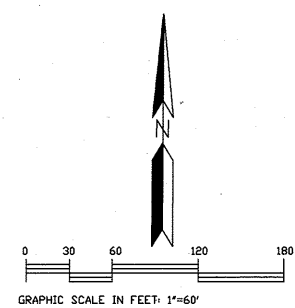
- ☒ Attach a checked-off "Rezoning Checklist" and all items required therein.
- ☒ Acknowledge (by initials in the blank to the left) that the "Application Instructions: Planning Commission" were obtained and read prior to submitting this application.
- ☒ Provide 18-folded ($\pm 10'' \times 13''$) sets of plans with a copy of the signed application attached to each set.
- ☒ Provide an electronic PDF file of the plans. Note that an updated electronic file is required when plans are revised. The electronic file shall be labeled with the project name and accurately dated.
- ☒ Include a fee with this application (check payable to the City of Bartlett) of \$500.00 for five (5) acres or less, plus \$50.00 per acre (after the first five) to a maximum of \$3,000.00. **The fee is not refundable.**

I, the property owner(s) hereby authorize the filing of this application.

(print name) (signature) (date)



VICINITY MAP n.t.s.



PLAN NOTES
 EXISTING ZONING _____ RS-10
 PROPOSED ZONING _____ OR-1
 ACREAGE _____ 8.86 ACRES
 BUILDING SETBACK _____ 30- FEET FROM R.O.W.
 MAXIMUM BUILDING COVERAGE _____ 30%

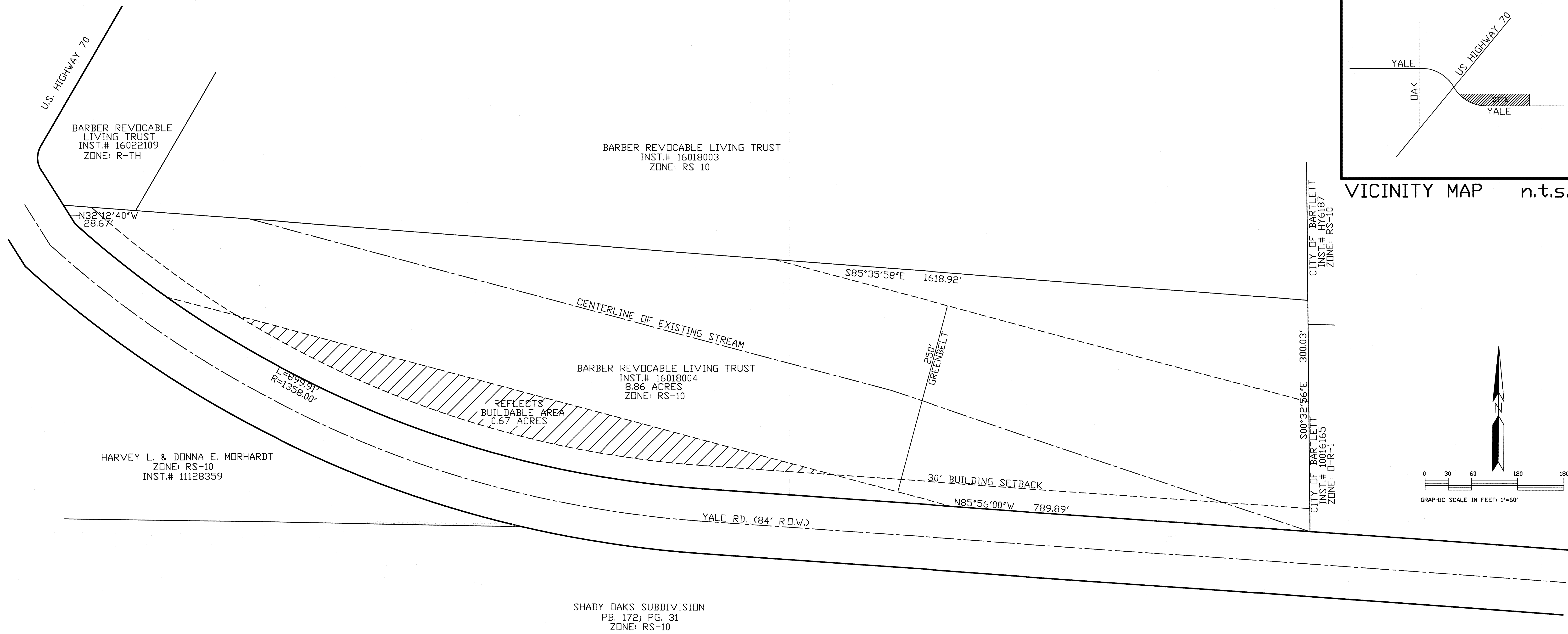
CONCEPTUAL SITE PLAN
 FOR THE
 BARBER REVOCABLE LIVING
 TRUST PROPERTY
 AS RECORDED BY
 INSTRUMENT NUMBER
 16018004
 AS RECORDED IN THE
 SHELBY COUNTY REGISTERS OFFICE
 IN
 SHELBY COUNTY, TENNESSEE
 BARTLETT, TENNESSEE

BARBER REVOCABLE LIVING TRUST
 7157 US HIGHWAY 70
 BARTLETT, TN 38133

THE BRAY-DAVIS FIRM, LLC.
 6261 STAGE PLAZA EAST
 BARTLETT, TN 38134
 901-383-8668
 ENGINEER

OWNER/APPLICANT
 DATE: FEBRUARY 23, 2018 SCALE: 1"=60' SUBJECT PROPERTY: B0157 00941 ACRES: 8.86 ACRES

Attachment: Yale Rd Rezoning (2367 : Ord. 18-05, Rezoning from RS-10 to O-R-1, NE corner Yale at Hwy 70)



PLAN NOTES
EXISTING ZONING _____ RS-10
PROPOSED ZONING _____ OR-1
ACREAGE _____ 8.86 ACRES
BUILDING SETBACK _____ 30- FEET FROM R.O.W.
MAXIMUM BUILDING COVERAGE _____ 30%

ZONING REQUEST
FOR THE
BARBER REVOCABLE LIVING
TRUST PROPERTY
AS RECORDED BY
INSTRUMENT NUMBER
16018004
AS RECORDED IN THE
SHELBY COUNTY REGISTERS OFFICE
IN
SHELBY COUNTY, TENNESSEE
BARTLETT, TENNESSEE

BARBER REVOCABLE LIVING TRUST
7157 US HIGHWAY 70
BARTLETT, TN 38133
OWNER/APPLICANT

THE BRAY-DAVIS FIRM, LLC.
6261 STAGE PLAZA EAST
BARTLETT, TN 38134
901-383-8668
ENGINEER

DATE: FEBRUARY 23, 2018 SCALE: 1"=60' SUBJECT PROPERTY: B0157 00941 ACRES: 8.86 ACRES

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

SCHEDULED**AGENDA ITEM**

Meeting: 07/10/18 07:00 PM
Department: Code Enforcement
Category: Special event permit
Prepared By: Valerie Brantley
Department Head: Jim Brown

Special event permit for Memphis Runner's Road Race Series 5-Mile Runs.



APPLICATION FOR SPECIAL EVENT
OFFICE OF
BARTLETT CODE ENFORCEMENT
6382 STAGE ROAD
BARTLETT TN 38134
901-385-6425



W.J Freeman Park 2629 Bartlett Blvd 38134
 Address Zip Code

August 12th and August 26th 2018 5:30 a.m. - 9:30 a.m.
 Dates of the Event Hours of the Event

Memphis Runner's Track Road Race Series 5 mile runs
 Type of Event (Fund Raiser, Seasonal, Tent Sale, Sidewalk Sale, Public Attraction)

City of Bartlett
 Property Owner

Memphis Runner's Track Club P.O. Box 17981 Memphis, TN
 Special Event Permit Applicant Address of Applicant

(901) 246-1565 38187-0981
 Phone Number Fax Number

Check all items that apply:

For information call (901) 385-6425.

- ☒ Letter of Permission
☒ Insurance
☐ Tents (Fire Retardant letter included)
☒ Special Event Checklist
☒ Map
☐ Sign or Banner

☒ \$60.00 Special Event Fee
☒ \$4.00 Permit Issuing Fee

_____ Total

Rob Hunter / Shan Currell 6/26/18
 Responsible Person Date

****Notify building department 10 days prior to Special Event to be held unless it is a Public Attraction which requires approval from the Board of Mayor & Aldermen.****

APPROVAL

This application is not a permit and grants no rights or privileges.

Special Event Checklist

Event: Road Race Series 5 mile runs
 Location: W.J. Freeman Park 2629 Bartlett Blvd
 Dates: August 12th and August 26th 2018

Type of special event: (Check one.)

- | | |
|---|---|
| <p>☐ <i>Type 1: Noncommercial Events.</i> Fund-raising or non-commercial events held outside an enclosed permanent structure, including parades, advertised demonstrations, or events, including structures used in conjunction with the event.</p> <p>☐ <i>Type 2: Special Seasonal Events.</i> Farmers' market, Christmas tree sales, fruit, flower or vegetable sales, or sale of other seasonal products, when sold other than on the site where grown, constructed or assembled.</p> | <p>☐ <i>Type 3: Commercial Events.</i> Significant commercial events such as tent sales, sidewalk sales, trade shows, merchandise sales, product demonstrations or transient merchants.</p> <p>☒ <i>Type 4: Public Attractions.</i> Significant outdoor public events intended primarily for entertainment or amusement, such as carnivals, concerts, or festivals, including fireworks displays. Requires approval by the Board of Mayor and Aldermen.</p> |
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Exempt events: (If any of these apply, the special event is exempt from the permit requirement.)

- | | |
|---|--|
| <p>☐ <i>Public property.</i> Any special event wholly on public streets and right-of-ways or other property of the City, excluding public parks, which special event is allowed specifically or generally by action of the Board of Mayor and Aldermen.</p> <p>☒ <i>Public parks.</i> Any special event held within a public park. (Although exempt from this Section, these types of special events shall be governed by other provisions of the Codified Ordinances regulating conduct in City parks and recreation areas.)</p> <p>☐ <i>City sponsorship.</i> Any special event sponsored or co-sponsored by the City. Such event shall, however, be in compliance with the performance standards in Section 27.F.</p> <p>☒ <i>Special use permit or site plan.</i> Any business already operating under a special use permit or site plan that authorizes the display and sale of outdoor goods or authorizes the operation of any special event as defined herein.</p> <p>☐ <i>Yard sales.</i> Yard sales regulated under Article VI, Section I of the Zoning Ordinance.</p> | <p>☐ <i>Auctions/estate sales.</i> Auctions/estate sale for individual property that is not considered a special event and is conducted by duly licensed auctioneers.</p> <p>☐ <i>Business deliveries.</i> Newspaper delivery or bona fide merchants who deliver goods in the regular course of business.</p> <p>☐ <i>Certain solicitations.</i> Solicitors for charitable, non-profit or religious organizations who go from dwelling to dwelling, business to business, street to street, taking or attempting to take orders for goods, wares and merchandise are exempt from these provisions, provided these organizations meet the Internal Revenue Service Criteria to qualify as a charitable, non-profit or religious organization.</p> <p>☐ <i>First Amendment activity.</i> The dispensing of religious pamphlets or other literature which is protected by the United States Constitution under Freedom of Speech, Religion or Press.</p> <p>☐ <i>Political campaigning.</i> Campaigning for public office.</p> |
|---|--|

Performance standards:

	Sub- mitted ✓ or X	OK	N/A		Comments
1	X			<i>Location.</i> Special events that do not require the use of public right-of-way shall be conducted on private property in a commercial or industrial zoning district , except that non-profit organizations may conduct special events on any property where the owner has granted permission.	map attached
2	X			For all special events that require the use of public right-of-way, the permit granted shall clearly specify the streets to be used for the event and the time that the streets will be closed, if applicable.	Police notified
3			X	Type 3 outdoor sales must be conducted by an existing permanent business adjacent to and on the property of the location of the permanent business. The outdoor sales are to be conducted as an adjunct to the existing permanent business.	
4			X	<i>Land-use compatibility.</i> The special event shall be compatible with the purpose and intent of this Section and with adjacent land uses.	
5		X		The special event shall not impair the normal, safe and effective operation of a permanent use on the same site.	
6		X		The special event shall not endanger or be detrimental to the public health, safety or welfare or injurious to property or improvements in the immediate vicinity of the special event, given the nature of the activity, its location on the site and its relationship to parking and access points.	
7		X		<i>Compliance with other regulations.</i> All structures shall meet all applicable provisions of the Building Code.	
8		X		Any temporary structure shall be promptly removed upon the cessation of the event. Within forty-eight (48) hours of cessation of the event, the site shall be returned to its previous condition, including the removal of all litter, signage, attention-attracting devices or other evidence of the special event. If the site is not returned to its previous condition, the City may restore the site at the event coordinator's expense.	

	Sub- mitted ✓ or X	OK	N/A		Comments										
9	X			<i>Hours of operation and duration.</i> The duration and hours of operation of a special event shall be consistent with the surrounding land uses. The total duration of a special event shall not exceed the duration set forth in Table VI.27-1; however, the duration of the special event may be modified by conditions attached to the issuance of the special event permit, as set forth in Section 27.F. Table V.27-1: Special Event Maximum Duration <table><tr><th>Type of Special Event</th><th>Duration</th></tr><tr><td>Type 1: Noncommercial</td><td>30 days</td></tr><tr><td>Type 2: Special Seasonal</td><td>90 days</td></tr><tr><td>Type 3: Commercial</td><td>14 days</td></tr><tr><td>Type 4: Public Attractions</td><td>14 days</td></tr></table>	Type of Special Event	Duration	Type 1: Noncommercial	30 days	Type 2: Special Seasonal	90 days	Type 3: Commercial	14 days	Type 4: Public Attractions	14 days	
Type of Special Event	Duration														
Type 1: Noncommercial	30 days														
Type 2: Special Seasonal	90 days														
Type 3: Commercial	14 days														
Type 4: Public Attractions	14 days														
10			X	In addition to the maximum duration as set forth in Table VI.27-1, a shopping center may hold centralized special events, not connected to individual businesses within the shopping center, which do not exceed sixty (60) days in a calendar year. The duration of all special events in a shopping center may be extended on a case by case basis if the special event(s) take place in shopping center parking areas not required for the primary businesses.											
11			X	<i>Frequency.</i> Except as otherwise provided herein, the maximum frequency of a special event on the same property shall be two (2) times per calendar year, excluding a shopping center. A shopping center shall be allowed to hold four (4) centralized events not connected to any individual business located within the center in addition to those events held by the individual businesses located within the shopping center.											

	Sub- mitted ✓ or X	OK	N/A		Comments
12				Type 3 outdoor sales at a specific location may be permitted only as follows: a. Outdoor sales may be permitted once in each calendar month if the duration is not more than three (3) days. b. Outdoor sales may be permitted once in each calendar quarter if the duration is more than three (3) days but not more than ten (10) days. c. The minimum time between consecutive outdoor sales periods for the same business on the same property shall be fourteen (14) days from the beginning of one period to the beginning of the next period. Permitted durations are not cumulative in any time period, that is, the time periods in both "a" and "b" may not be added together.	
13	X			<i>Traffic circulation.</i> The special event shall not cause undue traffic congestion or accident potential, given anticipated attendance and the design of adjacent streets, intersections, parking and traffic controls. All sidewalks shall be left open for pedestrian traffic unless special approval is received for blockage. No alleys, driveways, fire lanes or other access points shall be blocked by the special event unless specific approval is granted for the special event.	memo to Police
14	X			<i>Street closings.</i> The special event permit recipients shall be responsible for securing, installing and immediate removal upon cessation all barricades and signs when street closings are approved. Large Class III barricades shall be sandbagged to prevent blowing over.	

	Sub- mitted ✓ or X	OK	N/A		Comments
15				<i>Fire safety.</i> The fire department shall be consulted for the following requirements and inspection, as necessary. a. Fire lanes a minimum of 20 feet in width and 12 feet in height or as otherwise approved by the Fire Chief must be provided in order to allow Fire Department access within 150 feet of all structures and on at least two sides of all two-story structures within 500 feet of the location of the special event. b. All fire hydrants in the area of the special event must be left with five (5) feet of clearance on all sides and shall be accessible from the fire lanes that are designated with the event. c. No open fires shall be permitted unless advance approval is obtained from the Fire Department. d. Fire extinguishers shall be available as determined by the Fire Chief. e. Temporary electrical wiring for the special event shall be installed in accordance with the requirements of the National Electrical Code. f. Tents shall comply with the Fire Code and applicable building codes. g. Exit signs and proper exiting aisles shall be provided in temporary special event structures.	
16		X	X	<i>Off-street parking.</i> The event shall not create a parking shortage for any other use. All off-street parking surfaces used for the special event shall be concrete or asphalt.	
17		X		<i>Public conveniences and litter control.</i> Adequate on-site rest room facilities and solid waste containers shall be provided. The applicant shall calculate the demand for such facilities and specify how the need will be addressed.	
18		X		<i>Nuisances.</i> The special event shall not generate excessive noise, dust, smoke, glare, spillover lighting or other forms of environmental or visual pollution.	

	Sub- mitted ✓ or X	OK	N/A		Comments
19		X		<i>Area of parking lot dedicated to outdoor special events.</i> a. No more than ten (10) percent of the parking stalls required for the structure associated with the parking lot in which the special event occurs shall be permitted to be used for a special event. Regardless of how many stalls are occupied by the special event, no special event that occurs in the parking lot for a permanent structure may cause a parking shortage for primary and accessory uses associated with that structure. b. No spikes, nails, anchors or other devices shall be driven into any public street, sidewalk or parking lot surface or into any existing concrete or asphalt. Such devices may be used on private parking lots provided any damage resulting therefrom shall be fixed upon cessation of the event and removal of the devices.	
20	X			<i>City services.</i> If the applicant requests the City to provide services or equipment, including but not limited to traffic control or security personnel, or if the City otherwise determines that services or equipment are required to protect the public health, safety, or general welfare, the applicant shall be required to reimburse the City for the cost of the services. The City may require the applicant to submit a security deposit, in an amount determined by the Chief Administrative Officer and in the form approved by the City Attorney, prior to the event to ensure that the applicant complies with this provision.	memo attached
21	X			<i>Insurance coverage.</i> Special event permit recipients must show proof of liability insurance at time of application. If the special event will take place on public property, said certificate of insurance shall name the City as an additional insured party in an amount determined by the Chief Administrative Officer based on the nature of the special event.	

Conditions

Conditions deemed necessary to ensure compatibility with adjacent land-uses and to minimize potential adverse impacts on nearby uses:

	Required ✓ or X	N/A		Comments
22		X	Limitations on signs.	
23		X	Temporary arrangements for parking and traffic circulation.	
24		X	Requirements for screening/buffering and guarantees for site restoration and cleanup following the special event.	
25		X	Modifications or restrictions on the hours of operation, duration of the event, size of the event or other operational characteristics.	
26		X	The posting of security in an amount required by the Permitting Official to help ensure that the operation of the event and the subsequent restoration of the site are conducted according to required special event standards and conditions of approval.	
27		X	The provision of traffic control or security personnel to ensure the public safety and convenience.	
28		X	Execution of a "Special event agreement" in a form acceptable to the City Attorney to ensure the indemnification of the City and that public property will be protected and/or restored to its condition prior to the special event.	

Special event permit application, content and submission requirements

A complete application shall be submitted to the Permitting Official at least ten (10) days prior to the requested start date of any special event.

The application shall set forth and contain the following information:

	Sub- mitted ✓ or X	OK	N/A		Comments
29	X			Name and address of the applicant.	
30	X			Names and address of the owner of the premises on which the proposed event is to be held.	memo attached
31		X		Written approval from the property owner agreeing to the proposed event, if the applicant is not the same as the property owner.	
32	X			Description of the site on which the proposed event is to be held.	map attached
33	X			Date of the proposed event.	memo attached
34	X			A narrative written description of the proposed event, the hours of operation, anticipated attendance, and any buildings/ structures, signs or attention-attracting devices proposed to be used in conjunction with the event, as well as a statement that the standards set forth in this Section have been satisfied. The narrative written description shall also state what public streets, if any, are requested to be used for the special event.	memo attached
35	X			A site plan in the form and the level of detail as required by the Permitting Official, showing the location of all existing or proposed uses, structures, parking areas, outdoor display areas, signs, streets, and property lines.	map attached
36	X			Location and number of proposed temporary public toilets.	memo attached
37			X	Proposed temporary potable water supplies, which shall be subject to approval by the Director of Code Enforcement, pursuant to applicable authority of the City.	
38		X		Any other information deemed necessary by the Permitting Official to ensure compliance with the standards set forth in this Section.	

Special event permit - authorization by Permitting Official

Type 1, 2 and 3 special events (as defined in part B) may be issued a special event permit by the Permitting Official on the form provided by the City when all of the following conditions have been satisfied and continue to be met throughout the special event:

	OK ✓ or X	N/A		Comments
39	X		A complete application is made on the form provided by the City and a fee paid in accordance with City ordinances.	
40			The application has been reviewed and approved in writing by the Code Enforcement, Fire, Police, and Public Works Departments for traffic control and other safety concerns.	
41		X	An electrical plan, if required for the special event, is approved by the Director of Code Enforcement.	
42	X		The Permitting Official determines the following: a. The special event will comply with the special event performance standards...;	
43	X		b. The special event will not endanger the public health, safety, or general welfare given the nature of the activity, its location on the site, and its relationship to parking and access points;	
44	X		c. The special event will not impair the usefulness, enjoyment or value of adjacent property due to the generation of excessive noise, smoke, odor, glare, litter, or visual pollution;	
45	X		d. The special event shall comply with all applicable state and federal health, safety, environmental and other applicable requirements.	



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 2/28/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER STAR Insurance - Fort Wayne Office 2130 East Dupont Road Fort Wayne IN 46825	CONTACT NAME: Margaret Mayers PHONE (A/C, No, Ext): (260) 467-5689 FAX (A/C, No): (260) 467-5691 E-MAIL ADDRESS: margaret.mayers@starfinancial.com <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A:</td> <td>National Casualty Company</td> <td>11991</td> </tr> <tr> <td>INSURER B:</td> <td>Nationwide Life Insurance Co.</td> <td>66869</td> </tr> <tr> <td>INSURER C:</td> <td></td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	National Casualty Company	11991	INSURER B:	Nationwide Life Insurance Co.	66869	INSURER C:			INSURER D:			INSURER E:			INSURER F:		
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INSURER F:																						
INSURED Road Runners Club of America/2018 and Its Member Clubs 1501 Lee Highway, Suite 140 Arlington VA 22209																						

COVERAGES	CERTIFICATE NUMBER: 2018 \$2M A.I.	REVISION NUMBER:
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.		

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY		KRO0000007171000	12/31/2017 12:01 AM	12/31/2018 12:01 AM	EACH OCCURRENCE \$ 2,000,000
	☐ CLAIMS-MADE ☒ OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
	☒ Legal Liability to					MED EXP (Any one person) \$ 5,000
	☐ Participant \$2,000,000					PERSONAL & ADV INJURY \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ Unlimited
	☒ POLICY ☐ PRO-JECT ☐ LOC		Abuse & Molestation			PRODUCTS - COMP/OP AGG \$ 2,000,000
	OTHER:		Aggregate \$5,000,000			Abuse and Molestation \$ 500,000
A	AUTOMOBILE LIABILITY		KRO0000007171000	12/31/2017 12:01 AM	12/31/2018 12:01 AM	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000
	☐ ANY AUTO					BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS	☐ SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	☒ HIRED AUTOS	☒ NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB	☐ OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	☐ CLAIMS-MADE				AGGREGATE \$
	DED ☐ RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	☐ Y / ☐ N	N/A			PER STATUTE ☐ OTH-ER ☐
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)			E.L. EACH ACCIDENT \$		
	If yes, describe under DESCRIPTION OF OPERATIONS below			E.L. DISEASE - EA EMPLOYEE \$		
				E.L. DISEASE - POLICY LIMIT \$		
B	Excess Medical & Accident		SPX0000028554500	12/31/2017 12:01 AM	12/31/2018 12:01 AM	Excess Medical \$10,000
	(\$250 Deductible/Claim)					AD & Specific Loss \$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER IS NAMED AS AN **ADDITIONAL INSURED** AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT(S): 08/12/18 and 08/26/18 for MRTC Road Race Series - 5 Milers INSURED RRCA CLUB/EVENT MEMBER: Memphis Runners Track Club, Att'n: April Flanigan, PO Box 17981, Memphis, TN 38187

CERTIFICATE HOLDER
CANCELLATION

 08/12/18 City of Bartlett
 6400 Stage Road
 Bartlett, TN 38134

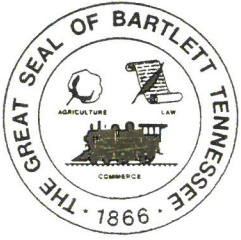
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Terry Diller/MMA

Terry R. Diller, CPCU

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City of Bartlett

PARKS & RECREATION

A. Keith McDonald, Mayor
Shan Criswell, CPRP, Parks Director

June 26, 2018

City of Bartlett
Code Enforcement
6462 Stage Rd.
Bartlett, TN 38134

The Memphis Runners Track Club has requested to use W. J. Freeman Park on Sunday, August 12, 2018, and Sunday, August 26, 2018, for their Road Race Series 5 Mile runs. Permission is hereby given by Bartlett Parks and Recreation Department pending approval by the Mayor and Board of Aldermen.

Sincerely,

Shan Criswell
Director, Parks and Recreation
City of Bartlett



MEMPHIS RUNNERS TRACK CLUB
P.O. Box 17981
Memphis, TN 38187-0981

June 30, 2018

Respectfully submitted to:

Mayor A. Keith McDonald
 Bartlett Board of Alderman
 Bartlett Parks & Recreation

The Memphis Runners Track Club (MRTC) requests permission to conduct two 5-mile races on public streets inside the City of Bartlett with the finish and post race activities in WJ Freeman Park again this year. Race route maps are attached. These events are scheduled for 7 a.m. on two Sundays, August 12 and 26, 2018. MRTC activities at the park will occur from approximately 5:30 to 9 AM each day and will not prevent other park users from enjoying the park during this time. These races are part of a 10-race series that our club conducts each year from July thru November. This series is the largest of several activities MRTC conducts each year, all with an emphasis on health and fitness. MRTC has over 3600 members, many residing in Bartlett and we feel that the races give a favorable view of Bartlett parks and neighborhoods to those living elsewhere. Also, our people have a strong appreciation for the park and we take great pride in our clean-up activities. We always leave the park in 'as good or better' condition as when we arrived. We will provide port-a-lets for each weekend to supplement the existing restroom facilities. In our 2016 races here, we had approximately 1400 runners with an age range of 8 to 70. Depending on the weather on race day we would project 2017 participation of 1450 to 1550 runners with 70 or so additional spectators for each date.

Memphis Runners Track Club is a 501(c)3 organization since 1979 and we maintain liability insurance under the umbrella of the Road Runners Club of America. We conduct 16 running events similar to these for our members each year and we are a race timing contractor/technical adviser for over 60 other running events for various charities in the region. We also conduct special training sessions each year for women and kids (over 1000 women and 200 kids in 2017) and we underwrite scholarships at the University of Memphis and at Youth Villages. We also partner with St Jude Children's Research Hospital on the St. Jude Memphis Marathon Weekend each year in Dec. For more information about our club please visit www.memphisrunners.com.

Thank you for your consideration and we look forward to a favorable response again this year.

Robert E. (Rob) Hunter P.E.
 MRTC Co-Race Director
 BSCE (Retired)
 (901) 246-1565
robhunter33@comcast.net



City of Bartlett

A. Keith McDonald, Mayor
Shan Criswell, Parks Director

MEMORANDUM

TO: Inspector Cox
FROM: Shan Criswell
RE: Road Race Series 5 Mile Runs
DATE: June 26, 2018

The Memphis Runners Track Club has contacted me about their two annual five mile runs that are held in Bartlett every year. They need help with traffic control at three locations and would like to request the assistance of the Bartlett Police Department.

The dates for the two runs are Sunday, August 12, 2018, and Sunday, August 26, 2018, they begin at 7:00 a.m. The locations where traffic control is needed are:

1. Bartlett Blvd. just north of the pedestrian crosswalk for W. J. Freeman Park for the start.
2. Hawthorn at Elmore Park; and
3. Elmore at Bartlett Blvd. (The officer at the start line could actually move to this spot.)

MRTC RRS 5 MILE, WJ Freeman Park, Bartlett, TN
Measured by Rob Hunter & Lane Purser, 13 May 2008

USATF-Certified Course TN08030N
Expiration Date: 31 December 2018

START—Located on the east side of Bartlett Blvd approx. 125' north of the pedestrian crosswalk, the nail is 63'9" north of a sewer manhole in the grass behind the curb and 51'7" south of a sewer manhole in the sidewalk.

MILE 1—Located at the driveway to 6143 Ivanhoe, the nail is 30'10" southeast of a fire hydrant and 32' southwest of a sewer manhole in the grass on the east side of the street.

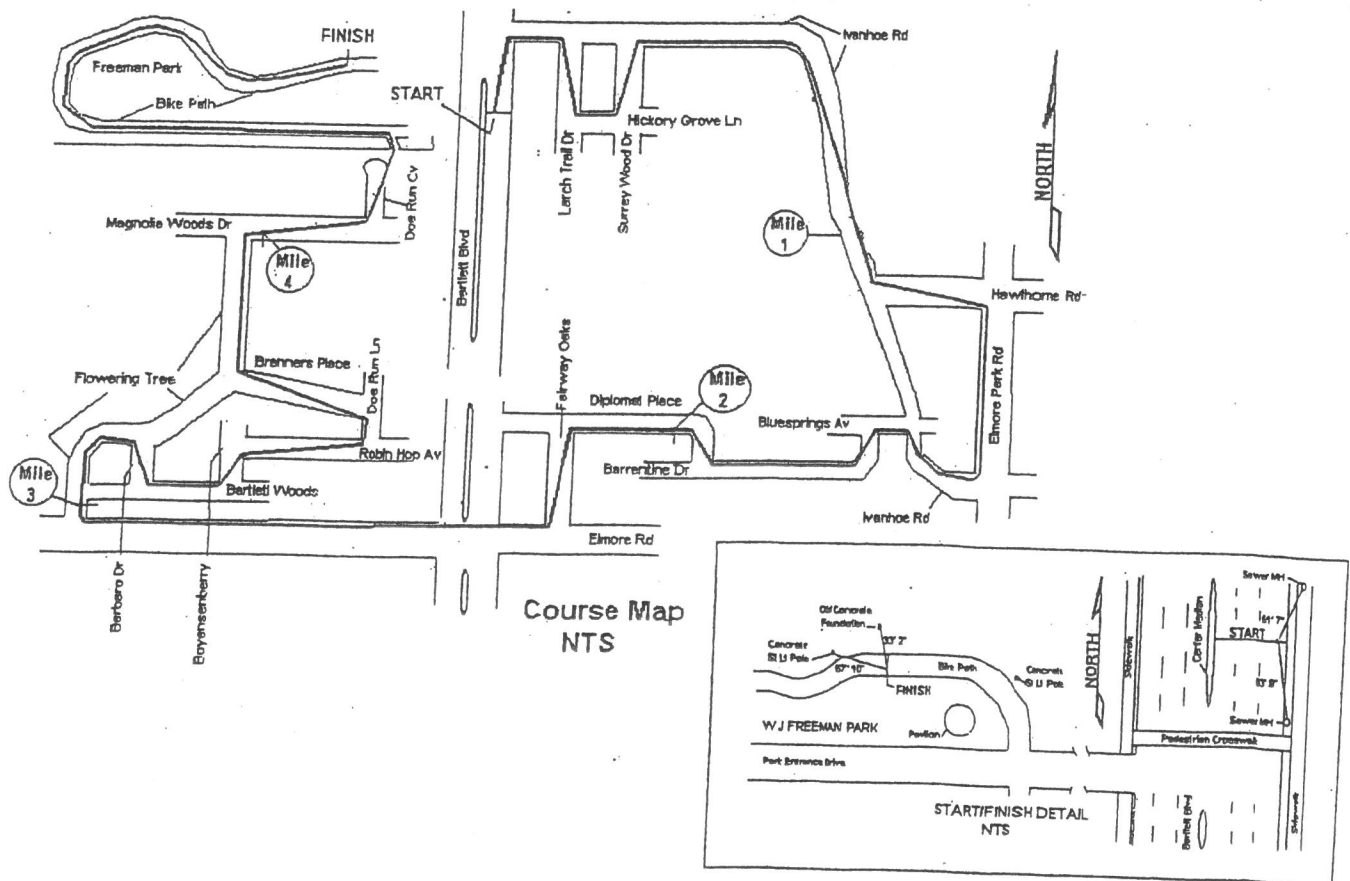
MILE 2—Located at the west edge of the driveway to 5981 Diplomat, the nail is 12'11" east of a water valve cover and 23'2" west of a sewer manhole (both in the street).

MILE 3—Located on the east side of Flowering Tree approx. 35' south of Bartlett Woods, the nail is 3'3" south of a water valve cover and 8'7" south of a storm drain inlet.

MILE 4—Located in front of 5673 Magnolia Woods approx. 60' east of Flowering Tree, the nail is 37'6" southwest of an electric transformer grate in the sidewalk and 31'8" southeast of the concrete water meter box to 5672 Magnolia Woods (both on the north side of the street).

FINISH—Located on the asphalt path approx. 200' west of the pavilion, the nail is 67'10" east of the 2nd concrete street light pole from the park entrance drive and 33'2" south of an old rectangular concrete foundation in the grass on the north side of the trail.

COURSE DESCRIPTION—The runners start with traffic in the 3 northbound lanes of Bartlett Blvd in front of the park. At Ivanhoe Rd the runners turn right (east) and run unrestricted (for the remainder of the race) to Larch Trail Dr where they turn right (south) to Hickory Grove Lane where they turn left (east) to Surrey Wood Dr where they turn left (north) back to Ivanhoe Rd where they turn right (east) and continue passing Mile 1 to Hawthorne Rd where they turn left (east) to Elmore Park Rd where they turn right (south) to Blue Springs Ave where they turn left (west) and make a quick left (south & west) to Barrentine Dr. The runners continue to Diplomat Place where they turn right (north & west) passing Mile 2 to Fairway Oaks where they turn left (south) and proceed to Elmore Rd where they turn right (west). At Flowering Tree the runners turn right (north & east) passing Mile 3 to Barbaro Dr where they turn right (south) to Bartlett Woods where they turn left (east) to Boysenberry where they turn left (north) to Robin Hop Ave where they turn right (east) to Doe Run where they turn left (north) to Brenners Place where they turn left (west) back to Flowering Tree where they turn right (north) to Magnolia Woods where they turn right (east) and pass Mile 4 to Doe Run Cove where they turn left (north) and take the shortest route to the pedestrian gate to the asphalt trail in the park. The runners turn left (west) and proceed on the trail in a clockwise direction around the park to the finish near the pavilion.



RH, LP & JB 5/13/2008



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

AGENDA ITEM

Meeting: 07/10/18 07:00 PM

Department: Finance

Category: Bid

Prepared By: Dick Phebus

Department Head: Dick Phebus

Bid for BPACC roof replacement.

On May 31, 2018 an ad was placed in the *The Daily News*. On June 18, 2018 the City of Bartlett received four bids, which were opened at City Hall.

Bids were received from the following companies:

Jessie Bryant Roofing	\$309,712.00
B Four Plied, INC	\$519,973.00
Quality Roofing Contractors	\$589,667.00
DAR Roofing (unapproved substitute product/ not recommended)	\$98,000.00

We recommend the bid be awarded to Jessie Bryant Roofing for a price of \$309,712.00, plus a contingency amount of \$35,000.00, for a total price of \$344,712.00.

Funds are available in Accounts 311.48311.780.59118 and 311.48311.780.58119.

Thank you for your consideration.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

AGENDA ITEM

Meeting: 07/10/18 07:00 PM

Department: Planning and Economic Development

Category: Report

Prepared By: Sam Harris

Department Head: Kim Taylor

Planning Commission Report for July 2018.

NEW BUSINESS

Special Use Permit

1. Summer Kids, LLC, (Children's Resale Clothing), 2831 Bartlett Blvd (Deborah Mitchell, Summer Kids, LLC)

Ms. Deborah Mitchell with Summer Kids Boutique, is requesting Planning Commission approval for a Special Use Permit (SUP) to operate Summer Kids Resale Boutique. The business will be located from 2831 Bartlett Boulevard. The subject property is located in the Bartlett Station area, within the "CG-MS" General Commercial Main Street Overlay zoning district.

The proposed business will primarily sell used children's clothing with some new clothing as well. Secondhand retail uses in the "CG-MS" zoning district are permitted with an SUP. According to Article V, Chart I of the Zoning Ordinance, "retail secondhand stores" requires an SUP. Other uses adjacent to the subject property includes: beauty and barber shops, a nail shop, a movie theatre, a retail sports memorabilia shop, several restaurants, and an optometrist office.

Recommendation: Favorable recommendation to the Board of Mayor and Aldermen for the approval of the Special Use Permit.

Master Plan

2. Phase 2, Village of Deer Run Subdivision, East Side of Kirby-Whitten at Jessica Drive (Paul Bray, The Bray Firm)

INTRODUCTION: Mr. Paul Bray with The Bray Firm is requesting Planning Commission approval of a Master Plan for Phase 2 of the Village at Deer Run Subdivision. The subject property is located north of the Windsong Subdivision on the east side of Kirby-Whitten Road, east of Phase I of the Village at Deer Run Subdivision within the "RS-15" Residential Zoning District.

BACKGROUND: The Master Plan for Phase I of the Village at Deer Run Subdivision was approved by the Planning Commission on April 3, 2017. Phase I is positioned just to the west of the subject property off of Kirby Whitten Road, and it is 12.1 acres in size. It contains 20 residential lots with 3.34 acres of common open space.

DISCUSSION: The specific request by the applicant is for the approval of a Master Plan for 17 residential lots on 12.31-acres of land. The lot sizes will range in size from 15,009 to 24,009 square feet. A 14,542-square foot Common Open Space lot is proposed at the north end of Wind Passage Cove, and a 21,558-square foot Common Open Space lot will be located to the south of lot 37. There will also be a 3.02-acre green belt area bordering the east of the subject

property. Access to the subdivision will be from Kirby-Whitten Road through Phase I of the Village at Deer Run Subdivision to the proposed Wind Way Drive and from the bordering Windsong Subdivision to the south. The entire subdivision will have 60-lots and will be built in three phases (requiring 3 Master Plans approvals) on a total of 38.1-acres.

Recommendation: Approval with conditions of staff.

Site Plan

3. Peachtree Academy, Stage Road Business Park, Phase 2, Lot 25 (David Bray, The Bray Firm)

INTRODUCTION: Mr. David Bray with The Bray Firm is requesting Planning Commission approval of a Site Plan on Lot 25 of the Stage Road Business Park Subdivision, Phase 2. The subject property is located south of Stage Road on the east side of Stage Center Drive. It is within the "CG-MS" General Business Main Street Overlay Zoning District.

BACKGROUND: On April 6, 1987, the Planning Commission approved the plans for Stage Road Business Park Subdivision, Phase 2.

DISCUSSION: The specific request by the applicant is for the approval of a Site Plan on Lot 25 of the Stage Road Business Park Subdivision, Phase 2 for a daycare facility. The daycare building will be 2,637-sq.ft., and the site will have a 7,086-sq.ft. fenced recreation area. Access to the site will be from a proposed driveway off Stage Center Drive. Other features of the development include a streetscape landscape buffer along Stage Center Drive, and a landscape buffer along the rear property line.

Recommendation: Approval with conditions of staff.

4. Engineered Medical Systems, LLC, 3325 Appling Road, Appling Brother Corporate Park, Lot 1 and 2 (Tim McCaskill & Associates, Inc.)

INTRODUCTION: Mr. Tim McCaskill with Tim McCaskill & Associates, Inc. is requesting Planning Commission approval of a revised Site Plan for the expansion of the Engineered Medical Systems building. The subject property is located at 3325 Appling Road on Lots 1 and 2 of the Appling Brother Corporate Park Subdivision within the "I-P" Planned Industrial Park Zoning District.

BACKGROUND: On March 6, 2006, the Planning Commission approved the Site Plan for the existing 39,777-sq.ft. Engineered Medical Systems building on Lot 2 of the Appling Brother Corporate Park Subdivision.

DISCUSSION: The specific request by the applicant is for the approval of a revised Site Plan

on Lots 1 and 2 of the Appling Brother Corporate Park Subdivision for the expansion of the existing Engineered Medical Systems building for manufacturing and office uses. The entire subject property is a 6.43-acre site, with Lot 1 being 3.45-acres and Lot 2 being 2.98-acres. The existing building will be expanded by 52,270-sq.ft. to be a total of 92,047-sq.ft upon completion. Access to the site will be from an existing driveway on Appling Road and a new driveway from an existing drive apron on Brother Boulevard. Other features of the development will include a streetscape landscape buffer, a detention pond to service the site, and the relocation/removal of an existing sewer line.

Recommendation: Approval with conditions of staff.

5. Office Building and Garage, Bartlett Corporate Park, Lot 2, First Addition, Bartlett Corporate Drive (David Bray, The Bray Firm)

INTRODUCTION: Mr. David Bray with The Bray Firm is requesting Planning Commission approval of a Site Plan on Lot 2 of the Bartlett Corporate Park 1st Addition Subdivision. The subject property is located on the north side of Bartlett Corporate Drive, in-between Dennis Electric and Industrial Sales Co. It is within the “I-O” Wholesale and Warehouse zoning district.

BACKGROUND: On July 5, 1988, the Planning Commission approved the Master Plan for the Bartlett Corporate Park 1st Addition Subdivision. The subject property is a 1.05-acre site to be developed as a Contractors Business.

DISCUSSION: The specific request by the applicant is for the approval of a Site Plan for a Contractors business office building, with a separate secondary storage/garage facility. Access to the lot will be from a proposed curb cut off of Bartlett Corporate Drive. Other features of the development include a streetscape landscape buffer, and a detention pond.

Recommendation: Approval with conditions of staff.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

RESOLUTION (ID # 2379)

Meeting: 07/10/18 07:00 PM

Department: Planning and Economic Development

Category: Special use permit

Prepared By: Sam Harris

Initiator: Kim Taylor

Sponsors:

DOC ID: 2379

Set a public hearing for August 14, 2018 for Resolution 20-18, a resolution approving a special use permit for the sale of used children's clothing in a retail store named "Summer Kids," located at 2831 Bartlett Boulevard.

WHEREAS, an application has been made for a Special Use Permit for sale of used children's clothing in the Summer Kids, 2831 Bartlett Boulevard; and

WHEREAS, the Planning Commission reviewed the proposed Special Use Permit for Summer Kids, on July 2, 2018, in accordance with their regulations and recommended APPROVAL of the special use permit; and

WHEREAS, the Board of Mayor and Aldermen held a Public Hearing on August 14, 2018, and approved the Special Use Permit for Summer Kids, 2831 Bartlett Boulevard, to sell used children's clothing in a retail store in Bartlett, subject to the following condition:

- I. The applicant shall obtain Design Review Commission approval prior to installing any signage and making any changes to the exterior storefront.

WHEREAS, the Board of Mayor and Aldermen have determined that this Special Use Permit should be approved;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE, that the Special Use Permit for Summer Kids, 2831 Bartlett Boulevard, incorporating the above listed conditions, is approved.

ADOPTED THIS 14TH DAY OF AUGUST, 2018.

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

A. Keith McDonald, Mayor

Attest: _____

Stefanie McGee, City Clerk

May 31, 2018

To Whom It May Concern,

My name is Deborah Mitchell and I'm the owner/operator of Summer Kids, a local option for kids' resale. I strive to provide my customers with name brand clothes in like new condition at a fraction of the retail price. I have been conducting business in Memphis for the past seven and a half years, and look forward to moving my business to Bartlett!

To acquire merchandise, I require my customers to bring their items in freshly laundered in a storage bin or laundry basket. They bring these items into the store during normal business hours, Monday thru Saturday 10am-6pm, and I pay them in cash or store credit for the items that meet my approval. I have not once in the past 7 years had anyone leave anything for me when I'm closed.

Summer Kids is the local (better!) option to the Once Upon A Child franchise. It is not a thrift store, but instead a resale/consignment store where I do not receive donations but instead pay my customers for their like new items.

In addition to the like new merchandise, I also sell new items such as school uniforms, boutique bows, tights, diaper bags & totes. I offer monogram & appliqué services as well as custom vinyl work.

Thank you for your time. I look forward to serving the families of Bartlett!



Deborah Mitchell

Summer Kids, LLC

Attachment: Summer-Kids (2379 : Res 20 -18 SUP Summer Kids 2831 Bartlett Boulevard)

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

Bartlett Planning Commission
Application for Special Use Permit Approval

Consultation with the staff is encouraged prior to the completion of this application form.

Requested Special Use resale clothing - children's
Property Address 2831 Bartlett Blvd. Bartlett, TN 38138
Present Zoning _____
Owner/Developer Contact Deborah Mitchell Phone 901-268-3863
Company Name Summer Kids, LLC Fax _____
Address 5266 Summer Ave. Memphis, TN 38122
Email Address deborahmitchell06@yahoo.com
Architect Contact _____ Phone _____
Company Name _____ Fax _____
Address _____
Email Address _____
Engineer Contact _____ Phone _____
Company Name _____ Fax _____
Address _____
Email Address _____

Submitted by Deborah Mitchell Deborah Mitchell 5-31-18
(printed name) (signature) (date)
Email Address deborahmitchell06@yahoo.com Phone 901-268-3863 Fax _____

- _____ Acknowledge (by initials in the blank to the left) that the "Application Instructions: Planning Commission" were obtained and read prior to submitting this application.
- _____ Attach a checked-off "Special Use Permit Checklist" and all items required therein.
- _____ Provide 18-folded ($\pm 10'' \times 13''$) sets of plans with a copy of the signed application attached to each set.
- _____ Provide an electronic PDF file of the plans. Note that an updated electronic file is required when plans are revised. The electronic file shall be labeled with the project name and accurately dated.
- _____ Include a fee with this application (check payable to the City of Bartlett) of \$500.00 for five (5) acres or less, plus \$50.00 per acre (after the first five) to a maximum of \$3,000.00. **The fee is not refundable.**

I, the property owner(s) hereby authorize the filing of this application.

Deborah Mitchell Deborah Mitchell
(print name) (signature)

RECEIVED
(date)

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

Special Use Permit Checklist

Plot Plan and Legal Description (each parcel, if more than one)

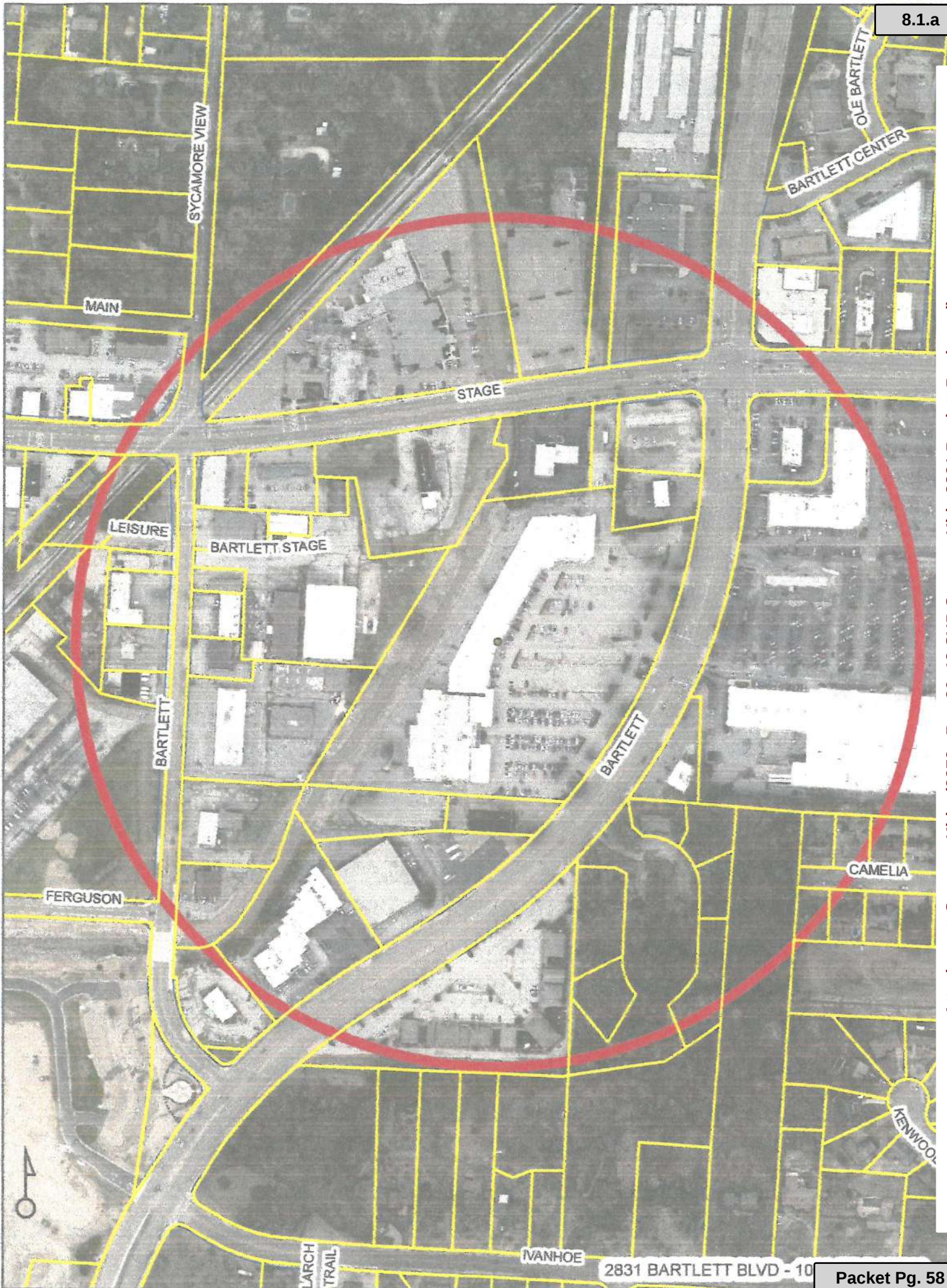
- | | |
|---|--|
| <p>_____ Plot plan, drawn to scale, showing the following information for each parcel (several parcels may be included on one sheet):</p> <p>_____ Adjoining public street rights-of-way</p> <p>_____ Area (acres)</p> <p>_____ Present zoning</p> <p>_____ Requested special use, including purpose (attach statement, one page maximum)</p> <p>_____ Area in which buildings are proposed to be located, showing setback dimensions from line.</p> <p>_____ Drainage</p> <p>_____ Driveways</p> <p>_____ Parking area</p> <p>_____ Buffer planting areas</p> <p>_____ Type and location of any easements</p> <p>_____ If Site Plan application and approval are necessary, conformance to Tree Ordinance is required.</p> | <p>_____ Other pertinent information as required through staff consultation.</p> <p>_____ Legal description (may be attached to plot plan).</p> <p>_____ One (1) PDF file of the plot plan, for display at the Planning Commission meeting.</p> <p>Vicinity Map</p> <p>_____ Vicinity map, drawn to a convenient scale, showing the subject property and all parcels within a 1,000-foot radius. Every parcel shall indicate owner's name and the streets, roads or alleys that each parcel fronts upon.</p> <p>_____ One (1) PDF file of the vicinity map, for display at the Planning Commission meeting.</p> <p>Property Owners</p> <p>_____ List of all property owners within 1,000 feet or a minimum of fifty (50) property owners, whichever results in the greater number of owners. A xerographic copy of the mailing labels may serve as the list.</p> <p>_____ Self-adhesive mailing labels for the list of property owners (two sets).</p> |
|---|--|

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

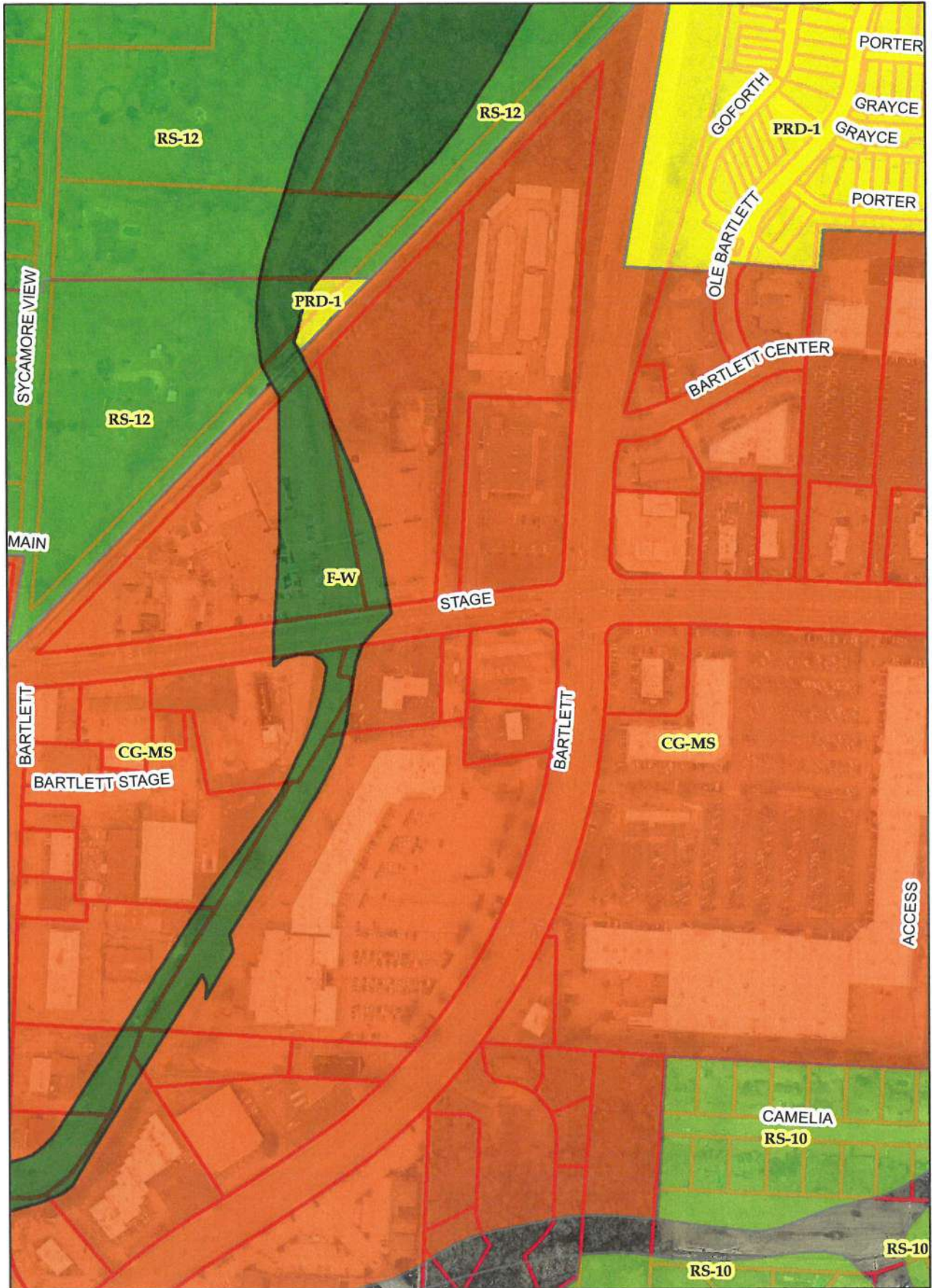
Attachment: Summer-Kids (2379 : Res 20 -18 SUP Summer Kids 2831 Bartlett Boulevard)

FIRST NAME	ADDRESS	CITY	STATE	ZIP
FIRST NAME APOSTOLIC PENTECOSTAL TEMPLE STORAGE TOWNE OF AMERICA LLC CITY OF BARTLETT CITY OF BARTLETT	2774 BARTLETT BLVD	BARTLETT	TN	38134
	5900 STAGE RD	CORDOVA	TN	38134
	0 STAGE RD	MEMPHIS	TN	38134
CITY OF BARTLETT ARCP WG BARTLETT 5950 STAGE TN LLC COLE AP BARTLETT TN LLC STAGE ROAD CENTER LLC MCHANN AND ANGLIN PROPERTIES LLC	5868 STAGE RD	BARTLETT	TN	38134
	5950 STAGE RD	DEERFIELD	IL	38134
	2890 BARTLETT BLVD	CHINO HILLS	CA	38134
GEMTONE INC BARLETT TIRE SERVICE INC DAMRON ENTERPRISES LLC AYYAGARI VENKATACHALAM	2889 BARTLETT BLVD	LAWRENCEVILLE	GA	38134
	5861 STAGE RD	MEMPHIS	TN	38134
	2840 BARTLETT BLVD	TOPEKA	KS	38134
KENNEDY ADAM M & SARAH R BADOWSKI DAWN M HARTSFIELD SIDNEY J II & SANDRA E GUIZLO RICHARD E JR	0 BARTLETT BLVD	MEMPHIS	TN	38134
	2798 BARTLETT BLVD	MEMPHIS	TN	38134
	0 BARTLETT BLVD	BARTLETT	TN	38134
ARMOUR RICHARD L AND JOHN G BINGHAM B & R MEMPHIS LLC AYYAGARI VENKATACHALAM SCHOEP JEREMY & REGINA	5998 CAMELIA LN	BARTLETT	TN	38134
	6004 CAMELIA LN	MEMPHIS	TN	38134
	6012 CAMELIA LN	MEMPHIS	TN	38134
AYYAGARI VENKATACHALAM CITY OF BARTLETT AYYAGARI VENKATACHALAM CARR JOHN R & CAROL R	2755 BARTLETT BLVD	MEMPHIS	TN	38134
	2794 BARTLETT BLVD	MEMPHIS	TN	38134
	2760 BARTLETT BLVD	MEMPHIS	TN	38134
MORAN PHILIP J & CHERYL W MCHANN AND ANGLIN PROPERTIES LLC LIVINGSTON JEFFERY FERGUSON STREET PARTNERS LLC	2784 BARTLETT BLVD	MEMPHIS	TN	38134
	5997 CAMELIA LN	MEMPHIS	TN	38134
	0 BARTLETT BLVD	BARTLETT	TN	38134
LEATHERWOOD HAROLD N NIEWIARA ANDREW Z & STEFANIA DAMON-MARCUS COMPANY GUTHRIE WILLIAM B SR & SANDRA	0 SURREY HOLLOW CV	MEMPHIS	TN	38134
	0 BARTLETT BLVD	BARTLETT	TN	38134
	2944 SYCAMORE VIEW RE	MEMPHIS	TN	38134
	5941 STAGE RD	MEMPHIS	TN	38134
	5861 STAGE RD	MEMPHIS	TN	38134
	5847 STAGE RD	MEMPHIS	TN	38134
	5786 FERGUSON RD	MEMPHIS	TN	38134
	2795 BARTLETT BLVD	MEMPHIS	TN	38134
	0 BARTLETT BLVD	HENDERSONVILLE	TN	38134
	6005 CAMELIA LN	BARTLETT	TN	38134
	5871 STAGE RD	MEMPHIS	TN	38134
	5813 LEISURE LN	CORDOVA	TN	38134

SBC INVESTMENTS LLC	2860 BARTLETT RD	KNOXVILLE	TN	38134
PRICE FAMILY TRUST (THE)	2740 NEW SYCAMORE VIE BARTLETT		TN	38134
5984 STAGE LLC	5984 STAGE RD	MEMPHIS	TN	38134
SOUTH WILLETT	5811 STAGE RD	MEMPHIS	TN	38134
BARTLETT CITY OF	0 BARTLETT BLVD	BARTLETT	TN	38134
CSX TRANSPORTATION INC	0 STAGE RD	JACKSONVILLE	FL	38134
LINDSEY BONNIE L & CHRISTINE S	2829 BARTLETT RD	MEMPHIS	TN	38134
TART VICKIE S	2821 BARTLETT RD	BARTLETT	TN	38134
GUTHRIE BRADFORD	2845 BARTLETT RD	BARTLETT	TN	38134
LINDSEY BONNIE L & CHRISTIANE S	2835 BARTLETT RD	MEMPHIS	TN	38134
SOUTHBAY PROPERTIES LLC	5800 STAGE RD	MEMPHIS	TN	38134
MCLEMORE KATHRYN E REVOCABLE LIVING	5986 IVANHOE RD	MEMPHIS	TN	38134
STAGE ROAD CENTER LLC	5949 BARTLETT RD	LAWRENCEVILLE	GA	38134
WNI/TENNESSEE LP	6005 STAGE RD	HOUSTON	TX	38134
RICH CHARLES E AND TRACEY P RICH (RS)	2850 BARTLETT RD	MEMPHIS	TN	38134
SOUTHBAY PROPERTIES LLC	2840 BARTLETT RD	MEMPHIS	TN	38134
FILSINGER JONNY & ANNE	2832 BARTLETT RD	ARLINGTON	TN	38134
TIMBS NORMAN & DEBBIE (1/2) AND	2788 BARTLETT RD	MEMPHIS	TN	38134
FRANK AND FRANK PARTNERSHIP	2810 BARTLETT RD	NORTH PALM BEACH	FL	38134
ROSENBLUM STANLEY AND JUDY ROSENBLUM	2745 BARTLETT BLVD	GERMANTOWN	TN	38134
FIRST NATIONAL BK MEMPHIS	5931 STAGE RD	MEMPHIS	TN	38134
LIGHTMAN MICHAEL A	2829 BARTLETT BLVD	MEMPHIS	TN	38134
DAMON-MARCUS COMPANY	5871 STAGE RD	MEMPHIS	TN	38134
BAH MOHAMMED & KADIJATUH	5905 STAGE RD	COLLIERVILLE	TN	38134



Attachment: Summer-Kids (2379 : Res 20 -18 SUP Summer Kids 2831 Bartlett Boulevard)





Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

RESOLUTION (ID # 2375)

Meeting: 07/10/18 07:00 PM

Department: Finance

Category: Presentation

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2375

Resolution 21-18, a resolution to delete uncollectable property taxes, interest, penalties, and associated costs from the City of Bartlett tax rolls.

WHEREAS, the Shelby County Trustee's office has identified delinquent property taxes that have been determined to be uncollectible and has removed all tax, interest, penalties and associated costs from the Trustee's tax system; and

WHEREAS, the City of Bartlett has determined that these taxes and property maintenance charges dating from Tax Year 2006 through 2016 are delinquent and uncollectible;

NOW THEREFORE BE IT RESOLVED by the Board of Mayor and Aldermen that the taxes, interest, penalties, and associated costs, including property maintenance charges, on the properties listed in the attached Schedule A totaling \$19,464.45 are deemed uncollectible and should be removed from the City of Bartlett tax system.

Adopted this 10th day of July 2018

W.C. Pleasant, Register to the

A. Keith McDonald, Mayor

Board of Mayor and Aldermen

Attest: _____
Stefanie McGee, City Clerk

BARTLETT WRITE-OFF

"EXHIBIT A"
UNCOLLECTABLE PROPERTY MAINTENANCE CHARGES
TO BE TAKEN BEFORE BOARD OF MAYOR AND ALDERMEN

FISCAL YEAR JULY 1, 2017
 THRU JUNE 30, 2018

PARCEL ID	BILL #	YEAR	OWNER	ADDRESS	REASON	TAX AMOUNT
PB211501	50065	2013	ADVANTAGE PLUMBING SERVICES	3787 BROADWAY	OUT OF BUSINESS	\$ 14.58
PB211501	51173	2014	ADVANTAGE PLUMBING SERVICES	3787 BROADWAY	OUT OF BUSINESS	\$ 17.50
PB040837	50091	2008	AMERICAN RESOURCE SYSTEMS INC	7480 BARTLETT CORP CV W	OUT OF BUSINESS	\$ 13.40
PB230861	51774	2014	BARTLETT TOBACCO FINE CIGARS	7601 U S HIGHWAY 70, STE 106	OUT OF BUSINESS	\$ 22.84
PB230861	50263	2016	BARTLETT TOBACCO FINE CIGARS	7601 U S HIGHWAY 70, STE 106	OUT OF BUSINESS	\$ 24.79
PB233458	50321	2016	BOOMERANG ESCAPES LLC	3524 DAVIESHIRE DR	OUT OF BUSINESS	\$ 5.83
PB185278	40299	2006	C & K INSTALLERS	2353 MONICA DR	OUT OF BUSINESS	\$ 142.27
PB185278	42021	2007	C & K INSTALLERS	2353 MONICA DR	OUT OF BUSINESS	\$ 205.59
PB248866	50372	2016	CAFÉ 4210, LLC	4210 ALTRURIA RD, STE. 104	OUT OF BUSINESS	\$ 33.53
PB024235	43174	2007	STAGE 66	5735 STAGE ROAD	OUT OF BUSINESS	\$ 58.67
PB024235	51578	2008	STAGE 66	5735 STAGE ROAD	OUT OF BUSINESS	\$ 59.14
PB193576	50526	2008	DICKERSONS FITNESS & NUTRITION	8935 BRISTOL PARK, STE 203	OUT OF BUSINESS	\$ 6.93
PB229105	50551	2013	D-N-L AUTO TRANSPORT	2375 BARBARO DR	OUT OF BUSINESS	\$ 137.54
PB229105	51732	2014	D-N-L AUTO TRANSPORT	2375 BARBARO DR	OUT OF BUSINESS	\$ 144.34
PB229105	50554	2015	D-N-L AUTO TRANSPORT	2375 BARBARO DR	OUT OF BUSINESS	\$ 151.63
PB229105	50541	2016	D-N-L AUTO TRANSPORT	2375 BARBARO DR	OUT OF BUSINESS	\$ 159.41
PB124347	60673	2012	ESTELLE BANNING	2880 WHITTEN RD	OUT OF BUSINESS	\$ 2.24
PB114367	40907	2011	HOLLIDAYS FASHIONS #15	2825 BARTLETT BLVD	OUT OF BUSINESS	\$ 77.78
PB196591	50142	2006	IMPRESSION	5700 FERGUSON RD #5	OUT OF BUSINESS	\$ 70.35
PB217076	51009	2013	INDOOR DIRECT INC	7920 HIGHWAY 64	OUT OF BUSINESS	\$ 13.61
PB217076	51274	2014	INDOOR DIRECT INC	7920 HIGHWAY 64	OUT OF BUSINESS	\$ 14.09
PB200253	51252	2015	MADISUN.FELIX	3083 MILKY WAY DR	OUT OF BUSINESS	\$ 4.37
PB211621	41159	2011	MARKO VENTURES, INC.	5490 CRAIGMONT DR	OUT OF BUSINESS	\$ 39.78
PB211621	61159	2012	MARKO VENTURES, INC.	5490 CRAIGMONT DR	OUT OF BUSINESS	\$ 47.83
PB211621	51260	2013	MARKO VENTURES, INC.	5490 CRAIGMONT DR	OUT OF BUSINESS	\$ 61.72
PB211621	51178	2014	MARKO VENTURES, INC.	5490 CRAIGMONT DR	OUT OF BUSINESS	\$ 64.64
PB211621	51271	2015	MARKO VENTURES, INC.	5490 CRAIGMONT DR	OUT OF BUSINESS	\$ 68.04
PB211621	51262	2016	MARKO VENTURES, INC.	5490 CRAIGMONT DR	OUT OF BUSINESS	\$ 71.44
PB007995	41319	2011	NUNNELEE BRYCE CONST CO	6264 HAWTHORNE RD	OUT OF BUSINESS	\$ 25.48
PB007995	61325	2012	NUNNELEE BRYCE CONST CO	6264 HAWTHORNE RD	OUT OF BUSINESS	\$ 30.40
PB007995	51435	2013	NUNNELEE BRYCE CONST CO	6264 HAWTHORNE RD	OUT OF BUSINESS	\$ 39.37
PB007995	51195	2014	NUNNELEE BRYCE CONST CO	6264 HAWTHORNE RD	OUT OF BUSINESS	\$ 41.31
PB007995	51454	2015	NUNNELEE BRYCE CONST CO	6264 HAWTHORNE RD	OUT OF BUSINESS	\$ 43.25
PB007995	51442	2016	NUNNELEE BRYCE CONST CO	6264 HAWTHORNE RD	OUT OF BUSINESS	\$ 45.20
PB182423	41165	2006	OROZCO CONSTRUCTION	2916 BARTLETT CREST DR APT	OUT OF BUSINESS	\$ 17.68
PB167361	51644	2015	REGIS FLOWERS INC	2809 SHELBY ST	OUT OF BUSINESS	\$ 30.13
PB167361	51637	2016	REGIS FLOWERS INC	2809 SHELBY ST	OUT OF BUSINESS	\$ 31.59
PB210717	61697	2012	STEVEN OHMEIN CONSTRUCTION LLC	4317 W SPARROW SPRINGS LOO	OUT OF BUSINESS	\$ 7.60
PB210717	51821	2013	STEVEN OHMEIN CONSTRUCTION LLC	4317 W SPARROW SPRINGS LOO	OUT OF BUSINESS	\$ 9.72
PB210717	51163	2014	STEVEN OHMEIN CONSTRUCTION LLC	4317 W SPARROW SPRINGS LOO	OUT OF BUSINESS	\$ 10.21
PB210717	51851	2015	STEVEN OHMEIN CONSTRUCTION LLC	4317 W SPARROW SPRINGS LOO	OUT OF BUSINESS	\$ 10.69
PB210717	51847	2016	STEVEN OHMEIN CONSTRUCTION LLC	4317 W SPARROW SPRINGS LOO	OUT OF BUSINESS	\$ 11.18
PB239235	51861	2016	STUDENT LOAN ASSISTANCE LLC	3189 KIRBY WHITTEN STE 2	OUT OF BUSINESS	\$ 2.92
PB204263	61718	2012	SUICYCLE CLOTHING LLC	4515 GREYSTONE OAKS CV	OUT OF BUSINESS	\$ 4.47
PB204263	51842	2013	SUICYCLE CLOTHING LLC	4515 GREYSTONE OAKS CV	OUT OF BUSINESS	\$ 5.83
PB204263	51072	2014	SUICYCLE CLOTHING LLC	4515 GREYSTONE OAKS CV	OUT OF BUSINESS	\$ 6.32
PB204263	51875	2015	SUICYCLE CLOTHING LLC	4515 GREYSTONE OAKS CV	OUT OF BUSINESS	\$ 6.80
PB204263	51874	2016	SUICYCLE CLOTHING LLC	4515 GREYSTONE OAKS CV	OUT OF BUSINESS	\$ 7.29
PB144416	43224	2007	SYLVIA'S HAIR SALON	5993 BARTLETT CENTER DR	OUT OF BUSINESS	\$ 15.71
PB144416	51638	2008	SYLVIA'S HAIR SALON	5993 BARTLETT CENTER DR	OUT OF BUSINESS	\$ 19.40
PB163638	50036	2014	TOTAL SOLUTIONS TECHNOLOGY	7715 HWY 70, STE 104	OUT OF BUSINESS	\$ 19.93
PB163638	52018	2015	TOTAL SOLUTIONS TECHNOLOGY	7715 HWY 70, STE 104	OUT OF BUSINESS	\$ 20.90
PB170445	41626	2006	UNIQUE PROFESSIONAL CLEANING SERV	4225 BROOKHILL LN	OUT OF BUSINESS	\$ 183.92
PB170445	43351	2007	UNIQUE PROFESSIONAL CLEANING SERV	4225 BROOKHILL LN	OUT OF BUSINESS	\$ 266.11
PB204307	51726	2009	W CONSULTING FIRM INC	6682 STONETRACE DR	OUT OF BUSINESS	\$ 23.24
PB243467	52174	2015	WOLFCHASE JAZZERCISE FITNESS	2965 N GERMANTOWN RD #113	OUT OF BUSINESS	\$ 4.37
PB230861	50274	2017	BARTLETT TOBACCO FINE CIGARS	7601 U S HIGHWAY 70, STE 106	OUT OF BUSINESS	\$ 24.71
PB248866	50393	2017	CAFÉ 4210, LLC	4210 ALTRURIA RD, STE. 104	OUT OF BUSINESS	\$ 39.53
PB229105	50582	2017	D-N-L AUTO TRANSPORT	2375 BARBARO DR	OUT OF BUSINESS	\$ 188.86
PB239235	51922	2017	STUDENT LOAN ASSISTANCE LLC	3189 KIRBY WHITTEN STE 2	OUT OF BUSINESS	\$ 3.29
B015700913	7895	2008	DAEDALUS INNOVATIONS	0 CROWELL	COUNTY OWNED	\$ 207.90
B015700913	6744	2009	DAEDALUS INNOVATIONS	0 CROWELL	COUNTY OWNED	\$ 201.15
B015700913	6872	2010	DAEDALUS INNOVATIONS	0 CROWELL	COUNTY OWNED	\$ 201.15
B015700913	6905	2011	DAEDALUS INNOVATIONS	0 CROWELL	COUNTY OWNED	\$ 201.15
B015700913	6942	2012	DAEDALUS INNOVATIONS	0 CROWELL	COUNTY OWNED	\$ 201.15

Attachment: Resolution Tax Writeoffs 2018.xlsx (2375 : Res 21-18 Property Tax Whiteoffs)

B015700913	7222	2013	DAEDALUS INNOVATIONS	0 CROWELL	COUNTY OWNED	\$	218.70
B015700913	12741	2014	DAEDALUS INNOVATIONS	0 CROWELL	COUNTY OWNED	\$	218.70
B015700913	7303	2015	DAEDALUS INNOVATIONS	0 CROWELL	COUNTY OWNED	\$	218.70
B015700913	7318	2016	DAEDALUS INNOVATIONS	0 CROWELL	COUNTY OWNED	\$	218.70
B0157J00001C	20138	2013	SHELBY COUNTY TAX SALE 13.04	0 STAGE RD	COUNTY OWNED	\$	822.31
B0157J00001C	14354	2014	SHELBY COUNTY TAX SALE 13.04	0 STAGE RD	COUNTY OWNED	\$	822.31
B0157J00001C	20374	2015	SHELBY COUNTY TAX SALE 13.04	0 STAGE RD	COUNTY OWNED	\$	822.31
B0157J00001C	20441	2016	SHELBY COUNTY TAX SALE 13.04	0 STAGE RD	COUNTY OWNED	\$	687.53
						\$	<u>7,973.05</u>

PROPERTY MAINTENANCE (GRASS) CHARGES
FOR B15700913 & B0157J00001C

\$ 11,491.40

\$ 19,464.45