From: Steve Rich [steve@sparksentp.com]
Sent: Wednesday, February 20, 2008 1:31 PM
To: brian.bacchus@memphisistn.gov
Cc: srich@richco.com; Ginger Rich
Subject: S.U.P. 08-205 CC

To whom it may concern:

Subject: S.U.P. 08-205 CC

1. I understand the public hearing for this case was postponed from Feb 14, 2008. **What is the new date?**
2. We would like to go on record as being opposed to this re-zoning request.
3. We reside on 8 acres in the Estates of Spring Mill – the subject property adjoins our neighborhood.
4. We perceive a major safety issue with Collierville Arlington Rd, this road is already heavily traveled and the proposed property is located in a bad curve of that road.
5. The surrounding area is agricultural and residential. Presently, numerous neighbors to this parcel including us, own horses and specifically purchased their property because of the agricultural zoning. Horses and sports lighted facilities are neither compatible nor consistent with anything in the general area.
6. The projected use and the sports lighting in addition to disrupting the environment (noise, visually and increased traffic), will also in my belief negatively impact the value of our property.
7. Certainly, a more suitable parcel of land is available to the church on which to conduct its activities.

Simply stated, we do not want a "Mike Rose type sports soccer facility" in an area zoned agricultural.

Thank you for permitting us to express our opinion.

Steve and Ginger Rich
280 Spring Run Lane
Eads, TN 38028
Phone: 901.854.1300
srich@srichco.com

From: Greg Hall [greg_hall_2003@yahoo.com]
Sent: Wednesday, March 12, 2008 9:24 PM
To: Bacchus, Brian
Subject: RE: S.U.P. 08-205 CC
Is there a hearing on March 13. If so, I have not received a notice.
If there is one, I would like to go on record, again, as adamantly opposing this special use permit. As the house directly across N. Collierville-Arlington Rd. I am opposed to the use of land in the Gray's Creek area for any purpose other than agricultural or residential.
Collierville-Arlington Rd. is a two-lane road and is to stay that way. This lighting of fields will perpetuate traffic patterns for which Collierville-Arlington Rd. is not equipped for. This is one of the last remaining rural areas of Shelby County. Allowing for use of property will lead to the erosion of this bucolic setting which will erode our property values. We are opposed to any use other than residential or agricultural.
Regards
Gregory J Hall
550 N Collierville-Arlington Rd.
Fisherville, TN
901 825-0054

Brian.Bacchus@memphistn.gov wrote:

> Hello Steve & Ginger Rich & Everyone,
> Thank you for inquiring and being involved in the planning process. Be advised, the Land Use Control Board on Feb. 14, 2008 held this case until its next regularly scheduled meeting on Thursday, March 13, 2008. You will receive Notice of Public Hearing if the applicant decides to move forward with this application for special permit. Attached is a copy of the February 14, 2008-Staff Report for your review, including City/County Engineer comments. Questions, pls cl or e-mail me. Thanking you again for being involved in the planning process. Sincerely,
>
> *Brian S. Bacchus, Principal Planner*
> *Land Use Control*
> *Office of Planning & Development*
> *125 N. Main Street-Suite 468*
> *Memphis, TN 38103*
> *Ph: (901)576-7120*
> *Fax: (901)576-7194*
> **brian.bacchus@memphistn.gov**
>
> ---
>
> **From:** Steve Rich [mailto:steve@sparksentp.com]
> **Sent:** Wednesday, February 20, 2008 1:31 PM
> **To:** brian.bacchus@memphisistn.gov
> **Cc:** srich@richco.com; Ginger Rich
> **Subject:** S.U.P. 08-205 CC
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> To whom it may concern:
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Thank you for permitting us to express our opinion.

Steve and Ginger Rich
280 Spring Run Lane
Eads, TN 38028
Phone: 901.854.1300
srich@srichco.com

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From: dwade@martintate.com
Sent: Wednesday, April 02, 2008 10:07 AM
To: Baker, Mary; amciinc@bellsouth.net
Cc: "'RWKIMLAW@aol.com '"@tun.com; clooney@lrk.com; clooney@lrk.com; dougd@boyle.com; Bacchus, Brian
Subject: RE: Help Please FW: Spring Mill Farms

Mary – Thanks for the request. Certain board members of the Gray's Creek Association met twice with the representatives of the applicant and reviewed the plan. At the request of the Association, the Church amended the plan by increasing planting, moving the lighted fields away from residences and agreeing to certain timing restrictions. Ron Kim, on behalf of the directly affected neighbors, also attended the meetings. Based on the revisions undertaken by the applicant, the Gray's Creek Association is now supporting the application. Ron will need to address whether the changes by the applicant have satisfied his clients. If you need more regarding the position of the Association, please let me know. As always, we appreciate the attention your office devotes to this important area of Shelby County.

David.

From: Mary.Baker@memphistn.gov [mailto:Mary.Baker@memphistn.gov]
Sent: Wednesday, April 02, 2008 9:22 AM
To: amciinc@bellsouth.net
Cc: "'RWKIMLAW@aol.com '"@tun.com; clooney@lrk.com; clooney@lrk.com; dougd@boyle.com; David Wade; Brian.Bacchus@memphistn.gov
Subject: RE: Help Please FW: Spring Mill Farms

David and other Grays Creek Board members,

Right now OPD does not have a position from the Gray's Creek Association on this application. It is scheduled to be considered by the Land Use Control Board on April 10, 2008. Please respond whether you have a position regarding this application. MaryB

From: David Sanders [mailto:amciinc@bellsouth.net]
Sent: Monday, February 04, 2008 8:59 PM
To: Baker, Mary
Cc: "'RWKIMLAW@aol.com '"@tun.com; 'Carson Looney'; 'Carson Looney'; 'Doug Dickens'; dwade@martintate.com
Subject: Help Please FW: Spring Mill Farms

Mary,

I just received this email – below – along with the attachment regarding a special use permit for athletic field lighting. The Gray's Creek Association was not notified and apparently very few residents were notified also. The attached document is only the first page of the staf report and this one page is apparently the only page received by the residents who DID receive notice.

The Gray's Creek Association respectfully requests a thirty day hold on this matter to allow the affected parties time to study and properly respond.

Thank you,

David Sanders
Gray's Creek Association

From: RWKIMLAW@aol.com [mailto:RWKIMLAW@aol.com]

From: David Baker [dbaker@fisherarnold.com]
Sent: Monday, April 07, 2008 8:38 AM
To: Bacchus, Brian
Subject: FW: First Baptist

Brian

Here is some information for your file. It is from the Spring Manor Subdivision listing their support . Please let me know if you have any questions.

thanks

David

From: RWKIMLAW@aol.com [mailto:RWKIMLAW@aol.com]
Sent: Friday, April 04, 2008 12:54 PM
To: dbaker@fisherarnold.com
Cc: greg.basye@respironics.com; ibj56@comcast.net; jhguasco@comcast.net; RCKADVANCED@aol.com; amciinc@bellsouth.net
Subject: Re: First Baptist

Dear David:

This is to confirm with you that SMF HOA does not oppose your plans with respect to the athletic fields based upon the conditions which you propose and the attached map illustrations.

Also, I trust you will contact those not in our subdivision on Collierville-Arlington that may have an interest in this matter.

We appreciate your effort in this matter and the effort of all those involved in the Church. In addition, we thank Grey's Creek for their involvement, input and recommendations.

By way of this email I am attaching your final documents so that Grey's Creek will know where we all stand.

Yery Truly Yours,

Ronald Kim,
President, SMF HOA

Ronald W. Kim
Attorney at Law
KIM & ASSOCIATES
An Association of Attorneys
241 Germantown Bend Cove
Cordova, Tennessee 38018
(901) 767-3520
(901) 755-3450 fax
1-877-859-3943 Toll Free
rwkimlaw@aol.com
www.ronkimlaw.com
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****

IRS Circular 230 Notice:

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in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

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ZONING RESOLUTION

WHEREAS, Sections 9 of the Zoning Ordinance-Regulations of the City of Memphis and Shelby County, being a section of the Joint Ordinance-Resolution No. 3064 dated October 6, 1980, authorized the Shelby County Board of Commissioners and the Memphis City Council to grant a Special Use Permit for certain stated purposes subject to standards of general applicability and any additional standards applicable to specific variations in the various zoning districts outside of but within five miles of the Memphis City limits; and

WHEREAS, Application has been made by ***'Collierville First Baptist Church'*** for a Special Use Permit with respect to the property located at the ***'west side of Collierville-Arlington Road; +/-5,600 feet south of Macon Road'*** within the Agricultural(AG) District for the purpose of establishing an ***'recreational and sports field lighting'***; and

WHEREAS, The Office of Planning and Development has reviewed the application in accordance with the Special Use Permit provisions of the Zoning Ordinance-Regulations and reported its findings and recommendations to the Land Use Control Board; and

WHEREAS, A public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on ***Thursday, April 10, 2008*** and said board has studied and reported its recommendation to the Board of Commissioners and the City Council regarding the following potential effects of granting the Special Use Permit on:

A. The character of the neighborhood, traffic conditions, public utility facilities and other matters pertaining to the public safety and general welfare;

B. The compatibility of the proposed building or use with the immediate vicinity and the potential interference of said building or use on the development or use of adjacent property;

C. The adequacy of public facilities including existing streets, parking, drainage, refuse disposal, fire protection, water and sewer or that such facilities will be provided;

D. The destruction, loss or damage to features of significant natural, scenic or historic importance from the proposed building or use; and

WHEREAS, The Memphis and Shelby County Land Use Control Board and/or the Memphis and Shelby County Office of Planning and Development has recommended certain conditions be attached to the Special Use Permit to reduce any potential adverse impacts of the existing buildings or uses on the neighborhood, adjacent property owners, public facilities and significant natural, scenic or historic features; and

WHEREAS, The Memphis and Shelby County Land Use Control Board has also determined that the existing buildings or uses complies with all additional standards imposed on it by the particular provision of Section 9 authorizing such particular Special Use Permit.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE AND THE COUNCIL OF THE CITY OF MEMPHIS, That a Special Use Permit is granted for ***'recreational and sports field lighting'*** in accordance with the site plan incorporated in the application, and subject to the attached conditions, all within the above mentioned Agricultural (AG) District.

BE IT FURTHER RESOLVED, That this Special Use Permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by the Board of Commissioners and the City Council have been met.

BE IT FURTHER RESOLVED, That this Resolution take effect from and after the date it shall have been passed by this Board of County Commissioners and by the Memphis City Council, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of the separate passage thereof by the Board of Commissioners of Shelby County, Tennessee, and the Council of the City of Memphis, the public welfare requiring same.

ATTEST:

cc: ***Office of Construction Code Enforcement***
City Public works (Admin)
Office of Planning and Development
Shelby County Assessor

S.U.P. 08-205 CC
Collierville First Baptist Church Special Permit

SITE PLAN CONDITIONS:

A ***Special Use Permit*** is hereby authorized to ***'Collierville First Baptist Church'*** to allow ***'recreational and sports field lighting'*** on property located at the ***'west side of Collierville-Arlington Road; +/-5,600 feet south of Macon Road'*** in accordance with an approved ***'site plan'*** and the following supplemental conditions:

I. Uses Permitted:

A. Recreational sports fields for three(3) ball fields and (3)three soccer fields, including an unlighted open play area associated with the future church facility.

B. A concessions and maintenance building.

C. Associated required parking and accessory structures for dugouts and associated facilities, including spectator and concession stands and bathroom facilities.

D. Recreation sports field lighting, except within four-hundred twenty(420') feet of the west property line and 130 feet of the south property line.

II. Access, Circulation and Parking:

A Dedicate forty-two(42') feet from the centerline of Collierville-Arlington Road.

B. The location, design and number of any curb-cut shall be subject to review and approval by the City/County Engineer.

C. All on-site parking spaces shall be provided, including required handicap parking and facilities in accordance with the Zoning Ordinance-Regulations and the Americans with Disabilities Act.

D. The entrance shall have a security gate and the athletic fields shall be fenced with black or green vinyl coated fencing.

III. Landscaping and Signs:

A. A fifty(50') foot Landscape Buffer Plate 'N-1' (modified) shall be provided along the east and west property lines to supplement existing vegetation and shall be installed at the time of installation of the recreational fields and facilities.

B. The existing mature trees and vegetation within the fifty(50') foot wide Landscape Buffer shall be preserved and maintained in a natural state along the east and west property lines and designated 'Undisturbed Natural Area', including the natural buffers along the south property line and along Collierville-Arlington Road.

C. A detailed Site/Landscape Plan shall be submitted for review and approval prior to the forwarding of this application to the legislative bodies.

D. One(1) detached sign a maximum of twelve(12) square feet in area shall be permitted for the recreational fields and facilities.

IV. Miscellaneous:

A. The seasons for recreational sports shall start late March through Mid-July for baseball and soccer shall start Mid-August and runs through November.

B. The field usage shall be week nights, except for Wednesday and Saturday nights.

C. The hours of operation shall be from 5:00 P.M. to 10:00 P.M. weeknights and 9:00 A.M. to 5:00 P.M. on Saturdays.

D. All activities shall be for the use of church league play and not for major regional tournaments. All events shall be scheduled through the church ministry office. The recreational fields shall not be rented for non-church related activities.

E. All recreational sports field lighting shall be controlled manually by staff and a timer system shall be provided for shut-off at the required times.

F. A staff person shall be on-site during the hours of operation and shall be in attendance for all events.

G. No motorized off-road vehicles, except for maintenance vehicles shall be allowed on the premises.

H. No public address system shall be allowed.

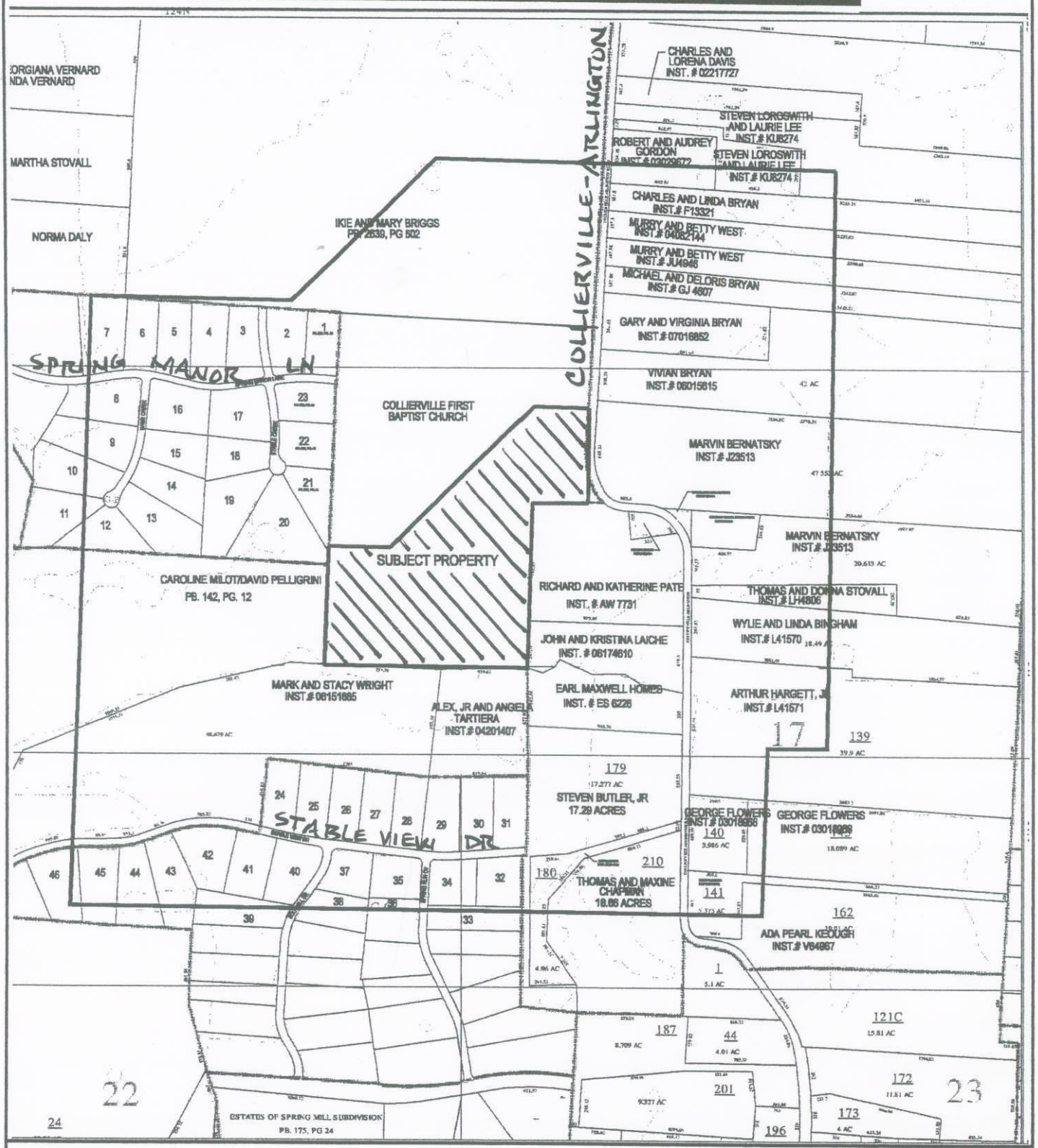
I. The concession and restroom facilities' septic systems shall be approved in accordance with the Memphis & Shelby County Health Department.

J. The brand of the recreational field lighting shall be the Musco Light Structure Green System as submitted with the application.

V. Recreational and sports field lighting shall be allowed for the above mentioned user and maintained in accordance with site plan conditions subject to administrative site plan review and approval and no zoning violations.

S.U.P. 08-205 CC
Collierville First Baptist Church Special Permit

O.P.D. Case Number S.U.P. 08-205 CC



VICINITY MAP

N

SCALE:
1" = ±800'

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