ITEM #: _____ **PREPARED BY: Brian S. Bacchus**

MOVED BY: _____ **APPROVED BY:_____**

A JOINT RESOLUTION PURSUANT TO SECTION 9 OF THE ZONING ORDINANCE-REGULATIONS OF THE COUNTY OF SHELBY AND THE CITY OF MEMPHIS, TENNESSEE, GRANTING A SPECIAL USE PERMIT FOR LAND LOCATED AT THE WEST SIDE OF COLLIERVILLE-ARLINGTON ROAD; +/-5,600 FEET SOUTH OF MACON ROAD KNOWN AS COLLIERVILLE FIRST BAPTIST CHURCH SPECIAL PERMIT, CASE NO. S. U. P. 08-205 CC

WHEREAS, Section 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 Special Use Permits 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 ***'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 existing buildings or uses within the immediate vicinity and the potential interference of said buildings or uses on the development or uses 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 existing buildings or uses; 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'*** at the ***'west side of Collierville-Arlington Road; +/-5,600 feet south of Macon Road'*** 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.

_____
A C Wharton, Jr., ***County Mayor***

Date: _____

ATTEST:

_____
Clerk of the County Commission

ADOPTED: _____

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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.

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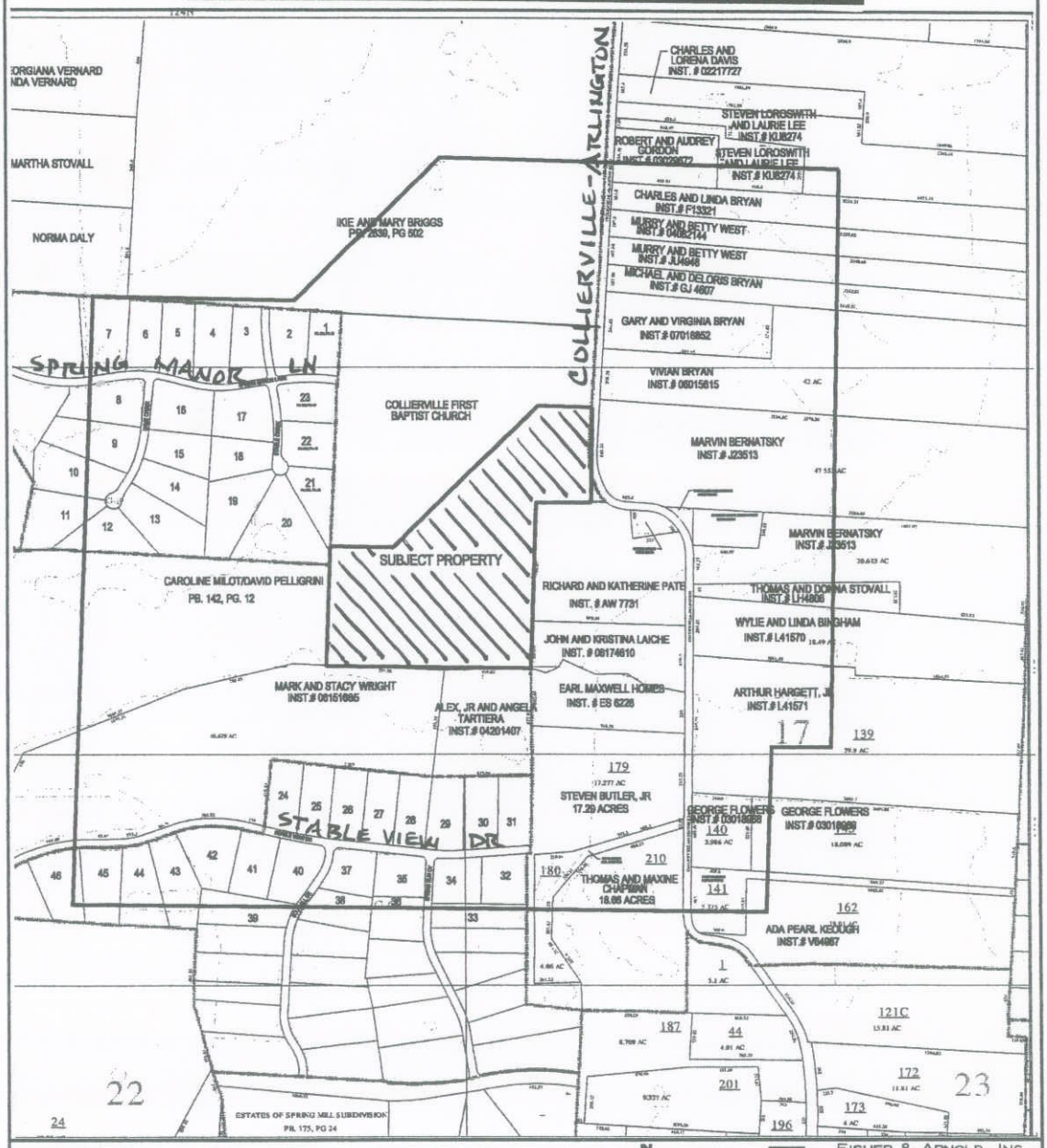
O.P.D. Case Number S.U.P. 08-205 CC



VICINITY MAP

N

SCALE: 1" = ±800'

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