GENERAL INFORMATION:

Street Frontage: Forest Hill-Irene Road----------+/-671.15 linear feet.
Mayfield Road----------68 feet of right-of-way.
Tennessee 385----------+/-1,464.68 linear feet.

Planning District: Collierville Planning District

Census Tract: 215.20

Zoning Atlas Page: 2455

Parcel ID: D02 57 003 60

Zoning History: In June , 2003 a plan amendment was approved to create a new Area 7A to allow Planned Commercial(C-P) uses; modify Areas 7 & 8 to allow single family homes with minimum lot sizes of 4,000 square feet; and to modify Area 6 to allow two(2) dwelling units per acre. In 1987 the Forest Creek Planned Development was approved for a golf course, residential and commercial with amendments approved in 1996 for a mixed-use plan and 2001 for a reduction in commercial Area 9 and construction of a stealth cellular tower 180 feet in height in Area 8. Prior to 1987, the Agricultural(AG), Floodplain(FP) and Floodway(FW) District zoning of the site dated to adoption of 1980 zoning map amendments.

DEPARTMENTAL COMMENTS:

The following comments were provided by agencies to which this application was referred:

Memphis City Engineer:

1. Standard Subdivision Contract as required in Section 500 of Subdivision Regulations.

2. This site is located in the Memphis Reserve Area.

Sewers:

3. City sanitary sewers are available at developer's expense.

4. The developer will be required to increase the existing sewer capacity to provide service to this many units, and a sanitary sewer extension may be required.

Roads:

5. The internal street that connects Forest Hill Irene Road to both Shelby Drive and Mayfield Road shall be a public road, constructed to urban standards as a collector street and shall be improved in accordance with Subdivision Regulations.

6. Traffic circles, if approved, shall have a minimum diameter of 150 feet.

7. Any private drive connections juxtaposed across from each other along the central collector street shall be aligned with their corresponding access point. No offsets will be approved.

8. Internal connections of private drives may be located as shown in the middle of a traffic circle, provided that the splitters are constructed on either approach consistent with that as shown on the mainline of the traffic circle.

9. The developer shall provide the city/county engineers with signing and striping plans for the traffic circles.

10. All street geometry shall meet the requirements of the subdivision regulations.

11. All private drives/rear service drives shall be constructed to meet pavement requirements of the Subdivision Regulations, applicable City Standards, and provide a minimum width of twenty-two feet (22').

Curb Cuts/Access:

12. The City/County Engineer shall approve the design, number and location of curb cuts.

13. Any existing nonconforming curb cuts shall be modified to meet current City/County Standards or closed with curb, gutter and sidewalk.

Drainage:

14. Drainage improvements, including on-site detention, shall be provided under a Standard Subdivision contract in accordance with Subdivision Regulations and the City of Memphis Drainage Design Manual.

15. Drainage data for assessment of on-site detention requirements shall be submitted to and approved by the City Engineer.

16. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

Site Plan Notes:

17. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.

18. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.

19. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

General Notes:

20. The width of all existing off-street sewer easements shall be widened to meet current city standards.

21. No other utilities or services may occupy sanitary sewer easements in private drives and yards except for crossings.

22. All connections to the sewer shall be at manholes only.

23. All commons, open areas, lakes, drainage detention facilities, private streets, private sewers and private drainage systems shall be owned and maintained by a Property Owner's Association. A statement to this effect shall appear on the final plat.

24. Required landscaping shall not be placed on sewer or drainage easements.

Shelby County Engineer: No comments received as of 12/05/'08.

Shelby County Fire Department: No comments received.

Memphis & Shelby County Health Department- No objections.

Shelby County Board of Education: No comments received as of 12/05/'08.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water:

MLGW has reviewed the referenced application, and has <u>no objection, subject to the following conditions:</u>

- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- **It is the responsibility of the owner/applicant** to comply with **Memphis/Shelby County Zoning Ordinance - Landscape and Screening Regulations. Landscaping is prohibited** within any MLGW utility easement without prior approval.
- **It is the responsibility of the owner/applicant** to contact **TN-1-CALL** @ 1.800.351.1111, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc
- **It is the responsibility of the owner/applicant** to submit a detailed plan to MLGW Engineering for the purposes of determining the availability and capacity of existing utility services to serve any proposed or future development(s).
- **Fire Protection Water Services**: **It is the responsibility of the owner/applicant** to contact MLGW - **Water Engineering** @ 528-4720 to obtain fire protection/water flow information. If water main extensions and/or an increase in existing main sizes are needed to meet the minimum fire flow rate to serve the proposed development, the owner/applicant will be responsible for the cost of these improvements.
    - Please refer to <u>Section 12.1.1 and Appendix A</u> of the **MLGW Water Service Policy Manual**, which is available online at the following MLGW website: <u>http://www.mlgw.com/images/water_manual.pdf</u>

MLG & W continued:

- **It is the responsibility of the owner/applicant** to contact the appropriate MLGW engineering area to determine if system improvements may be required and any related cost:
  - MLGW Engineering - **Residential Development**: 528-4858
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

AT&T: No comments received as of 12/05/'08.

Memphis Area Transit Authority (MATA): No comments received.

OPD-Regional Services: The MPO has no comment on this PD.

OPD-Plans Development: No comments.

Neighborhood Association/Organizations:

Collierville Station Ngh'd Association: *See attached letters.*
Barkley Square Ngh'd Association: *See attached letters.*
Barkley Estates Ngh'd Association: *See attached letters.*

Lakes of Forest Hill Ngh'd Association: *See attached letters.*
Cotton Plant Farms Ngh'd Association: *See attached letters.*
Southeast Shelby Coalition: *No comments received as of 12/05/'08.*
Irene Ngh'd Association: " "

Town of Collierville: No comments received as of 12/05/'08.

Staff: bb

Bacchus, Brian

From: Baker, Mary
Sent: Monday, November 03, 2008 10:54 AM
To: 'AnnMarie.Thornhill@ipaper.com'; 'dnns@comcast.net'; 'gbarnett@hotmail.com'; 'james.S.scott@comcast.net'
Cc: Bacchus, Brian
Subject: RE: Protest Proposed Rezoning

Ann Marie,

Thank you all for your messages concerning the proposed amendment of the Forest Creek Planned Development. I also see that you have formed the Barkley Square Neighborhood association so we can keep you informed of all land use and planning related activities within or near your area. Brian Bacchus is the planner reviewing this application. He will keep you informed as this application proceeds through the process and make sure you get a copy of our staff report as soon as it is complete and official. MaryB

—Original Message—
From: AnnMarie Thornhill [mailto:AnnMarie.Thornhill@ipaper.com]
Sent: Sunday, November 02, 2008 2:59 PM
To: Baker, Mary
Cc: Bacchus, Brian; gbarnett00@hotmail.com
Subject: Protest Proposed Rezoning

(See attached file: Protesting_Proposed_Rezoning.doc)

November 3, 2008

Dear Mr. Brian Bacchus;

I am writing to protest The Forest Creek Mixed Use Community proposal and the rezoning of the property at the southeast corner of Forest Hill-Irene Road and Shelby Drive. The proposed rezoning calls for it to be changed from office use and Commercial property to Residential use. This proposal is clearly not in the interest of the adjacent Forest Creek Planned Development residents who all live in single- family homes. This proposal calls for Mayfield Road to be opened and used as a throughway to the site. Also I am concerned that this project is expected to be built in phases lasting possibly three to five years. This would mean ongoing construction traffic and flying dirt for some time as each phase adds its' resident traffic. Also, with the present uncertain economy this could be a stop and go project with an unpaved street and uncompleted apartment buildings.

I hope I can count on you to convince the other members of the Memphis-Shelby County Office of Planning and Development that this proposal is undesirable.

Thank you for your consideration of my views.

Sincerely,

Ann Marie & Terry Thornhill

9385 Barkley Dale Drive

Collierville, TN 38017

901-758-8748

annmarie.thornhill@ipaper.com

cc: Brian.bacchus@memphistn.gov
Mary.baker@memphistn.gov

November 3, 2008

Dear Mr. Brian Bacchus;

I am writing to protest The Forest Creek Mixed Use Community proposal and the rezoning of the property at the southeast corner of Forest Hill-Irene Road and Shelby Drive. The proposed rezoning calls for it to be changed from office use and Commercial property to Residential use. This proposal is clearly not in the interest of the adjacent Forest Creek Planned Development residents who all live in single- family homes. This proposal calls for Mayfield Road to be opened and used as a throughway to the site. Also I am concerned that this project is expected to be built in phases lasting possibly three to five years. This would mean ongoing construction traffic and flying dirt for some time as each phase adds its' resident traffic. Also, with the present uncertain economy this could be a stop and go project with an unpaved street and uncompleted apartment buildings.

I hope I can count on you to convince the other members of the Memphis-Shelby County Office of Planning and Development that this proposal is undesirable.

Thank you for your consideration of my views.

Sincerely,

Dennis L. Collins

9414 Barkley Dale Cove

Collierville, TN 38017

901-896-8500 or dnns@comcast.net

November 3, 2008

Dear Mr. Brian Bacchus;

I am writing to protest The Forest Creek Mixed Use Community proposal and the rezoning of the property at the southeast corner of Forest Hill-Irene Road and Shelby Drive. The proposed rezoning calls for it to be changed from office use and Commercial property to Residential use. This proposal is clearly not in the interest of the adjacent Forest Creek Planned Development residents who all live in single- family homes. This proposal calls for Mayfield Road to be opened and used as a throughway to the site. Also I am concerned that this project is expected to be built in phases lasting possibly three to five years. This would mean ongoing construction traffic and flying dirt for some time as each phase adds its' resident traffic. Also, with the present uncertain economy this could be a stop and go project with an unpaved street and uncompleted apartment buildings.

I hope I can count on you to convince the other members of the Memphis-Shelby County Office of Planning and Development that this proposal is undesirable.

Thank you for your consideration of my views.

Sincerely,

Gregorio Barnett

9403 Barkley Manor Cove

Collierville, TN 38017

901-457-7754 or gbarnett00@hotmail.com

November 3, 2008

Dear Mr. Brian Bacchus;

I am writing to protest The Forest Creek Mixed Use Community proposal and the rezoning of the property at the southeast corner of Forest Hill-Irene Road and Shelby Drive. The proposed rezoning calls for it to be changed from office use and Commercial property to Residential use. This proposal is clearly not in the interest of the adjacent Forest Creek Planned Development residents who all live in single- family homes. This proposal calls for Mayfield Road to be opened and used as a throughway to the site. Also I am concerned that this project is expected to be built in phases lasting possibly three to five years. This would mean ongoing construction traffic and flying dirt for some time as each phase adds its' resident traffic. Also, with the present uncertain economy this could be a stop and go project with an unpaved street and uncompleted apartment buildings.

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Thank you for your consideration of my views.

Sincerely,

Steven Wallace

9423 Barkley Manor Cove

Collierville, TN 38017

901-734-4790 s3wallace@yahoo.com

cc: Brian.bacchus@memphistn.gov
Mary.baker@memphistn.gov

Bacchus, Brian

From: kendrasimmons@bellsouth.net
Sent: Monday, November 03, 2008 7:19 PM
To: Bacchus, Brian
Cc: Baker, Mary
Subject: The Forest Creek Mixed Use Community

November 3, 2008

Dear Mr. Brian Bacchus;

I am writing to protest The Forest Creek Mixed Use Community proposal and the rezoning of the property at the southeast corner of Forest Hill-Irene Road and Shelby Drive. The proposed rezoning calls for it to be changed from office use and Commercial property to Residential use. This proposal is clearly not in the interest of the adjacent Forest Creek Planned Development residents who all live in single- family homes. This proposal calls for Mayfield Road to be opened and used as a throughway to the site. Also I am concerned that this project is expected to be built in phases lasting possibly three to five years. This would mean ongoing construction traffic and flying dirt for some time as each phase adds its' resident traffic. Also, with the present uncertain economy this could be a stop and go project with an unpaved street and uncompleted apartment buildings.

I hope I can count on you to convince the other members of the Memphis-Shelby County Office of Planning and Development that this proposal is undesirable.

Thank you for your consideration of my views.

Sincerely,

Carlos Simmons

9362 Barkley Hall Drive

Collierville, TN 38017

901-759-9922 Email:los185@bellsouth.net