

FOGELMAN INVESTMENT COMPANY

744 SOUTH WHITE STATION ROAD
MEMPHIS, TENNESSEE 38117 U.S.A.
901-761-0900 · FAX 901-761-1272
FIC@FogelmanInvestments.com

November 2, 2015

City of Germantown
Planning Commission
1930 South Germantown Road
Germantown, TN 38138-2815

SENT VIA E-MAIL

RE: Travure PUD Project (Case Number 15-524)

Members of the City of Germantown Planning Commission:

As you know, we are the owners of the 8.213 acre parcel immediately west of the proposed Travure PUD and have a material interest in a coordinated plan for the comprehensive success of the entire Western Gateway. When approached by the City of Germantown to participate in the Western Gateway planning process, we willingly joined in a process that proved to be both strategic and harmonious. The City and several property owners all invested in the process and all worked together to arrive at a plan that could create a superb Western Gateway to Germantown and greater benefit for the community and all stakeholders.

Once the Western Gateway plan was approved though, harmony disappeared as Gill Properties (“Gill”) set out to design and push through a plan for its own site that fails to adequately address the entire Gateway or even the properties directly adjacent. I first met with the Travure team on March 4, 2015. At that time, I expressed my disapproval of their proposed circulation plan. From that time to the present, Gill has continued to push a plan that fails to address our basic and repeatedly stated concerns regarding various circulation issues that affect all properties adjacent to the Travure site. The manner in which their plan has been developed is antithetical to what was intended for the Western Gateway.

In the spirit of the Western Gateway planning process, I recently took the initiative to propose a revised traffic circulation plan which would better serve the needs of the entire Western Gateway, not just the Gill site. This new plan is outlined on *attached Exhibit A*. You will see that this plan calls for a thirty-six (36) foot roadway to be constructed almost entirely on our Westminster Townhomes property adjacent to the boundary line. To the south, this drive will connect to the proposed east-west stub in the already approved Travure Phase I plan. To the north, this drive will line up with the existing Forum/Atrium driveway along the north side of Poplar Avenue. You will also see that this drive alignment will lead to the demolition of several of our income-producing rental

units. **We are prepared for this to happen immediately so that the new proposed drive can be constructed as part of the initial phase of the Travure development.**

There are many benefits of this alternate roadway layout but three (3) are especially worthy of mention:

1. The existing regulations, by right, provide that we could develop up to five hundred thousand (500,000) square feet of Class A office space with a +/- one thousand (1,000) car capacity garage as depicted on *attached Exhibit B*. As I mentioned at the recent Smart Growth sub-committee meeting, this volume of traffic could potentially overpower the traffic capacity of the proposed Travure development and the remainder of the Western Gateway if all the traffic from our possible future development is forced to exit through the proposed central drive of Travure. The Gill plan will force all traffic seeking to enter or exit the Western Gateway by navigating Gill's proposed twenty-six (26) foot wide corridor which has diagonal parking on both sides. The Gill plan is woefully inadequate to handle more than nine (9) or ten (10) cars waiting to turn west onto Poplar while backed up in one lane between diagonal parking spaces. The +/- 1,000 spaces on our site plus Gill's 468 garage spaces and 200+ surface spaces would certainly overtax Gill's primary ingress/egress corridor.
2. If this drive we propose is added, a traffic light could be procured immediately and would better serve the entire Western Gateway as well as the group of Forum/Atrium office buildings which have a matching curb cut on the north side of Poplar Avenue. The proposed location of the traffic light at the Travure central drive location is nothing more than a hope in the future if and when there is enough density on the Travure site to warrant a light. By lining up with the Forum/Atrium drive, a traffic light could be acquired more quickly which would ultimately lead to greater success for the Travure development and the entire Western Gateway. Additionally, the drive we propose is located practically at the midpoint between Kirby Parkway and the easternmost end of the Western Gateway, and is a logical midpoint access for the Western Gateway east of Kirby, with the added planning feature of lining up with an existing curb cut on the north side of Poplar Avenue.
3. In contrast, the Gill circulation plan provides only for Gill's site and limits possible access points to and from Poplar Avenue for our site. Gill places one of its three (3) curb cuts immediately adjacent to our east line. Classic planning usually requires that any curb cut on our own site would then have to be located significantly west of Gill's curb cut meaning that our curb cut would have to be even closer to the major intersection with Kirby Parkway.

What we are proposing here is ultimately a more strategic circulation plan for the eastern end of the Western Gateway which has the added benefit of allowing the Travure project to proceed largely as designed to date. This plan was presented to Gill this past Friday (10/30/15). I regret to inform you they are unwilling to consider the proposed plan. At

every turn, Gill will only consider their site while patently ignoring the adjacent property owners' concerns.

We urge the Planning Commission to take the initiative to require further study of our revised circulation proposal. As mentioned previously and repeatedly, we only get **one chance** to get the Western Gateway right. The Gill circulation plan is inconsistent with the spirit and intent of a coordinated plan for the entire Western Gateway, and it severely jeopardizes the potential of the Western Gateway for the entire community. The Western Gateway is a key economic development generator for the City of Germantown, its residents, and its property owners. Please take the time now to ensure the current and future success of the entire Western Gateway.

Respectfully submitted,

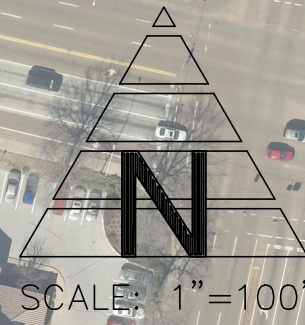


Robert F. Fogelman II
President

Attachments

cc: Mr. Cameron Ross
Mr. Harvey Marcom
Mr. Boyd Rhodes, Esq.

Exhibit "A" Westminster Re-Development Roadway Impact Plan



gregm 11x17 C:\D-Drive\2014\Fogelman - Westminster\Fogelman New Drive.dwg Nov 02, 2015 - 3:05pm

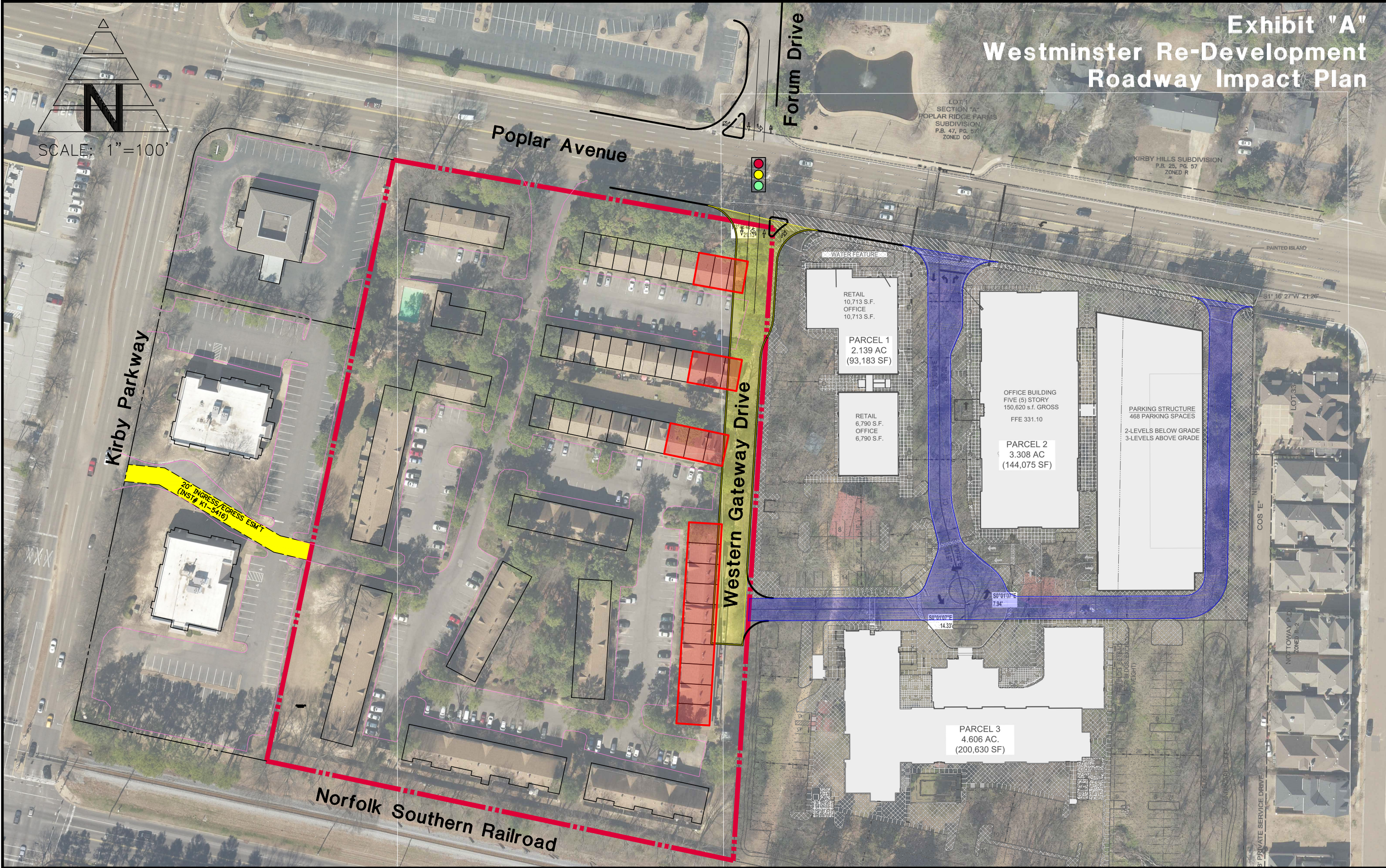
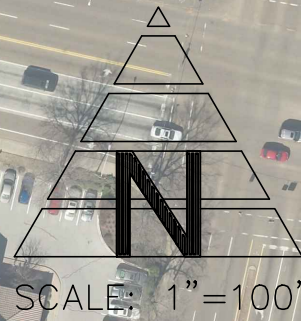


Exhibit "B" Westminster Re-Development Conceptual Site Plan

8.2 acres of developable land
Zoned T5 and T6
500,000 Sq.Ft. of Class "A" office
1000 +/- space parking garage



Kirby Parkway

Norfolk Southern Railroad

Poplar Avenue

Western Gateway Drive

Forum Dr

