

Town of Arlington

5854 Airline Road, Arlington, TN 38002



Planning Commission February 16, 2016 6:30 P.M. Meeting Minutes

I. Invocation

The opening prayer was led by Russell Wiseman.

II. Call to Order and Roll Call

Chairman Russ Campbell called the meeting to order and noted that a quorum was present.

Present

Russ Campbell, Chairman
Glen Bascom, Secretary
Oscar Brooks, Alderman
Don Hinkle
Tommy White – late
Russell Wiseman

Others Present

Angela Reeder, Town Planner
Hannah Taylor, Planning Clerk
Cathy Durant, Town Administrator
Gerald Lawson, Town Attorney
Jason Allen, Engineer
See list

Absent

Lee Mills – excused

III. Approval of Minutes from the December 21, 2015 Meeting

Motion: Glen Bascom made a motion to approve the minutes of the December 21, 2015 meeting.
Don Hinkle seconded the motion.

Vote on Motion: The motion carried unanimously.

IV. Comments from Citizens

Chairman Campbell invited anyone wishing to address the Commission to please come forward and state his/her name and address for the record.

There were no comments.

V. Old Business

A. Other as Properly Presented

There was no old business to come before the Commission.

VI. New Business

A. Windsor Place, 1st Addition – South side of Forrest Street, West of Windsor Place PD, Phase 1 – Amendment to Condition of Approval

Chairman Campbell recognized Angela Reeder, Town Planner, who provided an analysis (on file) and stated this is a request for an amendment to the conditions of approval for the Windsor Place, 1st Addition development. The applicant, Mr. Ronnie Faulkner, is asking for approval to authorize the use of square concrete light poles with cobrahead streetlights consistent with the adjacent Windsor Place development. The Subdivision Regulations require decorative streetlights for all subdivision and developments, and specifically state Green Post Top fixtures or Beale Street fixtures shall be used where appropriate. The Town added this language in 2011, and since then only three (3) new subdivisions have been processed to the point of requiring street light installation. Staff has asked that white posts be used in those subdivisions, as opposed to green, in order to closer match the adjoining subdivisions with square concrete poles. Ms. Reeder informed the committee that there is a price difference between the two (2) light standards, as well as a difference in the number of light poles required. Since the code notes that the Planning Commission may consider deviations from this decorative street light requirement, Staff recommended the applicant submit his request for consideration. Staff recommended that if the Commission were to approve the request, it be subject to Staff conditions and any other conditions levied by the Planning Commission.

Main Motion: Oscar Brooks made a motion to approve the amendment to the Conditions of Approval for Windsor Place, 1st Addition, subject to Staff conditions and added conditions levied by the Planning Commission. Glen Bascom seconded the motion.

Glen Bascom asked Staff what subdivisions in Town have installed the post top lights since the Subdivision Regulations were amended. Ms. Reeder answered that none have been installed within any new developments, but the Forrest Grove subdivision does have those particular streetlights. Chairman Campbell confirmed with Staff that, after streetlights are installed and the HOA takes control of a subdivision, the lights become the Town's responsibility. Mr. Bascom asked Staff if they could bring back a proposal to change the light standards at a later date. Russell Wiseman remembers discussing the change to streetlights while he was Mayor, but did not recall ever voting on the issue. Chairman Campbell called for further discussion, and hearing none, he called for a vote on the main motion.

Vote on Motion: The motion carried with a vote of 5 – yes and 1 – no.

Conditions of Approval:

1. Construction and improvement plans shall conform to all requirements of the Town of Arlington Subdivision Regulations, with the exception of decorative streetlights. The project shall instead utilize 30' square concrete poles with cobra head lights that mirror those in Windsor Place.
2. All previous conditions of approval shall continue to apply.

B. Arlington Automotive – 5769 Airline Road – Site Plan for Accessory Building

Chairman Campbell recognized Angela Reeder, Town Planner, who provided an analysis (on file) and informed the committee that this is a request for approval of a site plan to add a second building at the rear of Arlington Automotive's site. The 4,200 square foot building will add seven (7) additional auto repair bays and storage space, and there will also be the addition of striped parking spaces between the buildings. The proposal does not add a new use to the site, but

rather allows for an expansion of the existing business and removal of the shipping containers currently being used for on-site storage. The site plan provides a total of forty-four (44) parking spaces, including fourteen (14) standard and two (2) handicap spaces for customers and twenty-eight (28) spaces at the rear for employees and customer vehicles. No proposed grading or impact to drainage is anticipated, as the proposed building and parking area will occur on an area that is already paved. Since a restroom is proposed in the northwest corner of the building, the applicant is planning to install a pump station and force main to service the new building to the east side of Airline Road. Ms. Reeder informed the committee that the applicant is currently working with Staff on alternative solutions that instead use a gravity force main and cut across the rear of the adjacent properties to Memphis-Arlington Road. Staff asked to add an additional condition requiring the applicant to work with Staff and a Licensed Engineer to work out the sewer issues; Staff recommended approval of the site plan with conditions.

Main Motion: Russell Wiseman made a motion to approve the Site Plan for Arlington Automotive, subject to Staff conditions and added PC conditions. Glen Bascom seconded the motion.

Mr. Bascom asked Ms. Reeder if she could elaborate more on the sewer issues. Ms. Reeder explained that if it is found that the applicant must connect to the sewer on the east side of Airline Road, then it will be a permanent force main with a pump station. If connecting to Memphis-Arlington is the more logical option, then a twenty (20') foot wide public sanitary sewer easement will be recorded on both Arlington Automotive's and the Town's property. Jason Allen, Engineer, added that if the applicant chooses to install the force main, it would be the responsibility of the property owner to maintain. He advised the applicant to work with Staff to resolve the issue; the applicant agreed.

Chairman Campbell called for further discussion, and hearing none, he called for a vote on the main motion with the added condition.

Vote on Motion: The motion carried unanimously.

Conditions of Approval:

Standard Conditions:

- S-1. It is found that the application as presented and with the conditions of approval meets the provisions of the Town of Arlington Zoning Ordinance and any other applicable regulations, and the project shall be constructed in accordance with those regulations.
- S-2. All construction improvements within the development shall be in compliance with the Town of Arlington Zoning Ordinance, Subdivision Regulations and Technical Specifications, as directed and approved by the Town Engineer, unless otherwise noted on the Site Plan.
- S-3. This project must comply with the Tennessee Department of Environment and Conservation NPDES Regulations governing stormwater discharge during construction activity.
- S-4. Erosion control measures as approved by the Town Engineer shall be implemented in compliance with the applicant's construction plans prior to any construction activity.
- S-5. All signage design and location is subject to the review and approval of the Design Review Committee.
- S-6. The applicant is required to have a pre-construction meeting with the Town of Arlington staff prior to commencing improvements.
- S-7. A separate application shall be submitted to the Design Review Committee for consideration of building elevations, landscape plans, and signage.
- S-8. The applicant's design professional shall address all conditions and staff markings and those revisions shall be approved by Staff.

Project Specific Conditions:

- P-1. Any new or reconstructed sidewalk paths across a driveway shall be ADA compliant.
- P-2. The applicant will be responsible for maintenance of the sewer grinder pump on the site. The Town's maintenance responsibility for sewer will stop at the public right-of-way as it does with all sewer lines.
- P-3. The applicant will be responsible to dedicate a 20' wide public sanitary sewer easement to the Town across the rear of the lot.
- P-4. Use of the expansion as requested is contingent upon resolving the expansion's sewer service based on recommendations of the applicant's licensed civil engineer and approval of the Town Engineer.**

C. Lab Express – Eastridge Business Park – North side of Highway 64, West of the Shelby/Fayette County Line – Site Plan

Chairman Campbell recognized Angela Reeder, Town Planner, who provided an analysis (on file) and advised that this is a request for site plan approval for Laboratory Express, an 8,086 square foot office and laboratory with an attached 3,341 sq. ft. garage on Lot 2 of the Eastridge Business Park. Since no public sewer is available in the area, a septic system is planned to accommodate the laboratory; the design of the septic system must be approved by the Shelby County Health Department. The site will have access through a private driveway from Cypress Ridge Drive. The drive will connect the front parking lots of the building with a garage and additional parking at the rear. Laboratory vehicles will load in the garage area from the rear of the site. Drainage for the site is divided into two (2) areas – the east half conveyed toward a stormwater detention basin along the northern street frontage and the west half toward a private drainage easement at the rear of the site. Staff recommended approval of the site plan with conditions, and advised the committee that the applicant was available for questions.

Main Motion: Tommy White made a motion to approve the Site Plan for Laboratory Express, subject to Staff conditions and any added PC conditions. Don Hinkle seconded the motion.

Russell Wiseman was curious to why there was no second access point to the site; Ms. Reeder explained that delivery drivers would be able to enter through one side of the garage and exit through the other, which should make traffic flow smoothly on the site. Chairman Campbell called for further discussion, and hearing none, he called for a vote on the main motion.

Vote on Motion: The motion carried unanimously.

Conditions of Approval:

Standard Conditions:

- S-1. It is found that the application as presented, with plans dated February 3, 2016, and with the conditions of approval meets the provisions of the Town of Arlington Zoning Ordinance and any other applicable regulations, and the project shall be constructed in accordance with those regulations.
- S-2. All construction improvements within the development shall be in compliance with the Town of Arlington Zoning Ordinance, Subdivision Regulations and Technical Specifications, as directed and approved by the Town Engineer, unless otherwise noted on the Site Plan.

- S-3. This project must comply with the Tennessee Department of Environment and Conservation NPDES Regulations governing stormwater discharge during construction activity.
- S-4. Prepare and submit to the State of Tennessee (with a copy to Arlington) a notice of intent and a Stormwater Pollution Prevention Plan for the site.
- S-5. Erosion control measures as approved by the Town Engineer shall be implemented in compliance with the applicant's filed Notice of Intent, and approved Notice of Coverage prior to any earth disturbance activity.
- S-6. All signage design and location is subject to the review and approval of the Design Review Committee.
- S-7. The applicant is required to have a pre-construction meeting with the Town of Arlington staff prior to commencing improvements.
- S-8. The applicant's design professional shall address all conditions and staff markings and those revisions shall be approved by Staff.

Project Specific Conditions:

- P-1. Add a signature line for the Town Engineer on the site plan and all civil plans.
 - P-2. No signage on this plan is approved with this application. A separate application shall be submitted to the Design Review Committee for consideration.
 - P-3. Prior to receiving final occupancy, sidewalks and landscaping shall be installed across the street frontage of the lot in conformance with requirements of the recorded plat for the Eastridge Business Park. The sidewalk shall tie to the existing sidewalk to the south.
 - P-4. The sidewalk path across the driveway shall be ADA compliant.
 - P-5. The septic system design must be approved by the Health Department, and all Health Department conditions of approval must be added to the plans before the mylars are signed by the Town.
- D. Advanced Dermatology and Skin Care Association, LLC – Northwest corner of Milton Wilson Boulevard and Airline Road – Site Plan

Chairman Campbell recognized Angela Reeder, Town Planner, who provided an analysis (on file) and advised that this is a request for a 14,144 square foot, single-story medical office on 1.4 acres. The property is currently undeveloped and is located in the SC: Shopping Center Zoning District. The building will be situated along the Airline Road street frontage with parking located to the rear of the building. Although two (2) driveways, one on each road frontage, were originally proposed, the drive on Milton Wilson was removed because it was too close to the intersection. As a result, a hammerhead turnaround is now proposed at the south end of the parking lot. The applicant is requesting 9' x 18' parking stalls, which are smaller than the standard 9' x 20', but has proposed a 26' drive aisle instead of the standard 24'. Due to the extensive amount of grading on the site, all of the identified trees will be removed, but there will be a 25' streetscape buffer along both Airline Road and Milton Wilson Boulevard. The site also includes two (2) stormwater detention areas, one along each road frontage. Staff recommended approval of the site plan with conditions, and advised the committee that the applicant was available for questions.

Main Motion: Don Hinkle made a motion to approve the Site Plan for the Advanced Dermatology and Skin Care Associates, LLC, subject to Staff conditions and any added conditions levied by the Planning Commission. Russell Wiseman seconded the motion.

Ms. Reeder informed the committee that fellow commissioner Lee Mills had contacted her before the meeting and voiced his concerns with the site plan. He asked whether a second driveway could be added and if the site could be revised to place parking in front of the building. Chairman

Campbell and Russell Wiseman both questioned the placement of the hammerhead turnaround on the site. Kevin Ledford of Ledford Engineering and Planning, 5567 Commander Drive, explained that Mr. Dick Leike, owner of the adjacent property, had given his client permission earlier in the day to build a fifty (50') access drive to Milton Wilson on his property. The drive will be a stub street for Mr. Leike's property until it develops in the future. Gerald Lawson, Town Attorney, suggested adding a condition of approval stating that a second driveway shall be added to provide access from Milton Wilson Boulevard from the adjacent property. The committee was concerned that the drive could not be full access because of its proximity to the intersection. Mr. Ledford explained that the adjacent property was a flag lot, so its purpose was to provide access to the lot and surrounding lots. Staff reassured the Commission that plans for the drive would need to be submitted to the Town Engineer for final review and approval.

Primary Amendment: Chairman Campbell made a motion to amend the main motion and add condition P-6 regarding the access drive to Milton Wilson. Oscar Brooks seconded the motion.

Vote on Primary Amendment: The motion passed unanimously.

Chairman Campbell called for further discussion, and hearing none, he called for a vote on the main motion as amended.

Vote on Motion as Amended: The motion carried unanimously.

Conditions of Approval:

Standard Conditions:

- S-1. It is found that the application as presented, with plans dated February 5, 2016, and with the conditions of approval meets the provisions of the Town of Arlington Zoning Ordinance and any other applicable regulations, and the project shall be constructed in accordance with those regulations.
- S-2. All construction improvements within the development shall be in compliance with the Town of Arlington Zoning Ordinance, Subdivision Regulations and Technical Specifications, as directed and approved by the Town Engineer, unless otherwise noted on the Site Plan.
- S-3. This project must comply with the Tennessee Department of Environment and Conservation NPDES Regulations governing stormwater discharge during construction activity.
- S-4. Prepare and submit to the State of Tennessee (with a copy to Arlington) a notice of intent and a Stormwater Pollution Prevention Plan for the site.
- S-5. Erosion control measures as approved by the Town Engineer shall be implemented in compliance with the applicant's construction plans prior to any construction activity.
- S-6. All signage design and location is subject to the review and approval of the Design Review Committee.
- S-7. The applicant is required to have a pre-construction meeting with the Town of Arlington staff prior to commencing improvements.
- S-8. The applicant's design professional shall address all conditions and staff markings and those revisions shall be approved by Staff.

Project Specific Conditions:

- P-1. No signage on this plan is approved with this application. A separate application shall be submitted to the Design Review Committee for consideration.
- P-2. The sidewalk path across the driveway shall be ADA compliant.

- P-3. Coordinate with MLGW regarding any adjustment and/or relocation of power poles on the site. Furnish documentation to the Town that this coordination has been done.
- P-4. Revise the Construction Plans to address comments as noted on the marked-up plan sheets provided by the Town Engineer.
- P-5. An off-site temporary construction easement shall be obtained from the adjacent property owners for any construction outside of the site boundary.
- P-6. Secondary driveway access from Milton Wilson Boulevard shall be provided through a shared access easement on the adjacent property to the west, subject to the review and approval of the Town Engineer.**

E. Airline Road PD, Phase 1 – also known as the Shops of Arlington – Southeast corner of Milton Wilson Boulevard and Airline Road – Master Development Plan

Chairman Campbell recognized Angela Reeder, Town Planner, who provided an analysis (on file) and advised that this is a request for a Master Development Plan for Phase 1 of the Airline Road PD, also known as the Shops of Arlington. She reminded the Commission that they previously approved a rezoning request, a final plat, and a site plan for the site. The 24-acre site is divided into two (2) principal lots and four (4) outparcel lots, which will be developed by future tenants. Although no elevations or building layouts have been provided for the outparcels, the buildings on them will be situated as close to the right-of-way as possible, with double-loaded rows of parking discouraged along the street frontage. Phase 1 of the development will be driven by the Kroger store, which includes a rich chocolate and light wood façade, pre-finished metal accents, aluminum framed windows, and decorative brick masonry extended on all four (4) sides. Since the building is over 100,000 sq. ft., the applicant is requesting a deviation for the Kroger building to allow the use of a concrete brick masonry product. The product will mimic the look of clay brick, while also providing additional structural design and energy efficiency. The building on Lot 2 will be required to draw from the themes of the Kroger building, and the outparcels will be encouraged to support the design narrative from the primary lots as well. The Plan meets the Town's 30% open space requirement across the entire site. A 10-foot wide public pedestrian/bicycle trail system, consistent with the approved Loosahatchie Greenway Trail Master Plan, will be constructed near the west bank of the adjacent Hall Creek tributary. Access to the site will be from two (2) ingress/egress points along Airline Road and two (2) points along Milton Wilson Boulevard. The Plan also recognizes clear access ways for pedestrian connectivity throughout the site. The applicant is requesting three (3) deviations from the signage requirements in both the Zoning Ordinance and the Design Guidelines. First, the applicant is requesting additional signage for the Kroger building, due to its size. Second, the guidelines state that freestanding signs shall be placed at 200-foot intervals. The applicant is asking for flexibility to allow freestanding signs to be closer than 200-feet where necessary, strictly because of the width of the outparcels. Finally, the applicant is requesting internally illuminated signage be permitted for any individual tenant over 10,000 sq. ft. in size or any individual outparcel tenant. The Code only allows wall signs with external illumination or reverse channel letters. Ms. Reeder also explained how the proposed Master Development Plan meets several of the Objectives for a Planned Development; Staff recommended approval of the site plan with conditions and advised the committee that the applicant was available for questions.

Main Motion: Don Hinkle made a motion to approve the Master Development Plan for the Airline Road PD, also known as the Shops of Arlington, subject to Staff conditions and any added conditions levied by the Planning Commission. Chairman Campbell seconded the motion.

Chairman Campbell started by asking Staff if the signage request was for only the principal building (Kroger) and the large tenant building on Lot 2; Ms. Reeder explained that the deviations from the signage would affect the entire site, including the four (4) outparcels.

Chairman Campbell called for further discussion, but hearing none, he called for a motion to suspend the Planning Commission Meeting and open the Public Hearing.

Motion: Tommy White made a motion to suspend the Planning Commission Meeting and open the Public Hearing. Don Hinkle seconded the motion.

Vote on Motion: The motion carried unanimously.

Chairman Campbell noted that the public hearing was published in the Commercial Appeal on February 1, 2016. He asked anyone wishing to speak for or against the request to stand and be recognized by stating his/her name and address for the record.

Hearing no response, Chairman Campbell called for a motion to close the Public Hearing and resume the Planning Commission Meeting.

Motion: Chairman Campbell made a motion to close the Public Hearing and resume the Planning Commission Meeting. Oscar Brooks seconded the motion.

Vote on Motion: The motion carried unanimously.

Although Glen Bascom liked the overall plan, he did have some concerns with the signage. He understood the deviations on the size of the sign for the primary building and potential issues with the 200-foot distance requirement, but he had a problem with the signs being internally illuminated. He would consider internal illumination on the Kroger building, but did not want to see it on the outparcels. Russell Wiseman agreed with some of what Mr. Bascom said, but suggested halo lighting be required for all wall signage. Daniel Fuller, representative from SHOP Companies, came forward and explained that they were asking for a deviation on signage because national users want their corporate identity. It is very difficult, and often times impossible, in many cases to get these well-known companies to deviate on signage. He stated that he would appreciate the Commission's consideration on the issue, especially since they feel as though they went above and beyond on other aspects of the Plan. Mr. Fuller was very concerned and explained that certain tenants could be lost because of signage. Mr. Wiseman and Don Hinkle quickly disagreed. Tommy White asked Staff what was predominately used in current developments throughout Arlington; Cathy Durant, Town Administrator, explained that most wall signs around Town are externally illuminated halo lighting, but ground signs are typically internally illuminated. In her opinion, it is a contradiction to allow internal lit signs on the ground, but not on buildings. Mr. Bascom suggested allowing the Design Review Committee to make the ultimate decision on what type of signs they are willing to allow. Gerald Lawson, Town Attorney, explained that the Committee has the authority to add or modify any conditions, but reminded them that, although they are approving the Planned Development, the Board of Mayor and Aldermen ultimately makes the final decision on the plan. Mr. Bascom felt that they should recommend approval of the Plan as submitted and allow the Board of Mayor and Aldermen decide what should be changed and conditioned.

Mr. Wiseman stated he had another issue with the plan and asked that double loaded rows of parking along street frontage not be allowed, instead of just discouraged. Mr. Fuller pointed out that the Town's standards are extremely high, and they tried to present a quality product that was still practical and functional. As a developer, he does not have an concern with placing the buildings as close to the street as possible, but it is impossible to force the users going on the

outparcels to remove that parking. Chairman Campbell, Mr. Brooks, and Mr. Bascom reassured Mr. Fuller that they would be in favor of just one row of parking with a drive aisle. Mr. Lawson mentioned that the Committee will be required to review and approve the site plan for each of the outparcels, so, even though it is mentioned in the Master Plan, they can consider each user separately.

Mr. Brooks returned to the sign issue by asking, if the internal lit lights were to be allowed, could the lumens be reduced so they were not as bright and unpleasing to the eye. Russell Wiseman stated that the lumens were not the issue. In his opinion, the Plexiglas that the sign is made of starts to turn brown and moss begins to grow behind it, so it is unattractive in a few years. Mr. Brooks replied that, while halo signs are appealing, they are often times hard to read. Although many commissioners agreed to let deviations from the sign ordinance and parking regulations be decided by the Board, others disagreed.

Primary Amendment: Tommy White made a motion to amend the main motion and add a condition that required all sign lighting be halo. Don Hinkle seconded the motion.

Mr. White did not understand why the commission would allow the Plan to go to the Board without requiring halo lighting, when, in his opinion, the Board would require it.

Vote on Primary Amendment: Roll Call Vote: Bascom – No; Brooks – No; Hinkle – Yes; Mills – Absent; White – Yes; Wiseman – Yes; Campbell – No

The motion failed with a vote of 3 – Yes and 3 – No.

Vote on Main Motion: The motion carried with a vote of 4 – Yes and 2 – No.

Conditions of Approval:

1. Should the Board of Mayor and Aldermen approve the Master Development Plan, the applicant will be required to submit, and receive approval of a Site Plan to the Planning Commission, the Design Review Committee, and the Board of Mayor and Aldermen for each phase of the development.
2. The building elevations and landscaping plan submitted are conceptual in nature and are subject to the approval of the Design Review Committee.
3. The site plan submitted, showing the locations of drives, buildings, parking and loading spaces, and detention areas, is subject to final review and approval of the various Boards, Commissions, and Committees with the applications for site plan and all required documents of those applications.
4. The Master Development Plan, if approved by the Board of Mayor and Aldermen, may be subject to revisions as a result of engineering design and Town technical specification considerations. The Town's Zoning Ordinance, Subdivision Regulations, Stormwater Regulations and Technical Specifications Manual shall govern development of the Subject Property unless specifically modified as part of the approved General and Master Development Plans.
5. All open space proposed as part of the Master Development Plan shall be privately owned and maintained by the individual property owners or an owner's association.

F. Other as Properly Presented

1. There was no new business to come before the Commission.

VII. Adjourn

Chairman Campbell called for a motion to adjourn.

Motion: Glen Bascom made a motion to adjourn. Don Hinkle seconded the motion.

The motion carried unanimously.

Meeting adjourned at approximately 7:47 pm.

Minutes approved. Signed minutes on file at Town Hall.

Russ Campbell, Chairman

Date

Glen Bascom, Secretary

Date

Submitted By: Hannah Taylor