

Town of Arlington

5854 Airline Road, Arlington, TN 38002



**Planning Commission
May 18, 2015
6:30 P.M.
Meeting Minutes**

I. Invocation

The opening prayer was led by Harry McKee.

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
Harry McKee, Vice Mayor
Tommy White, Secretary
Larry Harmon
Don Hinkle
Angela Reeder

Others Present

Heather Sparkes, Town Planner
Steve Hill, Town Engineer
Gerald Lawson, Town Attorney
See list

Absent

Glen Bascom, Alderman – excused

III. Approval of Minutes from the April 20, 2015 Meeting

Motion: Don Hinkle made a motion to approve the minutes of the March 16, 2015 meeting.
Tommy White 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. Landvest Highway 70 Commercial SD, Phase 2, Lot 4 – North side of Highway 70, East of Airline Road – Final Plat

Chairman Campbell recognized Heather Sparkes, Town Planner, who provided an analysis (on file) and advised that this is a request for final plat to create Lot 4 of Phase 2 of the Landvest Commercial SD on

Highway 70. Zaxby's is proposing to build upon the 1.11-acre parcel, which is located immediately east of the property owned by First Tennessee Bank.

Main Motion: Don Hinkle made a motion to approve the final plat as presented and subject to compliance with Staff conditions for Landvest Highway 70 Commercial SD, Phase 2, Lot 4 Final Plat. Tommy White seconded the motion.

Harry McKee asked Steve Hill, Town Engineer, about the drainage regarding the aforementioned parcel fronting Highway 70. Mr. Hill explained that the Master Development Plan for the Landvest SD shows one detention basin in the northwest corner of the overall development, east of Airline Road. Presently, the drainage system is being built piece by piece when lots are being developed. He stated that it was recently determined that the first three (3) lots can be developed entirely before the detention basin must be built.

Chairman Campbell called for further discussion and hearing no reply, 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 and with the conditions of approval meets the provisions of the Town of Arlington Subdivision Regulations, the Town of Arlington Zoning Ordinance and any other applicable regulations, and the project shall be constructed in accordance with those regulations.
- S-2. The Final Plat shall conform to all requirements of the Town of Arlington Subdivision Regulations.
- S-3. The developer shall provide the Town with a copy of the Final Plat using state plane coordinate system with NAD - 27 or NAD - 83 datum on disk or CD in a generally accepted format at the time the Final Plat is presented for recording.
- S-4. The applicant's design professional shall address all Final Plat mark-ups prior to recording the Final Plat.

Project Specific Conditions:

- P-1. Approval of the Final Plat is contingent upon approval of the Construction Plans.
- P-2. All conditions of the Planned Development Overlay, Construction Plan approval and Final Plat approval shall be added to the plat.
- P-3. The Final Plat shall be put into a format that can be recorded with the Shelby County Register of Deeds, including title block, certificates, and setback and easement information.
- P-4. The Final Plat shall reflect any adjustments to the dimensions of the shared access easement at Highway 70.

B. Zaxby's, Landvest Highway 70 Commercial SD, Phase 2, Lot 4 - North side of Highway 70, East of Airline Road - Site Plan

Chairman Campbell recognized Heather Sparkes, Town Planner, who provided an analysis (on file) and advised that this is a request for the site plan approval for Zaxby's in the Landvest Highway 70 Commercial SD, Phase 2, Lot 4. The 3,247 square foot restaurant will have a right-in/right-out drive from Highway 70 in accordance with the Highway 70 Access Management Plan. Forty-four (44) parking spaces, including three (3) handicap spaces are proposed, along with eleven (11) stacking spaces from the drive-through window, which all complies with the Town's Zoning Ordinance.

Steve Hill, Town Engineer, explained how the storm drainage system that will convey stormwater to the future basin site is being installed as each lot develops. Temporary piping will be installed on Lot 3 to accommodate the drainage from Lots 3, 4, & 5 until the detention basin is installed. The Landvest Highway 70 SD Master Plan shows one (1) detention basin to be constructed at the rear of Lot 3. The development of Lot 4 will require the installation of the temporary piping on Lot 3 as detailed in the deferral agreement. Ms. Sparkes informed the committee that Chris Tripplett from Barge, Waggoner, Sumner, and Cannon, Inc. was present and representing both the developer and engineer.

Chairman Campbell called for a motion.

Main Motion: Harry McKee made a motion to approve the site plan as presented and subject to compliance with Staff conditions for Zaxby's. Don Hinkle seconded the motion.

Don Hinkle asked staff if there would be a second entrance at the back of the property for both customers and emergency personnel; Ms. Sparkes informed the committee that the drive on the north side of the property would be shared between all the parcels in the SD on the east side of Airline Road. Chairman Campbell was concerned about the layout of the right-in/right-out drive. Mr. Hill stated that there are two (2) options for the drive: one that can be driven over or one that cannot be driven over. Mr. Hill ultimately wants the Fire Department to make the decision for the design because it could cause them potential problems in the future. Larry Harmon did not like the fact that the right-out drive forces people to go west towards Airline Road. Ms. Sparkes explained that eventually the development would be like Arlington Collection where every other drive is right-in/right-out. She also reminded the committee that people would have the option to go to the rear and come out at the traffic light at Airline Road. Angela Reeder asked Staff what the timeline is on the construction on the road to the north; Ms. Sparkes stated that each parcel owner will construct the portion of road on their property as development occurs.

Chairman Campbell asked Mr. Hill to further explain the previously approved Master Plan regarding the drainage agreement and the bond connected to it. Mr. Hill explained that the bond attached to the SD is for the future cost to build a detention basin and complete the pipe connections through, into, and away from it. The plan lays out where the basin will be located, but ultimately, it will all take place to the north of Lot 3 of the development. According to Mr. Hill, the current drainage system in the area has a certain capacity that the first three (3) lots, fully developed and un-detained, will meet, but all twelve (12) lots will meet the capacity, if they are fully developed and detained. The development of the fourth (4th) lot in the SD will trigger the construction of the detention pond.

Harry McKee was concerned that, since each parcel owner will be responsible for constructing the access road to their property and the plans for Lot 4 were presented before the plans for Lot 3, the road will not be developed at a convenient time. If that were the case, Chairman Campbell asked whether or not the Fire Department would be fine with only right-in/right-out access until Lot 3 were developed. Mr. Harmon stated that it should be acceptable if the island can be driven over and each drive is at least ten (10') feet wide. Ms. Sparkes is confident that Lot 3 will be developed before Lot 4 because of the amount of fill Zaxby's has to add to their lot; she also informed committee members that the plans for Lot 3 were recently submitted and would be on the agenda for the June meeting. Chris Tripplett asked that the committee not make it a condition that Zaxby's will be unable to open without the access road being completed. Tommy White stated that, if the First Tennessee lot goes undeveloped or held up for any reason for a number of years, Zaxby's will have no access to Airline Road for a possible extensive amount of time. Don Hinkle felt that the road should be built prior to site construction. Ms. Sparkes once again informed the committee that site construction of the First Tennessee site is anticipated to begin before Zaxby's true site construction because of the amount of fill Zaxby's is required to add to their site. Mr. Hill felt that conditioning too much could be a burden and cause possible hardships. He said the best option is to be hopeful that development will continue and the economy will stay satisfactory. Gerald Lawson, Town Attorney, reminded the committee that McDonald's opened with only right-in/right-out access, and Zaxby's will have legal access to a road even if Lot 3 does not develop immediately. The access may not be the most accessible or desired, but it will be legal. Chairman Campbell asked Mr. Lawson if the committee was allowed add a condition to state if the First Tennessee lot is still undeveloped within a year, then the responsibility of the access road falls on to the developer of Lot 4. Mr. Lawson did not think adding that type of condition was possible because it could potentially cause Zaxby's to develop offsite onto a separate piece of private property.

Angela Reeder asked Mr. Tripplett why the east had wider setback than that on the west; he explained that the goal was to offset the property so that less fill was needed, but Mr. Hill, Town Engineer, required the lot be filled to the property line. In order to keep from having a ditch in between lots, Lot 4 would be required to build a wedge on the eastern border, similar to that of Lot 3. Ms. Reeder felt that since Staff insisted the development to be centered on the lot, there would be ample room for a wider landscape bed along the

sides of the building. Instead of the proposed two (2') feet, Ms. Reeder thought that three to four (3 - 4') would suffice. Chairman Campbell agreed, and condition P-13 was added.

Chairman Campbell called for further discussion and hearing no reply, he called for a vote on the 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 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 markups and 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. The site development is not shown to be centered on the site, leaving approximately 21 feet of open area on the east side and 6 feet of open area on the west side of the site. Shift the site development east so that the developed area is centered on the site. Filling of the site shall extend to the property lines, with fill slopes extending beyond the property lines. Any off-site easements required to accomplish this work shall be obtained by the Developer.
- P-4. Re-align the site drives and entrance from Highway 70 so that it creates a T-intersection, rather than a Y-intersection as shown on the plans.
- P-5. A Letter of Map Revision shall be issued on this site prior to a Use and Occupancy being issued for this building.
- P-6. The public sanitary sewer line must be extended to the east property line of Lot 4. This sewer line extension must be reviewed and approved by the Tennessee Department of Environment and Conservation (TDEC).
- P-7. Obtain a driveway permit from the State of Tennessee Department of Transportation for the driveway to Highway 70.
- P-8. A fire hydrant that can provide the required fire flow and pressure must be installed at the southeast corner of Lot 4 to meet the hydrant spacing and access requirements of the Arlington Fire Department. This work shall be coordinated with MLGW and all costs shall be paid by the Developer.
- P-9. The public storm drain pipe along Highway 70 must be extended to the east property line of Lot 4.
- P-10. The temporary storm drain pipe on Lot 3 (as outlined in the drainage improvement deferral agreement between the Town and Landvest Partners) shall be installed as a part of this Site Plan.

- P-11.** An off-site construction easement shall be obtained from the adjacent property owners for any construction outside of the site boundary.
- P-12.** Revise the Construction Plans to address comments as noted on the marked-up plan sheets provided by the Town Engineer.
- P-13. Widen planting strip adjacent to the building to three (3') feet.**

C. Other as Properly Presented

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

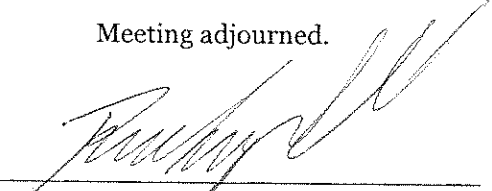
VII. Adjourn

Chairman Campbell called for a motion to adjourn.

Motion: Don Hinkle made a motion to adjourn. Angela Reeder seconded the motion.


The motion carried unanimously.

Meeting adjourned.



Russ Campbell, Chairman

8-17-2015
Date



Tommy White, Secretary

6/15/15
Date

Submitted By: Hannah Taylor