

Town of Arlington

5854 Airline Road, Arlington, TN 38002



PUBLIC HEARING – Resolution 2013-27 – to approve the Planned Development Zoning Overlay General Development Plan and Master Development Plan for property located 180 feet east of Milton Wilson Blvd., north of Forrest Street, known as the Wilson’s Crossing Planned Development.

Mayor Wissman opened the Public Hearing and advised that notice of the hearing was published in The Commercial Appeal on July 19, 2013. He invited anyone wishing to speak for or against to please stand to be recognized. State your name and address for the record. He advised that comments are not specifically addressed by the Board during the public hearing.

Mayor Wissman recognized Preston Warford, 6361 Milton Wilson Blvd., Diana Preston, 6391 Renwood Loop; Jason McElhaney, 6432 Bevan Drive East; Maximiliano Guaman, 12391 Elderton Drive; Ron Wickens, 12175 Forrest Street; Shawn Christian, 6273 Milton Wilson Blvd.; Thomas Reyes, 6293 Arabella; Joseph Voda, 6390 Renwood Loop; Jason Layton, 6371 Milton Wilson Blvd.; LaElle Hartman, 12391 Elderton Drive; Mark Johnson, retired homebuilder; and Dan Parent, 6352 Milton Wilson Blvd. The following concerns were expressed regarding: impact of proposed smaller lot sizes; potential decrease in property values; no planned Forrest Street entrance for Wilson’s Crossing; no proposed construction traffic access from Forrest Street; potential increase in traffic through Maple Grove via stub streets and Milton Wilson Blvd., safety of children living in area; and overall increase in street parking, area density and flooding potential.

Mayor Wissman thanked the residents for their input, and hearing no further comments, closed the Public Hearing.

**Town Of Arlington
Board of Mayor and Aldermen
August 5, 2013**

MEETING MINUTES

I. CALL TO ORDER AND ROLL CALL

Present

Mike Wissman, Mayor
Harry McKee, Vice Mayor
Glen Bascom, Alderman
Oscar Brooks, Alderman
Gerald McGee, Alderman
Jeff McKee, Alderman
Brian Thompson, Alderman

Others Present

Gerald Lawson, Attorney
Steve Hill, Engineer
Heather Sparkes, Planner
Catherine Durant, Recorder/Treasurer
See List

Mayor Wissman called the meeting to order and advised that a quorum was established.

II. OPENING PRAYER

Opening prayer was led by Alderman Thompson.

III. PLEDGE TO THE FLAG

The Pledge of Allegiance was led by Town Engineer, Mr. Steve Hill of Powers Hill Design.

IV. APPROVAL OF THE MINUTES FROM THE JULY 1, 2013, MEETING.

Motion: Alderman McKee made a motion to approve the Board of Mayor and Aldermen minutes from the July 1, 2013, meeting. Alderman Bascom seconded the motion. The motion carried unanimously.

V. GRIEVANCES & COMMENTS FROM CITIZENS

Mayor Wissman asked if any citizen wished to address the Board to please come to the podium, state your name and address for the record.

Mayor Wissman recognized Kent Miller, 5938 Windsor Oak Circle; Kennetta Smith, 6170 Windsor Oak Drive; Richard Cantrell, 6160 Windsor Oak Drive; Chris Enzor, 6092 Windsor Oak Drive; Greg Street, 6140 Windsor Oak Drive; and Ron Wickens, 12575 Forrest Street. The following concerns were presented: altering the aesthetics of the subdivision by removing the trees lining the entrance to Windsor Place and creating a view of back yards along the entrance ; creating an entrance to Phase 3 from Forrest Street rather than where stub streets are currently located; potentially decreasing home values in Windsor Place with proposed changes. Several residents requested that the developer consider an alternative plan regarding the removal of the trees.

Mayor Wissman recognized Larry Harmon, 6171 Greenlee Street, who suggested for safety concerns, the Town get with the State to look into adding a stop light on Highway 70 between Greenlee Street and Chester Street.

Mayor Wissman thanked everyone for their comments.

VI. COMMUNICATIONS FROM THE MAYOR

A. Shelby County Sheriff's Department Incident Report for the Month of July 2013.

Mayor Wissman recognized the Sheriff's representative who presented the Incident Report for the month of July 2013. There was a brief discussion and the Board made a request to receive a copy of the incident report prior to the meeting for their review.

B. Arlington Fire Department Report for the Month of July 2013.

Chief Franks reported on the Fire Department's activity for the month of July 2013. He noted that there were 66 total calls and broke the calls down by type.

C. Special-Called Meeting of the Board of Mayor and Aldermen August 19, 2013, at 6:00 P.M.

Mayor Wissman advised that prior to the regularly scheduled Planning Commission meeting at 6:30 P.M., there will be a Special-Called Meeting of the Board of Mayor and Aldermen on August 19, 2013, at 6:00 P.M. for the second and final reading of Ordinance 2013-09 and for the award of the construction contract for the SLA Grant on Airline Road.

D. September Board of Mayor and Aldermen Meeting to be held on Tuesday, September 3, 2013, due to the Labor Day Holiday.

Mayor Wissman reminded everyone of the change in the meeting date due to the Labor Day Holiday.

E. Other as Properly Presented

1. Mayor Wissman noted that school is back in session as of today, and with the increased traffic, he asked that everyone be mindful of children walking to and from school as well as after-school programs.

VII. COMMITTEE REPORTS

Mayor Wissman advised that committee reports, including the Treasurer's Report and financial reports, for the month of July are on file at Town Hall and have been provided to the Board. Mayor Wissman asked if anyone wished to report on their committee. Hearing no reply, he recognized Vice Mayor Harry McKee who read the Treasurer's Report into the record (on file) and noted the \$2,000,000 transfer from the General Fund Checking to the General Fund Money Market Account. Ms. Durant advised that the Sewer Fund is carrying a larger balance than usual because the Town is working on the Sewer expansion.

VIII. OLD BUSINESS

A. Other as Properly Presented

There was no further old business brought forward.

IX. NEW BUSINESS

A. First Reading Ordinance 2013-08 to amend the Town of Arlington Zoning Map to rezone from E-Estate Residential to RS-18, Low Density Residential Single

Family; land located at 12661 Forrest Street. also know as the Carrington Property.

Mayor Wissman recognized Heather Sparkes, Town Planner, who provided an analysis (on file) and stated that this is a request to rezone 20.99 acres located at 12661 Forrest Street. She advised that on July 15, 2013, the Planning Commission reviewed the request and recommended approval. Ms. Sparkes read the following Grounds for Amendment to be considered by the Board of Mayor and Aldermen in making their decision:

- 1) The amendment is in agreement with the general plan for the area;
- 2) It has been determined that the legal purposes for which zoning exists are not contravened;
- 3) It has been determined that there will not be an adverse effect upon adjoining property owners unless such adverse effect(s) can be justified by the overwhelming public good or welfare;
- 4) It has been determined that no property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

Ms. Sparkes noted that this property is identified in the Future Land Use Plan as Low Density Residential and therefore is in conformance with this plan. She noted that the RS-18 zoning would allow for a minimum lot size of 18,000 square feet, which is comparable to the existing subdivisions in the area to the east and to the north. Ms. Sparkes stated that the intent is to develop a single-family residential subdivision called Windsor Place 1st Addition, which is scheduled to go before the Planning Commission on August 19, 2013, for construction plan approval.

Mayor Wissman called for a motion.

Main Motion: Alderman Thompson made a motion to approve the First Reading Ordinance 2013-08. Alderman Bascom seconded the motion.

Mayor Wissman called for discussion and recognized Alderman Bascom who asked if this is only for rezoning. Ms. Sparkes replied yes and noted that in order to develop this property with lot sizes less than one acre in size, the developer must rezone the property from E-Estate to the RS-18. Alderman Bascom asked for the minimum lot size in Windsor Place. Ms. Sparkes replied 15,000 square feet. Alderman Bascom clarified that the issue of the reverse-frontage lots would be addressed at the Planning Commission. He then noted that the other concern expressed by the residents was the second way in and out of the development. Ms. Sparkes advised that the depth of this property requires that there be more than one ingress/egress; therefore, Windsor Place was conditioned to provide additional points of ingress/egress. She noted that Phase 3 provides stub streets to future phases of the Villages at White Oak, and Windsor Place 1st Addition will provide an additional point of ingress/egress. Alderman Bascom asked about a tree plan and Ms. Sparkes responded that a tree plan will be submitted with the construction plans to be reviewed by the Planning Commission at their August 19, 2013, meeting. Ms. Sparkes noted that this is just the first reading

and there will be a public hearing and second and final reading at the September 3, 2013, Board of Mayor and Aldermen Meeting. Alderman McGee noted that E-Estate is a holding zoning classification. He noted that the lots will be 18,000 square feet, unless the property is developed as a PUD. Alderman Thompson noted that this will be separate from the original Windsor Place Development. He commented that he has reservations about what may be presented in the site plan, especially regarding ingress/egress; however, he stated that he has no issues with this rezoning request. Alderman McKee asked if a PUD was created and the lot size reduced to 15,000 square feet, would enough green space be created to keep the trees. Alderman Brooks suggested solving the issue by creating reverse-frontage lots. Mayor Wissman reminded the members that rezoning was the only issue currently before the Board and called for further discussion. Hearing no reply, he called for a vote on the main motion.

Vote on Motion: The motion passed – 6-Yes and 1-No.

- B. First Reading Ordinance 2013-09 to add Title 1, Chapter 5 to the Code of Ordinances of the Town of Arlington to Establish a Municipal School Board and to submit the election of the members of the Municipal School Board to the qualified voters of the Town of Arlington on November 7, 2013, the date of a General Election in Shelby County, or an election to be held on some other appropriate date.

Mayor Wissman recognized Gerald Lawson, Town Attorney, who advised that last year's school board referendum ordinance was rescinded in May 2013. He advised that after certification of the election results last week, the Town can go forward with the creation of the school board. He noted that except for changes to the language resulting from new laws, the provisions are the same. Mr. Lawson explained that there will be five board positions, all at-large positions, and staggered terms with two positions at one year and three positions at three years in order to bring the elections back into the regular November election schedule.

Mayor Wissman called for a motion.

Main Motion: Alderman McGee made a motion to approve the first reading of Ordinance 2013-09. Vice Mayor McKee seconded the motion.

Mayor Wissman called for discussion. Mr. Lawson explained that changes can be made prior to the second reading scheduled for a Special-Called Meeting on August 19, 2013. He reviewed the timeline for submitting to the Election Commission, pulling school board petitions, and the filing deadline. There was discussion regarding the best election cycle. Alderman Thompson made a suggestion that Board Members consider changing to the Municipal Election cycle. In addition, Mayor Wissman requested that Board compensation be considered to ensure comparability with other municipalities across the State.

Mayor Wissman called for further discussion. Hearing no reply, he called for a vote on the main motion.

Vote on Motion: The motion carried unanimously.

- C. Resolution 2013-27 to authorize a Residential Planned Development Zoning Overlay General Development Plan and Master Development Plan for Wilson's Crossing Planned Development, located 180 feet east of Milton Wilson Blvd., north of Forrest Street, known as Wilson's Crossing Planned Development.

Mayor Wissman recognized Heather Sparkes, Town Planner, who provided an analysis (on file) and advised that the property is 70.19 acres and the proposal is for 151 single-family detached residential dwellings and 28.66 acres of common open space. She advised that the minimum lot size is 8,750 square feet, with a density of 2.12 dwelling units per acre. She reviewed the applicant's requested deviations from the standard bulk regulations, as well as the zoning and land uses for surrounding properties. Ms. Sparkes advised that this land was originally approved as Maple Grove Planned Development (PD), Phases 3 and 4, and approval of the Wilson's Crossing PD would remove it from the Maple Grove PD. She reviewed the proposed project and advised that on July 15, 2013, the Planning Commission recommended approval with conditions that are included in the Board packet.

Mayor Wissman called for a motion.

Main Motion: Alderman Bascom made a motion to approve Resolution 2013-27.
Alderman Thompson seconded the motion.

Mayor Wissman called for discussion. Alderman Bascom requested clarification on the number of readings required and Ms. Sparkes responded that one reading is required for a resolution. Mayor Wissman requested clarification that this project does not exceed the density requirements. Ms. Sparkes responded that the proposed density is less than the maximum density allowed. Mayor Wissman recognized Keith Grant, Developer and Builder, 177 Crescent Drive, Collierville, TN 38017, who addressed several concerns presented by the homeowners which included: an explanation regarding market values and the criteria he considers important for keeping values up; why there is no entrance from Forrest Road; why the smaller lots in Wilson's Crossing cost more; why the minimum square footage of a home was increased from 2,000 to 2,200 square feet. He also addressed the Maple Grove residents' concerns regarding loss of additional HOA fees to assist with maintenance and landscaping along Milton Wilson Blvd. and offered possible solutions. Alderman Bascom requested Mr. Grant address construction routes and Mr. Grant responded that the traffic will come from Hwy 70 and Milton Wilson Blvd. He advised that if the Town requires, they could put in a construction entrance from Forrest Street, but they have been advised that it would be best to use Milton Wilson Blvd. because it was designed for heavier traffic. He explained the subdivision phasing. Mayor Wissman noted that comments were made regarding drainage and flooding. Mr. Hill advised that the excavation of the lakes will cover the additional drainage and the 100 year flood elevation will minimize flood potential. Mayor Wissman asked Mr. Grant to explain how the lot sizes changed from what was originally presented. Mr. Grant

responded that they removed the 60 ft. and the 90 ft. wide lots, and the open space was increased. Mayor Wissman called for further discussion and recognized Alderman Thompson who presented the following observations: lot size does not dictate property value; homeowners do not necessarily want a large yard; and property values in Wilson's Crossing will maintain or increase the values in Maple Grove. He noted that Maple Grove does not have entrances from Forrest Street and had this land been developed as Maple Grove 3 and 4, he doubts it would have had entrances from Forrest Street. He suggested that the three stub streets to Milton Wilson Blvd. were installed to handle the traffic. Alderman Thompson explained that after the land went back to the bank, it could never be developed as Maple Grove 3 and 4; therefore, it had to be developed as a separate PD with its own Homeowners Association. Alderman Thompson suggested that a plan could possibly be worked out between the two associations regarding the Milton Wilson Blvd. maintenance issues presented. He also stated that Milton Wilson Blvd. was designed as a five-lane major arterial road to carry traffic from Airline Road to Highway 70 and suggested that if there is a speeding problem, it needs to be addressed by the Sheriff's Department. Alderman Thompson asked if the Wilson's Crossing streetscape will match the Maple Grove streetscape on Forrest Street. Ms. Sparkes responded that the landscape plan will go before the Design Review Committee for review and approval. Alderman Brooks stated that ten years ago when the Town started changing lot sizes he wanted the lots larger than what was requested, so why should he agree to smaller lots now. Alderman Bascom asked if the trailers on site belong to the developers. It was determined that the trailers are for a fiber optic project. Mayor Wissman called for further discussion. Hearing no reply, he called for a vote on the main motion.

Vote on Motion: The motion passed with 5-Yes and 2-No.

- D. Resolution 2013-28 to authorize Mike Wissman in his capacity as Mayor of the Town of Arlington, Tennessee to enter into a contract with Smith Seckman Reid, Inc. (SSR) to perform Construction Engineering and Inspection Services, for reconstruction of Airline Road to a four (4) lane median divided facility, Wright Medical SIA Grant TDOT Pin #116390.00, State Project#79LPLM53248.

Mayor Wissman recognized Ed Haley, Town Superintendent, who advised that this is the CEI for the SIA project at Wright Medical. He advised that bids will be opened on Friday, August 9, 2013, at Town Hall, and in order to do this TDOT requires separate CEI services by a TDOT pre-qualified firm. Mr. Haley stated that SSR is a proven entity and our engineer has checked the figures and he is in agreement. Mr. Haley requested approval.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve Resolution 2013-28. Vice Mayor McKee seconded the motion.

Mayor Wissman called for discussion. Hearing no reply, he called for a vote on the main motion.

Vote on Motion: The motion carried unanimously.

E. Resolution 2013-29 to amend fees previously adopted by the Board of Mayor and Aldermen for Solid Waste Disposal.

Mayor Wissman recognized Ed Haley, Town Superintendent, who advised that every year the solid waste vendor sends a letter requesting an adjustment in the pricing for the current collection agreement. This adjustment is based on the current Consumer Price Index (CPI). Mr. Haley advised that this year the service fee for single-family residential customers will increase by 50 cents, from \$19.48 per month for once a week curbside pick-up to \$19.98 per month.

Mayor Wissman called for a motion.

Main Motion: Alderman Bascom made a motion to approve the Resolution 2013-29. Alderman Thompson seconded the motion.

Mayor Wissman called for discussion and recognized Alderman Thompson who asked if the cost has ever gone down. Catherine Durant, Recorder/Treasurer, noted that the CPI has gone down, but the price is reflected as “no increase.” Mayor Wissman called for further discussion. Hearing no response, he called for a vote on the main motion.

Vote on Motion: The motion carried unanimously.

F. Resolution 2013-30 to remove uncollectable taxes from the Town of Arlington Certified Tax Rolls.

Mayor Wissman called for a motion.

Main Motion: Alderman Bascom made a motion to approve Resolution 2013-30. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion. Hearing no reply, he called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

G. Authorize Employment Agreement – Heather Sparkes.

Mayor Wissman recognized Gerald Lawson, Town Attorney, who advised that the two-year employment contract for Heather Sparkes, Town Planner, expires next month. He advised that the contract is again for two years, it has been updated, and is being presented to the Board for approval.

Mayor Wissman called for a motion.

Main Motion: Alderman Thompson made a motion to approve the Employment Agreement for Heather Sparkes, Town Planner. Alderman McGee seconded the motion.

Mayor Wissman called for discussion. The members expressed their gratitude to Ms. Sparkes as well as the other members of Staff for everything they do. Hearing no further discussion, Mayor Wissman called for a vote on the main motion.

Vote on Main Motion: The motion carried unanimously.

Other as Properly Presented

1. Mayor Wissman recognized Ed Haley, Town Superintendent, who advised that the Town received a contract for a grant for the Phase 2A and B for a Bike Pedestrian trail to go from behind the Middle School to the Elementary School. He noted that a ceremony was held today at Town Hall. Mr. Haley recognized those responsible for securing the funds and advised that once the agreement is signed, they have a notice to proceed with the environmental process. Mr. Haley asked the Board to grant the Mayor the authority to sign Resolution 2013-32.

Mayor Wissman called for a motion.

Main Motion: Alderman Brooks made a motion to approve Resolution 2013-32. Vice Mayor McKee seconded the motion.

Mayor Wissman advised that Vice Mayor McKee also attended the ceremony. He noted that there was a large gathering. Mayor Wissman stated that this is a worthwhile grant and hopefully the Town can continue on and complete the circle to the High School.

Vote on Main Motion: The motion carried unanimously.

2. Alderman Bascom advised that he has been asked about re-starting the Beautification Committee and asked the Board to think about it. Mayor Wissman suggested the members give this request consideration over the next month.
3. Alderman Brooks asked Mr. Haley to advise on the progress of the Sewer Project. Mr. Haley responded that they are about 70 percent for piping and 40 percent for boring. He noted that the hope is to be done by Thanksgiving. Mayor Wissman asked about the completion of Hwy 385. Mr. Haley responded that it is scheduled for completion by October.
4. There was no other new business presented.

X. APPROVAL OF BILLS

Main Motion: Alderman Brooks made a motion to approve bills for payment. Alderman McKee seconded the motion.

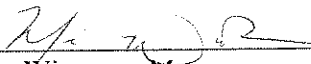
Mayor Wissman called for discussion. Hearing no response, he called for a vote.

Vote on Motion: The motion carried unanimously.

XI. ADJOURNMENT

Motion: Alderman McGee made a motion to adjourn. Alderman Bascom seconded the motion. The motion carried unanimously.

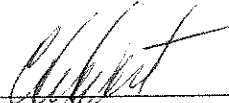
Meeting adjourned.



Mike Wissman, Mayor

9-3-13

Date



Catherine D. Durant, Recorder

9-3-13

Date

Submitted By: Theresa Smith, Planning Clerk