Planning Commission
December 18, 2017
6:30 P.M.
Meeting Minutes

I. Invocation – Glen Bascom gave the invocation.

II. Call to Order and Roll:

Present
Russ Campbell, Chairman
Glen Bascom, Secretary
Larry Harmon, Alderman
Don Hinkle
Susan Payne
Brian Thompson
Tommy White

Others Present
Angela Reeder, Town Planner
Gerald Lawson, Town Attorney
Jason Allen, Town Engineer
Mary Helen Carmack, Planning Clerk

III. Approval of Minutes from November 20, 2017 Meeting:

Chairman Campbell called for a motion to approve the November minutes.

Motion: Don Hinkle made a motion to approve the minutes of the November 20, 2017 meeting. Glen Bascom seconded the motion.

Vote on Motion: The motion carried unanimously.

IV. Comments from Citizens
Chairman Campbell invited anyone wishing to address the Commission at this time to please come forward and state his/her name and address for the record. He said that if there were comments regarding the Haysville-Arlington Commons PD – Master Development Plan those could be made at this time or at the public hearing later in this meeting. There were no comments.

V. Old Business:

A. Other as Properly Presented

There was no Old Business
VI. New Business:

A. **Haysville-Arlington Commons PD – Master Development Plan – South side of Mott Street, roughly 400 feet east of Chester Street**

Chairman Campbell recognized Ms. Angela Reeder, Town Planner, who presented the staff report for the project (on file) for approval of a Master Development Plan for a Mixed-Use PD on 1.29 acres of property located on the south side of the far eastern end of Mott Street roughly 400 feet east of Chester Street. She stated that Town Code allows applicants to begin the PD process with a Master Development Plan on projects with less than 50 acres skipping the General Development Plan stage. Ms. Reeder mentioned that this site was most recently the Town’s Community Garden before it was sold to the applicant earlier this year.

The property is zoned B-3, Downtown Business District, within the Depot Square Overlay Historic District. The proposed project includes approximately 25,000 square feet of new mixed-use space and associated parking and site improvements. Office and retail space will be on the ground floor with 10 single-family residential units above. These are allowable uses that mirror what is allowed in the B-3 Zone with no exceptions being requested. There are also no exceptions to the bulk regulations being requested.

Ms. Reeder stated residential units are permitted to be above retail and office areas only in the Town’s B-3 zone and said the Depot Square Master Plan encourages residential above retail to establish a base of activity throughout the day. She went on to say proposals with over five (5) units require a PD, which is the reason for this Planning Commission application. This PD meets the residential requirements in that the units will exceed the minimum size, have reserved parking spaces, designated trash collection areas, and access points to their homes that are separate from the commercial users with stairs and an elevator. The B-3 zone does not specify a maximum density; however, the Future Land Use Plan calls for up to 8 dwelling units per acre (du/ac) in Mixed Use, and with a density of 7.7 du/ac this proposal is within the permitted allowance.

The development is intended to complement existing Depot Square buildings and build on the intent of the Depot Square Master Plan. The PD obligates the project to several design features, including use of green infrastructure (permeable pavers, rain barrels, and LED lighting), bike racks, outdoor patios, rooftop gardens, and native plantings. Ms. Reeder stated she has also received the plans for review by the Design Review Committee and those plans reflect these same details.

The proposed building will be largely visible on all sides except the east and the PD calls for historic architecture and design, with nine (9) different facades along those three primary frontages for the appearance of individual buildings like a typical historic downtown. Four (4) different brick colors will be used, and metal canopies, balconies, and awnings will also be incorporated. The PD identifies specific colors to mimic existing nearby buildings, and historic lighting styles such as gooseneck and lantern style are also called for in the PD.

The PD also notes restrictions will be placed on the use of balconies and patio areas on the second floor to maintain a quality appearance by ensuring they are only used for plantings and temporary seating and maintain a quality appearance (no outdoor storage or grills permitted).

Ms. Reeder said that although the B-3 zone does not require a specific percentage of open space, this project provides 23% open space with an additional rooftop patio for the residents.

Two access points are proposed for the development: Mott Street (existing) and a shared driveway from Chester. The applicant must obtain an access easement from the adjacent property owner for
the shared driveway. Pedestrian access is also proposed with a sidewalk added on the north side of the driveway and throughout the development.

Ms. Reeder turned the presentation over to Mr. Jason Allen, Town Engineer, to discuss other improvements on the site. Mr. Allen stated there are some minor road improvements proposed on Chester and Mott Streets. Curb, gutter, and sidewalks are proposed along the east side of Chester Street at the driveway. No additional ROW dedication is required along Chester Street.

The Mott Street road improvements shall consist of widening Mott Street at the property to a 24’ width with curb and gutter to allow for 2-way traffic. The developer is proposing to abandon approximately 200’ of the eastern right of way (ROW) of Mott Street to be incorporated into the proposed site plan. A recorded Plat is required and will show the abandonment of ROW, dedicate the northern and southern halves of the ROW to each respective property owner, and reflect the new ingress/egress easement off of Chester Street.

Mr. Allen said the applicant initially requested a waiver from detention requirements. Staff studied the site and recommended a detention waiver would not be allowed. The site is located at the lower end of a 45-acre drainage basin. The main drainage way within this basin is an unimproved open ditch that flows north under the railroad just east of Depot Square, continues north along the east edge of this site, then under Highway 70 between Dollar General and the TDOT Maintenance facility. He said the drainage structure under CSX Railroad provides plenty of opening for stormwater conveyance, but the drainage structure under Highway 70 is a 4’ wide by 2’ high box culvert, which is extremely undersized. This box culvert can carry a 2-year storm event, which is well below the town’s requirement. Anything above the 2-year storm event would have to be detained on site, including 2, 10, 25, 50, and 100-year to not aggravate the situation that’s already undersized. He said the applicant’s consultant has said that detaining shouldn’t be an issue. He observed that Dollar General has both underground and open-air detention, thereby the Town is not requiring one over the other, as long as detention is provided. He also noted this has been made a condition for approval.

Sanitary sewer is available with a manhole at the northeast corner of the site. This would have to be extended to serve the proposed development. That would only serve their building and not go any further upstream due to the railroad tracks, therefore, that would be a private extension. Typically, a 6” line would be required but due to the mixed-use the flow may call for an 8” line.

Ms. Reeder resumed stating that when considering any planned development staff looks at whether it fits the surrounding area. Upon inspection it became clear that this area is a true mix of uses with single-family homes, restaurants, retail, offices, institutional, and industrial uses throughout, making this planned development consistent with the area especially in the way it sits, facing Depot Square. More importantly, this project is consistent with the Town’s future vision for the area as outlined in our Future Land Use Plan, Zoning Map, and Depot Square Master Plan.

Ms. Reeder said that in considering any PD specific tangible benefits to the Town, residents, and the developer should be identified. She said that this PD accomplishes several of the identified objectives by meeting the regulations set forth for this site, while also providing exceptional architecture and design in a currently undeveloped site that will further the Depot Square Master Plan, and by providing added locations for small businesses that can serve the community and rejuvenate the historic town center.

Ms. Reeder said staff recommends approval of the applicant’s request, subject to staff and Planning Commission conditions.
Main Motion: Don Hinkle made a motion to approve the Haysville-Arlington Commons PD – Master Development Plan. Brian Thompson seconded the motion.

Motion: Chairman Campbell called for a motion to suspend the Planning Commission Meeting and open the Public Hearing. Brian Thompson made the motion and Tommy White seconded it.

Vote on Motion: The motion carried unanimously. Open Public Hearing

Chairman Campbell stated that a notice of a Public Hearing was published in the Commercial Appeal on Saturday, December 2, 2017. Anyone wishing to speak for or against this request, please stand to be recognized. State your name and address for the record.

Citizen comments:
Hearing no public comments, Chairman Campbell called for a motion to close the Public Hearing.

Motion: Brian Thompson made a motion to close the Public Hearing and resume the Planning Commission Meeting. Susan Payne seconded the motion.

Vote on Motion: The motion carried unanimously. Public Hearing was closed.

Discussion continued: Don Hinkle commented that more bike paths are needed and asked if any were planned in this development. Ms. Reeder replied there are none planned on the private driveway, but bike parking is proposed at the building and there is a plan for bike paths on area streets. Mr. Hinkle asked that she keep that in mind for future planning.

Susan Payne noted it looked like a good development and an asset to Depot Square.

Alderman Larry Harmon asked how many businesses were planned. Ms. Reeder said it is based on the square footage that each business needs, but it could range from 10-13. The project consultant agreed.

Chairman Campbell asked if the residences would be rental or privately-owned, thereby requiring a homeowners’ association. Town Attorney, Gerald Lawson, answered that it is his understanding that they would not be separately owned but would be rental units.

Glen Bascom asked if there were any plans for public improvements to the Hwy 70 culvert, similar to what was done previously in front of AutoZone.

Brian Thompson asked if the Town would detain all the water on the Forrest Street property, does any of it currently flow into the Hwy 70 culvert, and what impact would the improvements of Forrest Street on this and future developments,

Mr. Allen stated when Hwy 70 was widened in front of the existing Kroger the town did enlarge that box culvert at that time due to it being undersized. He added that Hwy 70 is on the long-range capital improvement plan for Arlington and when that expansion occurs they would improve and increase the box culvert to a more adequate size. Those projects are typically an 80/20 split between TDOT and the Town, with TDOT funding the 80%.

Mr. Allen noted it is a 45-acre drainage basin that stays east of Chester Street and the roughly western half of the Town’s Forrest Street Site. Mr. Allen added that the Town’s improvements would be held to the same standard as any public developer. He clarified then clarified that everything on the east side of the Town’s Forrest Street driveway drains east to another ditch on that side.
Mr. Thompson restated his question about the future impact of the Town’s Forrest Street project improvements on future developments. Mr. Allen said that there should be no impact. Nothing will change from this development and detention from a 2-year or greater storm event should balance things. Neither this nor the Forrest Street Campus and Park Improvements will mitigate any flooding, but the goal is to not aggravate it either. Mr. Allen said to help the issues – the Town would have to over detain on our site, which would be difficult.

Deadrick Turner from Ledford Engineering asked if they are being required to detain a 2-year storm event. Mr. Allen answered yes, they must detain above a 2-year storm event and cannot increase the peak runoff for a 2-year storm event. Mr. Turner said he would have to get with his client to make sure he is ok detaining for up to a 100-year storm event. Mr. Allen explained detention is just for the change in runoff created by their site, not for any other improvements. Mr. Allen added that he has not run any detention calculations to see what size pipe, underground or open-air detention would be required. Mr. Turner said they expected some underground detention but they haven’t yet looked at what would be the most cost-effective. Mr. Allen offered what info he had prepared to help in their efforts.

Chairman Campbell noted that the PC would approve this with staff’s recommendation for drainage it if is approved.

Mr. Harmon said it doesn’t take much to have flooding in the area and on our property. Ms. Reeder stated most of that water is going to the inlet west of the library, as it’s a larger drainage basin.

Mr. Thompson mentioned perhaps we should look at this issue for long-range planning, to see whether this is stifling or hindering growth in that area. He also asked if detaining more on Forrest would help.

Mr. Allen replied the box culvert under Hwy 70 near A-Town has about a 50-year storm capacity, which is a significant difference from what the box culvert is able to handle at this site. He said that the Town could detain as much as possible on the Forrest Street property, but because the pipe’s capacity is only about a 2-year storm impact, it might not make a difference.

Ms. Reeder reminded the Planning Commission that other than ground, this site and next to the Grapevine, there is not a lot of retail space left in this drainage basin.

Chairman Campbell asked if Mr. Allen and staff were comfortable that this could be done. Mr. Allen said yes but he didn’t know what that price tag would look like.

Mr. Thompson asked if the detention requirement was clear in the conditions. Ms. Reeder explained that there was also a condition to meet engineering red-line comments, which has more details on detention requirements.

Mr. Thompson asked if there would be a structure for mailboxes for the tenants. Ms. Stevie Wilbanks pointed out that on the east side near the stairs there is an indoor mail-drop/mail-box area for the tenants.

Ms. Payne inquired about access and Ms. Wilbanks said the plan is for keypad entryways for added security. She also noted that there are two stairways and one elevator.

Mr. Thompson wanted to know where the public/private property line would be on Mott Street.
Mr. Allen said that we are asking them to take their improvements to the end of the radius, but standard practice would dictate that their property line would follow the existing west property line north through that area as well.

Brian Thompson asked if there would be parking on the shared drive. Ms. Reeder said that there is none planned because the width is sufficient for 2-way traffic and parking could hinder a firetruck to get through.

Mr. Thompson asked if a larger sewer pipe is required and about sewer/grease trap requirements if a restaurant were to occupy one of the first-floor suites. Mr. Allen said that an 8” should suffice and grease traps are required as well.

Ms. Payne asked about hours for commercial uses and residential upstairs. Ms. Reeder said that Town code requires that they cease activity at 11pm, but clean up, etc. can continue for one hour at that point without being loud.

Mr. Harmon wanted to confirm that the fire department had reviewed this PD for access to the upstairs. Ms. Reeder said yes it was reviewed. It was noted that a stairwell is located on the east and west sides of the building.

Mr. Thompson asked about the enforcement of policies that will be in place regarding the residential balconies. Ms. Reeder said that would be up to the property manager but the Town can step in if ever necessary. He noted it would be similar to Hall Creek – and we haven’t had problems there.

Hearing no more discussion the Chair called for a vote.

**Vote on Main Motion:** The motion carried unanimously.

**CONDITIONS**

1. The Master Development Plan dated December 7, 2017, 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 Master Development Plan.

2. Upon approval of the Board of Mayor and Aldermen, the Planned Development shall be recorded with the Shelby County Register of Deeds.

3. The site plan submitted, showing the locations of roads, lots, open space, and detention areas is subject to final review and approval of the various Boards, Commissions and Committees with the applications and required documents for final plats, construction plans, and thus may require minor modifications.

4. All open space proposed as part of the Master Development Plan shall be privately owned and maintained by the individual property owners or an owners’ association.

5. Any public infrastructure will necessitate a Development Agreement, representing a binding agreement between the Developer and the Town of Arlington pertaining to all conditions of approval, including the submitted Master Development Plan (as amended), prior to beginning work on any phase of this development.

6. The design intent provided with the application is to be incorporated into the building and site design, and is to be considered by the Design Review Committee at the time of site plan review.
7. Approval of the Final Plat will be contingent upon approval of the Construction Plans.
8. All sidewalk paths, including those across driveways, shall be ADA compliant.
9. Revise the Master Development Plan to address comments as noted on the marked-up plan sheets provided by the Town Engineer and provide for Town review and approval.
10. Detention shall be provided for this site per Town requirements.
11. A letter from the adjacent property to the west (Wooley) shall be provided granting access and improvements to their property for the purpose of this development.
12. The developer’s consultant shall provide separate Quit Claim deeds with descriptions to abandon the Town’s ROW to each property owner adjacent to the area proposed for abandonment on Mott Street.
13. Construction plans must include improvements to the identified section of Mott St. to allow 24’ travel way for two-way traffic.
14. A Comprehensive Sign Policy shall be reviewed and approved by the DRC before any sign permit is approved for the PD.
15. A Plat application and fee shall be submitted to the Town for review and approval to:
   a. Formally abandon the eastern ±200’ of Mott Street ROW
   b. Record an Ingress/Egress Easement across the Wooly property and proposed development if item 14 above is satisfied.

B. **Other as properly presented**

There was no new business to come before the Commission.

**VII. Adjournment:**

**Motion:** Don Hinkle made a motion to adjourn. Brian Thompson seconded the motion.

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Russ Campbell, Chair

Date: 2-20-18

Brian Thompson, Secretary

Date: 2/20/18

Submitted By: Mary Helen Carmack, Planning Clerk