I. Invocation

Brian Thompson delivered the invocation.

II. Call to Order and Establishment of Quorum:

Present: Brian Thompson, Chairman
Nycole Alston, Secretary
Dwight Barker
Oscar Brooks, Alderman
Susan Payne
Victor Ghosheh
Russ Campbell

Other Staff Present: Angela Reeder, Town Planner
Steve Hill, Town Engineer
Gerald Lawson, Town Attorney

Chairman Thompson called the meeting to order with a quorum established.

III. Approval of Minutes from May 18, 2020 Meeting:

Chairman Thompson asked for a motion to approve minutes.

Motion: Dwight Barker (DB) made a motion to approve the minutes of the May 18, 2020 meeting. Susan Payne (SP) seconded the motion.

Vote on Motion: The motion carried unanimously.

IV. Comments from Citizens

None.

V. Old Business:

A. Other Business as Presented.

There was no old business presented.

VI. New Business:

A. Steamfitters Union – Site Plan – proposal to add an 86-space parking lot behind the existing Steamfitters facility at 5670 Commander Drive.
Chairman Thompson recognized Angela Reeder (AR), Town Planner. AR said the applicant’s existing site is improved with an industrial building and a rear parking lot, which was approved in 2017. They recently purchased 2 acres of undeveloped land adjacent to their site, with the intent to expand their parking area. Both the existing and proposed sites are zoned M-1, Light Industrial.

AR noted the applicant has one shared driveway from Commander and they propose to extend the driveway easement east another roughly 240 feet. The new parking lot would connect to the driveway extension, as well as to the existing parking lot through a previous fire turnaround. No public road improvements are required.

The Union currently has 64 parking spaces, which they felt would be adequate. AR noted the Ordinance does not specify parking numbers for some unique uses, such as Technical Schools. Instead, a parking study or similar justification can be provided for PC consideration. The Union has since learned the existing lot does not accommodate their needs. Staff would typically request a parking study. However, observing parking trends during the current pandemic would result in skewed numbers; therefore, one was not required.

AR said the Union states they have 115 students enrolled in evening classes during the week, monthly meetings of their 200+ members, and committees of 100+ members that meet 3 times a month. Staff recommended the site be parked based on training area square footage at 1:200sf (a common trade/vocational school calculation), with the entire remainder of the building parked based on our office guidelines. This should capture the other areas being used for union meeting purposes when large groups gather, which was not included previously. Following those standards, the site should provide between 132 and 170 spaces. AR said the applicant proposes 148 spaces.

Steve Hill (SH) said the parking lot expansion adds almost 1 acre of impervious area to the site. To compensate for the increased runoff and to meet Arlington's drainage requirements, a detention basin will be constructed at the northeast corner of the site.

AR noted 60% open space of 60% is provided on the new lot; however, it is fully treed with some rather large oaks, several of which are proposed to be removed for the parking lot and drainage requirements. Staff highlighted three additional trees that could likely be saved without impacting site drainage and recommends the applicant preserve these.

Lastly, AR suggested the new lot be landscaped and lighted consistent with approved plans for the existing parking lot. A condition notes this is a requirement.

AR stated staff recommends approval of the applicant’s request, subject to the attached conditions, in addition to any other conditions levied by the Planning Commission.

BT called for motion on the proposal.

**Main Motion:** Oscar Brooks (OB) made motion to approve the Site Plan with the proposed conditions. Victor Ghosheh (VG) seconded the motion.

BT asked for questions for AR or the applicant. OB stated it was nice to see they were busier than they expected.
BT echoed staff concerns that they try to save what trees they could on the site. Nycole Alston (NA) agreed.

With no additional questions, BT called for roll call vote on the motion to approve the Site Plan.

**Vote on Main Motion:** The motion carried unanimously (6-0).

**STANDARD CONDITIONS:**

S-1. It is found that the application as presented, with plans dated May 12, 2020, 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. The applicant is required to have a pre-construction meeting with Town of Arlington staff prior to commencing improvements.

**PROJECT SPECIFIC CONDITIONS:**

P-1. Revise the Construction Plans to address comments as noted on the marked-up plan sheets provided by the Town Engineer and provide for Town review and approval.

P-2. Additional landscaping and lighting within the parking lot expansion shall be consistent with plans approved by the Design Review Committee for the initial parking lot, and in accordance with the Town Design Guidelines.

P-3. Landscape and Irrigation plans shall be provided with civil plans for review and approval before being included in construction mylars for a Preconstruction meeting.

P-4. Prior to final acceptance of improvements, proof of a recorded ingress/egress easement for the shared access drive shall be provided to satisfaction of the Town.

P-5. Prior to final acceptance of improvements, a final plat must either be recorded to combine the two properties or to create the other lot and meet Town subdivision and off-site parking requirements.

**B. Arlington Place Subdivision, Lot 4 – Site Plan – proposal to install a shared driveway to serve a commercial subdivision on the west side of Airline, north of Milton Wilson.**

Chairman Thompson addressed AR. She said the applicant is requesting a site plan to install an internal driveway across Lot 4 of the Arlington Place Commercial Subdivision. A Plat and Construction Plans for this subdivision were approved in 2017 and created a 5-lot commercial subdivision. Since work was completed, three buildings have been built on the lots fronting Airline Road: RedMed, O’Reilly, and Sherwin-Williams.

AR noted the original Plat included a shared driveway from Airline into the site, as well as a 24-foot-wide ingress/egress easement that ran north/south on Lot 4 to provide future access to Milton Wilson for the
subdivision. The applicant is looking to build that driveway at this time and it will extend from an existing driveway at Milton Wilson, north to Lot 3.

The construction of the driveway will not significantly affect the total runoff from the property, so no detention is required at this time. As each lot is developed, detention requirement will have to be met. No major earthmoving is indicated on the construction plans; however, the developer will be required to control erosion, and stabilize all disturbed areas by seeding & sodding upon completion.

AR noted the lot will remain primarily open and undeveloped, so no landscape plan is needed at this time. Staff recommended approval, subject to the recommended conditions

BT called for motion to open the floor for questions and discussion.

**Main Motion:** DB made motion to approve the Site Plan with proposed conditions. SP seconded the motion.

There were no questions or further discussion. BT called for roll call vote.

**Vote on Main Motion:** The motion carried unanimously (6-0).

**Standard Conditions:**

**S-1.** It is found that the application as presented, with plans dated May 4, 2020, 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 Notice of Intent and approved Notice of Coverage prior to any permitted earth disturbance activity.

**S-5.** The applicant is required to have a pre-construction meeting with Town of Arlington staff prior to commencing improvements.

**S-6.** A Letter of Credit shall be provided to the Town of Arlington in an amount to be determined by the Town Engineer to insure the completion of the work.

**PROJECT SPECIFIC CONDITIONS:**

**P-1.** Revise the Construction Plans to address comments as noted on the marked-up plan sheets provided by the Town Engineer and provide for Town review and approval.

C. **Arlington Falls Lot 2 – Site Plan** – proposal for a 3-bay retail center on 1.3 acres of commercial property on the west side of Airline Road, south of Milton Wilson.

BT asked AR for a report. AR stated the applicant is proposing a Site Plan for a new 3-bay retail center in Phase 1 of Arlington Falls PD. The PD was approved in 2017, which included three lots in Phase 1. Construction plans for the Phase 1 were approved last June and included installation of 2 internal roads and other shared infrastructure.
The proposal is a single-story, 4,995 square foot 3-bay retail center. The building will sit in the center of the site facing Airline Road. It will have 3 bays, and the southern-most suite is proposed with a drive-through lane and window. A single-loaded aisle of parking is proposed along Airline and a double-loaded aisle is proposed at the back of the building. A screened area at the back of the building is proposed for mechanical equipment, and a trash enclosure is proposed on the back corner of the lot, facing west.

Access is from the Phase’s shared driveways to Milton Wilson and Airline. On-site driveways wrap around the building, providing access to three sides. The drive-through is accessed through a separate lane that wraps around the rear of the building. The lane can accommodate up to 6 vehicles, the minimum required by the Code. It is clearly separated from traffic lanes, as required. AR noted a 7th vehicle would block the sidewalk if they tried to enter the queue; any additional vehicles back into the center’s driveway, but would not be on a public roadway.

AR explained the PD calls for “internal pedestrian movements to enhance pedestrian safety and comfort.” Sidewalks are already planned along the two internal drives and on Airline; a sidewalk section on the north end of the building connects to the sidewalk. Walkways also provide paths for customers using the rear parking and employees to access the dumpster enclosure. A bike rack is also proposed in front of the building, as required.

The site plan provides 34 spaces on-site, including 2 handicap stalls. This exceeds Zoning Ordinance requirements, which call for a minimum of 25 spaces (1:200 sf) and a max of 28 spaces (1:180 sf) for shopping center uses of this size. The applicant argues the max spaces allowed is not adequate for their use. They note the drive-through tenant (a corporate client) requires 20 spaces be available for their use. As such, they have applied for a Parking Waiver to be considered by the BZA. A condition of approval states any approval of this Site Plan is contingent on approval of added parking by the BZA. If the additional parking is denied, the site plan may be revised to convert the extra spaces to landscaping without additional PC review.

SH explained construction plans were already approved for the first phase of the Arlington Falls PD, which includes this site. In addition, the Town’s Airline Road project will construct road improvements along Airline Road, including curb & gutter and sidewalk. No additional public road improvements are required for this project. He also noted the first phase is served by an existing detention basin for the phase, which will later be converted to a larger detention basin for the PD. He recapped the conditions imposed in the July 2017 PD approval were that this development must design their stormwater facilities for the 100-year storm rather than the 25-year storm normally required for new developments. This requirement is being met by the developer.

AR said open space of 30% is provided on the site, which meets the Town requirement for this lot. Staff recommended approval subject to the proposed conditions.

BT called for motion to open the floor for questions and discussion.

**Main Motion:** SP made a motion to approve with proposed conditions. DB seconded the motion.

BT stated he had no problem with the little extra parking, especially with the adjacent shopping center that could share the parking.

Russ Campbell (RC) arrived at the meeting.
OB noted he was a little concerned about the drive through design and asked if the rear parking and drive through could be swapped, to give more queueing space.

Wesley Wooldridge (WW), Renaissance Group, said they had looked at different options and this was the only one that did not cause conflicting movements with on-site traffic and drive-through customers.

BT asked if the applicant could confirm the drive-through tenant and whether that tenant preferred to be a tenant in multi-tenant buildings.

WW confirmed Starbucks was the proposed tenant and noted they generally prefer stand-alone buildings.

OB questioned whether the dumpster could be served by trash trucks where it was proposed.

WW noted with the proposed access points to driveways on north and west, they should have no problem.

RC asked if the driveway on the southern side of the lot should be straightened out, to make maneuvering around the dumpster area easier.

WW said the plan was a little misleading because of the shading for the heavy-duty asphalt, but there was plenty of room in that area, as it was slightly wider than other parts of the driveways. He said Fire apparatus should have no problem maneuvering this part of the site.

BT asked the applicant his plans for construction timing with lots 2 and 3 and the shared driveways.

WW clarified that the shared Phase 1 driveways would have to be installed before either of the other lots could be completed.

NA asked for confirmation that Starbucks is the proposed tenant in the end suite. WW said yes.

Hearing no further discussion, BT called for a vote on the project with the proposed conditions and their recommendation to the BZA to approve the requested additional parking.

Vote on Main Motion: The motion carried (6-0), with NA abstaining.

Standard Conditions:
S-1. It is found that the application as presented, with plans dated June 2, 2020, 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. The applicant is required to have a pre-construction meeting with Town of Arlington staff prior to
commencing improvements.

PROJECT SPECIFIC CONDITIONS:
P-1. All sidewalk paths, including those across driveways, shall be ADA compliant, including the
installation of truncated domes to provide tactile surfaces where ADA routes cross driveways.
This requirement applies both in the public right-of-way and within the site.
P-2. Revise the Construction Plans to address comments as noted on the marked-up plan sheets
provided by the Town Engineer and provide for Town review and approval.
P-3. Landscaping, lighting, building elevations and signage shall be reviewed and approved by the
Design Review Committee in accordance with the Town Design Guidelines.
P-4. The Arlington Falls PD final plat for Phase 1 must be recorded, creating the lot in question prior to
issuance of any building permits for the site, or full security for public improvements must be on
file with the Town.
P-5. FDC and fire hydrant locations shall meet Town and Code requirements (912.2 Location) to the
satisfaction of the Arlington Fire Chief.
P-6. Each retail bay must have its own separate grease trap/interceptor that meets Town wastewater
requirements, if the use requires one.
P-7. Approval is contingent on approval of parking in excess of Town standards by the Board of
Zoning Appeals (BZA). If additional parking is denied, the site plan may be revised to convert the
extra spaces to landscaping without additional PC review.

D. Arlington Falls PD, Lot 5 – Land Disturbance Permit – proposal for clearing and grading Lot 5 of the
Arlington Falls PD, located on the south side of Milton Wilson, west of Airline Road and south of AHS.

Chairman Thompson asked AR for a report. She noted the applicant is requesting a land disturbance
permit for grading and earthmoving operations of Lot 5 of the Arlington Falls PD. The PD was approved
on July 5, 2017, but each lot still requires individual PC Site Plan approval.

SH explained the applicant states their intention is to clear and grade the site in anticipation for Lot 5
development in the future and as a continuation of Lot 4 improvements. The project will clear and grade
the remaining ~3.5 acres of Lot 5 that has not been cleared by previous phases of the development. The
work will include cutting and clearing of trees and placement of ~2’ of fill over the site to prepare it for
future development.

SH explained the grading will be done in a manner that routes the drainage from disturbed areas into the
sediment basin installed during the previously approved Lot 4 development. Throughout the excavation
and earth-moving operations, the developer will be required to control erosion, and all disturbed areas
will be stabilized by seeding & sodding upon completion of fill placement.

AR noted a Condition of the Board’s PD approval noted the sensitivity of the residential homes adjoining
Lot 5 and required a buffer be provided to minimize any potential adverse impacts. She explained the
previously approved Lot 4 project included clearing an area near the west boundary of Lot 5 for drainage
improvements, but that most of that area fell within a portion of the site that was partially cleared back
in 2015-16 by a Town drainage project for Summer Meadows.
AR said now that the rest of Lot 5 is being cleared, some type of interim buffer was required until the owner decides to develop this lot in the future. The developer proposes to maintain and protect a number of remaining large trees along the west boundary and to plant bare root pines in a 10’ x 10’ grid across the entire area between the west property line and 1/3 way down west bank of drainage ditch. The remainder of the site will be completely cleared.

Staff contacted a west TN Forester about this proposal and learned it is a common practice and that often times many slower-growing hardwoods will also regenerate and grow back over time. He noted it would likely take up to 4 years to create a true buffer but planting fully grown trees was not typically feasible in large areas.

AR said aerials appear to show more trees than the few identified in plans along that west property line. Staff added a condition requiring the applicant to provide a full tree study of that portion of the lot, to ensure no additional trees ≥ 6” diameter could be preserved there. While this will provide some buffer to the existing homes, more extensive buffer requirements may be considered when a Site Plan for Lot 5 is ultimately submitted.

AR recommended approval of the Land Disturbance Permit with the conditions listed.

BT called for motion to open the floor for questions and discussion.

**Main Motion:** NA made motion to approve the Plan with conditions listed. Alderman Brooks seconded the motion.

SP asked about the Tree Preservation Survey requirement. AR explained the condition requires a survey that meets Town requirements for the western portion of the site.

RC asked if piping the drainage was the better option, given the drainage issues in this area. SH explained this project was asked to detain as much as possible when originally approved. He said most problems in the area are due to older, downstream pipes and their sizing. If the drainage on Lot 5 is within an adequate size pipe, it is an acceptable option.

OB asked how long it would be before erosion on the banks would be a problem here. SH said the bank slopes are gradual and with stabilization he did not expect drainage would cause erosion which would concern the homes to the west.

RC asked for clarification on the bare root pines and whether they are truly 10-12” when planted.

WW said a formal Landscape Plan would require maintenance and irrigation of the area for it to survive. This proposal is something they have done before. It would be small when planted, but in 3-5 years would give a buffer. In addition, it would be growing while plans were made for the ultimate use of Lot 5 and hopefully be established before anything was done on that lot.

RC asked about erosion control on the rest of the lot. WW said they will seed areas that are disturbed. They had no plans to disturb the west side of the ditch, other than to plant the pines.

There were no questions or further discussion. BT called for a vote.

**Vote on Main Motion:** The motion carried unanimously (7-0).
Standard Conditions:

S-1. All construction and improvements within the site shall be in compliance with the Town of Arlington Subdivision Regulations and Technical Specifications, and as directed and approved by the Town Engineer.

S-2. This project must comply with the Tennessee Department of Environment and Conservation NPDES Regulations governing stormwater discharge during construction activity.

S-3. Erosion control measures as approved by the Town Engineer shall be implemented in compliance with the applicant’s Notice of Intent and approved Notice of Coverage prior to any permitted earth disturbance activity.

S-4. A Letter of Credit shall be provided to the Town of Arlington in an amount to be determined by the Town Engineer to insure the completion of the work.

Project Specific Conditions:

P-1. Provide a cost estimate for the proposed work to be done under the Land Disturbance Permit so that a security amount can be determined for BMA review and approval.

P-2. Revise the land disturbance plans to address comments as noted on the marked-up review set of plans provided by the Town Engineer. Resubmit corrected plans for review and approval prior to the commencement of work.

P-3. Provide a Tree Survey consistent with Town requirements for the west end of Lot 5 (between drainage and property line) to clearly identify all trees with a six (6") DBH or greater that may be preserved to add to a buffer for adjacent residential homes.

P-4. A preconstruction conference with Town Staff and with the Tennessee Department of Environment & Conservation (TDEC) staff shall be held prior to commencement of work.

E. Brendalay Grill – Site Plan Amendment – proposal to revise approved Site Plan for a new restaurant at 6259 Quintard Street

Chairman Thompson asked AR to present the report (on file). AR stated the applicant is requesting to revise the site plan for the Brendalay Grill which was approved in 2017. The approval included a two-story, restaurant on 2.2 acres, with a restaurant on both floors and an apartment on the upstairs corner of the building. An expanded parking lot was approved along with a new entrance and driveway. The old driveway was to be closed off and maintained as the pedestrian access to the building. The front lawn along Quintard was proposed as a “fenced outdoor recreation area,” only accessible from the restaurant.

AR noted minor changes are common during construction and staff had approved multiple so far. Due to the scale of these changes, it was brought back to PC. She noted a change in grading or construction error led to the applicant adding stairs in the parking lot at the entrance, which resulted in the loss of 6 parking spaces on a site staff warned was likely under-parked. In addition, 2 spaces must still be marked as ‘reserved’ for the residential unit the applicant chose to build.

The dumpster enclosure was then built inconsistent with plans and the applicant is asking approval for that change. It was shifted forward, the concrete pad/loading area was removed, and it was oriented to the northeast, as opposed to angling it north toward the parking lot. This change resulted in a loss of green space, additional asphalt, and the loss of 1 extra parking space.
Lastly, the applicant would like to leave the old curb cut in place, partially close it with “planters,” and use the old driveway for motorcycle parking. The applicant originally asked to keep the old driveway; however, the PC and DRC required it be closed with curb/gutter/sidewalk and on-street parking spaces be striped in that area. The old driveway itself was allowed to stay and was to serve as pedestrian access to the building.

AR said staff felt the dumpster revision did not seem necessary and resulted in a worse parking lot design. It created an unfinished look with added asphalt and removed yet another parking space. It is also likely cars will maneuver into that area and use it as makeshift parking. To correct it now would be a burden on the owner, but disregarding Town-approved designs is not an accepted excuse for site changes and no other justification has been provided.

AR supported the addition of motorcycle spaces to partially mitigate the loss of parking elsewhere. The driveway is wide enough to stripe angled motorcycle spaces and still maintain an aisle for pedestrians and bike access. As opposed to using planters, staff recommended a 4’ metal gate to match the 4’ tall black metal fencing proposed along the street. A gate would leave enough space for motorcycles but restrict vehicles, give a consistent, finished look from the street, make the old driveway look less like an afterthought, be easier to maintain than landscaping in a planter, and most important, it would allow Fire Department access in the event of an emergency through a KNOX box on the gate. One Fire concern with the old building was when customers parked alongside the driveway and blocked their access. However, she noted the applicant is also asking to not install the fencing at this time.

The requested changes would not affect the site grading and drainage. A revised Landscape Plan showed the same number of plants as originally proposed, just oriented around the new hardscape layout.

AR said the staff recommended approval of the applicant’s request for motorcycle parking subject to the attached conditions, in addition to any other conditions levied by the Planning Commission.

BT called for motion to open the floor for questions and discussion.

**Main Motion:** OB made motion to approve the Amended Plan with conditions. NA seconded the motion.

OB noted that removable, decorative, concrete bollards were used to close the street near his work and he felt something like that might be a better solution here, especially if the fence was not being built. They can be lockable with a KNOX lock to allow Fire access, and while removable, they are generally too heavy for most people to remove just because.

BT asked for verification that the applicant was not going to build the fence now.

Deven Patel (DP), the owner of 6259 Quintard Street, said that his request is to not build the fence at this time. He acknowledged that without a fence, he would not be able to sell outside food or have events in the front yard area.

BT said if bollards were used, they should be decorative to match Depot Square. He used the example of the Town’s decorative pole lights as a good item to mimic with the bollards.

OB asked why the trash enclosure was built different than plans.
DP said that the plans had the enclosure too close to the ditch and he would have had to grade more to install as proposed. He said trash service and his deliveries were done in the morning and his restaurant didn’t open until the afternoon, so there should be no problem or conflicts with accessing it as built.

SP asked how many motorcycle spaces the new area could fit. DP said 25. AR clarified that may change because they would need to be of an appropriate size to accommodate a motorcycle.

BT asked if two spaces would have to be marked reserved for the apartment. DP said it wasn’t really going to be an apartment, he was just trying to make a space for his kids when they were at the restaurant.

AR noted that the previous conditions of approval said that if no cooking facilities are included, it is not considered an “apartment” and therefore the reserved spaces would not be required. She said that still applied, so condition P-3 would only apply if an apartment was proposed.

OB asked if a new condition would be added for the bollards option. AR noted a P-4 condition could be added to confirm the applicant could instead install bollards that met Town requirements and were both removable and lockable to be used by the Fire Department in an emergency.

BT called for a vote with the added condition that bollards could be used in place of a gate. He reminded the applicant that the proposal should be provided to staff for approval prior to installation.

**Vote on Main Motion:** The motion carried unanimously (7-0).

**Standard Conditions:**

- **S-1.** It is found that the application as presented, with plans dated May 28, 2020, 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 Notice of Intent and approved Notice of Coverage during any permitted earth disturbance activity.

**Project Specific Conditions:**

- **P-1.** All prior approved project conditions for this Site Plan are still applicable.

- **P-2.** Revise the Construction Plans to address comments as noted on the marked-up plan sheets provided by the Town staff, to include the matching gate over the new driveway meeting Fire Department access requirements.

- **P-3.** Identify the 2 parking spaces to be identified as “reserved” for the upstairs apartment.

- **P-4.** The applicant may instead install bollards across the old driveway opening to limit access to only pedestrian and motorcycles. The bollards must meet Town design requirements and be both removable and lockable to be used by the Fire Department in an emergency.
F. Arlington Zoning Ordinance – Amendment to two chapters regarding uses in industrial zones, small wireless facilities, controls for indoor storage and bed and breakfast uses, and monument sign lighting rules.

BT referred to AR to present the proposal. AR summarized the staff report (on-file) and stated these amendments are Town-initiated, as a result of staff concerns and direction given to staff over the past year. She reminded them the concepts were discussed back in March, prior to the specific text being written. The Planning Commission is asked to give a recommendation to the Board, who will consider them at a future public hearing and make a final decision.

AR gave a brief description of each of the five amendment. The first would add to the permitted Industrial uses in table 4.8 to assist business owners and staff in determining what is appropriate in our Industrial zones. She read each of the proposed added uses.

AR then described the amendment to add Bed and Breakfast uses as a conditionally allowed use in residential and B-3 zones. She explained the limitations, including the requirement they be owner occupied, only serve food to those staying on-site, only have up to 4 guest rooms, and that they must park each room on-site and not in the front yard. She noted if approved, the Table of Uses would also need to be amended to add this use, and a definition of Bed and Breakfast would be added to the Code definitions.

The third amendment would add two additional requirements for granting a conditional use permit for indoor storage facilities. Requirements included not being within 500 feet of an arterial street and that they include active uses such as retail on their ground floor to be more consistent with other retail/office uses.

AR noted the fourth amendment updates the existing Code to adds specific requirements for small cell wireless facilities. This is in response to new federal and state legislation, as well as the application adopted by the Board last November. She explained how it clarified many of the requirements of other utilities and developments are being reiterated here, such as undergrounding wiring where an option, screening and integrating equipment to minimize aesthetic impacts. A requirement that each new pole structure also accommodate a minimum of two providers was also added, to limit the need for new structures.

Lastly, AR said the last amendment dealt with lighting monument signs. The amendment was originally proposed to remove interior illumination, but staff revised it based on PC discussion in March. This amendment would ensure internally illuminated signs used solid, opaque materials for the face and not vinyl stickers which can sometimes cause excess light to bleed around the perimeter if not installed properly and have more maintenance concerns. In addition, AR noted language limiting the brightness of all illuminated signs was added based on a model sign ordinance. She noted how the proposed maximum limit was far less than permitted in Memphis, but appeared consistent with what cities like Franklin used.

AR said the Planning Commission could recommend the amendments, recommend them with changes, or not recommend them at all.

BT called for motion to open the floor for discussion.

Main Motion: NA made motion to approve the amendments. DB seconded the motion.

BT noted there was a Public Hearing and called for a motion.

Motion: RC made a motion to suspend the meeting and open Public Hearing. OB seconded the motion.
Vote on Motion: Motion carried unanimously (7-0).

BT announced this is a public hearing to consider Amendments to Arlington Zoning Ordinance Chapter 4 and Chapter 7 to clarify suitable uses in industrial zones, update regulations for small wireless facilities, add CUP controls for indoor storage and bed and breakfast uses, and amend monument sign lighting rules. He noted Notice of the public hearing was published in the Commercial appeal on Saturday, May 30th, 2020. He asked any wishing to speak for or against the request to please stand and be recognized.

None came forward to speak.

Motion: Victor Ghosheh (VG) made a motion to close the public hearing and return to the PC meeting. OB seconded the motion.

Vote on Motion: Motion carried unanimously (7-0)

BT called for any discussion or questions for staff and suggested taking the amendments in order.

OB said he looked over the uses proposed in Amendment 1 for the Industrial table and agreed they all should be industrial. Others agreed.

BT noted that all the uses were by right in Industrial, but that call center was also added to Office zoning. AR agreed that was the only one in another zone. BT said that seemed appropriate.

There were no other comments or concerns about amendment 1.

RC asked, regarding amendment 2, what areas the bed and breakfasts would be permitted, as there was discussion about it at the last Planning meeting.

AR noted the proposal would allow them in any residential zone and the B-3 zone, which is Depot Square north of Walker. It was previously discussed that they are probably not be appropriate in most subdivisions, but there are homes in older parts of Town and south of I-40 that are not in a PD where they could be appropriate. To be fair, staff recommended any residential zone, but understands most developed subdivisions would likely not permit or be able to accommodate one.

BT agreed a B&B would not make sense in an established PD neighborhood, but that most HOAs probably restrict a use like this anyway. Other members agreed.

RC asked about short term rentals like Airbnb. AR stated this does not include or permit short term rentals, but that staff is working on an amendment for that after getting direction from the Planning Commission in March.

BT said he was glad to see regulations on signs added, to make sure they were kept minimal.

BT moved on to amendment 3, hearing no further discussion on the previous. He said the requirement for 50% other uses on the ground floor did not make sense to him. RC agreed and asked what happened if it was a single-story building. AR responded that the language was intended for multi-story storage units that looked like office buildings from outside.

Others agreed the 50% requirement did not make sense to them and recommended that portion be removed. AR said the intent was to make them match other commercial uses in the B-2 zone, but if it was unanimous, then item (i) could easily be removed.

NA asked what “visible” from a street would mean. RC and OB agreed and asked if the building was screened by landscaping or another building, could it be closer.

AR said the intent would be a situation where the building was behind another building and truly not visible. She assumed landscaping alone would not be enough to screen a building, especially if it were multi-story.
BT asked what the point of screening a building was, if the Town already required it be enhanced to the point that it looks like an office building. He pointed to the first condition in the list, which states they must have the exterior appearance of an office building.

After continued discussion among all, it was determined the proposed restriction within 500 feet of an arterial road was redundant and unnecessary. They agreed the Town had already made the rules stringent enough for a user that wanted to be in the B-2 zone and did not recommend added conditions be added.

The Commission moved on to amendment 4. All agreed the facilities should follow rules that applied to other utilities and should be a stealth design and match poles they are attached to.

Moving to amendment 5, BT noted this was different than what was originally proposed, as it no longer removed internal illumination as an option. He reminded the PC that in their last discussion, they had looked at the First Citizens bank and agreed that type of design was much cleaner and clearer than others that used opaque vinyl. He noted this reflected direction given to staff.

OB stated staff had clearly done their research on coming up with the brightness standards. He appreciated the addition of this language since last time and agreed the level was appropriate.

AR stated staff would look for applicants to provide their proposed sign brightness on applications, as they do with other application requirements. She noted there was equipment that could check that information in the field, to which OB agreed. AR said the Town did not currently have that equipment.

After discussion, there were no more questions about the amendments.

BT called for a motion to amend the main motion based on discussion.

**Motion to Amend:** OB made a motion to amend the motion to recommend all proposed changes on Amendments 1, 2, 3, and 5 as proposed, and to recommend eliminating Amendment 4 on Self-Storage. RC seconded the motion.

**Vote on Motion to Amend:** The motion carried unanimously (7-0).

**Vote on Main Motion as Amended:** The motion carried unanimously (7-0).

**G. Other as Properly Presented**

There were none.

**VII. Adjournment:**

Hearing no new business Chairman Thompson called for a motion to adjourn.

**Motion:** DB made motion. RC seconded the motion.

BT called the meeting adjourned.