Town of Arlington
5854 Airline Road, Arlington TN 38002

Board of Mayor and Aldermen
December 2, 2019
6:30 P.M.

MEETING MINUTES

I. Call to Order and Roll Call.

Present
Mike Wissman, Mayor
Larry Harmon, Alderman
Russell Wiseman, Alderman
Jeff McKee, Alderman
Oscar Brooks, Alderman
Harry McKee, Vice Mayor
Jeremy Biggs, Alderman

Others Present
Catherine Durant, Town Administrator
Gerald Lawson, Town Attorney
Brittney Owens, Town Recorder/Treasurer

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

II. Opening Prayer.

Opening prayer was led by Jeff McKee, Alderman.

III. Pledge to the Flag.

The Pledge of Allegiance was led by Tonia Howell, Arlington Chamber of Commerce.

IV. Approval of the minutes from November 4, 2019.

Motion: Alderman Brooks made a motion to approve the minutes from November 4, 2019. Alderman Harmon seconded the motion

The motion carried unanimously.

V. Grievances and Comments from Citizens.

None were presented.

VI. Communication from the Mayor.

A. Shelby County Sheriff’s Department Incident Report for the Month of November.
Mayor Wissman introduced Deputy Mercer. Deputy Mercer stated that compared to last month’s report the only incident that stood out was an aggravated assault at the sports complex which occurred on the first of the month. Deputy Mercer also pointed out that there were no vehicle break-ins for the month of November. The Full Report is on file at Town Hall.

B. Arlington Fire Department Report for the Month of November.

Mayor Wissman recognized James Harvill, Fire Chief. Chief Harvill stated that there was a total of 70 responses with 32 of them being EMS calls. There were 12 calls south of I-40 and 9 calls on I-40. Fire Department enacted their emergency ops plan for Christmas on the Square, no issues were presented. Truck 71 was placed in service on 11/26/2019. A house was also donated for fire training; all 3 shifts participated and completed training. Full report on file at Town Hall.

C. Other as properly presented.

1. Tonia Howell noted that the bicentennial event took place November 24th. Mrs. Howell noted that Hugh Lamar helped in the tents amongst several other volunteers. The tents displayed historical representation of Arlington. It was estimated that about 1500 people came through the tents. Mayor Wissman commented that Mrs. Howell did a great job coordinating the event.

2. Chamber luncheon is on December 11th. Lead Arlington will be held at Wright Medical at 8:30 AM.

3. Mayor Wissman thanked staff and volunteers for all the hard work put into Christmas on the Square. Around 3000 people attended event.

4. Christmas Parade will be held on December 7 at 3PM. There will be about 55 floats as well as 5 bands.

5. Mayor Wissman noted more information will be put out about the Arlington Educational Business partnership. Tammy Mason; Arlington Schools Superintendent and Mayor Wissman attended a meeting earlier in the day with state leadership regarding the medical device industry which will be avenues for the children in the school system.

VII. Committee Reports

Mayor Wissman stated the Planning Commission, Parks and Recreation Advisory Board, and Design and Review Committee met during the month of November.

The Treasurer’s report for the month of November and the financial reports had been given to the Board. Treasurer report for the month of November was read aloud by Vice Mayor McKee for recording purposes. Full report is on file at Town Hall.

IX. Old Business
Mayor Wissman asked for a motion to move item C under New Business to the top of the agenda.

Motion was made by Alderman McKee and seconded by Alderman Brooks. Vote to move item carried unanimously.

C. Resolution 2019-61 to approve an amendment to the Arlington Design Guidelines Manual Chapter V, REHABILITATION AND IMPROVEMENTS TO EXISTING BUILDINGS AND SITES, regarding requirements when changing the use of a building or site.

Mayor Wissman recognized Angela Reeder, Town Planner. Mrs. Reeder noted that this is amendment in Chapter V. This resolution was discussed back in August 2019. Several things were noted at the meeting and added into the chapter. The intent of the new version of the chapter is to clarify the requirements of changing the use of a building or site. There were two paragraphs added in, the first includes for any conversion taking place it must be processed through the Town’s site plan process to demonstrate the new use’s compliance is applicable with the Town ordinances and guidelines. The second paragraph added that in order to achieve the design and character of other non-residential buildings in Town, residential structures shall not be converted to non-residential uses unless there is a stated goal to reserve the unique historic character or architecture of a home.

The Design Review Committee recommended minor changes to the second paragraph to reduce confusion regarding the circumstances when a structure might be appropriate to maintain and to remove subjectivity. It reads as follows: “unless there is a stated goal to preserve a property that is eligible for, or listed on, the National Historic Register or a local historic designation, to the use is characteristically consistent…”

Mrs. Reeder provided examples for the Board. Staff recommends approval for the changes. Mayor Wissman called for a motion.

Main Motion: Alderman Biggs motioned to approve Resolution 2019-61. Alderman McKee seconded the motion.

Mayor Wissman called for discussion and questions. Vice Mayor McKee inquired about houses down in Depot Square and whether they would be able to go from residential to commercial. Mrs. Reeder stated that if they are eligible and they land in the historic district, the intent is to preserve the buildings in the area.

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

Vote on Main Motion: The motion carried unanimously.
Mayor Wissman noted that the meeting was back on the normal agenda.

**A. First Reading of Ordinance 2019-09 to amend the Arlington Zoning Ordinances Chapter 5 section 5.4, to amend guidelines regarding Mixed Use Planned Developments.**

Mayor Wissman recognized Angela Reeder, Town Planner. Mrs. Reeder stated that the Town’s existing language to hide mixed-use developments was deficient. In coordination with the Town’s Future Land Use Plan update, staff and the subcommittee members worked to prepare this amendment to clarify the Town’s intent for these Planning Developments in the future and to better guide landowners if they are considering mixed use proposals. Mrs. Reeder noted that all the changes can be viewed in Exhibit A of the staff report. The Planning Commission considered the amendment at a Public Hearing in August and recommended approval. No members of the Public spoke for or against the item at the hearing.

Mayor Wissman called for a motion.

**Main Motion:** Alderman Brooks made a motion to approve the first reading of Ordinance 2019-09. Alderman Biggs seconded the motion.

Mayor Wissman called for discussion or questions. Alderman Biggs inquired about the thought process behind the residential being no more than 30%. Mrs. Reeder said the Town didn’t have any guidelines to what applicants could use in the overall area residential density. It needed to be clarified that the density shall be computed by multiplying the maximum permitted density by the total acreage of the development plan. It wasn’t a goal to allow an applicant to use one usage primarily throughout the development, the Town needs to see a mix of uses and by putting the cap on it in turn eliminates this. Alderman Biggs asked what percentage Thornwood in Collierville was. Mrs. Reeder believed it is most likely higher than the 30%. Alderman Brooks stated that the committee did spend quite a bit of time on the language for the percentage. Hearing no further discussion Mayor Wissman called for a vote on the Main Motion.

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

**B. Second and Final Reading of Ordinance 2019-10 to amend the Town of Arlington Zoning Map by rezoning two lots totaling roughly 2.87 acres of property located on the East side of Airline Road, South of Hayes Road from E: Estate Residential to SC: Shopping Center Commercial. (PUBLIC HEARING)**

Mayor Wissman recognized Angela Reeder, Town Planner. The presented property is across from the entrance to the high school just under 3 acres. The applicant has submitted to change zoning for both parcels. Currently, there are two residential
properties on the parcels and the applicant has expressed that the buildings will be torn down if zoning is approved. Staff has provided zoning use and designation guidelines to the Board. All services are accessible for utilities and improvements for this development. Development of the site will require on-site improvements to create a commercial or office use. There will be no road improvements on Airline other than the already designated widening. The Planning Commission considered the item at a Public Hearing on August 19, 2019. While expressing concern over the compatibility with existing uses they noted it was the Town’s long-range plan that this area develops as commercial and they recommended approval of this request. Full staff report is available at Town Hall.

Mayor Wissman called for a motion to approve.

**Main Motion:** Alderman McKee motioned to approve the Second and Final Reading of Ordinance 2019-10. Alderman Brooks seconded the motion.

Mayor Wissman called for a motion to suspend the Board Meeting and open a public hearing.

**Motion:** Vice Mayor McKee made a motion to suspend the meeting and open a public hearing. Alderman Brooks seconded the motion.

**Public Hearing: Second and Final Reading of Ordinance 2019-10 to amend the Town of Arlington Zoning Map by rezoning two lots totaling roughly 2.87 acres of property located on the East side of Airline Road, South of Hayes Road from E: Estate Residential to SC: Shopping Center Commercial.**

Mayor Wissman stated that notice of a public hearing was published in The Commercial Appeal on November 8, 2019. He further stated that anyone wishing to speak for or against this request to please stand and be recognized.

Hearing no comments, Mayor Wissman called for a motion to close the public hearing.

**Motion:** Vice Mayor McKee made a motion to close the public hearing and resume the Board meeting. Alderman Brooks seconded the motion.

Mayor Wissman called for discussion or questions. Hearing no further comments, Mayor Wissman called for a vote on the main motion.

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

C. **Second and Final Reading of Ordinance 2019-11 to amend Title 4, Chapter 4 Travel Policy by the Amendment, Deletion and Additional of certain sections. (PUBLIC HEARING)**
Mayor Wissman recognized Brittney Owens, Town Recorder/Treasurer. Mrs. Owens stated this was second and final reading to approve the Town's Travel policy. This is a part of the Municipal Code, and this chapter was redone with the help of HRO and research done compared to other municipalities. Staff recommends approval.

Mayor Wissman asked for a motion to approve.

**Main Motion:** Alderman Biggs motioned to approve second and final reading of Ordinance 2019-11. Alderman Harmon seconded the motion.

Mayor Wissman called for a motion to suspend the Board Meeting and open a public hearing.

**Motion:** Vice Mayor McKee made a motion to suspend the meeting and open a public hearing. Alderman McKee seconded the motion.

**Public Hearing: Second and Final reading of Ordinance 2019-11 to amend Title 4, Chapter 4 Travel Policy by the Amendment, Deletion and Additional of certain sections.**

Mayor Wissman stated that notice of a public hearing was published in The Commercial Appeal on November 8, 2019. He further stated that anyone wishing to speak for or against this request to please stand and be recognized.

Hearing no further discussion Mayor Wissman called for a motion to close the public hearing.

**Motion:** Alderman Harmon made a motion to close the public hearing and resume the Board meeting. Alderman McKee seconded the motion.

Mayor Wissman called for discussion or questions. Vice Mayor wanted to note that the work by staff was greatly appreciated and well done. Mayor Wissman, hearing no further comments, called for a vote on the motion.

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

**X. New Business**

**A. Resolution 2019-59 to approve a Development Agreement with the Bank of Bartlett for the construction of Providence Place PD, Phase 1, located on the South side of Milton Wilson, roughly 1,100 feet East of Airline Rd.**

Mayor Wissman recognized Angela Reeder, Town Planner. Mrs. Reeder explained that this is a Resolution to allow for an execution of a standard Development Agreement for Phase 1 of the Providence Place Planned Development. The Master
Development plan was originally approved by the Board on April 1, 2019. This phase includes 5 commercial lots and 3 common open space lots on 24 acres. The lots will share one primary access point on Milton Wilson. Approval of the construction plans and final plat for Phase 1 were given at the Planning Commission meetings for October and November. Staff recommends approval.

Mayor Wissman called for a motion.

**Main Motion:**
Alderman Brooks made a motion to approve Resolution 2019-59. Alderman Biggs seconded the motion.

Mayor Wissman called for discussion or questions. Alderman McKee asked with the potential of the Baptist property would it be possible for them to complete the road between Milton Wilson all the way to Airline so that part of the project can be completed from one project to the other. It was noted that this is a question for the developer of the Baptist project. Mayor Wissman said this has been discussed during the development of the Baptist project but it has not been decided on. The current location doesn’t cross the creek and it seems like it may not be feasible due to the project outlay.

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

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

**B. Resolution 2019-60 to approve an amendment to the Center at Hayes Crossing PD located on the East side of Airline Road, North of Hayes Road and South of Cranston which includes revising allowable uses on a lot in Area C from Office to Limited B-1: Neighborhood Commercial uses (PUBLIC HEARING)**

Mayor Wissman recognized Angela Reeder, Town Planner. Mrs. Reeder stated this project includes 6.8 acres of vacant land on the east side of Airline between Cranston and Hayes Rd. The planned development of the site was approved in July of 2007. Project was divided into three areas (A, B & C), and a common space. In 2008, the plan was revised to shift the lot sizes and amend the phasing plan, creating two phases. In 2014, the planned development was amended again to remove the B-1 uses and make all lots office uses. The property owner of area C, on the southeast corner of Cranston and Airline has since sold over half of their lot for development as a medical office and begun plans to develop to the remainder with another medical use and 2 extra suites. Applicant has applied to request amending the planned development again to return the original B-1 list of uses to the portion of Area C fronting Airline Rd. 89% of this plan is to remain office use. Applicant has requested to change the front setback to match the B zone. A couple of edits regarding the driveways and easements to the text of the
Master Plan document to “clean up” and incorporate previous Board condition of approval changes has been submitted. The applicant proposed added language to clarify the owners of 4 lots to have retaining walls and are responsible for constructing and maintaining those walls on their lots. The retention basin is shared between areas, but the original plan didn’t clarify who is to upkeep it. Additional language was added for clarification. Staff recommends, full report is on file at Town Hall.

Mayor Wissman called for a motion to suspend the Board Meeting and open a public hearing.

**Motion:** Vice Mayor McKee made a motion to suspend the meeting and open a public hearing. Alderman Biggs seconded the motion.

**Public Hearing: Resolution 2019-60 to approve an amendment to the Center of Hayes Crossing PD located on the East side of Airline Rd, North of Hayes Rd and South of Cranston, which includes revising allowable uses on a lot in Area C form Office to Limited B-1 Neighborhood Commercial uses.**

Mayor Wissman stated that notice of a public hearing was published in The Commercial Appeal on November 15, 2019. He further stated that anyone wishing to speak for or against this request to please stand and be recognized.

Hearing no further discussion Mayor Wissman called for a motion to close the public hearing.

**Motion:** Alderman Brooks made a motion to close the public hearing and resume the Beer Board meeting. Alderman McKee seconded the motion.

Mayor Wissman called for discussion or questions. Mayor Wissman, hearing no further comments, called for a vote on the main motion.

**Main Motion:** Vice Mayor McKee made a motion to approve Resolution 2019-60. Alderman Biggs seconded the motion.

Mayor Wissman called for discussion and questions. Alderman Biggs inquired about the setback for the area off Cranston. Mrs. Reeder stated they are 25 feet. Mrs. Reeder said originally it was 30 feet, but it has since been decreased. Alderman Biggs asked why this was different from 30 to 20-foot setbacks. Mrs. Reeder said it was decided that because it will be more consistent with B-1 zoning. Alderman Biggs also referenced the materials for the buildings and why just 85% brick or stone; directing the question at the applicant. Alderman Biggs asked what other materials will be used. Applicant; Matt Connell, 9983 Autumn Light Drive Lakeland, stated that hardy board will be used as well. Mr. Connell introduced Ron Colin from the Renaissance Group (engineer); 9700 Village Circle Lakeland.
Mr. Colin stated the bulk of the buildings are masonry with batten board siding. If the design called for 100% brick and stone, the building would end up looking very heavy so by adjusting that to 85% it will break it up. Vice Mayor asked what the timeline is to finish the project, Mr. Connell said it’s moving forward and as a group the developers will bid out the contracts together.

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

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

**C. Resolution 2019-61; was moved to beginning of agenda**

**X. Approval of the bills for payment**

Mayor Wissman called for a motion to approve the bills for payment.

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

Mayor Wissman called for a vote on the main motion.

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

**XI. Adjournment:**

**Main Motion:** Vice Mayor McKee made a motion to adjourn. Alderman McKee seconded the motion.

**Meeting Adjourned.**

Mike Wissman, Mayor

Brittney Owens, Recorder