Planning Commission
June 17, 2019
6:30 P.M.
Meeting Minutes

I. Invocation –

II. Call to Order and Roll:

Present:
Russ Campbell, Chairman
Nyoce Alston
Dwight Barker
Don Hinkle, Secretary
Jeff McKee, Alderman
Susan Payne
Brian Thompson
Absent

Others Present
Angela Reeder, Town Planner
Janet Lucci, Planning Administrative Assistant
Lynette Kirk, Planning Administrative Assistant
Steve Hill, Town Engineer
Gerald Lawson, Attorney

III. Approval of Minutes from May 20, 2019 Meeting:

Secretary Don Hinkle called for a motion.

Motion: Susan Payne made a motion to approve the minutes of the May 20, 2019 meeting.
Brian Thompson seconded the motion.

Vote on Motion: The motion carried unanimously.

IV. Comments from Citizens

Secretary Don Hinkle invited anyone wishing to address the Commission on any matter other than an item on the agenda to please come forward and state his/her name and address for the record.

Citizen Comments: Dr. Mark Whitlock, DDS, 5892 Windsor Falls Loop, inquired about rezoning 5723 Airline Road from residential to commercial for a dental office. Mr. Whitlock said he has a dental office in Cordova and would like a branch in his hometown. He noted his plan is to remove the current home on property.

Susan Payne asked if the property under discussion was next to the Arlington daycare. Mr. Whitlock said yes. He noted it is located next to commercial space and across from ABRA Collision. He said having the property rezoned to shopping center would be comparable with other properties on Airline.

Angela Reeder, Town Planner, noted Mr. Whitlock spoke at the last BMA meeting.

Ms. Reeder explained the Future Land Use Plan has this property zoned residential. Mr. Thompson said he sits on the Future Land Use subcommittee and this request to rezone would be something to consider. Jeff McKee, Alderman, expressed concern the impact this rezone may have on surrounding
neighbors. Mr. Thomas recommended Mr. Whitlock work with Staff on the steps required to apply for rezoning.

Seeing no further citizens coming forward Secretary Don Hinkle closed the comment period.

V. Old Business:

A. Other as Properly Presented

There was no business presented.

VI. New Business:

A. Myer’s Park PD, Phase 1 – Final Plat- Phase 1 of the Master Development Plan at the northeast corner of Memphis Arlington Road and Gerber Road.

Secretary Hinkle recognized Angela Reeder, Town Planner, who presented the staff report (on file) for Myer’s Park PD Phase 1. Ms. Reeder noted the applicant is requesting approval of a Final Plat for Phase 1 of this development located on Memphis Arlington and Gerber Road.

She noted this phase will create 44 single-family residential lots, a 2-acre common open space (COS) lot, a portion of another common area, a large detention basin on the north end of the PD, and a private Service Drive behind lots 1-12. She explained Phase 1 include lots in Areas 2 & 3 (Rear-Loaded lots) which front Memphis Arlington Road and Areas 5, 9, and 11 (Front-Loaded Lots).

Ms. Reeder said the lots meet minimum lot size, dimensions, and access requirements set forth in the original PD. She noted any remaining minor corrections will be addressed to the Engineer’s satisfaction prior to recording.

Ms. Reeder said staff recommends approval of the applicant’s request, subject to the following conditions.

Chairman Campbell called for a motion.

Main Motion: Don Hinkle made the motion to approve the final plat for Myer’s Park PD, Phase 1. Jeff McKee seconded the motion.

Discussion: Jeff McKee, Alderman, inquired about the construction timeline. He said is concerned about the impact on school traffic if school is in session. Robert Reeves, Blue Sky Community, stated there is no definite timeline set. He noted this time of year is when most construction takes place. Mr. Reeves said it may make sense to wait until this time next year, however it may be late fall or early winter when construction begins.

Mr. McKee requested the applicant coordinate their construction schedule with the Town to minimize impact on school traffic. Mr. Reaves agreed.

Vote on Main Motion: The motion carried unanimously.

STANDARD CONDITIONS:

S-1. It is found that the application as presented, dated April 1, 2019, and with the conditions of approval meets the provisions of the Town of Arlington Subdivision Regulations, the Town of Arlington Zoning Ordinance and any other applicable regulations, and the project shall be constructed in accordance with those regulations.
S-2. Final Plat approval is effective for two (2) years from the date of approval by the Planning Commission. The applicant may request two (2) one-year extensions from the Planning Commission, per the Subdivision Regulations, if needed to record the Plat.

S-3. A completed Development Agreement shall be prepared and executed prior to construction of any infrastructure within the development.

S-4. Prior to recording the final plat, the developer shall furnish the Town of Arlington approved security, per the Subdivision Regulations, in order to ensure the work will be completed in accordance with approved drawings and applicable specifications.

S-5. The developer shall provide the Town with a copy of the Final Plat using state plane coordinate system with NAD – 27 or NAD – 83 datum on disk or CD in a generally accepted format at the time the Final Plat is presented for recording.

PROJECT SPECIFIC CONDITIONS:

P-1. The applicant’s design professional shall address all Final Plat mark-ups prior to recording.

P-2. Approval of the Final Plat is contingent upon and should be consistent with approved Construction Plans for the Phase.

P-3. The Plat should reference the Town-approved Planned Development, approved by the Board of Mayor and Aldermen on October 1, 2018 as Resolution 2018-60, as the guiding document for this Master Planned community.

P-4. By-laws and/or restrictive covenants for Phase 1 shall be provided to the Town for review and approval by the Town Attorney.

P-5. All phases shall be incorporated into a Master Homeowner’s Association for Myers Park PD to ensure shared access and maintenance of HOA amenities. Provide proof the HOA was formed with the State of Tennessee. The HOA charter, by-laws and restrictive covenants must be recorded with the Shelby County Register prior to recording of the Final Plat.

P-6. All Common Open space in Phase 1 must be deeded to the HOA at the time of recording the Final Plat.

P-7. All common open space improvements and landscaping shall be installed and approved by the Town of Arlington prior to recording the plat.

B. Villages at White Oak 1st Addition, Phase 14—Final Plat — next phase of the Master Development Plan on the east side of Milton Wilson south of Forrest Street.

Chairman Campbell recognized Angela Reeder, Town Planner, who presented the staff report (on file) for Villages at White Oak 1st Addition Ph 14. Ms. Reeder said the applicant is requesting approval of a Final Plat and noted this phase is approximately 12 1/4 acres and will create 19 single-family residential lots and 1 common area lot (south east corner).

She said the residential lots in Phase 14 include lots and homes identified as Greenway Lots (Area 1), Standard Lots (Area 16) and as Neighborhood Lots (Area 6) from the approved Planned Development.

She said the Plat conforms to the approved White Oak 1st Addition PD and noted the lots meet minimum size, dimension, and access requirements as set forth in the original PD.

Steve Hill, Town Engineer, noted the plans include recording a COS detention pond as part of this
phase. He said drainage from future phases may impact the detention. He explained the COS has been turned over to the HOA’s control this may cause problems.

Ms. Reeder said staff recommends approval of the applicant’s request, subject to the following conditions.

Chairman Campbell called for a motion.

**Main Motion:** Nycole Alston made the motion to approve the Final Plat for Villages at White Oak 1st Addition, Phase 14. Dwight Barker seconded the motion.

**Discussion:** Mr. Campbell asked the applicant to come forward and address the issue of the detention pond. Robert Reeves, applicant, agreed the COS detention would be impacted by future development. He said the plan for the COS detention pond is to raise the area around pond. He said it is currently seeping and eroding and the pond will need to be reinforced to regulate flow.

Mr. Reeves stated the options are to leave plat as is to record, not go through with quick claim, or pull the detention pond out of the phase. Mr. Hill suggested the Town not record the plat if the work is not finished.

Ms. Reeder referenced P-1 of Project Specific Conditions stating applicant’s design professional shall address all Final Plat mark-ups prior to recording. She said this will be addressed. Mr. Campbell noted Staff would handle this issue and will ensure all work is completed to the Town’s satisfaction and requirements.

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

**STANDARD CONDITIONS:**

S-1. It is found that the application as presented, dated April 1, 2019, and with the conditions of approval meets the provisions of the Town of Arlington Subdivision Regulations, the Town of Arlington Zoning Ordinance and any other applicable regulations, and the project shall be constructed in accordance with those regulations.

S-2. Final Plat approval is effective for two (2) years from the date of approval by the Planning Commission. The applicant may request two (2) one-year extensions from the Planning Commission, per the Subdivision Regulations, if needed to record the Plat.

S-3. A completed Development Agreement shall be prepared and executed prior to construction of any infrastructure within the development.

S-4. Prior to recording the final plat, the developer shall furnish the Town of Arlington approved security, per the Subdivision Regulations, in order to ensure the work will be completed in accordance with approved drawings and applicable specifications.

S-5. The developer shall provide the Town with a copy of the Final Plat using state plane coordinate system with NAD – 27 or NAD – 83 datum on disk or CD in a generally accepted format at the time the Final Plat is presented for recording.

**PROJECT SPECIFIC CONDITIONS:**

P-1. The applicant’s design professional shall address all Final Plat mark-ups prior to recording the Final Plat.

P-2. Revise the Typical Streetscape Plat to incorporate the entire sidewalk in the public ROW.

P-3. Approval of the Final Plat is contingent upon approval of the Construction Plans.
P-4. All lots in Phase 14 must be incorporated into the Master HOA for the Villages at White Oak 1st Addition PD, to ensure shared access and maintenance of HOA amenities. Proof the community HOA is in good standing with the State and documentation on how this Phase will be incorporated shall be provided to Town Staff for review and approval, and subsequently recorded, where necessary, prior to recordation of the Final Plat.

P-5. The Plat should reference the Town-approved Planned Development, approved by the Board of Mayor and Aldermen on September 5, 2017 as Resolution 2017-44, as the guiding document for this Master Planned community.

P-6. All landscaping and common open space improvements shall be installed and approved by the Town of Arlington prior to recording the plat.

P-7. All Common Open Space in Phase 14 must be deeded to the HOA at the time of recording of the Final Plat.

C. Villages at White Oak 1st Addition, Phase 19– Final Plat – next phase of the Master Development Plan on the east side of Milton Wilson south of Forrest Street.

Chairman Campbell recognized Angela Reeder, Town Planner, who presented the staff report (on file) for Villages at White Oak 1st Addition, Ph 19. Ms. Reeder said the applicant is requesting approval of a Final Plat and noted in is approximately 10 ½ acres.

Ms. Reeder said this phase will create 26 single-family residential lots and 3 common open space (COS) for the development. She said the Plat conforms to the approved White Oak 1st Addition PD. Staff recommends approval with the following conditions, in addition to any other conditions levied by the Planning Commission.

Chairman Campbell called for a motion.

Main Motion: Secretary Don Hinkle made the motion to approve the final plat for Villages at White Oak 1st Addition, Phase 19. Nycole Alston seconded the motion.

Discussion: Brian Thompson asked if there were phases or 1 big project. Ms. Reeder said that the DRC received phases 4–20 last week. Ms. Reeder described the entrance sign to be stone columns approximately 6ft tall with a sign reading 55+ community without a gate. She said his phase will have only one entrance.

Vote on Main Motion: The motion carried unanimously.

STANDARD CONDITIONS:

S-1. It is found that the application as presented, dated April 1, 2019, and with the conditions of approval meets the provisions of the Town of Arlington Subdivision Regulations, the Town of Arlington Zoning Ordinance and any other applicable regulations, and the project shall be constructed in accordance with those regulations.

S-2. Final Plat approval is effective for two (2) years from the date of approval by the Planning Commission. The applicant may request two (2) one-year extensions from the Planning Commission, per the Subdivision Regulations, if needed to record the Plat.

S-3. A completed Development Agreement shall be prepared and executed prior to construction of any infrastructure within the development.

S-4. Prior to recording the final plat, the developer shall furnish the Town of Arlington approved security, per the Subdivision Regulations, in order to ensure the work will be completed in accordance with approved drawings and applicable specifications.
S-5. The developer shall provide the Town with a copy of the Final Plat using state plane coordinate system with NAD – 27 or NAD – 83 datum on disk or CD in a generally accepted format at the time the Final Plat is presented for recording.

PROJECT SPECIFIC CONDITIONS:
P-1. The applicant’s design professional shall address all Final Plat mark-ups prior to recording the Final Plat.

P-2. Revise the Typical Streetscape Plat to incorporate the entire sidewalk in the public ROW.

P-3. Approval of the Final Plat is contingent upon approval of the Construction Plans.

P-4. All lots in Phase 19 must be incorporated into the Master HOA for the Villages at White Oak 1st Addition PD, to ensure shared access and maintenance of HOA amenities. Proof the community HOA is in good standing with the State and documentation on how this Phase will be incorporated shall be provided to Town Staff for review and approval, and subsequently recorded, where necessary, prior to recordation of the Final Plat.

P-5. The Plat should reference the Town-approved Planned Development, approved by the Board of Mayor and Aldermen on September 5, 2017 as Resolution 2017-44, as the guiding document for this Master Planned community.

P-6. All landscaping and common open space improvements shall be installed and approved by the Town of Arlington prior to recording the plat.

P-7. All Common Open Space in Phase 19 must be deeded to the HOA at the time of recording of the Final Plat.

D. Arlington Square PD, Phase 1 (formerly Palmetto)—Construction Plans—an 18.29-acre, multi-phase commercial project located at the southwest corner of Milton Wilson and Airline Rd.

Chairman Campbell recognized Steve Hill, Town Engineer. Mr. Hill presented the staff report (on file) for Arlington Square PD, Phase 1. He noted the project is located on the southwest corner of the intersection of Airline Road and Milton Wilson. Phase 1 is the eastern end of the PD and is approximately 7 acres.

He said this phase encompasses three (3) lots with two (2) access points, one on Airline Road and one on Milton Wilson and he noted the applicant will complete roadway improvements along Milton Wilson and construction of the two (2) access drives that share via an easement.

Ms. Reeder said staff recommends approval with the following conditions, in addition to any other conditions levied by the Planning Commission.

Chairman Campbell called for a motion.

Main Motion: Secretary Don Hinkle made the motion to approve the Construction Plans for Arlington Square PD, Phase 1. Dwight Barker seconded the motion.

Discussion: Secretary Don Hinkle expressed concern regarding the 100-year storm negativity affecting the adjacent homes. Mr. Hill said the applicant made the existing basin bigger than the Town required. He said this will better protect the area against a flood and he noted the proposed detention basin will have a positive impact on the peak flow and will be less than existing flow.

Mr. Hill said the PD does meet the Town’s drainage requirements. Susan Payne asked if the Town replaced the old inferior stormwater pipe behind the adjacent property. Mr. Hill said yes. He said this did not increase the capacity which is the reason we are being particular on this project.
Ms. Payne asked if the proposed detention basin will take care of the drainage issue with the adjacent neighborhood. Mr. Hill explained it would keep the situation from getting any worse. He noted the applicant is being held to a high standard due to the historical flooding in the area.

Mr. Hinkle expressed concern with the sound barrier with the developer and the quietness of the neighborhood. He said it would be greatly appreciated if the developer would create a buffer zone for noise control.

Brian Thompson asked how the applicant proposed to deal with the driveway leading to the current State Farm location off Milton Wilson. He noted this is part of the proposed development. He said there is currently a driveway to the house and asked if that will remain. Mr. Hill said the driveway will be removed and there will be only one access to the development.

Mr. Thompson asked what other public improvements the applicant is required to make. Ms. Reeder said the Town will be widening Airline Rd with curb, gutter and sidewalk. The applicant has given ROW to the Town.

Mr. Thompson asked if the location of the detention pond will be temporary. Mr. Chad Fisher of 6914 Wilks Place in Olive Branch said ultimately, they intend to move the detention pond to the westside.

Mr. Thompson requested the Town work with developers to consider trying to protect as many trees as possible during commercial and residential development. Mr. Hinkle said this had been brought to the attention of developers about a year ago. He noted this lot in particular had been discussed.

Mr. Hinkle said the goal was to attempt to keep as many trees as possible especially those located near the existing residential neighborhood. Ms. Reeder said staff has asked developers when possible to save existing trees.

Mr. Thompson said he would ask the Town to consider its stance on how developers handle the clearing of lots. Jeff McKee said the Town may consider restricting complete tree removal. Chairman Campbell suggested developers could be required to replant larger trees if an inordinate number of trees were removed during development process.

Mr. Thompson noted leaving trees at the far west end of the development would help create a natural sound barrier buffer.

Ms. Payne asked Ms. Reeder how many trees will be cleared at the beginning of Phase 1. Ms. Reeder replied only Phase 1 will be cleared.

Mr. McKee asked why the detention pond was located in the southern portion of the development. Ms. Reeder said the original PD had two small detention basins. She noted due to the complexity of the drainage issues on this site, staff requested the applicant limit the number of detention ponds and create one large one.

Ms. Payne asked if Phase 2 will abut to the existing residential homes and if the applicant has a time frame for this development. Chad Fisher said there are not definite timelines set. He said they may bring Phase 2 and 3 at the same time with office space and assisted living.

Ms. Payne asked if would be a two to three year build out? Mr. Fisher said yes but then maybe before the end of the year. He said they were still looking for a tenant for lot 3.

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

**STANDARD CONDITIONS:**
S-1. It is found that the application as presented, with plans dated May 13, 2019, and with the conditions of approval, meets the provisions of the Town of Arlington Zoning Ordinance, Town of Arlington Subdivision Regulations, 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, Development Agreement, Subdivision Regulations and Technical Specifications, as directed and approved by the Town Engineer, unless otherwise noted.

S-3. Approval of these Construction Plans shall expire within one (1) year from the date of such approval unless a Final Plat based thereon is approved and/or an extension of time is requested by the applicant and approved by the Planning Commission.

S-4. This project must comply with the Tennessee Department of Environment and Conservation NPDES Regulations governing stormwater discharge during construction activity.

S-5. 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. 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.

S-6. Proof of TDEC approval of public sewer extensions is required prior to starting construction of sewer improvements in this Phase.

S-7. The Design Review Committee shall review and approve all proposed improvements (i.e. common landscape areas, streetscapes, site lighting, signage, etc.) for which it is authorized to review.

S-8. A Development Agreement, including all applicable development fees, shall be approved by the Board of Mayor and Aldermen prior to construction of any infrastructure within the development, per the Arlington Subdivision Regulations.

S-9. The applicant is required to have a pre-construction meeting with Town of Arlington staff prior to commencing improvements.

S-10. Prior to acceptance of any public improvement, the applicant will be required to provide as-builts for review and approval by Town Engineer. Upon approval, a copy of the Final Subdivision Plan documents including sewer, water and drainage as-built drawings must also be provided using Tennessee State Plane Coordinate System with NAD83, NAVD88 datum in DXF or DWG format (AutoCAD 2000 or earlier).

PROJECT SPECIFIC CONDITIONS:

P-1. Revise the Construction Plans to address all comments and “red-line” notes provided by the Town Engineer prior to final approval of Construction Plans. Resubmit corrected plans along with a response letter stating how each comment was addressed for Town review and approval.

P-2. All sidewalk paths, including those across driveways, shall be ADA compliant.

P-3. Milton Wilson Boulevard widening improvements shall be built in accordance with the most current TDOT Standard Specifications for Road and Bridge Construction, including any changes, modifications, or addenda.

P-4. If this development is built prior to the Town’s Airline Road improvements construction, this developer will be required to widen the pavement on the Airline Road frontage to provide access to the new entrance drive.

P-5. All landscaping and common open space improvements shall be installed and approved by the Town of Arlington prior to recording the plat.
P-6. Coordinate with MLGW regarding any adjustment and/or relocation of power poles or utilities on the site.

E. Arlington Square PD, Phase 1 (formerly Palmetto) – Final Plat – Phase 1 of a commercial Planned Development located at the southwest corner of Milton Wilson Boulevard and Airline Road.

Chairman Campbell recognized Angela Reeder, Town Planner. Ms. Reeder presented the staff report (on file) for Arlington Square PD, Phase 1 final plat. The project is located on the southwest corner of the intersection of Airline Road and Milton Wilson, primarily with SC (Shopping Center) zoning district. She said the subdivision will create three (3) lots: a roughly 1.3-acre lots fronting Airline Road, a 2.98-acre lot fronting Milton Wilson, and a 2.12-acre lot on the corner. The lots each have adequate frontage on Airline Road and/or Milton Wilson Boulevard, and will share two ingress/egress easements to serve the adjacent lots, with the intent of limiting driveway cuts on the public roads.

Ms. Reeder said they are all 1 ½ to 3 acres in size which meets the Towns requirement and is consistent with the original PD. Ms. Reeder said if approved, the applicant is required to finalize plans that address all engineering comments, receive a Development Agreement from the BMA, and have a pre-construction meeting with staff prior to beginning any work.

Staff recommends approval of the applicant’s request, subject to the following conditions, in addition to any other conditions levied by the Planning Commission.

Chairman Campbell called for a motion.

Main Motion: Brian Thompson made the motion to approve the Final Plat for Arlington Square PD, Phase 1. Jeff McKee seconded the motion.

Discussion: Jeff McKee advised to prepared on lot 1 to have a conversation about moving the building closer to the front of the property. Mr. McKee stated the plan for that area is to make it more walkable. Mr. McKee reminded Mr. Fisher there will be a discussion to change the name of the development. Mr. Fisher acknowledge Mr. McKee.

Vote on Main Motion: The motion carried unanimously.

STANDARD CONDITIONS:
S-1. It is found that the application as presented, with plans dated April 1, 2019, and with the conditions of approval meets the provisions of the Town of Arlington Subdivision Regulations, the Town of Arlington Zoning Ordinance and any other applicable regulations, and the project shall be constructed in accordance with those regulations.

S-2. Final Plat approval is effective for two (2) years from the date of approval by the Planning Commission. The applicant may request two (2) one-year extensions from the Planning Commission, per the Subdivision Regulations, if needed to record the Plat.

S-3. A completed Development Agreement shall be prepared and executed prior to construction of any infrastructure within the development.

S-4. Prior to recording the final plat, the developer shall furnish the Town of Arlington approved security, per the Subdivision Regulations, in order to ensure the work will be completed in accordance with approved drawings and applicable specifications.
S-5. The developer shall provide the Town with a copy of the Final Plat using Tennessee State Plane Coordinate System with NAD83 datum, and NAVD88, on disk or CD in a generally accepted format at the time the Final Plat is presented for recording.

S-6. The applicant’s design professional shall address all Final Plat mark-ups prior to recording the Final Plat.

PROJECT SPECIFIC CONDITIONS:

P-1. Approval of the Final Plat is contingent upon approval of associated Construction Plans.

P-2. Add a note that all paved drives shall be perpetual ingress/egress easements across all internal lot lines for the benefit of the subdivision.

P-3. All access for lots with road frontage on Milton Wilson Boulevard and Airline Road shall be accessed by the ingress/egress easements as recorded here. No additional access points for Lots 1-3 shall be allowed on Milton Wilson Boulevard or Airline Road.

F. Other as Properly Presented

There was no business presented.

VII. Adjournment:

Motion: Brian Thompson made the motion. Jeff McKee seconded it.

The meeting was adjourned.

Russ Campbell, Chairman

Don Hinkle, Secretary

7-15-19

Date

7/15/19

Date

Submitted By: Lynette Kirk, Planning Administrative Assistant