Town of Arlington

Planning Commission
August 19, 2019
6:30 P.M.
Meeting Minutes

I. Invocation –

II. Call to Order and Roll:

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

Others Present
Angela Reeder, Town Planner
Cathy Durant, Town Administrator
Lynette Kirk, Planning Assistant
Steve Hill, Town Engineer

Secretary Hinkle called the meeting to order and advised there was a quorum, noting Chairman Campbell had advised he was running behind.

III. Approval of Minutes from July 15, 2019 Meeting:

Secretary Hinkle called for a motion.

Motion: Don Hinkle made a motion to approve the minutes of the July 15, 2019 meeting.
Dwight Barker seconded the motion.

Vote on Motion: The motion carried.

IV. Comments from Citizens

Chairman Campbell 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.

No Citizens came forward Mr. Campbell closed the comment period.

V. Old Business:

A. Other Business as Presented

There was no business presented.

VI. New Business:

A. Hayes Road/Airline Road – Rezone – 2.875 acres from E: Residential Estate to SC: Shopping Center Commercial, two lots located on east side of Airline Road, south of Hayes Road.

Chairman Campbell recognized Angela Reeder, Town Planner, who presented the staff report (on file) for Hayes Road/Airline Road, Rezone.
Ms. Reeder said the property under consideration is just under 3-acres located on the east side of Airline Road, just south of Hayes Road. She said the property consists of two parcels zoned E: Estate Residential. She said the applicant is requesting permission to rezone the site to SC: Shopping Center Commercial. Ms. Reeder explained the sites are currently developed with a single-family home on each. She added the applicant states they have no immediate plans for development but most likely be sold for office use.

She said a review of a Zone Change should take into consideration the intended Future Land Use of the site, existing nearby uses, and whether infrastructure can accommodate the proposal. She said the Town’s Future Land Use Plan identifies the future goal of the corridor along Airline Road is ultimately converting to non-residential.

Ms. Reeder noted the site’s designation as Community Support Commercial and the requested Shopping Center zoning allows for these types of uses and would be consistent with the Land Use Plan and the Town’s long-range goals for this area. Also, stating SC zone would be consistent with existing zoning to the north and south on Airline Road.

She said this area of Airline Road is primarily vacant or developed with single-family homes on large lots. Ms. Reeder explained to the north, across Hayes Road is the Center at Hayes Crossing PD, which was intended for office and low intensity commercial uses.

Ms. Reeder summarized the surrounding uses, north being vacant office lots currently zoned O: Office, south is single-family homes zoned E: Estate Residential, west consists of Arlington High School and single-family homes currently zoned M1: Light Industrial and E: Estate Residential, and east with single-family homes and vacant lots zoned E: Estate Residential.

She said the development of the site will require on-site improvements such as grading, drainage, and sewer to create a commercial or office use. Ms. Reeder said a review of the Site Plan would confirm the need for any public improvements. She noted the widening of Airline Road along the frontage of this property has already been completed.

Ms. Reeder said this amendment agrees with the general plan for the area and is consistent. She said it has been determined that the legal purpose for which zoning exists are not contravened and will not have an adverse effect upon adjoining property owners unless such adverse effect(s) can be justified by the overwhelming public good or welfare. Ms. Reeder noted the Town would take into consideration of Site Plan review for future use. She said no detriment to the public has been identified from the proposed change, as it would continue the intended development pattern planned in the Town’s Long-Range plan for this area.

She said approval or denial of this request will be forwarded to the BMA, who will consider the request at a future public hearing. Ms. Reeder said as with any new development, any future construction on this site will be required to come before the Town for Site Plan review and approval by the PC and DRC.

**Main Motion:** Don Hinkle made the motion to approve the amendment to rezone Hayes Road/Airline Road to SC: Shopping Center. Dwight Baker seconded the motion.

**Motion:** Brian Thompson made a motion to suspend the Planning Commission Meeting and open the Public Hearing. Don Hinkle seconded the motion.

**Vote on Motion:** The motion carried.
Chairman Campbell declared the Public Hearing open and stated that a notice of a Public Hearing was published in the Commercial Appeal on August 4, 2019. Anyone wishing to speak for or against this request, please stand to be recognized.

Citizen Comments:

Kevin Ledford, Ledford Engineering 5567 Commander Dr, Ste 105, applicant, stated in the immediate future existing structures would be potential offices with parking lots and landscaping.

Ms. Judy Hayes, directly adjacent to lot in question, said she is against it as she feels it will bring down residential property values. She stated area was intended to be a residential neighborhood. Ms. Hayes said putting a commercial structure at her backdoor would have an adverse noise and affect quality of life. She requested the Planning Commission members take the residential homes into consideration. She continued that it may only affect a few but a few outweighs the Town good.

Ian Hayes stated he grew up in this part of Arlington and now lives in the Bartlett area. He said both sides of Hayes road have deep roots in his family that go back to the 1800’s. He understands the Towns projected growth but is worried commercial structures would hurt the quality of life for surrounding residential.

George Branch, 5537 Airline Road, said his property is directly across the road from the subject home. He said the property has been in his family for over 100 years. He said there are many days he is unable to get out of his driveway and if more commercial space goes in it will be even harder. He said he was active in Town progress by selling land to the school. He didn’t expect this to come back on him this quick. Mr. Branch said he understands progress must be made but wanted on record as being against the rezoning.

Debra Wiseman, 5411 Airline Road, said at some point the Town must take into consideration the residents of Arlington, especially residents that have been in Arlington this long. She stated the administration must recognize what is better for the residents not for commercial or developers.

No further citizens came forward.

Motion: Brian Thompson made a motion to close the Public Hearing and resume the Planning Commission Meeting. Nycole Alston seconded it.

Vote on Main Motion: The motion carried.

Discussion: Susan Payne said all the citizens who came forward spoke well. She said the Land Use Development Plan does show that Arlington is changing and sometimes the neighborhoods do collide. Ms. Payne said if it does get rezoned it is because Arlington has grown commercially and unfortunately rezoning happens sometimes.

Nycole Alston also thanked the citizens for their comments and said like Ms. Payne things happen in which we must consider not only Town growth but still have a heart for the residences. She stated she was indecisive at this time and appreciates the resident comments.

Brian Thompson agreed the area is residential now, however respectively disagree it is intended to stay that way. He said the PC is probably readopting a land use plan tonight that was last done almost 10 years ago and dedicated Airline Road as commercial then. Mr. Thompson said rezoning is a sign of progress for the Town. He said as Airline Road develops and properties sell, Airline will be a major commercial thoroughfare.

Mr. Thompson stated the surrounding land values will go up. He said he understands the inconvenience with this for a time but ultimately rezoning will increase property value. He asked Mr.
Ledford if there was an intent to convert the existing structures into businesses. Mr. Ledford responded yes. Mr. Thompson expressed concern regarding the homes being converted.

Ms. Payne said both the DRC and Planning Commission would make sure there will be screening and low lighting to make the impact as low as possible on surrounding residential. She said the committees and Board are very careful when commercial is built in front of residential.

Don Hinkle asked if a study has been done on value of homes in the area. Ms. Reeder answered the Town has not done a study of value and it may have been done by the landowner.

Mr. McKee said he partly agrees with Mr. Thompson that the property is designated as future commercial and it has been intended that way for a long time. He expressed concern regarding retrofitting the current properties and current buildings. He asked the applicants engineer, Mr. Kevin Ledford, if they were planning on using the same driveways currently on the property. Mr. Ledford stated the future plan would rearrange the driveway to line up with the school.

Mr. McKee said he was disheartened when the applicant stated use of existing structures. Mr. McKee continued to express his concern about converting property in only taking a site plan for short-term use of the existing buildings. He feels that is not a positive with existing property values.

Mr. Thompson asked about the depth and size of the lots. He expressed concern of the minimal depth on the property. He asked what could feasibly be built on the lots. Mr. Ledford what would fit into the zoning ordinance and it would not be a huge development. He said retail and office spaces are not going to be very large. Mr. Ledford said there are plans for a detention pond at the corner of the lot at the intersection of Hays and Airline Road. He continued to describe a small commercial shopping center for smaller businesses who do not need 5 or 6,000 sq. ft. but would rather have a 1,000 sq. ft. or 1,200 sq. ft. on Airline Road. The applicant said the business would pay a premium for a smaller space yet still be able to pay rent.

**Vote on Main Motion as Amended:** The motion carried 5-1 with Nycole Alston abstaining.

**B. Wilson Lake PD – Land Disturbance** – located on the north side of Forrest Road between Forrest Street Park and Maple Grove PD.

Chairman Campbell recognized Angela Reeder, Town Planner, who presented the staff report (on file) for Wilson Lake PD Land Disturbance.

Ms. Reeder said the applicant is requesting a land disturbance permit for Wilson Lake PD, which includes roughly 39-acres. She said this is a project that was approved by the BMA on May 6, 2019 and includes residential development around a central pond with open space area around the perimeter of the site.

She said the applicant would like to begin work during good weather and start excavating the 6.5-acre pond that will be in the center. Ms. Reeder said the depth of the pond would range from 15 – 19 feet and the fill would be used to grade the site for the proposed residential lots and amenities. She said it would raise the future home sites above the 100-year flood elevations.

Ms. Reeder reminded the commission the developer will be required to control erosion, and all disturbed areas will be stabilized by seeding and mulching upon completion. She said the Town Engineer has reviewed and staff recommends approval subject to conditions. She also said the applicant is present.

**Main Motion:** Nycole Alston made a motion to approve Wilson Lake Land Disturbance. Dwight Baker seconded the motion.
Discussion: Mr. Campbell asked if anyone had questions for the applicant and staff. No one came forward for discussion.

Vote on Main Motion as Amended: The motion carried.

C. Future Land Development Plan Update – an amendment and update to the Town’s Future Land Development Plan.

Mr. David Baker with Fisher Arnold located at 9180 Crestwyn Hills Drive, Memphis, 38125, thanked the subcommittee and Town staff. Mr. Baker gave a presentation on the process so far (attached).

Ms. Reeder followed up by saying this is a document that outlines and sets goal for the Town. She said most of the changes in the document have updated tables with the Town’s new numbers based off recent census numbers. The document shows the recent growth pattern and adds language to reflect we are building a new fire station and that extends the Town’s abilities south of I-40.

Ms. Reeder also said additional language reflects continued improvements in Depot Square. She said the Town adjusted the land use densities so they coordinated with existing zoning designations. She stated the Town also reduced the max density allowed in mixed use from 8 dwellings to 6 per acre.

She said Updated Special Area plan sections to reflect development or changes that have occurred.

Ms. Reeder mentioned the subcommittee of residents from our various boards and committees, as well as representation from our Chamber, has been meeting since June in their review and revisions to document and to the future land use map.

Ms. Reeder concluded staff recommends approval of the amendment and re-adoption of the plan as presented by the Land Development Plan Subcommittee through approval of Resolution 2019-01.

Main Motion: Brian Thompson made a motion to approve the Future Land Development Plan Update.

Don Hinkle seconded the motion.

Vote on Motion: The motion carried.

Motion: Don Hinkle made a motion to suspend the Planning Commission Meeting and open the Public Hearing. Brian Thompson seconded the motion.

Vote on Motion: The motion carried.

Chairman Campbell declared the Public Hearing open and stated that a notice of a Public Hearing was published in the Commercial Appeal on August 2, 2019. Anyone wishing to speak for or against this request, please stand to be recognized.

Citizen Comments:

No citizens came forward.

Motion: Brian Thompson made a motion to close the Public Hearing and resume the Planning Commission Meeting. Don Hinkle seconded it.

Vote on Main Motion: The motion carried.

Discussion: Mr. Campbell starting by saying he had the privilege of being on the Sub Committee. He said it might be changed in 7 – 10 years but that is why a Town has a 20-year plan.

Brian Thompson pointed out some comments that were brought up in the meeting prior. He said White Oak was mixed use on the previous and technically is still a mixed-use development. He said in case the developers did not finish, it was desired to change it to residential and not mixed use.
Mr. Thompson expressed concern with the area on Airline between Learning Tree and MicroPort. He said his preference if the houses are purchased is that they do not get flipped into businesses. He said this is not the intention of the town and felt it would be a challenge to meet the parking regulations. He said we also don’t want that many commercial curb cuts along a major throughcare.

Jeff McKee thanked Mr. Thompson for being on the Committee. He said the Town has a need for a guide to lay out the future plan. He said the high school and water treatment plant should be taken into consideration not to burden the town with future overgrowth, and it appeared that had been done.

D. **Zoning Code Amendment** – consideration of an amendment to the Airline Zoning Ordinance, Chapter 5.4, guidelines regarding mixed use planned developments.

Chairman Campbell recognized Angela Reeder, Town Planner, who presented the staff report (on file) for Zoning Code Amendment, Chapter 5, Section 5.4. She said this is Town-initiated which came from Board discussions and Town Committees. Ms. Reeder said it was revealed over the last couple years that the Town’s existing language to guide mixed-use developments was deficient. She presented the proposed language.

She said the amendment was prepared to clarify the Town’s intent for PDs and better guide landowners if they are considering mixed use proposals. Ms. Reeder closed by saying the Planning Commission shall make a recommendation to the Board of Mayor and Aldermen to approve, approve with changes, or deny the proposal.

**Main Motion:** Susan Payne made the motion to approve an amendment to the Arlington Zoning Ordinance, Chapter 5.4, guidelines regarding mixed planned developments. Nycole Alston seconded.

**Motion:** Brian Thompson made a motion to suspend the Planning Commission Meeting and open the Public Hearing. Don Hinkle seconded the motion.

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

Chairman Campbell declared the Public Hearing open and stated that a notice of a Public Hearing was published in the Commercial Appeal on August 9, 2019. Anyone wishing to speak for or against this request, please stand to be recognized.

**Citizen Comments:**

No citizens came forward.

**Motion:** Russ Campbell made a motion to close the Public Hearing and resume the Planning Commission Meeting. Brian Thompson seconded it.

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

**Discussion:** Chairman Campbell said the Commission has done a grand job with addressing the mixed use, which was a driving factor for much of the Future Land Use Plan update.

Mr. Thompson said the Zoning Code Amendment is more thorough than in the past. He said it was driven by Myers Park development which lacked direction and criteria. He said Myers Park was the first large mixed use since White Oak in 2005.

Mr. Campbell said the most positive is the 30% residential cap. Mr. Thompson said that developers should be able to develop mixed use in a manner consistent with town goals. He said he is an advocate for as little regulation and wording as can be done but still enable progress.
Chairman Campbell said he was comfortable it was consistent with BMA proposed direction of the Zoning Code Amendment.

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

**E. Other as Properly Presented**

There was no business presented.

**VII. Adjournment:**

**Motion:** Brian Thompson made the motion. Don Hinkle seconded it.

The meeting was adjourned.

Russ Campbell, Chairman  
9-16-19  
Date

Don Hinkle, Secretary  
9-16-19  
Date

Submitted By: Lynette Kirk, Planning Administrative Assistant