Town of Arlington
Planning Commission Meeting

May 21, 2018
6:30 P.M.
AGENDA
Planning Commission Meeting
Monday, May 21, 2018
6:30 p.m.

I. Invocation

II. Call to Order & Establishment of a Quorum

III. Approval of the April 16, 2018 Meeting Minutes

IV. Comments from Citizens

V. Old Business
   A. Other as Properly Presented

VI. New Business
   A. Arlington Zoning Ordinance – amendment of Chapter 4 of the Arlington
      Zoning Ordinance regarding adding event venues as a conditional use.

      PUBLIC HEARING: To consider an amendment to the Arlington Zoning
      Ordinance Chapter 4 (Zoning Districts, Bulk Regulations, and Uses)
      regarding event venues as a conditional use.

   B. Other as Properly Presented

VII. Adjourn
Planning Commission  
April 16, 2018  
6:30 P.M.  
Meeting Minutes

I. Invocation – Secretary Brian Thompson delivered the invocation.

II. Call to Order and Roll:

Present:  
Brian Thompson, Secretary  
Susan Payne  
Glen Bascom  
Larry Harmon, Alderman  
Don Hinkle  

Others Present:  
Angela Reeder, Town Planner  
Jason Allen, Town Engineer  
Mary Helen Carmack, Planning Clerk

Absent:  
Russ Campbell, Chairman  
Tommy White – Excused

III. Approval of Minutes from March 19, 2018 Meeting:

Secretary Thompson called for a motion to approve the minutes of the March 19, 2018 meeting.

Motion: Susan Payne made the motion.  
Don Hinkle seconded the motion.  

Vote on Motion: The motion carried unanimously.

IV. Comments from Citizens

Secretary Thompson invited anyone wishing to address the Commission at this time to please come forward and state his/her name and address for the record. There were no comments.

V. Old Business:

A. Other as Properly Presented

There was no Old Business.

VI. New Business:

A. Hwy 64 Fuel Center – Rezone Request – northwest corner of Airline Rd and Highway 64, from E: Estate Residential to B-2: General Commercial
Secretary Thompson recognized Ms. Angela Reeder, Town Planner, who stated that the applicant had pulled this item from this agenda. The public hearing will be re-noticed when the applicant is prepared to add it to a future agenda.

B. Haysville-Arlington Commons PD – Construction Plans – South side of Mott Street, roughly 400 feet east of Chester Street

Secretary Thompson recognized Ms. Angela Reeder, Town Planner, who presented the staff report for the project (on file) for an application for approval of construction plans for the Haysville-Arlington Commons Planned Development, which will be located where the former community gardens was on the eastern end of Mott Street abutting the TDOT maintenance yard. This is a single-phase, mixed-use development in the B-3 zone and Depot Square Overlay that includes a mix of office and retail space on the ground floor, with 10 single-family residential units above. The construction plans conform to the Haysville-Arlington Commons PD approved by the Board of Mayor and Aldermen in February.

Ms. Reeder pointed out three proposed access points, the existing Mott Street entrance, access to the north through an existing easement on the Dollar General property, and a shared driveway from Chester which is intended to be the primary access providing both vehicular and pedestrian access to the new development. She noted that the applicant must obtain an access easement from the adjacent property owner for the new shared driveway, which was a condition of the PD approval.

Parking is provided around the exterior of the site with 65 spaces proposed exceeding the minimum 62 required spaces. She added there is some flexibility due to the Depot Square zoning which takes advantage of the availability of public parking. Twenty of these spaces are intended for the residential units. Ms. Reeder stated that she had intended to add a P-5 condition that the applicant must note which spaces will be used for the residents and how they are to be identified.

Jason Allen, Town Engineer, stated that on the east side of this site is an existing ditch that drains north to and under Highway 70. The site will consist of a series of storm drain inlets that will be conveyed to that ditch. He added that staff has worked with the applicant to develop a more regional detention facility option that will be part of the Forrest Street Campus that is under design. He added this approach aligns with the Town’s goal to use regional stormwater detention where feasible. The Applicant is required to pay for their portion of the detention being installed on the Forrest Street Campus project.

Public sanitary sewer is available for this site but a service line will be required to provide this sewer for service. This extension would be considered a private extension since it would not serve any existing or future upstream development.

Mr. Allen said there will be some minor road improvements are proposed along the east side of Chester Street, which includes curb, gutter, and sidewalk. Regarding Mott Street he said the Town has recently abandoned that right-of-way by a second reading by the Board of Mayor & Aldermen just two weeks ago. Minor improvements will be required along the new terminus of Mott Street to provide access to the site, both within Mott Street ROW and the abandoned ROW. These improvements shall consist of widening Mott Street to a 24’ width with curb and gutter to allow 2-way traffic to the proposed development. These improvements will not include sidewalks.
Ms. Reeder stated the B-3 zone does not require a specific percentage of open space however, this site provides 23% open space around the building and the site perimeter. The proposed open space is consistent with the approved Master Development Plan for the development in both size and location. She noted the site will also provide a rooftop patio for the residents to use as common area.

Ms. Reeder said staff recommends approval of the applicant’s request, subject to the following conditions, in addition to the one she mentioned earlier.

Secretary Thompson called for a motion to approve the Haysville-Arlington Commons PD Construction Plans subject to staff conditions.

**Main Motion:** Alderman Larry Harmon made the motion. Secretary Thompson seconded it.

**Discussion:** Secretary Thompson asked if the resident parking spaces might be designated by signs. Ms. Reeder replied that they could sign the spaces or perhaps paint “reserved” in the space itself, stating that paint might be a less intrusive way to identify them. Secretary Thompson asked whether the Commission would tell the applicant how to designate the spaces: sign, paint, etc. Ms. Reeder said she expects the applicant will choose one or the other.

Secretary Thompson asked if the detention planned for this project would be able to service all of the Forrest Street campus, this property, and more. Mr. Allen said it is most likely not able to serve more but it would have to be evaluated on a case-by-case basis. He said, though, that to say the detention being put in would serve the entire Forrest Street Campus and Haysville-Arlington Commons Planned Development is accurate. It will be held to the same requirements discussed previously about detaining for all storm events.

Alderman Harmon suggested painting the wheel stops on the resident’s parking spaces would last longer than painting the pavement and look better than signs sticking up. Mr. Bascom suggested painting and stenciling those. Ms. Payne added that this is such an elegant development they could use very nice-looking signs. Don Hinkle asked Ms. Reeder what her thoughts were about signs for the resident’s parking. Ms. Reeder said she just required there be something to designate it and left it to the applicant to decide the best way. She said she agrees that if the signs are not done in a quality manner it will look cluttered having twenty signs. She thinks painting, particularly the wheel stops is the best idea. Mr. Hinkle added that often wheel stops are painted with a number to designate the unit for which the space is reserved. Ms. Payne asked if the added condition could include that staff review and approve the parking spaces and the method they will be identified. Ms. Reeder said yes, we could change the additional condition to read: “Provide details on which 20 parking spaces will be reserved for the residential units and how they will be identified for staff review and approval.”

Secretary Thompson called for a vote to approve the Haysville-Arlington Commons Planned Development Construction Plans subject to staff conditions and the added condition.

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

**STANDARD CONDITIONS:**

**S-1.** It is found that the application as presented, with plans dated April 9, 2018, 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.

S-6. 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-7. 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-8. The applicant is required to have a pre-construction meeting with Town of Arlington staff prior to commencing improvements.

S-9. Prior to acceptance of any public improvement, the applicant will be required to provide as-buils 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 staff comments and “red-line” notes provided by the Town Engineer prior to final approval of Construction Plans. Resubmit corrected plans with a response letter stating how each comment was addressed or reasoning and justification for not addressing the comment.

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

P-3. Compensation based on Town Engineering estimates for this project’s portion of off-site detention on Town property shall be paid for by the developer prior to the Preconstruction meeting, in accordance with an approved Development Agreement.

P-4. The adjoining property owned by the Wooley Family Revocable Trust, identified as Parcel No. A014200088, shall maintain driveway access to Chester Street until such time an approved site plan for their access to the newly constructed Ingress/Egress route associated with Haysville-Arlington Commons has been approved.

P-5. Provide details on which 20 parking spaces will be reserved for the residential units and how they will be identified for staff review and approval.
C. **Haysville-Arlington Commons PD – Final Plat** – South side of Mott Street, roughly 400 feet east of Chester Street

Secretary Thompson recognized Ms. Angela Reeder, Town Planner, who presented the staff report for the project (on file) for an application for Planning Commission approval of a 1-lot Final Plat for the Haysville-Arlington Commons Planned Development per a condition of the project’s Master Plan approval. Ms. Reeder reiterated the site’s location at the eastern end of Mott Street.

She reiterated Mr. Allen’s previous statement that a portion of the Haysville project also includes area of recently abandoned Mott Street right of way (ROW) immediately adjacent to the north. This plat will incorporate that previous ROW into the adjacent properties and also reflect a required ingress/egress easement across the adjacent property to the west which provides a primary access point to Chester Street.

The proposed layout is consistent with the approved Planned Development and Mott Street has been formally abandoned by BMA Ordinance 2018-03. Any remaining minor corrections will be addressed to the Engineer’s satisfaction prior to recording.

Ms. Reeder recommended approval of the applicant’s request, subject to the following conditions, in addition to those levied by the Planning Commission.

Secretary Thompson called for a motion to approve the Haysville-Arlington Commons PD Final Plat subject to staff conditions.

**Main Motion:** Don Hinkle made the motion. Alderman Harmon seconded it.

**Discussion:** There were no questions, comments or discussion.

Secretary Thompson called for a vote to approve the Haysville-Arlington Commons PD Final Plat subject to staff conditions.

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

**STANDARD CONDITIONS:**

S-1. It is found that the application as presented, dated April 9, 2018, 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.
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 will be contingent upon approval of the Construction Plans.

P-2. All conditions of the Planned Development Overlay, Construction Plan approval and Final Plat approval shall be added to the plat.

P-3. A five-foot utility easement shall be provided along the boundary of each parcel.

D. Other as properly presented

There was no new business to come before the Commission.

VII. Adjournment:

Hearing no new business Secretary Thompson asked for a motion to adjourn.

Motion: Don Hinkle made the motion. Glen Bascom seconded it.

Secretary Thompson called for a vote on the motion.

Vote on Motion: The motion carried unanimously.

Secretary Thompson declared the meeting to be adjourned.

Russ Campbell, Chairman

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Date

Brian Thompson, Secretary

______________________________

Date

Submitted By: Mary Helen Carmack, Planning Clerk
AMENDMENT TO CHAPTER 4 OF THE 
ARLINGTON ZONING ORDINANCE REGARDING EVENT VENUES 
AS A CONDITIONAL USE

DATE: May 21, 2018
STAFF: Angela Reeder, AICP, Town Planner
SUBJECT: Amendment to the Arlington Zoning Ordinance
NOTICE: Published in the Memphis Daily News on May 4, 2018

BACKGROUND: Over the past year, the Town has received two wedding venue applications: one was ultimately withdrawn and the other was recently approved by the BZA. Alderman Harmon had concerns regarding this use and directed staff to prepare the attached amendment to address them. This Town-initiated amendment proposes changes only to Chapter 4 (Zoning Districts, Bulk Regulations, and Uses) of the current Zoning Ordinance.

PROPOSAL: The proposed change would to add ‘event venues’ as a separate use in the use table. Event venues would be allowed with an approved Conditional Use Permit in the General Commercial (B-2) and Shopping Center (SC) commercial zones, subject to a specific set of requirements.

The specific proposed language is outlined below in red text, with additions also in underline format.

Chapter 4 - ZONING DISTRICTS, BULK REGULATIONS, AND USES:

4.8 Uses Permitted In Zoning Districts

| INSTITUTIONS          | R-5 | E   | RS-22 | RS-18 | RS-15 | RS-13 | R-MF | R-MH | B-1 | B-2 | B-3 | S-C | C | M-1 | FH |
|-----------------------|-----|-----|-------|-------|-------|-------|------|------|-----|-----|-----|-----|   |     |    |
| Event Venue           |     |     |       |       |       |       |      |      |     |     |     |     | C |     |    |

4.9.2 Specific Standards for Institutions:
In addition to the requirements of the applicable zone district and the general requirements set forth in Chapter 10, Section 10.5, a conditional use permit shall be granted for applicable institutional activities specified in this Ordinance where the Board of Zoning Appeals (BZA) determines that the specific provisions are met as part of the condition for issuing the permit in the applicable zone districts.
7) **Special Conditions Event Venues:**

a) Event venues shall be located on commercial sites of at least five (5) acres.

b) All events shall end by not later than 11:00 p.m.

c) No smoking shall be permitted indoors.

d) Any event serving alcohol must provide armed, private security for the duration of the event.

e) Areas for outdoor use or activities shall be screened or fenced in such a manner as to provide an effective buffer for adjacent uses. Landscape/fence screens/buffers may be required in appropriate circumstances in order to mitigate adverse site impacts from less intensive adjacent uses.

**Current Zoning language.** As this amendment proposes all new specific provisions and not a revision of existing language, the following is offered for comparison. The recently approved wedding venue application was determined to fall within the category as other public assembly uses (Lodge, Club, Country Club or Golf Course). As such, it was allowed by right in the B-2 zone, and with a CUP in residential zones. It was also subject to the following specific provisions:

a) Lodges, Clubs, Country Clubs or Golf Courses shall be located on site with primary frontage on a collector level road or higher.

b) Golf Courses shall be located on sites of at least one hundred (100) acres. Lodges and Country clubs shall be on sites of at least five (5) acres.

c) On-site lighting shall be arranged in such a manner as to minimize intrusion of lighting into areas zoned or used for residential or medical purposes. Plans to identify the lighting arrangement can be provided for review and consideration to verify this. *(this item’s text is summarized)*

d) Areas for outdoor recreational use or outdoor group activities shall be screened or fenced in such a manner as to provide an effective buffer for adjacent uses. Landscape/fence screens/buffers may be required in appropriate circumstances in order to mitigate adverse site impacts from less intensive adjacent land use.

e) The location of such facility shall not materially increase traffic on surrounding streets.

f) The location of such facility shall not have an adverse effect on surrounding properties.

g) A preliminary site plan shall first be submitted to the Planning Commission who will issue an advisory opinion to the BZA regarding proposed site improvements taking into account the above conditions as well as any other pertinent factors.

**RECOMMENDATION:**

The Planning Commission is asked to make a recommendation to the Board of Mayor and Aldermen to approve or deny this request. An Ordinance will next be presented to the BMA for consideration on two readings and with an additional public hearing.
DATE: May 2, 2018

TO: Teresa Mullally, Public Notices Coordinator
   Memphis Daily News

FROM: Mary Helen Carmack, Planning Clerk

RE: Public Notice

Please publish the following notice on Friday, May 4, 2018:

PUBLIC NOTICE

The Town of Arlington Planning Commission will hold a public hearing on Monday, May 21, 2018, at Town Hall, 5854 Airline Road, Arlington, TN, at 6:30 pm to consider the following:

Amendment to the Arlington Zoning Ordinance chapter 4 (Zoning Districts, Bulk Regulations, and Uses) regarding event venues as a conditional use.

Please confirm receipt of notice.

Thank you.