

The regular meeting of the **Design Review Commission** was held on April 14, 2016, at 5:00 pm in the Board Chambers of Town Hall, 500 Poplar View Parkway.

The following staff members were present: Town Planner, Mr. Jaime Groce; Assistant Town Planner, Mrs. Nancy Boatwright, Long Range Planner, Mr. Sean Isham, Planners, Mr. Scott Henninger and Mr. Matthew Wilkinson; and Administrative Specialist, Sr., Mrs. Shari Michael.

ROLL CALL:

Patton – present, Donhardt – present, Lesnick – present, Sadler - absent, Lawhon – present, McCarty – present, Doss – absent.

Quorum present.

In the absence of Chairman Doss, Vice-President John McCarty presided over the meeting.

APPROVAL OF MINUTES

Vice-Chairman McCarty asked if there were any changes or additions to the March 10, 2016 minutes.

Hearing none, he called for a motion to approve the minutes as presented.

Motion by Commissioner Donhardt, and seconded, to approve the March 10, 2016, minutes as amended.

Hearing no further discussion, Vice-Chairman McCarty asked for a roll call.

ROLL CALL:

Lawhon – absent, McCarty – yes, Patton – abstain, Donhardt – yes, Lesnick - yes.

Motion Approved.

APPROVAL OF AGENDA:

Vice-Chairman McCarty asked if there were any changes or additions to the agenda.

Mr. Groce stated there were none.

Vice-Chairman McCarty asked for a motion to approve the agenda as presented.

Motion by Alderman Patton, and seconded to approve the agenda as presented.

Hearing no further discussion, Vice-Chairman McCarty asked for a roll call.

ROLL CALL:

Lawhon – absent, McCarty – yes, Patton – yes, Donhardt – yes, Lesnick - yes.

Motion Approved.

Consent Agenda

Vice-Chairman McCarty asked if there was anyone present who wished to have these items heard.

Hearing none, he asked for a motion to approve the Consent Agenda as presented.

Motion by Commissioner Donhardt, and seconded, to approve the Consent Agenda as presented.

DRC16-04 1041 Bray Station Road – Request approval of side yard split rail fencing with welded wire fence backing.

To approve the request for fencing at 1041 Bray Station Rd., including the use of welded wire fencing material, as shown in Exhibits 2 & 3, and that any additions or deviations from the approved plans shall require the approval of the DRC and/or staff.

- | |
|--|
| EXHIBITS |
| <ol style="list-style-type: none"> 1. Cover Letter (3/7/16) 2. Plot Plan (3/7/16) 3. New Fencing Photos (3/7/16) 4. Similar Existing Fencing Photo |

DRC16-06 – 214 Sycamore Road – Request approval of a 4-foot front yard fence

To approve the request for front yard fencing at 214 Sycamore Road as shown in Exhibits 1 and 2 subject to the following conditions:

- | |
|---|
| EXHIBITS: |
| <ol style="list-style-type: none"> 1. Site Plan with Proposed Fence Location 2. Fence Sketch 3. Site Photos (by staff) |

1. The fence shall be painted or stained in conformance with the Design Guidelines.
2. Any additions or deviations from the approved plans shall require the approval of the DRC and/or staff.

Hearing no further discussion, Vice-Chairman McCarty asked for a roll call.

ROLL CALL:

Lawhon – absent, McCarty – yes, Patton – yes, Donhardt – yes, Lesnick - yes.

Motion Approved.

Formal Agenda

DRC16-02 – Wal-Mart Subdivision, Lot 3, WalMart, Murphy Oil – request approval of a Preliminary Site Plan and Conditional Use Permit for construction of a 1,400 square retail building on 1.0 acres for a fuel sales use, located at 560 West Poplar Avenue.

Mr. Scott Henninger gave the staff presentation. He showed an aerial of the site and gave an overview of the site data.

(Commissioner Lawhon joined the meeting at this time.)

There are several key questions that the DRC should consider the following questions in its review of the Preliminary Site Plan. Is there an adequate buffer along Poplar Avenue? Most likely as there is a 40' front yard open space that is required along Poplar Avenue. Forty feet of greenspace has been provided between the sidewalk and the parking lot. If measured from the right-of-way only 35' of the buffer has been provided south of the pumps and 45' provided where the site ties to the existing parking lot. The applicant would like the DRC to recommend allowing the use of the 5' of greenspace located in the Poplar Avenue right-of-way which would provide a buffer range of 40' to 50', which would be an improvement over the existing condition. The BMA will have final decision.

EXHIBITS:

1. Applicant's cover letter addressing CUP provisions & Site Data Table (3/15/16).
2. Preliminary Site Plan Exhibits & Renderings (3/15/16)
3. Site & Context Photos
4. Conditional Use Permit Test (4/1/16)
5. Traffic Study Findings and Conclusions

Does the architecture and landscaping meet the intent of the Design Guidelines? The answer is mostly. The highly visible west facade, from Walmart Drive, contains no openings or foundation landscaping. The floor plan would not allow for additional windows along the west facade as a cooler and storage area is located along that facade. To address this the applicant has proposed additional landscaping along Walmart Drive. The DRC needs to determine if the landscaping is adequate or if *DRC Condition 3* is needed, which would require additional foundation plantings in a new landscape bed.

Will appurtenances be adequately screened? The answer is likely. There is no propane storage currently indicated on the site plan or elevations. If a propane storage area is proposed it should be shown on the plans and screened and located according to the Design Guidelines and the Zoning Ordinance requirements.

He reviewed the conditions of approval and stated that the applicant is seeking relief from condition of approval #3 and they can speak to that. He reviewed the next steps and the motion contained in the staff report.

Vice-Chairman McCarty asked if there were any questions of staff.

A discussion ensued regarding placing the landscaping around the building. Because the building is located under a canopy, it would be difficult to get plants to grow under the shade of the canopy. The entire site will be irrigated, including the landscape islands.

Alderman Patton asked about the requirement of the bicycle rack. He feels that this area probably isn't going to see any bicycle traffic and doesn't feel that this would be necessary to ask the applicant to provide one.

Hearing no further questions of staff, Vice-Chairman McCarty called the applicant to the podium.

Mr. Pov Chin, design professional for the applicant, addressed the commissioners. He explained that they would like to not have plantings close the building because the building is brought in as a modular "drop-in" and there is a crawl space under the building, and they feel that any landscaping roots could damage the pipes that carry the gas underground. There will only be 8 pumps, with a total of 16 handles.

Vice-Chairman McCarty asked about the utilities on the east side. Could you add some foundation plantings on the west side.

Mr. Chin stated that he could as long as it didn't obstruct traffic.

There was a brief discussion regarding whether or not the Kroger Gas Station has foundation plantings and Mr. Groce stated that it does not.

A discussion ensued regarding how the pending application across the street for Discount Tire Store would contribute to the traffic in the area. This will be discussed at the BMA next Monday and looked at closely.

A discussion ensued regarding the bicycle rack and Alderman Patton stated that he doesn't feel it should be required and the condition should be struck from the conditions of approval.

Hearing no questions or discussion, Vice-Chairman McCarty asked for a motion.

Motion by Alderman Patton, and seconded, to approve the To recommend that the BMA approve the request for a Preliminary Site Plan for Murphy Oil, a 1,400 square foot retail building and fuel center on 1.0 acre located at 560 West Poplar Avenue (Walmart Subdivision, Lot 3) subject to the following amended conditions by striking numbers 2 and 3:

1. All parking areas shall use white striping to designate spaces (D.G. III.B.1).
2. ~~Provide a bicycle rack, indicate on the plans, and include the manufacturers cut sheet (D.G. III.D.2.).~~
3. ~~Add foundation plantings on the east and west sides of the building to meet the minimum required 30% to 40% foundation landscaping (D.G. III., E., 5.).~~
4. Materials and color samples of all exterior materials shall be provided with the Final Site Plan (Final Site Plan Checklist). Submit a sample of the concrete cap and Fibertech Composite Gates, including the finish.
5. With the Final Site Plan, provide a Finish Schedule on the Elevation Plans and indicate what materials will be used and where the materials will be used.
6. With the Final Site Plan, provide window, door, gutter, downspout, parapet, flashing, canopy, and column manufacturers cut sheets, details, color and material call outs, and samples (Final Site Plan Checklist). All exterior openings (doors, windows) shall be of one, consistent material (i.e., all vinyl or all aluminum) (D.G. IV.C.3.b).
7. With the Final Site Plan provide a roof plan indicating all rooftop appurtenances. All rooftop appurtenances shall be screened by the parapet.
8. Show the roofline and appurtenances on the elevations with a dashed line in the parapet. Roof membrane should not be visible from streets or adjacent property with the back of the parapet finished with the facade material (D.G. IV.C.).
9. All ground mounted and attached appurtenances (i.e. backflow preventers, utilities, meters, mechanical equipment, etc.) shall be screened with evergreen landscaping and/or a masonry wall matching the principle façade. Paint wall mounted appurtenances to match the color of the surrounding building material (D.G. III.H.). If a propane storage area is proposed it should be shown on the plans and screened.
10. All lighting should be full cut-off and recessed into the canopy to prevent glare and light trespass (Lighting Ordinance (Zoning Ordinance 151.025 (7)(e) & (D.G. III.H.4.)).
11. With the Final Site Plan, provide a lighting legend and manufacturers cut sheets as well as selected finishes for approval (Site Plan Checklist). The fixtures should match, or be compatible with, the adjacent property as it is part of the same subdivision. Show the location of the light fixtures on the building. This will include the emergency lighting required by the Building Division (Site Plan Checklist).
12. On the landscape plan indicate any lighting for the ground sign with evergreen landscaping required to screen the light fixtures (D.G. III.F.).

13. With the Final Site Plan, provide additional callouts such as labeling, dimensions, and colors/finishes.
14. Signage is not included in this review. A sign permit application shall be submitted to the Planning Division prior to the erection of any signage. Follow the Sign Ordinance specific requirements for signage for fuel centers.

ROLL CALL:

Lesnick – yes, Lawhon – yes, McCarty – yes, Donhardt – yes, Patton - yes.

Motion Approved

Vice-Chairman McCarty recused himself from the meeting at this time.

DRC16-08 – Appeal of a staff decision on March 23, 2016, related to the architectural elevations for CCL Korsini facility, a 84,275 square foot industrial building on a 9.01 acre tract immediately south of CCL Label’s property located at 670 Progress Road.

Mrs. Nancy Boatwright gave the staff presentation. She explained that the application is being reviewed as a “Minor” site plan approval, and staff can approve this “in house”, without the applicant going before the PC or DRC. However, staff has determined that according to the Design Guidelines, the proposed architectural elevations do not meet the guidelines. It is up to the DRC to overturn or uphold the staff’s decision on this matter.

Questions regarding the variation in the materials being used, textures, patterns, colors and details of the breakdown in the mass of the scale of the building and whether or not the building should be allowed to match the existing building’s articulation will be explained by staff.

She showed pictures of the front elevations and explained that the mass of the elevation is broken up or divided into bays of 25 to 50 feet as required for a new large nonresidential building. It is fairly flat with some horizontal and vertical articulation, but not to the degree intended by the guidelines. The parapet has been raised at the south elevation from what they originally submitted, with some changes in the plane and secondary entrance. There is still a long spanse between the two entrances. The applicant wished to closely match the existing building of CCL Label next door. That building was approved by the DRC in 2006, prior to the adoption of the new Design Guidelines in 2007. Industrial development is a different scale and not as compact as other parts of Town. The Guidelines suggest that a campus like setting is preferred in industrial areas. The front façade should be designed to meet the commercial standards to the maximum extent practicable. If the DRC does not overturn the staff’s decision, the applicant may appeal to the BMA or they can revise the front façade to comply. If the DRC does not overturn the staff’s decision, then the applicant may proceed to the BMA for a development agreement. She reviewed the motion contained in the staff report.

Alderman Patton asked if there were any questions of staff.

There was a brief discussion about setting a precedent if they overturn staff’s decision.

Mrs. Boatwright stated that it would not, depending on what the reasons are.

<p>EXHIBITS:</p> <ol style="list-style-type: none">1. Staff comments provided by the Town Planner in response to application submitted February 29, 2016, (3/23/16)2. Applicant’s letter of appeal to DRC (4/4/16)3. Applicant’s response to staff comment #37 (4/4/16)4. Proposed CCL Korsini elevations (4/7/16)5. Proposed CCL Korsini perspectives (4/7/16)6. Photo of existing building (4/7/16)

A discussion ensued regarding the existing building next door and in the area and how they were approved before the current Design Guidelines were adopted.

Hearing no further comments, Alderman Patton called the applicant to the podium.

Mr. Kevin Vaughan, representative for the applicant, addressed the commissioners. He explained that they feel that both buildings are attractive and they are in agreement with all of the conditions of approval except this one issue which they feel is subjective. They are trying to build an industrial campus and this company is coming in and investing \$24,000,000.00 to our community. They would like to closely match the existing CCL building even though its articulation may not comply with what is required now. They understand why staff has determined what they have, but they are asking for an overturn of their decision based on the fact that they feel it will look better overall if they match what is there now.

Alderman Patton asked if there were any questions of the applicant.

Commissioner Donhardt asked if they were going to have to paint the insulated tilt-wall frequently.

Mr. Vaughan stated that painting and moisture problems are serious concerns of the owner and it is a current maintenance concern of the owner of the existing building now. The existing building is going to be painted when the new building is built and they don't expect the new building to have moisture problems.

Mrs. Boatwright explained that the Guidelines state that some further articulation needs to be done on the new façade.

Mr. Vaughan stated that they can add some landscaping and trees with a higher elevations and create some softening to the façade.

Alderman Patton stated that he feels that they could add some parapet articulation to the front center part of the building.

Mr. Vaughan stated that they like it the way it has been designed and they are trying to create a campus like style.

Commissioner Lawhon asked if they could add some tall plant material and trees to break up the façade.

Mrs. Boatwright stated that they have done this on a previous building, such as Service King and it works well.

Mr. Vaughan stated that they could install some large trees in the front and this should make it look much better.

Alderman Patton asked at what stage the landscaping goes in and if they need it as a condition in their motion.

Mr. Boatwright explained that they can add it as a reasoning for determining the overturn of the staff's decision and the development agreement can include that landscaping must be added to break up the façade.

Motion by Commissioner Lesnick, and seconded, to overrule staff's interpretation of the Design Guidelines found in the consolidated staff comments for the CCL Korsini Final Site Plan staff review dated March 23, 2016, (specifically comment #37), as the applicant has agreed to add more plantings and landscaping to give some articulation to the front façade.

Hearing no further discussion, Alderman Patton asked Mrs. Michael to call the roll.

ROLL CALL:

Lesnick – yes, Lawhon – yes, McCarty – abstain, Donhardt – yes, Patton - yes.

Motion Approved

Vice-Chairman McCarty returned to the meeting at this time.

Other Business:

Vice-Chairman McCarty asked if there was any other business.

Mr. Groce explained that staff has met regarding amending the Design Guidelines plant list and while it is not in a votable format, we can discuss it and move it forward for your next meeting. The Design Guidelines that were approved pre-2006/2007 did include a plant list. There were some items listed that you probably would not want to use now, such as Bradford Pears and Manhattan Euonymus. There was a more extensive appendix like of like what we have now and it was a teaching table as well as a regulatory. Currently there is just one page with a plant list, which is less about teaching and more about what is an acceptable plant. There is a sentence that states that additional species may be accepted if approved by the Town Planner and/or his/her designee on a case-by-case basis. There are some non-invasive species that were not in the Guidelines that we possibly should include now. Staff has added red text in your report to note these changes. A couple of Magnolia species have been added, such as Little Gems as they are prolific now and we have added some Cherry trees. He asked how the DRC would like to handle the update from here.

Commissioner Lawhon stated that there is a Yoshino Cherry that is a cultivar.

Vice-Chairman McCarty asked if there was a specific timeline or hurry for an approval date.

Mr. Groce stated that there is no hurry to change it, but in order to change this it will need approval by the BMA by resolution.

Vice-Chairman McCarty stated that he agrees with the statement that is added that the Town Planner can approve plants at their discretion.

Commissioner Lawhon stated that they need to rethink the Seedless Ash as it is having trouble up north and will trickle down here eventually.

Commissioner Donhardt stated that some of her Landscape Architect colleagues suggested that they remove Pin oaks from the list because of bacterial disease and the ash trees as well.

Commissioner Lawhon stated that it is important to have a variety of plants and to use this as a good guideline.

Commissioner Donhardt asked for another month to have some other LA's to look at it.

Mr. Groce stated that would be great and to please E-mail him over the next month with other ideas.

Mr. Groce gave an update of the Development Activity report. He explained that the BMA just approved the sewer line agreement for AddieGreen Subdivision and they will be moving forward to the BMA on April 25th for their development agreement approval. McDonald's Restaurant re-location will be coming soon and they have not resolved the dispute with Walgreens as there is no required easement for the connection. Zaxby's was an administrative approval for their new location and the BMA has approved their development agreement and they have had their pre-construction meeting. Collierville First Pentecostal Church has submitted a Preliminary Site Plan for a sanctuary addition as well as parking expansion, and will be coming soon before the DRC. The Cosmopolitan Center which is located at the corner of Highway 72 and Chaney Cove, is a vacant building and someone has come in that wants to occupy that building and staff is reviewing that administratively. Discount Tire Store was issued a CUP by the BMA this past Monday with conditions and they will be coming soon to the DRC. Frida's Restaurant has submitted an application and will be coming soon and will be located by the Carriage Crossing. Starbucks and Mattress Firm was denied by the BMA last Monday night and they have contacted staff to let us know they will be submitting a revised plan. Sycamore Commercial Subdivision is an old mini-storage facility and is coming in with a new plan, it is currently the Green and Sons Storage on Highway 72 and Sycamore Road. ANR Compressor Station is planning to come to the PC next month and may be at the DRC as well. The Belfair PD on Shelton Road was approved last summer and is close to the Wolf River Boulevard, and you may see related construction plans at your June DRC meeting. Chick-fil-a will be painting their building soon along with some other minor changes and they are working with staff administratively to make those minor changes.

Hearing no further business, the meeting was adjourned at 6:06 pm.

Cindy Sadler, Secretary