

The regular meeting of the **Design Review Commission** was held on October 13, 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; Planner, Mr. Matthew Henninger; and Administrative Specialist, Mrs. Shari Michael.

ROLL CALL:

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

Quorum present.

APPROVAL OF MINUTES

Chairman Doss asked if there were any changes or additions to the September 8, 2016 minutes.

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

Motion by Vice-Chairman McCarty, and seconded, to approve the September 8, 2016.

Hearing no further discussion, Chairman Doss asked for a roll call.

ROLL CALL:

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

Motion Failed.

Motion failed as Article VII, Section 4 of the DRC bylaws require an affirmative vote of the majority of those present at the meeting for an official action to be taken, and the abstentions were counted in the vote count, but not as affirmative votes. There was a tie vote and the motion failed for lack of a majority of affirmative votes.

APPROVAL OF AGENDA:

Chairman Doss asked if there were any changes or additions to the agenda.

Mr. Groce stated that there were none.

Chairman Doss asked for a motion to approve the agenda as presented.

Motion by Commissioner Lawhon, and seconded to approve the agenda as submitted.

Hearing no further discussion, Chairman Doss asked for a roll call.

ROLL CALL:

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

Motion Approved.

FORMAL AGENDA

DRC16-21 – Poplar Oaks Rehab and Health Care Center – Appeal of a staff decision related to the color selection for a recently-painted existing building on 3.10 acres located at 490 West Poplar Avenue.

Mr. Matthew Wilkinson gave the staff presentation. He explained that there are 3 Key Questions to consider this evening:

- What do the Design Guidelines say about color?
- Why is the applicant appealing the decision made by staff?
- Has the color blue been approved for other buildings in Town?

He explained that the Design Guidelines state that colors should be “muted, earth tone tints of colors such as reds, browns, tans, greys, and greens.” It also states that primary colors, bright accent colors, and stark contrast colors should be avoided. The applied “Honorable Blue” color is not a muted earth tone tint and blue is considered to be a primary color, as well as bright and a stark contrast to the primary façade color.

- EXHIBITS:**
1. Staff letter to the applicant denying the color palette applied to the building (8/15/16)
 2. Email chain between staff and the applicant (8/19/16)
 3. Applicant’s Cover Letter (8/2/16)
 4. Submitted photo of the building with the blue paint applied (8/19/16)
 5. Staff Photos (9/30/16)
 6. Sample “Honorable Blue” Paint Chip (8/19/16)
 7. Images showing previous green paint (2012, 2015, & 2015)

The applicant stated that the color was chosen to provide a new look. The “Honorable Blue” was chosen due to the applicant’s belief that it has a calming effect and has high appeal among residents and visitors to the facility. Staff determined that the Design Guidelines did not allow for the bright blue color based on the requirements for muted earth tone colors, as well as aversion to primary, bright, and stark contrasting colors. Staff cannot approve an exterior alteration that does not fully comply with the Design Guidelines.

In 2014, Perkins at the corner of Market and Poplar was allowed to have blue accents on their building. Prior to Perkins, the Town found the dark blue at Mercedes-Benz of Collierville on Houston Levee Road to be appropriate, as well as Sunrise Chevrolet on Houston Levee Road. However, the original shade of blue proposed for Sunrise had to be darkened prior to its approval. Also, based upon the approval of the Mercedes-Benz dealership’s use of dark blue, MedPost Urgent Care received administrative approval to use a similar shade of blue on their building.

He explained the next steps for the applicant and the motion attached to the staff report.

Chairman Doss asked if there were any questions of staff.

Commissioner Lawhon asked if the other businesses in Town who used a darker blue, came to staff before the color was changed or prior to them being approved.

Mr. Groce stated no, they came to staff prior to installing the color.

A discussion ensued regarding other businesses in Town being asked to change their colors after it had been painted without approval.

Mr. Groce stated that two dealerships in Town were asked to darken the shade of blue down prior to installation and it is hard to ask someone to redo it after the fact.

Hearing no questions or discussion, Chairman Doss asked the applicant to come to the podium.

Ms. Jaclyn Olden, Manager of Poplar Oaks Rehabilitation Center, addressed the commissioners. She explained that she was just trying to upgrade the building for the residents as it is an older building and nothing had been done in a long time to the outside. Since she is with a new company that has taken over, she was not aware that she needed to get approval from the Town prior to painting the building. They took a poll of their residents and this was the color that she chose. She apologized for painting the building without prior approval, but was not aware that it was required.

Chairman Doss explained that if we use the motion in the staff report, we will vote to overrule the staff's decision, then we need to state for the record, a reason of why we feel it should be overruled. The use of blue is a very difficult color and there has much debate about it over the years. The Design Guidelines are clear on the use of earth tone colors.

Hearing no further questions or comments, Chairman Doss called for a motion.

Motion by Commissioner , and seconded, to affirm the staff's interpretation of the Design Guidelines found in the letter to the applicant dated August 15, 2016, as to the acceptability of the "Honorable Blue" color applied to the building at 490 W. Poplar Avenue.

Alderman Patton stated that is hard to ask an applicant to go back and repaint what has already been done, but he believes that if they darken the paint just a bit, with staff's approval, hopefully they will only have to use one coat.

Chairman Doss stated that the Town is very supportive of businesses in Town, but the Design Guidelines must be followed.

Hearing no further discussion, Chairman Doss asked Mrs. Michael to call the roll.

ROLL CALL:

Donhardt – yes, Lawhon – yes, Lesnick – no, McCarty – abstain, Patton – yes, Doss - yes.

Motion Approved.

Mr. Groce mentioned that staff would let the applicant know what shade of blue the Mercedes Dealership used.

DRC16-20 – Sycamore Commercial Center Subdivision, Lot 5 – Appeal of a staff decision related to the require landscape buffer between the subject property and an adjacent residentially-zoned property, for a self-storage use under construction on 0.979 acres located at 370 Sycamore Road.

Mr. Jaime Groce gave the staff presentation. He explained that the applicant is requesting an appeal of a staff interpretation of the Design Guidelines related specifically to the interpretation of the required 20 foot landscape buffer along the northernmost property boundary to an existing self-storage facility that is currently undergoing an expansion. The purpose of the buffer is to provide visible greenspace, distribute greenspace

around the site, and provide a location for landscape screening between two incompatible land uses. There are 5 Key Questions to consider this evening:

- Why is the applicant appealing the decision made by staff?
- What is the purpose of the buffer?
- Will the reduced buffer cause adverse impacts to the neighboring property?
- Is there something unusual about this site?
- Are there other alternatives?

He explained that the originally-approved plans did not show an encroachment into the buffer. The property is now in the advanced stages of construction, but has yet to be completed. The applicant states that the omission of a concrete pad for the HVAC units from the plans, which has caused the encroachment, as an error. Because the concrete pad would extend into a one-way drive around the building, the applicant claims that the drive has to shift northward into the 20-foot buffer. After some discussion with Mrs. Nancy Boatwright, the planner assigned to the case, about the buffer requirements and alternatives, the applicant has decided to appeal the decision made by Staff. The applicant wants an opportunity to explain to the DRC that mitigating circumstances exist.

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| <p style="text-align: center;">EXHIBITS:</p> <ol style="list-style-type: none">1. Applicant's letter of appeal to DRC (9/8/16)<ul style="list-style-type: none">-Landscaping Plan at 1"=40' (9/8/16)-Landscaping Plan at 1"=10' (9/8/16)2. Aerial photo and Existing Zoning3. Existing Conditions Plan for Entire 6.224-acre Storage Complex |
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Staff determined that the Design Guidelines require a 20-foot landscape buffer along the northern property boundary, as the SCC-zoned property was abutting a vacant tract zoned for single-family uses. It is not likely that this will cause adverse impacts to the neighboring property and the applicant argues that the encroachment is minimal. Only 54 square feet of buffer would be removed, and the buffer area is only lawn area inside of a new 6-foot wood screen fence being added. No landscaping is being removed due to the encroachment and there are no houses currently to the north now and the property is extensively wooded. The majority of the buffer along the property line meets or exceeds the 20-foot width.

The applicant cannot reduce the 18-foot drive aisle to 16 feet, as the Fire Marshal stated that a one-way drive aisle of less than 18 feet in width is not appropriate on this site as they could not get a fire apparatus around the turn of the drive aisle. Because of this, the applicant will have to go into the buffer to get the additional footage. Additional landscaping could be added to the buffer or an 8-foot tall wood fence used instead of a 6-foot tall wood fence to mitigate any adverse off-site impacts, but the encroachment is not likely to be perceptible from the property to the north given the new opaque fence that is to be added.

He reviewed the example motion in the staff report.

Chairman Doss asked if there were any questions of staff.

There was a discussion about the landscape plan for the north side of the project. Mr. Groce did find some old landscape plans from long ago, but for some reason that material was never installed. Staff did not ask them to install all of that at this time, as it is on another lot from the new building, and remains non-conforming.

Vice-Chairman McCarty stated that an option may be that they can supplement the lacking landscaping on this lot for allowing them to encroach into the buffer.

A discussion ensued regarding the mitigation trees.

Hearing no further questions of staff, Chairman Doss called the applicant to the podium.

Mr. Jim Gannaway, representative for the applicant, addressed the commissioners. He explained that there is a landscape plan for the new addition. The old property was developed by a prior owner who went bankrupt and this is why he assumes the landscaping on that lot was not finished out. What is being actually being eliminated in the buffer zone is strictly sod. The plan does have mitigation trees for the ones they took out. The question about moving the HVAC is that the duct work was already in and it wouldn't have been economically feasible to change it. This is a mistake and they have taken out as much as they possibly could. The concrete pad cannot be trimmed and the screen fence is right up against it.

Alderman Patton asked if they can mitigate with more shrubs or tree plantings.

Mr. Gannaway stated that they have already added a large boxwood near the HVAC unit and they would certainly be glad to plant a tree wherever staff feels needed.

Hearing no questions or discussion, Chairman Doss asked for a motion.

Motion by Alderman Patton, and seconded, to overruled staff's decision in exchange for 1 mitigation tree along the back side of the property as approved as staff.

Alderman Patton stated for the record that he will approve this for reasons that a hardship was created by the design build process that went wrong.

Hearing no further discussion, Chairman Doss asked Mrs. Michael to call the roll.

Vice-Chairman McCarty stated that he feels that the encroachment would have been approved before the mistake was made and has no problem with voting to overturn the staff's decision.

ROLL CALL:

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

Motion Approved.

DRC16-17 – U-Haul Byhalia Road – Request approval of a Preliminary Site Plan for multiple buildings totaling 95,830 square feet on 10.7 acres for a moving equipment rental store and warehousing and storage, located along the east side of Byhalia Road and north of East Winchester Boulevard.

Mr. Jaime Groce gave the staff presentation. He explained that that there are 5 Key Questions to consider this evening:

- Has the DRC seen a recent application for this property?
- Will the moving equipment storage areas be screened from off-site view?
- Has U-Haul's standard franchise architectural design been modified to meet local guidelines?
- Will all remote walls be screened?
- What improvements are shown in the future phase?

EXHIBITS

1. Cover Letter (received 9/7/16)
2. Traffic Impact Study (9/7/16)
3. Email from Traffic Consultant (9/27/16)
4. August 2016 Planning Commission Minutes
5. August 22, 2016 BMA Minutes
6. Self-storage Facilities in Collierville (August 2016)
7. Preliminary Site Plan (received 9/7/16 and 9/16/16)
8. Light Fixture Details (received 9/16/16)
9. Color Landscaping Plan (received 9/7/16)

He reviewed the aerial photograph of the subject property and explained the adjacent properties and uses along with the building materials that are in use on existing buildings. The proposed site will share an access drive with the C-store located to the south of the adjacent property. There will be an ingress/egress access drive on the north end of the property on Byhalia Road and TDOT has approved this location. There will be no parking the front yards and the way the site will be constructed all parking will be to the side and rear of the front building. The applicant will be installing new sidewalks along Byhalia Road and Winchester Boulevard. The site is 9.17% lot coverage in building footprints and the site is 50% pervious. He explained that the need for a detention pond is questionable at this time, but they have a reserved area for that if needed. The shunting lanes for the trucks will be to the rear of the side and screened from view off site via landscaping and an opaque fence. The back wall of the storage buildings will serve as a screen of the site from view and landscaping and fencing will be used as well in these areas. There are existing trees offsite to the north that will help screen the building by long blank wall and HVAC units, but more evergreen screening is needed.

Building “B” does not have a parapet wall and on the north side the galvanized metal roof will be seen from Byhalia Road. The other buildings have galvanized metal roofs as well, but due to parapets and screening they won’t be seen offsite.

The applicant has concerns with Conditions of Approvals, Number 4, 8, and 24 and would like to discuss them with some alternate language they would like to use.

DRC Condition #4 states - Any roof membrane shall not be visible from streets or adjacent property with the back of the parapet finished with the facade material.

DRC Condition #8 states - Where a shed roof or flat roof design is used on Building “B”, a parapet wall shall be used on all sides of the building to screen the roof.

DRC Condition #24 states - On the east-facing facade of Building “A” needs to be equal in materials and articulation to the west-facing façade of Building “A” as it is visible from both the customer/pedestrian entrance to Building “B” and from the convenience store to the south. The south elevation of Building “B” shall also be similar to the west elevation of Building “B” at a minimum to a point event with the 8-foot fence and landscaping that will screen the shunting lanes and storage. (D.G. IV.C.).

He reviewed the elevations of the proposed buildings and the materials proposed to be used as well as the lighting fixtures. Some proposed lighting fixtures are not “full cut-off”, but they can find the proper fixtures to install. Building “B” is showing glass windows which go all the way to the ground and this will need to be discussed as it is not allowed by the Design Guidelines and the applicant will need to make sure the doors to the storage units are not visible from the street.

Mr. Groce explained the next steps and the example motion contained in the staff report.

Chairman Doss asked if there were any questions of staff.

Alderman Patton stated that he has concerns if Pepsi were to vacate that building and another business could come in and clear out all those trees on the south of their property and then there would be no buffer of the Building B site line.

A discussion ensued about the roof line of Building B and the north site line which is adjacent to the Pepsi site.

Chairman Doss stated that we will go through all of the conditions of approval with the applicant so that everyone is comfortable with the approval.

Commissioner Donhardt asked, “Why do they not have to have a detention pond?”

Mr. Groce stated that we don’t have the detention calculations yet so we don’t know if it’s needed and the regulations only address the quantity, not the quality of water runoff.

Hearing no further discussion, Chairman Doss called the applicant to the podium.

Mr. Harvey Matheny, representative for the applicant, addressed the commissioners. He explained the underground drainage system and where the detention pond will be located if they need one. They understand that the Winchester Boulevard side needs to look nice and they will make sure that the landscaping and screening is nice and doing its job. They are proposing to additionally extend the fence down far enough on the south side of the property so that the back of Building A is screened from their neighbors, the C-Store. They are proposing to wrap the front façade around to the eastern edge of the retail space so everything is uniform with materials and there should be no line of site from either direction or the public realm. He explained that if Pepsi were to vacate and the new tenants were to remove those trees in that area, they would be required to re-plant with trees and landscaping. He explained the landscaping and parapet walls that would be on each building and there are no proposed units to be installed on any rooftops. They are proposing that the facades will have the materials as they presented, but they will make the colors compatible with the surrounding area.

Chairman Doss asked if there were any questions of the applicant.

There was a discussion about the fence on the south side, how it will be cedar fence boards and brick columns with Stevens Hollies, and how it should be extended to the east to further screen Phase I from view from Winchester Boulevard.

Hearing no further questions, a discussion ensued whereby the commissioners decided to take each condition of approval and amend it to reflect the conditions below are a result of that discussion and conditions 4, 9, 14, 16, 17, 21 and 24 were modified from the example motion and 28 and 29 were added in the motion.

Hearing no questions or discussion, Chairman Doss asked for a motion.

Motion by Commissioner McCarty, and seconded, to recommend that the BMA approve the request for a Preliminary Site Plan for U-haul Byhalia Road, subject to the following conditions:

1. With the Final Site Plan provide a lighting legend and manufacture’s cut sheets as well as selected finishes for approval (Site Plan Checklist).
2. 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.)).
3. Materials and color samples of all exterior materials, including the finishes on the interior of the site, shall be provided with the Final Site Plan (Final Site Plan Checklist). Specifically, provide a color sample for “Sierra Sunset” (orange) and a material sample for the stucco metal panels.

4. Any roof membrane shall not be visible from streets or adjacent property with the back of the parapet finished with the facade material (D.G. IV.C.), with the north side of Building B on a parapet.
5. All ground 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 and all rooftop appurtenances shall be screened by the parapet. Paint wall-mounted appurtenances to match the color of the surrounding building material (D.G. III.H.).
6. With the Final Site Plan provide a roof plan indicating all rooftop appurtenances and indicate both a roofline and appurtenances on the elevations with a dashed line (Site Plan Checklist).
7. Identify the color and material of the roof for Building “B” and for the smaller self-storage buildings at the rear of the site.
8. Where a shed roof or flat roof design is used on Building “B”, a parapet wall shall be used on all sides of the building to screen the roof. (D.G. IV.C.).
9. On the west-facing facades of Buildings “A” and “B,” use a knee wall or bulkhead at the base of storefronts made of brick or stone, instead of carrying the glass through to the ground, to give a more traditional look and to be more compatible with the retail building to the south. (D.G. IV.C.). Staff shall verify whether the colored metal storage unit doors on inside of Building A will be visible and be within 10 feet or less to the clear glass storefront.
10. Provide a bicycle rack near the Byhalia Road frontage (D.G. III.D.2.).
11. High-gloss finishes and bright white colors shall not be used on Building “B”. Use flat, muted, earth tone tints of browns, tans, or cream colors instead.
12. Label all aluminum storefront colors, with a consistent theme used across the site. Bronze or black aluminum storefronts are the most appropriate colors for storefronts; however, clear anodized (silver) aluminum storefronts may be also appropriate. Novelty colors or franchise colors are prohibited for storefronts. (D.G. IV.C.).
13. If sign envelopes are to be shown, only show one sign envelop per façade on the front of Building “A” and “B”.
14. The net surface area (excludes windows and doors) of the west-facing facades of Buildings “A” and “B” shall be predominantly (at least 51%) masonry (brick or stone). Stucco metal panels shall not be allowed for visible facades based on CUP Condition 6, which said “building facades visible from public streets are to be held to a similar standard as commercial areas”, and recommend a site line study.
15. Provide a material and color schedule on the elevations that identifies all proposed finishes and colors proposed for buildings on the site.
16. Increase the level of upright evergreen shrub plantings or other appropriate screening along the north façade of Building “B” to provide additional screening for the HVAC units and further screen this remote wall from the property to the north. The water line may be omitted to allow for the planting of an evergreen screen.
17. Provide an evergreen hedge near the shared access drive to the south to more effectively screen the view of parking areas from Byhalia Road. The opaque fence and landscaping shall be extended westward to further screen views into the site.
18. Label the HVAC units for Building “B” on the Landscaping Plan and provide screening.
19. Label Building “A” as not having any HVAC units on both the Landscaping Plan and Architectural Elevations.
20. Provide details of the gates to be used for the Winchester Road fire access.
21. Provide a detail of the 8-foot black vinyl coated chain link fencing on the Final Site Plan. Confirm on the site layout where black vinyl fence is to go.
22. With the photometric plan submitted with the Final Site Plan, extend the grid until 0.0 fc is maintained and show property lines.

23. Coordinate the location of building-mounting light fixtures on the elevations with the lighting plan.
24. On the east-facing facade of Building “A” needs to be equal in materials and articulation to the west-facing façade of Building “A” but only a few feet to a point wrapping around each corner of the east side of the building. The south elevation of Building “B” shall also be similar to the west elevation of Building “B” at a minimum point equal to the 8 foot fence and landscaping that screens the shunting lanes. The 2nd floor façade of Building “B” must be evaluated with staff to ensure the 8-foot fence and landscaping that will screen the shunting lanes and storage will effectively block the sight lines from Winchester Boulevard. (D.G. IV.C.). The façade shall wrap around on eastern side of Building “A” and the balance of that façade can be the materials as shown and the colors are compatible to the rest of the campus.
25. Show the backflow preventer location on the utility plan and landscaping plan. Identify how they will be screened.
26. Provide enhanced “entryway landscaping” for the access point(s) onto Byhalia Road pursuant to Section III(E)(4) of the Design Guidelines.
27. Provide additional information on the landscaping plan and details for the “deco trellis” shown for Buildings “A” and “B”.
28. The landscaping and fencing to screen Phase 2 shall be installed along the east side of the property during Phase 1 to screen the easternmost self-storage buildings of Phase 1.
29. The Final Site Plan for Phase 2 shall be submitted to the DRC for review and approval.

Hearing no further discussion, Chairman Doss asked Mrs. Michael to call the roll.

ROLL CALL:

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

Motion Approved.

Other Business:

Chairman Doss asked if there was any other business.

Mr. Groce explained that Sonic is planning on renovating their current building on Highway 72 and they would like to use a hardy plank product which looks like a brick wall, but when installed it will have a line along it somewhere. This would be used around the back portion of the property where the kitchen is located. Staff is working with them on some other changes to the outside of the canopy and front façade.

The Chairman explained that the Design Guidelines define masonry as a “clay fired brick” and hardy board is a concrete product and therefore Sonic needs to stick with true masonry with any changes.

Mr. Groce reviewed the Development Activity report and explained that at a near future meeting you are likely to see another staff appeal from a decision where a property owner in Schilling Farms wants to have a 50+ inch oak tree removed as it is reportedly causing damage to a home. Staff has hired an arborist who will form and opinion about the health of the tree so staff can make a final decision about the tree’s removal. The HOA wants to remove the tree, however, if staff says no, they will have the right to appeal.

Chick-Fil-A may also appeal the staff’s decision on a red color paint they would like to use in a

renovation they would like start.

Hearing no further business, the meeting was adjourned at 7:45 pm.

Cindy Sadler, Secretary

DRAFT