

A regular scheduled meeting of the **Design Review Commission** was held on Thursday, April 13, 2023, at 5:00 p.m., in the James H. Lewellen Board Chambers of Town Hall.

Staff members present were: Town Planner, Mr. Jaime Groce; Assistant Town Planner, Ms. Donquetta Singleton; Planner, Mr. Josh Hankins; and Administrative Specialist, Sr., Ms. Angela Gizzarelli

Roll Call to establish a Quorum

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|---------|---------|-----------|---------|----------|---------|---------|
| Hepner* | Peeler | Lawrimore | Lawhon | Donhardt | Stamps | Doss |
| Present | Present | Present | Present | Present | Present | Present |

Quorum Present.

*Hepner absent at time of roll call, entered chambers at 5:05PM

Approval of Minutes

Chairman Doss asked if there were any changes or corrections to the minutes from the March 9, 2023, meeting.

Hearing none, Chairman Doss called for a motion.

Motion by Commissioner Lawhon, and seconded, to approve the minutes from the March 9, 2023, meeting.

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

Roll call:

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|--------|-----------|--------|----------|--------|--------|------|
| Peeler | Lawrimore | Lawhon | Donhardt | Stamps | Hepner | Doss |
| Yes | Yes | Yes | Yes | Yes | Absent | yes |

Motion Approved.

Approval of Agenda

Chairman Doss asked if there were any additions or deletions to the Agenda.

Mr. Groce stated there are no additions or changes to the published Agenda.

Chairman Doss called for a motion to approve the Agenda.

Motion by Commissioner Peeler, and seconded, to approve the Agenda.

Chairman Doss asked to call the roll.

Roll call:

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|-----------|--------|----------|--------|--------|--------|------|
| Lawrimore | Lawhon | Donhardt | Stamps | Hepner | Peeler | Doss |
| Yes | Yes | Yes | Yes | Absent | Yes | Yes |

Motion Approved.

FORMAL AGENDA

6. a. Case #224306 – Hinton Preserve PD Subdivision, Phases 1, 2, and 3 – Request approval of common open space, landscaping, fencing, and entry signage, for an 84-lot single-family residential subdivision on 44.85 acres

6.b. Case #230856 – Hinton Preserve PD – Request approval of Comprehensive Signage Plan for a single-family residential subdivision

Mr. Jaime Groce reviewed the Staff report for two separate cases (case #s 224306 and 230856) at the same time with two separate motions, staff report and exhibits are included in the record. Mr. Groce discussed the common open space; tree save areas and retention pounds during all three phases of development. Mr. Groce stated the development is above the minimum requirement for usable open space. Mr. Groce stated the Comprehensive Sign Plan (CSP) is related to a pending minor PD amendment, the CSP was not submitted with the original PD and the outline plan and pattern book text need to be revised to reflect this new CSP.

*Commission Hepner joined the meeting during the presentation (5:05pm).

Chairman Doss asked if there were any questions for Staff.

Discussion ensued of location for cluster mailbox.

Discussion ensued about the fence types allowed by the PD.

Discussion ensued about Fleming Road’s future road improvements and easements. Mr. Groce referenced the Town’s 2040 Plan, that Fleming Road improvements were projected for multiple lanes, however, traffic impacts currently don’t show the need to expand Fleming Road.

Hearing no further questions for staff, Chairman Doss called for the applicant.

John McCarty, 198 Progress Road, Collierville, TN, stated the proposed subdivision is similar to neighboring subdivision, Magnolia Preserve. Mr. McCarty discussed the changes for drainage and landscaping along Fleming Road.

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

Discussion ensued about the different types of proposed fences and their locations.

Discussion ensued about retention basins and storm water drainage.

EXHIBITS

The staff report and the following:

1. Example Conditions - CSP (4/6/23)
2. Example Conditions – Construction Drawings (4/6/23)
3. Applicant’s Cover Letter (2/24/23)
4. Comprehensive Sign Plan (CSP) (2/24/23)
5. Pattern Book (July 2022)
6. Outline Plan (August 2022)
7. Preliminary Subdivision Plat (2/24/23)
8. Existing Conditions and Demo Plan (2/24/23)
9. Excerpts from Construction Drawings (Grading Plan, Tree Plan, and Landscaping Plans (2/24/23))

Discussion ensued about signage entering into subdivision.

Hearing no more discussion, Chairman Doss called for a motion.

Motion made by Commissioner Lawhon and seconded, case#230856 to approve the Comprehensive Sign Plan (CSP) for the Hinton Preserve PD (Exhibit 4), subject to the conditions in Exhibit 1.

Conditions of Approval:

1. The signature signs shown on private lots shall be located within an easement dedicated to a property owners' association.
2. Section 1.E. of the Outline Plan shall be revised to read as follows: All signage shall comply with the Comprehensive Sign Plan approved by the DRC on ___ and as specified in the Pattern Book dated ___."
3. Section 3 of the CSP shall include the following text: "Only two types of ground signs are allowed within the PD, 'signature signs' and 'Freestanding residential development signs'".
4. Each of the two sign types shall be labeled in the CSP (i.e., "signature signs" and "Freestanding residential development signs").

Chairman Doss called for a discussion.

Hearing none, Chairman Doss called for roll.

Roll call:

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| Lawhon | Donhardt | Stamps | Hepner | Peeler | Lawrimore | Doss |
| Yes | Yes | Yes | Yes | Yes | Yes | Yes |

Motion Approved.

Discussion ensued about landscaping.

Isabelle Rich, 9180 Crestwyn Hills Dr., Memphis, TN, stated that landscaping plan is to Town standards.

Discussion ensued about landscaping plan that the developer has the responsibility to fulfill the common open space, the builder will be responsible for private lots.

Motion made by Commissioner Hepner and seconded, case# 224306 to approve the common open space, landscaping, fencing, and entry signage for Phases 1 through 3 of the Hinton Preserve PD (Exhibit 9), subject to the conditions in Exhibit 2.

Conditions of Approval:

1. Per the Pattern Book, COS H shall have a "6-foot decorative steel fence with 30" brick columns spaced approximately 53" on center along the shared property line with Hinton Park. Provide a detail of this fence and revise the landscaping sheets.
2. Plant sizes shall comply with the minimum standards of Appendix III of the Guidelines. Revise the plant schedule to show the installation height of all shrubs.
3. The development agreement shall contain specific dates for when common open space features will be completed in each phase, including, but not limited to cluster mailboxes, fencing, signage, fountains, landscaping (trees, shrubs, ground, cover), sod, benches, pavilions, and decorative lighting. Additionally note when the perimeter fencing will go in and the fencing along Fleming Road in front of the estate lots. Identify if fences are to be installed by the developer or homebuilders.

4. If the entry signs are to be illuminated, show the location of the light fixtures, and provide evergreen shrubs to screen the light fixture. Provide lighting details with the sign permits.
5. Provide a separate exhibit that highlights all open space intended to be “usable” and counted towards the minimum requirement in the Outline Plan of 5.63 acres. Please note that certain features, such as entire bodies of water, or small landscape medians cannot count as usable space.
6. Open spaces intended to be “usable” shall include seating areas.
7. The area where existing trees are less than 24 inches in diameter in COS A shall be shown with a “cloud” and labeled on the landscaping plan (sheet L3).
8. Healthy existing trees 2 inches or larger in diameter, such as those in COS A, if surveyed and inventoried, can be counted towards the minimum number of required trees and reduce the amount that needs to be paid into the Town’s tree bank. Revise the drawings to show these existing trees to remain if the developer wants to receive credit towards the minimum planting requirement.
9. Freestanding residential development signs shall be located within a common open space lot or a private lot with an easement dedicated to a property owners’ association.
10. The signature signs are only allowed at the westernmost access to the development since the main entrance along Fleming Road will already have one residential development sign on each side of the entrance.
11. Since one residential development sign is within COS C, additional signage is prohibited within the walls on either side of the main entrance off Fleming Road.

Chairman Doss called for a discussion.

Hearing none, Chairman Doss called for roll.

Roll call:

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|----------|--------|--------|--------|-----------|--------|------|
| Donhardt | Stamps | Hepner | Peeler | Lawrimore | Lawhon | Doss |
| Yes | Yes | Yes | Yes | Yes | Yes | Yes |

Motion Approved.

6. c. Case #223555 – Something Special Furniture Store – Consideration of a request for a waiver of the Design Guidelines related to exterior alterations to the existing building located at 783 W. Poplar Avenue.

Mr. Josh Hankins reviewed the Staff report which is included in the record as an exhibit. Mr. Hankins stated the applicant had applied for a Site Plan Modification that was approved through Staff in 2022. The applicant has made some of those approved modifications and is now asking for a waiver of Design Guidelines to remove the awnings that were previously approved to be refurbished with black fabric.

EXHIBITS

The staff report and the following:

1. Appeal Cover Letter (3/20/23)
2. Before and After Photos (3/20/23)
3. Notice to Proceed Letter & Original Site Plan Modification Cover Letter & Attachments (11/11/22)

Chairman Doss asked if there were any questions for Staff.

Discussion ensued about the paint color used on the building being an approved color of the Town’s Design Guidelines. The applicant used approved paint colors.

Discussion ensued about the applicant's staff approved Site Plan Modification. However, during the construction phase the applicant has deviated from the approved site modification by removing the awnings and painted the glass panels black to match the trim around the windows.

Discussion ensued about awnings on retail centers in the immediate area.

Hearing no further questions for staff, Chairman Doss called for the applicant.

Robert Mahoney, 2449 Halle Rich Plantation, Collierville, TN, stated the intent was to replace the awnings, the vendor supplied a quote that was beyond the scope of reasonable cost to the project. The corner glass was painted the same color the awning fabric was supposed to be. Mr. Mahoney stated he had an understanding that the purpose of awning was to help deflect interior light noise roadway traffic as well as to provide contrast to the building, the interior lighting is now altered to avoid light noise to roadway traffic and feels the black paint provides enough contrast. Mr. Mahoney stated in the surrounding area there are no buildings with awnings.

Discussion ensued about the paint on the glass, door, and window trim.

Discussion ensued about the facades of the building and whether there would be enough articulation without the awnings.

Mike Underberg, 5720 Stage Rd, Ste. E, Bartlett, TN, stated he was the developer of the building, and it was designed to be a furniture retail center. The canopy awnings were a part of the design as during that era canopies and awnings were a part of that look for a retail center, canopies have outlived their function.

Clarification was made that the request for the waiver is more about undoing what was approved by Staff and needing the appropriate justification to grant the waiver.

Discussion ensued about whether the current updates to the building provide enough articulation without the awnings. Mr. Groce stated that if the DRC is in agreement that the building is better without the awnings and that there could be other ways to provide articulation, there could be a condition of approval added to the motion.

Commissioners discussed that the building does not have enough articulation without the awnings and the applicant's waiver would need to have a condition of approval to find other design solutions.

Hearing no more discussion, Chairman Doss called for a motion.

Motion made by Commissioner Donhardt and seconded, to approve the waiver of the Design Guidelines related to unadorned blank walls and allow for the awnings previously required for 783 Poplar Avenue to be left off.

Condition of Approval

1. Applicant to work with staff for approval on expanding the articulation of the building.

Chairman Doss called for a discussion.

Hearing none, Chairman Doss called for roll.

Roll call:

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| Stamps | Hepner | Peeler | Lawrimore | Lawhon | Donhardt | Doss |
| Yes | Yes | Yes | Yes | Yes | Yes | Yes |

Motion Approved.

Commissioner Lawrimore excused himself 6:10pm

6. d. Case #230280 – Wal-Mart Store #0175 – Consideration of a request for a waiver of the Design Guidelines related to paint color for the existing building located at 560 W Poplar Ave.

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| EXHIBITS |
| The staff report and the following: 1. Appeal Cover Letter (3/21/23) 2. Color Board (3/21/23) 3. Design Review Commission Meeting Minutes (9/13/18) 4. Color Elevations (3/21/23) |

Ms. Donquetta Singleton reviewed the Staff report which is included in the record as an exhibit. Ms. Singleton stated the DRC has previously denied a similar waiver request in 2019. Franchises must meet Design Guidelines and blend with the Town’s character, the color Medium Blue is considered a bright color and Staff cannot administratively approve the requested paint color.

Commissioner Lawrimore rejoined the meeting at 6:13pm

Chairman Doss asked if there were any questions for Staff.

Hearing no questions for staff, Chairman Doss called for the applicant.

Cathy Yockey, 1705 South Walton Blvd., Suite 3, Bentonville, AR, stated the color request is based on that color being their brand color.

Discussion ensued about the request for the brand color and other cities and municipalities turning down the color request.

Discussion ensued about other blues that have been approved.

Discussion ensued about another option for the applicant to change the sign to be a different material to include the franchise’s brand color of medium blue.

Discussion ensued about the applicant’s options should the motion fail. The applicant could work with Staff for approved blue paint colors for the building. The applicant can alter their signage that could allow the branded blue but would be nonilluminated. The applicant could appeal to the BMA.

Hearing no more discussion, Chairman Doss called for a motion.

Motion made by Commissioner Donhardt and seconded, to grant a waiver from the Design Guidelines related to color to allow for the use of “Medium Blue” (Walmart Blue) as depicted in Exhibits 1, 2 & 4.

Chairman Doss called for a discussion.

Hearing none, Chairman Doss called for roll.

Roll call:

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| Hepner | Peeler | Donhardt | Lawrimore | Lawhon | Stamps | Doss |
| Yes | No | No | No | No | No | No |

Motion Failed.

Other Business:

Chairman Doss asked if there was any Other Business.

Mr. Groce provided updates on Ordinance 2023-02 related to small cells. It is close to being approved. Mr. Groce stated the May 11th scheduled meeting currently has no agenda items, however the deadline is April 18th. Mr. Groce stated the Market Core and Home 2 Suites in The Parke PD could come before the DRC in the summer. Mr. Groce provided updates on 390 New Byhalia Road has been working with staff for paint color and articulation. Campbell Clinic's Development Agreement needs to be approved by the BMA and that they are working with staff with the HVAC screening. Byhalia Commons C-Store, Southern Security Federal Credit Union and People's First Urgent Care have been working towards their Development Agreement for the BMA's approval to start developing. Schilling Farms Water Tower District hotel Development Agreement has been approved by BMA and are now working towards building permits, the apartments are also close to getting their permits. The Ashby Spring apartments have been denied by the BMA, they plan to reapply soon, and the DRC will see that. Staff approved Popshelf, which will be next to PetSmart. Popshelf's Development Agreement will likely be on the April 24th BMA agenda. C-Spire Fiber Shelter is pending, staff is working with the applicant for fence types. Orgill's Customer Concept Center has had a delay in acquiring all the properties, however they should be on a BMA agenda soon.

Hearing no further business, Chairman Doss adjourned the meeting at 6:42 pm.

Angela Gizzarelli, Administrative Specialist, Sr.