MINUTES OF REGULAR SESSION
PIPERTON PLANNING COMMISSION
February 9, 2016, 6:30 P.M.

The Piperton Planning Commission met on February 9, 2016 at 6:30 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Commissioner David Crislip, Commissioner Denise Browder and Vice-Mayor Hugh Davis present. City Engineer Harvey Matheny was absent. City Planner Brett Morgan, Fire Chief Reed Bullock and City Recorder Beverly Holloway were present along with Charles McElwee, Bobby Holbrook, Bill Baker, Ralph Moore (MAAG), Harper Goode, Jim Ragon, Brian Hawkins, Buddy Wittichen, Preston Trotter, John McCarty, Ray Peek, Rich Miller, Mark Jenkins, et al and others in the audience.

Agenda item 1. Call to order, establish quorum

Action taken: Chairman John Henszey called the meeting to order at 6:30 p.m., and established that a quorum was present.

Agenda item 2. Prayer and Pledge of Allegiance to the American Flag

Action taken: Charles McElwee led in the opening Prayer and Commissioner Browder led in the Pledge of Allegiance to the American Flag.

Agenda item 3. Any changes to Agenda; Motion to adopt Agenda

Action taken: There were no changes to the Agenda, Vice-Mayor Davis moved to adopt the Agenda as printed, seconded by Commissioner Browder. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the January 12, 2016 meeting: Motion to approve Minutes of January 12, 2016.

Action taken: There were no changes to the Minutes of January 12, 2016 and Mayor Coats moved to approve the Minutes of 01/12/16 meeting as written, seconded by Commissioner Crislip. The Motion received all affirmative votes.

Agenda item 5. Land Disturbance Permit – Solberg Properties, Ron Solberg

Brett Morgan, City Planner, stated Ron Solberg of Solberg Properties is requesting a Land Disturbance permit and it is being done little after the fact, initially they received a permit to demolish the existing structure on the site and we should have made sure they understood that moving further they would need a land disturbance permit and so they began denuding the site, tree removal was essentially complete before the City intervened and requested a meeting with the applicant and the applicant stated they were willing to apply for any permits that were needed and would have applied for this permit if they had understood they needed this, staff requested the applicant to make application and pay the fee for it and come before this Commission to explain the situation, Bobby Holbrook representing Ron Solberg is here for any questions, staff recommends to pass the Land Disturbance Permit with the following conditions:

1) The applicant acquires all necessary TDEC approvals for site disturbance which includes storm water drainage management and erosion control.
2) The applicant submits all required construction plans to the City Engineer for review and approval.

The applicant has agreed to these terms

Chairman Henszey inquired what the next step is.

Bobby Holbrook stated they are trying to clean the area up so they can bush-hog it and keep it cut to have it nice and neat during the summer that is the main goal and eventually there is a Sonic proposed on the site with the corner lot hopeful becoming commercial with a little strip center but we don't know yet, it will be for sale if ask about, the proposed Sonic will be to the east.

Mr. Morgan inquired when they anticipated going to TDEC and making all applications.

Mr. Holbrook spoke with TDEC last Friday and until there is a development plan TDEC told them they will not get involved until they decide to develop and the other lot is sold.

Mr. Morgan stated the only plan is for the proposed Sonic but will it be mass graded or graded as individual sites.

Mr. Holbrook stated there is enough dirt on the property to fill in and make it pretty level and may have to haul some dirt in.

Vice-Mayor Davis stated if TDEC is stating they aren't required to be involved at this point then who is responsible for overseeing up until TDEC steps in.

Mr. Holbrook has erosion control in place and has done what was asked in case there are no plans developed but once plans are developed we will go to TDEC.

Mr. Morgan stated that is one of our questions with the erosion that is possible if the site has been denuded and they have established some erosion control out there but we don't want any more of the grading of the site until grading plans are done and TDEC can look at it and approve everything and that our City Engineer look at it but the trees can be hauled away.

Chairman Henszey stated this permit would cover future activity and it would be effective immediately.

Mr. Morgan stated yes, staff doesn't want the applicant to have to come back and get another permit, this will cover him from now on as long as he meets the conditions.

Vice-Mayor Davis stated for the record make sure we state tentative or proposed Sonic because we don't know that this will happen and that the Commission would approve it, it may end up something else.

Action taken: Mayor Coats moved to approve the Land Disturbance Permit based on staff recommendation and advise the permit covers future activity on site under the following conditions; 1) the applicant acquires all necessary TDEC approvals for storm water management and erosion control and 2) the applicant submits all required construction plans to the City Engineer for review and approval, seconded by Commissioner Browder. The Motion received all affirmative votes.

Agenda item 6. Request for Revision to M1 Zoning text (Indoor Shooting Range)

Mr. Morgan stated this is a request from Robert Ackermann and John McCarty is here representing him tonight, the Commission will not be voting on this but Mr. McCarty will inform the Commission of what is planned on this site, and right now our Zoning Ordinance does not allow for a shooting range in the M1 District and the Ordinance would have to be modified to allow this as a special exception to the M1 Zoning Ordinance and there would be conditions with that as well and included an example of Collierville's conditions for their indoor shooting range so this Body and staff can decide how to approach this if this is what is wanted to amend the Ordinance.

Commissioner Crislip inquired if this would be just a shooting range or would this be a store as well.

John McCarty of McCarty Granberry Engineering stated as working with Mr. Morgan it would a special exception and not just a by-right use, also looking at some other Ordinance the only caveat that they suggest including was that all firearm discharges must be conducted inside a completely sound resistant building designed with baffles and bullet traps which takes care of 99% of your public safety concerns and there may be other things that this Commission may want to add to it and Mr. Morgan mentioned the Collierville Zoning Ordinance and clarified

that as of right now Collierville has a Zoning Ordinance in place in the industrial property that doesn't require any of special caveats that you have seen and read in your package, and is willing to work with staff and made recommendations to include as conditions, our client has chosen one but may possibly chose all three of the industrial lots along Hwy 385, it would have gun sales, day care, food and beverage concessions, a training classrooms, gunsmith services and retail sales of firearms and ammunition, the proposed range would have at least a 25 foot pistol range and a 50 yard rifle range and a possible 100 yard rifle range depending on financing building construction, lot placement and it's at the very infant stage of the project without having drawn the final site plans or looked at the economics of it, there will be bullet traps designed that will be cleaned out and maintain and will also bring in architects and mechanical engineers that have designed several ranges that will be part of the design team to design those individual functions so that all necessary requirements are meet and from a design professional standpoint there will not be any negligent due to the liability that comes into play.

Mr. Morgan stated the purpose of this is to discuss the special exceptions and what kind of conditions that staff would want to put on it so next month maybe actually have an Ordinance that comes before the Commission and suggested to Mr. McCarty to get the different outdoor activities to us as soon as you can so that as we address these in the Zoning Ordinance nothing is overlooked in some way and so the Planning Commissioner have adequate time to consider those as well and reiterated are for Commercial and but they are still conditions this Body wants to consider along with others as we move through the process.

Agenda item 7. Review & Approval of Subdivision Regulations

Mr. Morgan stated this item is for review and next month hopefully come back with a completed copy, this is a copy that has changes in it and there is a few more things that Mr. Steinbach, Mr. Matheny and I will meet on with possible additions but this is close.

Chairman Henszey stated we need to make sure this is correct.

Mr. Morgan stated it may take more than one meeting, Mr. Steinbach has volunteered to attend these meetings.

Mayor Coats suggested to break it down into small increments.

Agenda item 8. Discussion – Collierville Corridor Meeting

Mr. Morgan stated that Chairman Henszey and I met with the Collierville City Planner to discuss the corridor planning initiatives, it was a very good meeting, Collierville wants to work with Piperton to make sure the corridor functions well for both Cities and got the impression that Collierville would like for us to try to do some things to take some traffic off some of their residential streets if possible which doesn't necessarily revolve around the 57 corridor and didn't get a sense that Collierville wanted to partner with us in any grant efforts because they have been tasked to take care of the business they already have on the books rather than creating anymore at this point in time so Piperton would be own in applying for any grants for the corridors.

Chairman Henszey stated Collierville has schools as the main priority and directed to not start anything new but was encouraged because of little things like Fletcher Road is still open for discussion and Keough Road maybe being worked on a little bit there was not a no we are not going to do it, it was we will work with you and they are going to widen Shelby out to the intersection because of the school that will be off Shelby and that project will come our way.

Mr. Morgan stated that fortunately we have already worked with Collierville on the Jetson PD which has an Interlocal agreement between Piperton and Collierville as how that would be developed there on the southwest corner of the interstate and Hwy 57 and so there is already history there so there is a basis for further discussion on how we might approach that corridor, was very encouraged that they want to do that along with us but they will not apply for any grants at this point in time with Piperton.

Chairman Henszey stated we did agree with them that the 57 corridor was our most important piece at this time and on 72 they are looking at a cc label type development (a mixture of warehouse and office type structures) on the south side of 72 from Shelby down to the Piperton line so we need to keep that in mind and need to look at the land use again and zoning to see how that will impact us.

Mr. Morgan stated this Body's interest in trying to do some gateway work on 57, he did make contact with the State regarding that and how we might can put some gateway signage within the right of ways of Hwy 57, spoke with David Garland who is out of the Jackson office for District 4 and he suggested they are willing to work with Piperton on gateway signs within the right of way of Hwy 57 and that there is a process and the beginning of the process is to go through a licensing agreement with the State that leads us to going before the Excess Land Committee, he felt like we could do it but it will be a little bit of a lengthy process and what would be first on our agenda is to locate where we want these and then figure out the signage we want and get a good detailed design of these signs done and submitted those with the licensing package.

Chairman Henszey stated Collierville intends to have their part of 57 going into Collierville be four-lane divided with a median sort of like what they have on 72.

Mr. Morgan stated there is a copy of their cross section of their road so when we look at 57 to see if that applies to us and if we can get a grant, there are grants available but doesn't know which of these applies to Piperton due to the MPO, discussed this with Chairman Henszey after we are done with Subdivision Regulations about putting together a gateway signage presentation together and come before this Body so that it will spur our thinking and see what we want to do as far as design of signage and figuring out where we want them and sent that information to the State.

Vice-Mayor Davis stated TDOT has grants available for corridor planning.

Mr. Morgan stated there is a TA grant that might apply to us and we can make application for it but must have plans in place first.

Agenda item 9. Mark Jenkins, Piperton Industrial Development Board

Mark Jenkins, Chairman of the Piperton Industrial Development Board, gave a brief induction of the Industrial Development Board to the Planning Commission on their interactions on behalf of Piperton with the Economic Development Officials such as TVA and State of Tennessee for development projects interested in locating to Piperton.

Agenda item 10. Discussion – Piperton Economic Study

Chairman Henszey stated there is currently a contract for MAAG in the amount of $25,228.00 to do a study focusing on Commercial Development and will probably have most of the rough material available in April and in the meantime Vice-Mayor Davis has proposed that we look at amending or cancelling the contract to upgrade to a new contract that would give a comprehensive study, Ralph Moore with MAAG is in attendance and has had a lot of conversation back and forth about this but at this point on the $25,000.00 contract the City has paid roughly $6580.00 plus some other miscellaneous fees, the new contract would be $29,990.00 and it would be a comprehensive study that covers a lot of things, the money that has been spent and the study work that has been done will not count toward the proposed study so if we recommend to the Mayor and Commissioners that they look at changing to the comprehensive study it would be roughly at an increase of $10,000.00, we have to decide if we want to cancel the current contract and enter into a new contract for $29,990 and all the things it will cover but we need to decide what we want right now.

A brief discussion ensued on this subject.

Ralph Moore with MAAG stated they are looking at the data that was collected, the data is very refined and what you ask for was a retail and marketing analysis, which is primarily more consumer data than population data and graphic data that will be related to demand for retail and on the comprehensive plan it is more general in nature but thinks the comprehensive plan will lead you in a more refined direction as you are redoing the Subdivision Ordinance and the Zoning Ordinance and as a planner it is concerning since you are doing this without a comprehensive plan and making zoning decision, one of the things is really crucial to having a comprehensive plan is the legality of having a plan while you are making zoning decision because it must be based on some document at least adopted by the elected Body that has been vetted by the community and that is what concerns him and in the future as you begin to grow and you will grow and you will have development pressures placed upon you on a monthly basis that if you don't have some document that says we as a community have vetted ourselves to wanting this direction of growth could create a session with a judge and you don't want a judge to get involved in your business.

More discussion ensued.

Ray Peek stated he participated in the meetings with the consultants here and the developers at the Church but what is driving the change, what events occurred to cause wanting to change from the retail plan to a comprehensive plan, it seems we discussed having a comprehensive plan but it was much more expensive than $29,990.

Chairman Henszey stated last month Vice-Mayor Davis made his proposal and he followed up with what he was ask to do along with following up with Mr. Moore with MAAG and had all these conversation and came up with a new proposal.

Vice-Mayor Davis stated is you go back to the Minutes you will see we all discussed the pros and cons of having a comprehensive plan and were we really cutting ourselves short, so what was proposed was we would go back to MAAG and ask what a comprehensive plan look like and what do we get in the comprehensive plan that we don't get in what we have already ask for and that is what he was charged to do.

More discussion ensued.

Action taken: Mayor Coats moved to table this for a month, seconded by Commissioner Crislip. The Motion received four affirmative votes with Vice-Mayor Davis opposing the motion. The Motion passes. The Commission requested information as to what each plan gives versus the other. Per Mr. Moore, the Study has been suspended at this point and will give the Commission what a comprehensive plan is.

Agenda item 11. Any other old/new business, questions or matters from the audience

Commissioner Crislip gave an update on the Greenprint and a brief discussion ensued.

Agenda item 12. Adjournment

Action taken: Commissioner Browder moved for adjournment, seconded by Mayor Coats. The Motion received all affirmative votes, and the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____date:_____