

**MINUTES OF THE REGULAR SESSION OF THE  
PIPERTON PLANNING COMMISSION  
January 08, 2019, 6:00 P.M.**

The Piperton Planning Commission met on January 08, 2019 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Gwen Brown and Commissioner Bob Archer present. City Planner Brett Morgan, City Engineer Harvey Matheny, Fire Chief Reed Bullock and City Recorder Beverly Holloway were also present along with Trey Sowell (Old Piper Hollow), Daniel Smith (Old Piper Hollow), Michael Rogers (Fisher Arnold), Gary Thompson (Twin Lakes Inv.), Bill and Vicki Hancock in the audience.

**Agenda item 1.** Call to order, establish quorum

**Action taken:** Chairman John Henszey called the meeting to order at 6:00 p.m., and established that a quorum was present.

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

**Action taken:** Mayor Henry Coats led in the opening Prayer and Vice-Mayor Mike Binkley led in the Pledge of Allegiance to the American Flag.

**Agenda item 3.** Election of Officers of the Planning Commission

Vice-Mayor Binkley nominated John Henszey for Chairman, seconded by Mayor Coats, no other nominations were made. The Motion received all affirmative votes.

Chairman Henszey nominated Commissioner Bob Archer for Vice-Chairman, seconded by Vice-Mayor Binkley, no other nominations were made. The Motion received all affirmative votes.

Chairman Henszey re-nominated Commissioner Gwen Brown for Secretary, seconded by Mayor Coats, no other nominations were made. The Motion received all affirmative votes.

**Agenda item 4.** Any changes to Agenda; Additions/Deletions; Motion to adopt Agenda

**Action taken:** There were no changes to the Agenda, and Mayor Coats moved to adopt the Agenda, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

**Agenda item 5.** Any changes to the Minutes of the Regular Session of December 11, 2018: Motion to approve Minutes of December 11, 2018.

**Action taken:** There were no changes to the Minutes of the Regular Session of December 11, 2018 and Commissioner Bob Archer moved to approve the Minutes of December 11, 2018 as presented, seconded by Commissioner Gwen Brown. The Motion received all affirmative votes.

**Agenda item 6.** Twin Lakes Phase III Final Site Plan Approval

City Planner Brett Morgan stated the applicant is requesting approval of Phase 3 of the Twin Lakes CD-O, Phase 3 has a net acreage of 36.48 acres and contains 38 lots, of which there are 2 conservation lots (lots CL6 and CL7), each lot will have a 40" front yard setback, a 30" rear yard setback, and a 5" side yard setback. The 2 conservation lots are 5.00 acres each, Phase 3 site plan complies with the approved CD-O Master Development Plan in lot configuration, roadway layout and bulk requirements (minimum setbacks, lot width and density), the applicant is currently considering transferring the wedge-shape area of land (or portion thereof) adjacent to lot 155 to the owners of lots 80, 81 and 82 (Phase 1), resolutions of these transfers is required before recording the final plat and additional CL8 – CL10 are being removed and replaced by lots 153-155, the applicant shall

show how the overall CD-O will maintain the 50% open space threshold required for the Twin Lakes CD-O.

Gary Thompson with Twin Lakes went over the differences in the previous plat and the new plat, also discovered an error in the recorded original master plan that said there was 154 lots but really there was only 153 lots shown on that plan.

Mr. Morgan stated this body should take up two different aspects of this, 1) an amendment to the overall Master Development Plan and if that is approved then 2) vote on actual Phase 3 plans, and the overall Master Plan will now show 152 lots and there are three phases to the plan, and he reviewed the conditions with a note to revise condition 23 to read the applicant to submit amended Master Development Plan for BMC review and approval, and the Final plat for Phase 3 cannot be recorded without the Board's approval of the amended Master Development Plan and so if that is not done then there is no recording of Phase 3 in this configuration and if the Commission votes in favor of this it will go to the upcoming Board meeting next Tuesday.

Harvey Matheny, City Engineer stated the applicant would like to request that condition 3 and 18 be removed, these conditions are not applicable to this phase and it may have been a holdover from previous phases where it did apply, all buildable areas of this phases are already removed from the flood plain.

Mr. Morgan stated once we renumber the conditions there will be 21 conditions here.

Chairman Henszey requested Mr. Morgan to reread former condition 23 that is now condition 21 again for the Commission.

Mr. Morgan stated initially there were 10 overall conservation lots now there will be 7 in the new amended Master Development Plan which is another reason the overall plan needs to be done.

**Action taken:** Vice-Mayor Binkley moved to approve to amend the overall Master Development Plan to incorporate the new layout, seconded by Mayor Coats. The Motion received all affirmative votes with Commissioner Archer abstaining.

**Action taken:** Vice-Mayor Binkley moved to approve the final plat of Phase 3 of Twin Lakes CD-O subject to the 23 conditions removing number 3 & 18 and will replace #23 with the pre-record change that Mr. Morgan made, seconded Mayor Coats. The Motion received all affirmative votes with Commissioner Archer abstaining.

#### **Agenda item 7. Old Piper Hollow CD-O Application**

Mr. Morgan stated Old Piper Hollow is 85.65 acres and is currently zoned as R-C (Rural Conservation) according to the Zoning Map and the Land Use Plan shows this to be a Mixed Use Plan Development (MUPD) for the overall land use plan, this plan is actually 4 individual parcels under 1 ownership which is required of the CD-O, the applicant had initially made the application for this to be heard and voted on by the Commission but after reviewing with CD-O and speaking with several of the Commissioners, City Manager and the City Engineer, it became apparent that there are things that have not been vetted out yet and so staff asked the applicant to let this become a work session with the Commission and the applicant did agree and Daniel Smith (McCarty) is here to represent this, there is another parcel that is listed as potential which is included in the plan submitted and that is under a separate ownership which is problematic as far as any overlay district is concerned (overlay districts need to be under one ownership in order to do it), the plan illustrates 192 single family lots with an overall density 2.24 du/ac (3.0 du/ac allowed), and in MUPD allows that density but CD-O allows a .75 units density per acre with density bonus' based on open space up to a maximum of one unit to the acre which is one of the main reasons why this being submitted a CD-O really doesn't work, a MUPD Ordinance allows for strictly residential development to be in a MUPD so staff feels it might be in the applicant's best interest to modify their applicant to a MUPD as opposed to a CD-O, the City is looking at modifying the CD-O Ordinance sometime in the future because with centralized sewer going in now that density is probably too low for CD-O's now, a CD-O, when connected to centralized sewer system, is required by Ordinance to provide a minimum of 30% open space (Article 14.7.A.1), this plan provides 31% and it provides a mixture of lot size from

55' lots to 80' lots, the average lot width is not necessarily the minimum width at the street and consideration should be given to the impact to streetscapes where lots are narrow, the City's Major Road Plan (MRP) illustrates this road as a continuous major north-south Divided Collector connecting Old State Line Rd. to Russell Rd:

a) The current application illustrates a 30' local connector with boulevard sections at the entrances on Old State Line and on Keough Dr, divided collectors have a 43'-49' right of way

b) The current application's alignment of the road is not continuous but requires a turning movement

c) The alignment of the divided collector illustrated on the MRP connects to Keough Drive through the 5 acre Beesinger parcel (183 001.08) east of the location, this location will require modifying the road alignment south of Keough Drive,

d) A significant change to the MRP (change in classification and alignment) will require a map amendment.

CD-O's require special consideration be given to proposed open spaces. A discussion ensued regarding the MRP and if the system going through the development is appropriate along with alternatives.

Harvey Matheny stated there will be cut through traffic from Keough Road, the applicant will have to provide radius to accommodate all of the City's equipment, the requirement for this development to do something at Stateline or pay in lieu fee for future improvements to the interchange is warrant due to increased traffic concerns at some point in time, a traffic impact analysis may be necessary to evaluate needed improvements, the applicant shall provide justification for altering alignment of the collector at Keough Drive.

Chairman Henszey inquired where development would begin and how many phases.

David Smith stated at Keough as far as the fire department would let them go.

Chairman Henszey stated that may a requirement when it comes all the way through.

Mr. Morgan stated as part of the overall submittal changing to the MUPD, submit an initial phasing plan and will reschedule the Major Road Advisory Committee.

A small discussion was held on storm water retention.

Mr. Matheny stated one of the things they have asked for in our comments would be to provide a conceptual stormwater plan, a water and sewer schematic design plan with the overall project showing where it is going and its connections.

Mayor Coats asked if the common open space could be redesigned to save more of the trees, appreciated effort taken to save the trees and there may be a possibility of opening Commerce up for construction area or for an emergency and on all new subdivision a tree survey will be required.

Mr. Morgan stated if the Beesinger deal goes through then the lots work because it becomes an all in one ownership but at this point that area doesn't work and could not be approved as laid out so this could end up as open space or the road cut tighter depending on slopes and flow lines, item 5 on page 4 is not really applicable if the applicant goes to a MUPD this is information for a CD-O, there is a pedestrian plan included, trials in open spaces are a minimum of 8 feet in width and the plan shows a 5 foot gravel, signage is provided within the island at the entrance on Old State Line Rd and at Keough, it is shown to be 8 feet tall however the maximum height for signage in Piperton is 6 feet so the signage will have to be redesigned and they are showing a black 3-rail fence that is typical down Keough and along Old State Line Rd.

Mayor Coats stated there needs to be street lights at the entries at Keough and Old State Line so people can see the intersection.

Mr. Morgan stated staff believes this is a good plan but there are several issues that need to be studied/resolved prior to City approval to be discussion with possibly setting up a neighborhood meeting to present the plans of the development.

**Agenda item 8.** Any other old/new business, questions or matters from the audience

Vicki Hancock voiced her concerns regarding potential traffic issues at Old State Line Road with the Old Piper development and the flooding issues on Old Stateline that appeared after Forest Grove Subdivision was developed along the potential for more issues with the Old Piper development.

Bill Hancock voiced his concerns regarding lighting pollution in the City and his concerns for the wildlife pollution and vegetation in the proposed development area.

**Agenda item 9.** Adjournment

**Action taken:** Vice-Mayor Binkley moved for adjournment, seconded by Commissioner Archer. The Motion received all affirmative votes, and the meeting was adjourned at 7:17 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: \_\_\_\_\_ date: \_\_\_\_\_