

**MINUTES OF THE REGULAR SESSION OF THE
PIPERTON PLANNING COMMISSION
January 12, 2021, 6:00 P.M.**

The Piperton Planning Commission met on January 12, 2021 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Vice-Mayor Mike Binkley, and Commissioner Bob Archer. Commissioner Mimi Ragon was absent. City Planner Brett Morgan, City Engineer Harvey Matheny, Fire Chief Reed Bullock, Fire LT. Adam Hursh, Public Works Director Bill Kilp, and City Recorder Beverly Holloway were also present along with Vicki Hancock, Hank Wright, Sam Bommarito, Frank Fitzgerald, John McCarty, and Carson Hardwick 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.

Due to the absence of the Secretary (Commissioner Mimi Ragon), Chairman Henszey appointed Commissioner Bob Archer as acting Secretary for this meeting.

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

Action taken: Chairman Henszey led in the opening Prayer and Mayor Henry Coats led in the Pledge of Allegiance to the American Flag.

Agenda item 3. Any changes to Agenda; Additions/Deletions; Motion to adopt Agenda

Action taken: There were no changes to the published Agenda and Commissioner Bob Archer moved to adopt the Agenda as presented, seconded by Mayor Coats. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Regular Session of December 8, 2020; Motion to approve Minutes of December 8, 2020

Action taken: There were no changes to the Minutes of the Regular Session of December 8, 2020, Vice-Mayor Mike Binkley moved to approve the Minutes of the Regular Session of December 8, 2020, seconded by Commissioner Archer. The Motion received all affirmative votes.

Agenda item 5. DBLB, LLC – Fence Application, 4745 Hwy 196 N.

City Planner Brett Morgan stated DBLB, LLC is requesting approval of a 4' fence along Hwy 196 on the north side of Hwy 57, the application is for a wood fence in the front yard along the highway of two parcels that are owned by Mr. Bommarito, the fence is setback from State right-of-way line of 12 feet, the fencing will tie into existing 4' high fencing, the applicant has submitted the fencing design and color sample, the applicant is providing a 20' jog in the fence line at the driveway to provide for clear sit lines for driveway egress but has not submitted a driveway gate for this fence yet and has put in the notes that the Planning Commission could approve it for just a wood gate that looks like the fence across it or he can submitted to staff for staff review and approval or bring it back before this Body, Mr. Morgan asked Mr. Sam Bommarito if it will match the existing or will it be an iron gate.

Mr. Sam Bommarito stated he was not sure but I think he would eventually like to do an iron gate.

Mr. Morgan stated he discussed that with Mr. Bommarito and that would have to be 4" maximum in height but it could be secured and so staff recommends approval of this fence as laid out by Mr. Bommarito subject to 3 conditions to which Mr. Morgan read for the benefit of everyone.

- 1) Applicant shall comply with all City of Piperton permitting and zoning requirements.
 - 2) Fencing must comply with all requirements of the City of Piperton Zoning Ordinance (Article 3.13).
 - 3) Applicant is responsible for locating potential conflicts with underground utilities and is responsible for repair of any damage to a utility during installation.
- Chairman Henszey also add if approved, staff can approve the gate.

Action taken: Commissioner Archer moved to approve with the conditions that were just read to approve the fence for DBLB, LLC at 4745 Hwy 196 N, seconded by Mayor Coats. The Motion received all affirmative votes.

Agenda item 6. Piperton Business Park Work Session

City Planner Brett Morgan stated the applicant is Mr. Hank Wright, in your package there is the Outline Plan Text for this PD-O which is what they are submitting, it is a B-2 zoning district now but they are wanting to do an overlay district on this area and they submitted a project text and staff went through it and marked it up in red and they have resubmitted text basically agreeing with almost everything that staff had in that package, we are looking at the southeast corner of I-269 and Hwy 57, there is a subdivision in place called Piper Subdivision, it is a 9 lot subdivision and was resubdivide to create a lot and easement that is back behind all of these frontage lots and so this overlay district is actually taking in the first three lots of the Piper Subdivision and an out lot that is not part of the Piper Subdivision so if we do an overlay district over this we will probably have to go back as part of this and redo the Piper Subdivision to just be these five lots and the Planning Commission knows how much we have discussed in the past how important all of this is and we are very happy to see somebody come in and look at a major portion of all of this at one time and that is what this PD-O is doing, the property is currently zoned B-2 and they are asking for it to be rezoned to PD-O with a B-2, B-3 and O (Office) underlying zoning and within that project text would be the conditions of approval on this and overall it is 9 acres and all these lot lines would go away and it would become one development.

John McCarty stated Mr. Wright was looking at these properties and they have 4 different owners and has struggled to get enough real estate contracts together to buy all of them, we have tried to have preliminary conversations with staff over the last month to formulate something that we could bring to the table and have a good honest conversation to say is this doable or not, then we looked at what we could do on the property and so the product that they looked at is a flex space type of product with a store front out on the highway that looks good and functions.

Mr. Morgan stated staff felt it was rushed to try to ask the Planning Commission to vote on this tonight so we told them we could have a work session with Planning Commission tonight and if the Planning Commission so chooses then do a special called meeting before the end of the month to actually look at voting on the development, that only gets Planning Commission approval and doesn't get Board approval and this is a rezoning and it will have two readings before the Board of Mayor and Commissioners and we are hoping we can get whatever problems worked out to some capacity so the applicant feels comfortable moving forward to closing.

Discussion ensued about the zoning.

Chairman Henszey stated if this progresses this B-3 would have to be a recommendation from the Planning Commission to the Board, would they have to be done before we can approve anything else?

Mr. Morgan stated between now and the special called meeting, if there is something that the Planning Commission doesn't like the special called meeting needs to make all of those changes to the text, I think B-3 will be fine, with regards to the architecture part-Architectural Guidelines for the entire planned development, including building facades, exterior lighting standards, appropriate landscape materials and screening, dumpster enclosures, and signage shall be submitted with the first final site plan application to the Planning Commission/DRC (Design Review Commission) for review and approval and this will set the tone architecture, the tone of lighting as a part of this.

Mayor Coats stated this is the first retail center and wants to make sure the lighting is adequate for safety, wants to make sure we have a standard and that we keep that standard.

Mr. Morgan stated that will be one of the first things that will be looked at, and when Piper Subdivision was replatted in 2000 because of the layout and access to Hwy 57 and not wanting a lot of driveways out there an access easement was provided along the rear of these lots and the PD-O will do away with that need because they will have 2 driveways coming in to the development and they will be able to maintain their own circulation but that is not to say that this easement shouldn't remain with the remaining part of the subdivision but we had consider at one time to ask them to be a part of connecting all of this and maybe paying a prorated share of a traffic light but after discussing it in staff meeting, I believe the consensus was that with their interior circulation they don't really have to be a part of that.

Mayor Coats inquired if there will still be a stub at the end of the property, right?

Mr. Morgan stated correct, we do want interconnectivity depending on what happens at this lot but if someone else comes in and does a PD-O over the rest of this and makes it all part of the same thing then we want interconnectivity through all of that and so we will provide for that in the text and if you have had a chance to look at the A2H traffic study that was done, on the curb cut study they are taking two of the curb cuts with this development and it leaves one for the remaining four lots it's not the ideal situation and so this access in the rear to Commerce is going to be important for the remainder of the subdivision.

Chairman Henszey inquired if there was some discussion on a signal interchange that would give access to the northside of Poplar before you get to Commerce.

Mr. Morgan stated there was discussion that is yet to be seen there is an approved plan for the Sammons track and inquired of Mr. Matheny who stated it is the larger tract, and I will say the first to develop in this area will set where the driveway goes and they are showing it on the plan which is about a 1000 feet from this drive which is over the recommend length that the study said, so whoever comes in with the drive first will ultimately force the other development to line the drive up and there may have to be at some point and time another traffic signal but we don't know and that will depend on traffic studies in the future and all of this is effecting each other, suppose this gets approved and it has its two places in and out and someone comes along and wants to do this do this lot but they want access to Hwy 57 and we will have to be very careful in allowing that to happen like that, we will likely have to provide access further down and provide access back here to Commerce as a part of their plan.

John McCarty stated when Hwy 57 was widened the State bought controlling access right of way to this point and that means there cannot be a driveway to the west of that point, there are too many conflicting turns and the on-ramp so we can only have driveways to the east of there, currently there are three driveways on this property and the State Highway was widen to a point and there is still a section that is unimproved so a part of this project would be to widen and install curb and gutter along the front and with that Mr. McCarty went over the proposed plan.

Chairman Henszey stated one of the restrictions in what has been presented is that the company vehicles or trucks that have advertising on it would park in the back and I see you have mini storage in the back but I don't see parking where these company vehicles can be parked in the rear.

Mr. McCarty stated right now there is a 50ft space between the rear of these buildings and the mini storage, we can carve out parking in several areas, this plan is a very primarily type plan and shows a huge area for detention and some parking area and we can definitely shrink some of the mini storage to accommodate some of that excess parking that you are discussing for vehicles that are wrapped.

Chairman Henszey inquired to Fire Chief Bullock if you need access behind mini storage?
Chief Bullock responded yes.

Mr. McCarty stated right now we have got a 24ft drive isle that will come up the southside.
Mayor Coats inquired if the detention bed will eventually be parking?

Mr. McCarty stated we will do the detention and parking in here as we can, our intent is that Reed will have full fire truck access to all sides of all the buildings and this drive and connection when we design that building we will work with Reed to make sure that whatever access he needs to come around this way to have access through here, ideally all of the area in the back will be gated from limited access into the mini storage and where people are parking trucks, and one of the things that throws a hiccup in the cross connectivity, we would propose if we need to provide cross connectivity to the neighbors to the east that would we do that on the front on the open part so that everything in the back is gated and then any other connections in the back of the emergency access gate.

Mr. Morgan stated whenever that phrase comes in we take a hard look at how that works.

Mr. McCarty stated it is not a 100% that they are going to do the mini storage, I think it is somewhere in the 50 to 75% range and this would be some sort of office for the mini storage and different parking could be provided there is a lot of space going on in that area, we are doing flex space and there is still a lot of property if the retail restaurant market turns and someone comes in and we will carve up what is the best thing for them, the building frontage architecturally can look as well as they need to. I emailed Reed a couple of pictures that give you the concept of what the building could look like, these buildings architecturally can go in whatever direction they need to just similar to the Public Works building across the street, it would be designed for this project.

Discussion ensued regarding detention, Mr. Matheny stated with regard to the underground I know it is more expensive and we are not in favor of underground unless there is no other way to do it but we would be very concerned about a maintenance plan schedule for that.

Mr. Morgan stated the idea is that this planned development that gets voted on in a special called meeting if approved would have the perimeters in place so that whenever any of those phases came in we can make it work as one unit and the detention and all that stuff gets worked out as that phase comes in for final approval.

Mr. McCarty stated this is the planned development and then we would come back in with a site plan for this and go through the DRC and Planning Commission, get a development agreement at the Board of Mayor and Commissioners on each of the three phases or it may turn into two phases just depending on the desire or it may be 4 phases and so we would come back for full review as if it were a vacant partial, discussion ensued and it is a very expensive development without a high rate of return and one of the things we were proposing with this development is the request for the City to extent the sewer just underneath the railroad to the site and as a part of the approval of the planned development we would put language in there that anyone to the north or east showed up requesting access to the sewer to work with them to get them an easement and alignment to get the sewer connected to it, we are running some cost number and it looks like the total budget would be about \$100,000.00 to show up and bore a line and install the sewer.

Mr. Matheny stated we are only asking the City to get it under the railroad so it is a 100ft jack and bore of a 12 inch carrier pipe and whatever that is a 16 inch casing, so \$500.00 a foot.

Mr. McCarty stated he was thinking the \$100,000.00 budget number for design, railroad flagging, Mr. Matheny stated there are extra cost associated with the railroad that are unavoidable.

Mayor Coats inquired if that one bore would handle north and everything going east until we hit the hill?

Mr. Matheny stated this will get us to Commerce for sure and it is also deep enough to accommodate if someone wanted to bore under the interchange to get the property west of the interchange as well.

Mr. Morgan stated we will have to have that bore in with that set of plans and then the connection to the north and the stub at least probably all the way to the end, they did put a phasing plan in here that has some minimum-maximum dates for starting that you probably need to considered, Phase 1 commence by the end of 2021 no later than 2026 so that is a five year window just to get the 1st phase under way then another 5 years for phase 2 and another 5 years for phase 3 so we are looking at a 15 year development schedule, phasing plans are notorious wrong the date

they are approved and so just consider that is acceptable before we get to the special called meeting.

Mr. McCarty stated the 15 years is obviously a worst case scenario, the first building to come in the first couple of years and that will be the best product for Piperton and for Mr. Wright as the developer.

Chairman Henszey stated most of the demand that he hears is someone wants a space that is already there, they don't want to start from scratch and build.

Mr. Morgan stated that is the benefit of the flex space.

Mr. Matheny wanted to circle back to access to properties to the east, we are going to look closely at the length of this driveway before you get to this intersection so that we don't create a situation like for example Houston Levee on the westside at Gallina Centro (Boyle Shopping Center) where the throat is not very deep and traffic stacks up in here and consequently they stack up on the main road and another reason for possibly shorting these bays is to move a little bit further of the highway to lengthen this throat but again we will look at this closer when the time comes but that is a potential concern with putting the cross connection on the highway side.

Mr. Hank Wright stated he appreciates you meeting with us on such a short notice, it is a low margin project but we are excited about it and we want to get it to completion as soon as we can.

Mr. Morgan inquired how quickly do you anticipate getting your environmental soil testing results.

Mr. McCarty stated he calls every day, they have done everything field wise, we had one water well access issue that we haven't heard today if they were able to get that final sample out of that water well but we expect the lab test to be back end of next week or two, it is our understanding we may be squaring up the environmental issues up at the same time we getting the first reading at the BMC to move forward with closing.

Mr. Morgan stated if we don't hear anything we'll assume that it is good news and if it is bad news let us know please.

Chairman Henszey stated somewhere in this we wanted to talk about the monument entrance.

Mr. Morgan stated we may put in the text that the City might reserve the right to put the gateway signage if we can get an easement in here because we are designing new gateway signage for the City, the State doesn't want to let us do it in the right-of-way even though some think that we will be able to get in the right-of-way, we want to be able to have the option so we may be asking yall to let us have an easement for gateway signage in here somewhere.

Mr. McCarty stated I would assume that we can sit down and see what you are looking at and see what the size is, you don't want to put it at the City limits?

Mr. Morgan stated that is the first place we will be there but the perceived City limits is right after you cross under the interstate so this maybe a spot, it will likely never be used but we don't want to figure that out with you at the last minute if this is where we need it to be.

Mr. McCarty stated one of the things we didn't talk much about would be the greenspace front yard buffer, our goal is to have 20 feet of grass and landscaping behind the curb, the State law allows extra right-of-way through there from some reason and sometimes they are easy to work with to square there up and sometimes they're not, but we definitely know that we want grass and bushes in front of the parking spots whether its 5-6 foot of bushes and then a lot of grass area in front that we are maintaining so it all looks good.

Chairman Henszey inquired if this is a potential sidewalk site?

Mr. McCarty stated we assume there will be some level of sidewalk but I don't know, there are crosswalks at the interstate interchange.

Discussion ensued concerning the size of the storage.

The Planning Commission decided on a special called meeting for Thursday, January 28th at 5 p.m. for Piperton Business Park.

Mr. Frank Fitzgerald stated he appreciated Mr. Wright involving him in this project and feels it will be great but we are limited by the market factors, just so there is no misunderstanding we have got to build an efficient building to do this, it is not a full retail and Mr. Wright is pushing the limit with what he is doing on the economic viability of this and you recognize this and I just don't want there to be any misunderstandings about what we can and can't afford to do, he is proposing a very nice upper scale look here and it will be a dramatic improvement, this has to be a maintainable project.

Agenda item 7. Any other old/new business, questions or matters from the audience
There was none.

Agenda item 8. Adjournment

Action taken: Mayor Coats moved for adjournment, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes, and the meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____