

**MINUTES OF REGULAR SESSION
PIPERTON PLANNING COMMISSION
April 11, 2017, 7:00 P.M.**

The Piperton Planning Commission met on April 11, 2017 at 7:00 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Vice-Mayor Mike Binkley and Commissioner Denise Browder present. Commissioner David Crislip, City Engineer Harvey Matheny and Fire Chief Reed Bullock were absent. City Planner Brett Morgan and City Recorder Beverly Holloway were also present along with Fireman Brandon Allen, Fireman Chaney Young 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 7:00 p.m., and established that a quorum was present.

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

Action taken: Chairman Henszey led in the opening Prayer and Vice-Mayor Mike Binkley 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, and Vice-Mayor Binkley moved to adopt the Agenda, seconded by Commissioner Denise Browder. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Work Session of March 14, 2017 and to the Minutes of the Regular Session of March 14, 2017: Motion to approve Minutes of the Work Session and the Regular Session of March 14, 2017.

Action taken: There were no changes to the Work Session Minutes of March 14, 2017 and the Regular Session of March 14, 2017 and Mayor Henry Coats moved to approve the Regular Session Minutes along with the Special Work Session Minutes of March 14, 2017, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Agenda item 5. Ordinance No. 277-17, amending the text of the Piperton Zoning Ordinance to amend Article 3, Section 3.3 for Accessory Structures (Swimming Pools)

Brett Morgan, City Planner, stated this is a way to make the language for accessory structures less ambiguous in regards to swimming pools, this modification changes by adding swimming pools to the Ordinance as an accessory structure and allows us to add some stipulation on swimming pools such as fencing and gates so that children are safe and under J, it adds that language to the Ordinance.

Mayor Coats stated there is no fence/wall height and there needs to be something in there about that.

Mr. Morgan stated we need to make a minimum height of at least 4 feet, so we will add that to it before sending it to the Board and will add more language to define the nature of the fence beside just height.

Vice-Mayor Binkley stated Collierville requires a non-climbable fence.

Chairman Henszey stated a fence that is spaced narrow enough to prevent children from getting through it.

Mr. Morgan stated we do not want just any material to go around the swimming pool but do not want to tell the owners how to do their business but as long as it is a barrier that protects the children from falling in and drowning.

Vice-Mayor Binkley stated it needs to be a permanent fixture and according to State Code they must have a fence.

Mr. Morgan stated he will get the language from the State Code and replace the stipulations on barriers with that language.

Chairman Henszey inquired about above ground pools and stated in his subdivision they are not allowed.

Mr. Morgan stated that is a homeowner's association policy in your particular instance and doesn't think we should prohibit above ground pools in any way.

Vice-Mayor Binkley wanted to possibly add alarms on the gate or to the direct access door/gates to the pool area that is not separated by a fence and stated it needs to be self-closing gates in the pool areas.

Mr. Morgan suggested adding a locking mechanism to the gate and will look at the Tennessee Code to check the language and if the Planning Commission is good with staff making the changes then it will go before the Board of Mayor and Commissioners.

Vice-Mayor Binkley stated the language for accessory buildings needs to be looked at and defined such as arbors, they are not considered and will go over this and sent recommendations to Mr. Morgan.

Mr. Morgan stated there are things we don't want to count towards the two maximum structures, we don't list the things that are not counted, will only list the things that are counted and everything else would not be considered an accessory structure but if there is any other language in there that needs to be changed we can address that, this is also an attempt to not clutter and it is not an attempt to handcuff anyone, it is an attempt not to put too much on a small space.

Mayor Coats inquired if there was anything in here about easements.

Mr. Morgan stated yes sir, and he will make those changes and will send the changes to Bev who can send it back to the Planning Commission for feedback before next Tuesday night but if you are good with making the changes and presenting it to the Board of Mayor and Commissioners a vote on this tonight would be appropriate.

Action taken: Mayor Coats moved to approve Ordinance 277-17 based on input from staff and recommendations taken out of the Tennessee Code Annotated, seconded by Commissioner Browder. The Motion received all affirmative votes.

Agenda item 6. Design Guidelines, review photos

Chairman Henszey stated this is the revised guidelines from the previous work session held last month that is before you and commended Marcy Rose for her work on the guidelines and made another plea to the Commissioners on the sections that you are responsible for to submit photos.

Mayor Coats inquired how to prevent deterioration in a commercial subdivision where signs are faded out and damaged, there are potholes in the parking lot, and how can we put in some by-laws to make sure the owners are responsible for repairing signs, awnings, and cutting grass etc.

Mr. Morgan stated the sign ordinance does have language that provides that the owner will keep the sign up, there are fines that can be charged for over grown grass but potholes in a parking lot is a difficult thing, that would fall under codes enforcement with codes seeing the problem, noting it and addressing it or if you see something anything take a picture and send it to me and I will check the ordinance where we have already addressed it and let them know that they must step up to repair or you will be fined and if we do not having anything addressing it see how we can, we have nuisance laws but it is a little more difficult to get the commercial entities to repair things such as broken curbs, broken and cracked parking lots because typically the person there is just leasing and the owner maybe out of state and getting the owner to invest in maintaining the property is very difficult to do.

Mayor Coats suggested finding a way to do it.

Chairman Henszey stated these are guidelines that does reference back to some of the zoning laws that are listed and the intent is to put this on the City's website so that people who are looking to put in commercial facilities have some idea of what we like and what we don't like and that is the purpose of all this.

Mr. Morgan stated he would put some of the photos on a thumb drive so that photo might apply to a particular article within the guidelines.

Chairman Henszey stated he will get together with some of the Planning Commission and put some new photos into this before the next meeting so recheck your sections and make sure the changes made are correct, would like to get this wrapped up, so please look at your sections, think about what you drive by and take a picture of it (good and bad examples).

Agenda item 7. Any other old/new business, questions or matters from the audience

1) Mr. Morgan stated a followup on old business; last month we had Twin Lakes Phase 1 and one of the things they requested was to change the easement on the gas lines that were on the initial platting and we had ask them to submit confirmation that the gas company was accepting of that and we received a letter from TransCanada stating they are good with that so this is a followup on that project that we have the go ahead as far as the gas company is concerned to modify the easement according to the way the applicant requested.

2) Chairman Henszey stated we received a partial application from Piperton Hills.

Mr. Morgan stated he meet with Greg Smith today and went through what he had submitted and there are still a number of things, but they will be requesting two things; he will be requesting a CD-O be placed over the 208 lot plan which will make it a conservation district and told Mr. Smith that he needed to make a copy of Article 14 of the Zoning Ordinance (CD-O) for this project to understand who will own and maintain in the future and make sure that his application addresses all of that and the second part of the application, there is a memorandum of understanding with the owner that Phase I can have 50 lots in it (that was signed off on possibly in 2015 or 2016) but that memorandum of understanding was discussed today with Mr. Smith and what they want to do is to take this area and make it Phase I and that will be 74 lots.

Chairman Henszey stated they originally came in with what was in that corner and those were estate lots.

Mr. Morgan stated yes but they don't want to do that in Phase I, they want to build the rest of Keough down to here and take the road all the way through which will be the 74 lots, it is more lots for Piperton to develop and it would be good business for everyone.

Chairman Henszey stated it would go to Parnell.

Mayor Coats stated they would connect with Parnell and either go to Parnell or Hwy 72.

Chairman Henszey stated we need to be thinking about construction traffic, a construction road, our original concern had to do with these estate lots because they backed in on other developments and the concern was that they at least blend in.

Mr. Morgan stated that will be part of the CD-O and Mr. Smith was told that they did need to look at the lots backing up with this road and he said there is a steep drop off and that is why they split it and we want to make sure that this is buffered between the road and the other development and if we can add some more in there, some greater width in there, it would be better and Mr. Smith will take a look at that.

Mayor Coats inquired if the 74 lots included the greenspace and the improvements to that.

Mr. Morgan stated he has not seen how much of the greenspace they want to add into this and thinks they will have to put some green into this, and they have to figure out some way to detain and the suggestion to Mr. Smith was according to the Ordinance (CD-O), the application has to be in 45 days prior to the Planning Commission and if he got it to him today

by Ordinance he could not be put on next month's agenda but that we would work with him on timeline of it and doesn't think they will be ready, it will take him several weeks to get it ready and back in to us, this is not divided into a phasing plan right now and it needs to be divided up into a phasing plan and submit the CD-O as one application and the subdivision as a separate application and that is a lot of work to get done.

Chairman Henszey stated this is the 2010 plan and this is the one that was just submitted and they are fairly similar with a little change down in this corner but it is basically the old plan.

(Discussion was held while looking at the preliminary Piperton Hills plans.)

Mr. Morgan stated he did not tell Mr. Smith he could do over 50 lots today, that is a matter for staff to discuss but the MOU said 50 lots and right now that was all he could guarantee him that we would consider.

Mayor Coats stated at some point we would have to say you cannot build anymore until there is another entrance involved.

Mr. Morgan stated that is exactly right and told Mr. Smith, that his entrance would cover the 74 lots but at some point we have to have two ways in and out, if there is no problem with him expressing to Mr. Smith that 74 lots is okay then he will express it to him.

Chairman Henszey inquired if he is going to finish out Keough over where he has already put his bridge in and it will go to Parnell.

Mr. Morgan stated he doesn't know how far they will take it in this first phase.

Chairman Henszey stated they had talked about Parnell being the construction road at one point and not having it all down Keough.

Mr. Morgan stated he needs to make sure the road systems that he wants approved are all part of this first phase submittal so they can be considered and we did ask him to give us as built information on every structure that has been put in out there because we don't want to be just guessing at what has been done.

Mayor Coats stated it is understood that the new road specs are in their plan.

Chairman Henszey stated they are in this plan.

Mr. Morgan stated actually on the smaller road he doesn't have the 10 inches of soil cement that we have now at least he doesn't think so and the only reason I know this is that Harvey pointed it out to him.

Chairman Henszey stated he had 8 on the divided road sections.

Mr. Morgan stated Harvey told him to change it to 10 on all of those and to make sure a lot of the sections actually don't match some of the sections that they actually have on the plan so they were told they have to update that so he has a lot of work to do, he did not seem very stressed over the timelines so feels we got off to a good start.

Chairman Henszey inquired if we have the signatures from the owners.

Vice-Mayor Binkley stated as far as we know now, he is the owner.

Mr. Morgan stated that is right.

3) Mr. Morgan stated that Terry and I also meet today about the Public Works Building and started looking at how we were going to lay that out, will need input on street scale issues.

Mayor Coats inquired if there was an issue with the property with the pipe, size of the building or anything with relationship to the former owner.

Mr. Morgan stated not that he is aware of.

Mayor Coats stated we need to check because he gave us the land with use restrictions and we need to keep him in the loop

Mr. Morgan stated we need to check any deed restrictions that we agreed to and make sure we are not in violation of any of those restrictions and right now we are doing sketch work on it on how it is going to go and as we get closer we will make it a firm plan and bring it to the Planning Commission for approval.

Vicki Hancock inquired if you were talking about the land across the street and you are putting Public Works over there.
Chairman Henszey stated yes.

Agenda item 8. Adjournment

Action taken: Commissioner Browder moved for adjournment, seconded by Mayor Coats. The Motion received all affirmative votes, and the meeting was adjourned at 7:48 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____