

**MINUTES OF THE REGULAR SESSION OF THE  
PIPERTON PLANNING COMMISSION  
May 08, 2018, 6:00 P.M.**

The Piperton Planning Commission met on May 08, 2018 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Vice-Mayor Mike Binkley, Commissioner Gwen Brown, and Commissioner Bob Archer present. Mayor Henry Coats was absent. Fire Chief Reed Bullock and City Recorder Beverly Holloway were also present along with Scot Woodard, Ed Newton, Brenda Solomito Basar, Pastor Michael Nowley, Bill and Vicki Hancock in the audience. City Planner Bret Morgan arrived at 6:05 pm.

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

**Action taken:** Chairman John Henszey called the meeting to order at 6:03 p.m., and established that a quorum was present.

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

**Action taken:** Chairman John 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 was a change to the Agenda with the addition of signage permit for Pyramex for discussion/approval along with the flexibility to move Glenn Farms until Mr. Morgan arrives and Vice-Mayor Binkley moved to adopt the Agenda with the addition of the Pyramex sign permit discussion or approval and move Glenn Farms down one until Mr. Morgan arrives, seconded by Commissioner Gwen Brown. The Motion received all affirmative votes.

**Agenda item 4.** Any changes to the Minutes of the Regular Session of April 10, 2018: Motion to approve Minutes of April 10, 2018.

**Action taken:** There were no changes to the Minutes of the Regular Session of April 10, 2018 and Vice-Mayor Binkley moved to adopt the Minutes of April 10, 2018 as presented, seconded by Commissioner Bob Archer. The Motion received all affirmative votes.

**Agenda item 5.** Glenn Farms, Phase 1 – DRC Application

Brett Morgan, City Planner, stated on February 13<sup>th</sup>-the site plan and landscaping plan for Phase 1 of Glenn Farms was approved and that leaves lighting, signage and building exterior to be approved, this application deals with the building exterior (lighting and signage will be applied for under a separate application) and this application is for 6.658 acres in the M-1 district, the building area is 80,000 square feet with the floor area ratio is 27.58% of the lot, the height of the building is 36 feet with a total of 77 parking spaces (4 handicap spaces provided) and the building elevations that were submitted contains color examples but no color board was received (Mayor is requesting a color board for review), the building's exterior is a mix of light gray (Sedate Gray) for the concrete wall panels and the columns will be accented by a dark gray (Peppercorn gray), the canopies are clad with blue metal accenting, the windows are clear with the dark gray glazing, and they have also included the plans for the dumpster enclosure that uses the same materials as the building, Mr. Morgan then reviewed the resubmitted lighting/photometric plan and stated all lighting levels were within the averages that is required but the City needs to know where the cutoffs are (as that is not shown on the plan) in case of an emergency and would like to have the maximum ration of how the light transfers across the site.

Chairman Henszey inquired how this compares to the national lighting standards, are we below that standard.

Mr. Morgan stated no, not necessarily, the illumination engineering lighting specialists have a number of different lighting levels for different applications and even within parking lots of any application such as this-there are variations so it is hard to say that there is one level that they would recommend for this particular situation.

Chairman Henszey stated we really need to get those numbers to see where we want to be but that is up to the Mayor and Commissioners.

Mr. Morgan stated it is a uniformity ratio and in this case we may ask the developers to provide the uniformity ratio that shows moving into this other area we weren't going from light to dark that it would have some form of uniformity of lighting that keeps the other area lit as well and in this case they have met the standards of the City with lighting, and most if not all of their lighting is LED if not then maybe some of the lighting that is on the building itself which was not indicated and they do not indicate on plans the height of the structures which the City has a maximum of 30 feet and staff asked that you submit a plan back to us that has that information.

Brenda Solomito Basar, Solomito Land Planning, stated the height is probably between 20 and 25 feet, and she agreed to submit back the plan.

Mr. Morgan stated this plan meets everything that we need and if this body wants a materials board it will be provided.

Scot Woodard, Architect stated sure.

Mr. Morgan stated staff recommendation is for approval with the conditions listed in the staff report.

Chairman Henszey stated add that a materials color board be provided for review to the conditions and staff will provide verbal approval on this so it doesn't hold anything up and then we would not have to meet on this again.

Mr. Morgan stated so number 7 would read to provide a material color board and the only way that would come back negative is if something were totally different from what was shown tonight.

Chairman Henszey stated he doesn't see any problems but that is one of the requirements so we need to follow that and inquired if Mrs. Basar had a comment.

Brenda Solomito Basar stated we are in agreement with staff's conditions and thank you for working with us, at that point she went over the lighting footcandles for the Commission and feels the standards are very reasonable and stated the building is a tilt-up concrete with a smooth finish

**Action taken:** Vice-Mayor Binkley moved to approve the DRC application for Glenn Farms Phase 1 PDO subject to the following 6 conditions (listed in the staff report) and with the addition of another condition for the color board for a total of 7 conditions, seconded by Commissioner Brown. The Motion received all affirmative votes.

#### **Agenda item 6.** Discussion – Lighting Standards

Chairman Henszey stated we have already had part of this discussion and really wants to look hard at the national standards and compare it to our standards along with a few of the neighbors before the next meeting to see if we want to raise the lighting levels in some cases.

Vice-Mayor Binkley stated there was a point seven years ago that we lowered them.

Chairman Henszey stated with the new C-store down on Hwy 72 in the middle of nowhere with lots of escape routes that it might not be as safe as it should be and we really need to have that discussion on safety of lighting but would like as a Board to check with people you know and look at what the neighbors (Collierville, Germantown & Somerville) are doing and what their standards are and see if we can't come up with something.

Mr. Morgan stated what we could do is try to look up the approval of those things and what the Planning Commission actually found in regards to photometric plans and it is very rare to find a lighting engineer involved in these proceedings and has never heard of one being called upon to

speaking about plans, generally the architect comes to talk about it and sometimes we don't know what we are voting on when it comes to lighting plans.

Chairman Henszey stated we are just in the very beginning of commercial and industrial development and probably doesn't want to have a Kroger or Cole's sitting out there where we made a mistake with one and the other one is correct so it seems like we should get in front of it, it may stay exactly the same.

Mr. Morgan stated the comparison of what you like and don't like is the way to go and find out what levels those plans are at and see how it matches up to what the City's jurisdiction was approved under requires and start going to where we want to be and feels the standard where we are is a fine standard but we should be willing to look at all these from time to time to see where we can improve.

Chairman Henszey stated we will try to put that on with some data to support what we are doing for next month.

Bill Hancock, Piperton resident, stated for the Board's attention on the light pollution that we are experiencing see National Geographic online for past articles and a lot of us in the residential areas would like to take a shot at the brighter lights and when we moved out here over 30 years ago one of the things that was very attractive was being able to look up at the night sky.

Chairman Henszey stated that is the reason for the full cutoffs on all building lighting in parking lots.

Bill Hancock stated the light on the fire department stays on all night.

Vicki Hancock, Piperton resident, stated the two street lights they installed here and across the road (Chickasaw's poles) put out way more light than the others one and is sure they are energy efficient but they are more intrusive.

Mr. Morgan stated as you see in this discussion there is going to be two sides to this coin, for residential use to look up at the stars but for commercial use to make sure people are protected and so where is that happy medium where people feel safe.

Chairman Henszey stated we may be there now or we may need to change it but feels it needs to be discussed.

**Agenda item 7.** Discussion – changes to Regulations pertaining to completion and issuance of CO (landscaping etc.)

Chairman Henszey stated the problems are homes that are built and there is no landscaping done and the concern is that there should be a time frame in which the landscaping is to be completed or an occupancy permit will not be issued until the landscaping is done and approved, we need to be thinking about what to recommend to the Mayor and Board of Commissioners if anything on whether you are allowed to build a home and have the neighbors next to you without landscaping that makes it unattractive for the neighborhood that you are in so that is a discussion item.

Vice-Mayor Binkley stated would like the City to have the power to say whether your subdivision requires it or not or you have to do a minimal amount.

Mr. Morgan stated that is within the CDO or PDO where the City can make sure that some level of landscaping gets accomplished and it is sometimes trickier when it comes to land rights for someone that has bought a lot to put a house on it to tell them how much landscaping they have to do but as long as it is in the venue of the City Charter to protect its citizens or lookout for the welfare of the City then there maybe somethings we can do.

Chairman Henszey stated it would be especially true in subdivisions and item #8 fits in sort of the same category.

Fire Chief Reed Bullock stated this spring and over the winter some of the homes that were completed, they were trying to get the sod (one house particularly in Shaw's Creek tried for several months) and every time they would get the top scrapped off and get something dry enough to work in and before the sod trucks came out there it would rain again and there was quite a few of those from the building inspection finals.

Chairman Henszey stated there are two examples of item #7 and #8 in this subdivision that is not fair to the neighbors in this subdivision, it is like you are living next to sublets.

Commissioner Archer stated he could not believe people would move in when it was not completely finished and feels it is appropriate for the discussion and to come up with a solution.

Mr. Morgan stated a lot of this falls under the venue of our building official and the national building codes, the plans for the actual lot are submitted to him and showed what they were going to do and then the building official can go out and say you have met the level to where you can get an occupancy permit.

Chairman Henszey stated in the case of weather delays it could be bonded.

Vice-Mayor Binkley stated you have to put that money in escrow and you are allowed to move in and close but until the landscaping is done then the money remains in escrow and the City won't know that.

Chief Bullock stated in the past few months with the weather that we have had where they were 90% complete and a temporary CO was issued by the building official so they can move in and close on their loan.

Chairman Henszey stated this should not be something that penalizes someone for things that they can't control but it certainly ought to penalize the person who has no intent of doing it for a while and the same thing with construction completion under item #8.

**Agenda item 8.** Discussion – Construction completion within 12 to 15 months

Discussion was had regarding sporadic work on homes and the neighbors are the ones who suffer do to the prolong work and feels maybe the builders could give some input.

Vice-Mayor Binkley inquired if the permit is only good for a year.

Mr. Morgan stated it has to be inactive for a year and you think the banks would not let that go on for that long.

Vice-Mayor read for the benefit of the Board the information listed on the building permit, it states it is void if more than one year elapses between inspections.

Commissioner Archer inquired if the person doesn't start in 6 months or they go more than a year between inspections, is the permit revoked and do they have to start over or what.

Vice-Mayor Binkley states it expires, if they called for their next inspection they would be told it was void and make them pull a new permit.

**Agenda item 9.** Discussion – Safety barrier posts in front of buildings

Discussion was held on making a suggestion for placing barrier post in front of the commercial structures, would like to find out the cost and make it a suggestion on any plans for commercial business that have parking that faces in towards the building itself.

**Agenda item 10.** Discussion – Pool pump screening

Discussion was held on screening the pool pump area.

Commissioner Archer stated that is usually covered in covenants of the subdivision.

Vice-Mayor Binkley stated that is something the City may have to request them to put into their covenants.

Mr. Morgan stated not every subdivision has a HOA and may want to look into what other cities have.

**New Agenda item 11.** Signage Permit – Discussion or Approval- Pyramex

Mr. Morgan stated he hasn't had a chance to go through this but did want to bring it to your attention, Pyramex is changing some of their signage and if you aren't oppose to it he would like for staff to sign off on it administratively if ok; 1) the monument sign had a cap on it and it was removed and to staff that is ok, there is no change in the size, 2) the frontage sign has internal lighting, the Planning Commission had approved the original previously and the signage changes aren't so

significant as to bring this back before this body as long as they meet zoning ordinance requirements to go ahead and approve.

**Action taken:** The Planning Commission approved staff vetting and approving administratively.

**Agenda item 12.** Any other old/new business, questions or matters from the audience

1) Ed Newton, resident on Twin Hill Way, inquired on an update on the application to dedicate the start of Twin Hill Way to the City so that it can be tied into Hwy 72 and also get an update on the dedication of the sanitary sewer plant to the City.

Vice-Mayor Binkley stated the Planning Commission can't answer your second question as far as the dedication of the sewer.

Mr. Newton inquired if that was a Board of Commissioner's question.

Chairman Henszey stated yes.

Chief Bullock stated it is Twin Hill Way right now and the new divided is Piperton Hills Parkway.

Vice-Mayor Binkley stated the only part we are dealing with is the phase 1 of the commercial property, there is about a 100 feet that has been approved in that commercial development.

Chief Bullock explained what Mr. Newton is referring to and the development of the road that was approved.

Mr. Morgan stated it was about 200 feet maybe from Hwy 72 into the site to cover the depth of those commercial lots and that is all that will be dedicated and that plat has not been recorded yet so there is not anything that has been accepted by the City and doesn't know when the City will accept dedication of it but it will be built with this development.

Vice-Mayor Binkley stated that is the first 200 feet of it and the rest of it there is no application or anything for it.

Chairman Henszey stated so it would not be open for traffic on up where you are.

Mr. Newton inquired if it would be blocked off or barricaded at the back of that lot so it would be egress and ingress for those commercial businesses on each side, can that road tie into Hwy 72 without being up to City or County standards, can it be a private road that ties into a U.S. Hwy or does it have to be dedicated first.

Chairman Henszey stated the State (TDOT) has to give permission for any access and can't get any access from where Piperton Hills Parkway is up to Hwy 196 because they have already told us that you can't have any entrances up there because you are limited to opening on Hwy 72 and the State controls the access to Hwy 72 so the development is being built and designed for the access to all that property will be on the Piperton Hills Parkway piece.

Mr. Morgan stated that will not be a private drive because when the City takes dedication of it after improvements it will become public right of way.

Mr. Newton stated so what you are saying is that will be in only egress and ingress for that major land area once it comes under development.

Chairman Henszey stated that is what it appears, yes.

Mr. Morgan stated until it moves all the way up to Hwy 196.

Mr. Newton stated then it can come in off Hwy 196.

Chairman Henszey and Mr. Morgan stated correct.

Mr. Morgan stated they are working to get this commercial subdivision approved so they can get it recorded, the two lots.

Vice-Mayor Binkley stated on your second question, we are ready to take over the wastewater treatment plant but they still have a few things that they say are not completed yet and until they get it completed and ready to give to the City there is nothing we can do.

Chairman Henszey stated it probably won't be operated until the volume is in the central sewer system gets up to 80,000 gallons per day.

Vice-Mayor Binkley stated now we are sending that effluent to Rossville and as soon as we get enough effluent per day then we will take that to the wastewater treatment plant, it could be 5 years before we are ready for that.

Mr. Newton stated he did some homework on that sewage treatment plant a couple of years ago and went to TDEC and spoke with Eddy Bouzeid about the sewage treatment plant versus the distributed mini treatment systems that you see around the State and in Piperton and stated that Mr. Bouzeid said he wished every town in the State would have a plant to replace the drip-systems, felt that was a pretty strong endorsement.

Vice-Mayor Binkley stated the drip-systems are very expensive to operate.

Chairman Henszey stated lagoons are no longer allowed from what he understands.

2) Pastor Michael Nowley inquired on the water supply line off of Patrick Drive, has it been decided on how the water will be supplied, the last time there was discussion about a 6 inch pipe versus a 12 inch pipe with future construction of the highway or something coming out through there and was wanting to know.

Mr. Morgan stated that is really something that the City Engineer would probably be more able to answer and he is not here tonight.

Vice-Mayor Binkley stated he would probably be at the Board meeting next week.

Chairman Henszey inquired if this was for the potential church property.

Pastor Nowley stated yes sir.

Chairman Henszey stated Harvey Matheny could answer those questions and it will end up being more of a Mayor and Commissioners meeting subject than a Planning Commission as far as that part goes and as far as the facility is concerned then that is here.

Pastor Nowley inquired to Mr. Morgan if he would be able to meet with the architect and let her know what we need to do as far as what is needed for the Board.

Mr. Morgan requested that he call him.

Pastor Nowley stated all the plans are ready but needs a water line and has all the requirements you had asked for.

Mr. Morgan stated you will have to get an application to submit to the Planning Commission, site plan and all other plans, but what you might want to do prior to that is have a meeting with Harvey Matheny, City Engineer, myself and you along with your architect if she is available to make sure all of it is ready to go before the Commission.

Pastor Nowley inquired if he needs to have the information to him before a certain time.

Mr. Morgan stated yes, it needs to be two weeks before the next Planning Commission and it would be better if we met before you send in the application so we can go through it and make sure everything is there that is needed.

Chairman Henszey stated we strongly encourage a pre-application conference with staff to make sure all the things you need are here for the Commission to consider because if things are missing we are just spinning our wheels and your wheels, it will work a whole lot better if the conference is done so you know what you need to provide.

Pastor Nowley stated he is anxious, he wants to get the Church out of the residential area.

Ms. Holloway informed Pastor Nowley of the date for the next Planning Commission.

Mr. Morgan stated you would need to submit by the end of this month and if we could meet prior to that, that would be good so have your architect call me and we will schedule a meeting.

Pastor Nowley stated he will have her call you tomorrow.

3) Bill Hancock inquired if you could look into the spaces around the mail boxes, the last couple of weeks there has been cases where City vehicles were parked there and it makes it hard for mail delivery.

Chief Bullock stated he has informed the driver, the driver didn't think about the mail and has moved up.

Mr. Morgan stated that may be the matter of putting up a sign to not block the mail box.

**Agenda item 13.** Adjournment

**Action taken:** Commissioner Archer moved for adjournment, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes, and the meeting was adjourned at 7:05 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

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