

**MINUTES OF THE REGULAR SESSION OF THE
PIPERTON PLANNING COMMISSION
May 11, 2021, 6:00 P.M.**

The Piperton Planning Commission met on April 13, 2021 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Vice-Mayor Mike Binkley, Commissioner Bob Archer, and Commissioner Mimi Ragon. Mayor Henry Coats was absent. City Planner Brett Morgan, City Engineer Harvey Matheny, Fire Chief Reed Bullock, and City Recorder Beverly Holloway were also present along with Vicki Hancock, Deborah Minemoto (Allegiance Canine), Jacque BoNéy (Allegiance Canine), Jim Gannaway (John Green Realtors) and Mark Underwood (Property Solutions) 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: Commissioner Bob Archer led in the opening Prayer and Chairman Henszey 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, Vice-Mayor Mike Binkley moved to approve the Agenda, seconded by Commissioner Mimi Ragon. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Regular Session of April 13, 2021; Motion to approve the Minutes of the Regular Session of April 13, 2021

Action taken: There were no changes to the Minutes of the Regular Session of April 13, 2021, Commissioner Archer moved to approve the Minutes of the Regular Session of April 13, 2021, seconded by Commissioner Ragon. The Motion received all affirmative votes.

Agenda item 5. Allegiance Canine Application-Special Exception in B-2 Zoning

City Planner Brett Morgan stated Jacque BoNéy and Deborah Minemoto have submitted an application for 540 Hwy 57 (McKenzie building), lot 6 of the Piper Subdivision, it is a self-contained building and they are asking for a special exception in regards to Allegiance Canine, which is a Canine Training Facility, and as a B-2 zoned lot it does allow the special exception to be used for uses of this type under the umbrella of the special exception that we allowed for veterinarian clinics and business that were similar to that, there would be boarding in it and such things that are similar to that and so what the request would be for the special exception which ultimately has to be approved by the BZA but it can't do that until the Planning Commission has had a chance to review it from a site planning prospective and the Planning Commission can neither not approve or approve it as it or approve it with conditions and the BZA would then have to consider the Planning Commission's recommendation for considerations, they have provided us a number of materials to help this Body understand the business, on page two of the staff report they have also provided a list of both the indoor and outdoor day to day activities, they will be leasing the facility and they are basically applying for this special exception on an "as-is" basis, the facility is a one story 7,800 s.f. building, metal exterior, it has paving around the sides and a gravel drive to go out to a secondary road, page three gives the business hours they are planning, they will use the existing utilizes

already on-site and septic system, doesn't see any issue with the lighting on the building for this type of use but as far as the exterior there is some concern so if there is landscaping required it needs to be looked at this time and a part of the recommendation sent to the BZA, they have not submitted a sign package at this time and will have to come in later to the DRC for approval and staff recommends approval with conditions and Mr. Morgan went over the conditions on page 3 of the staff report, the site plan will need to reflect a handicap space and with the exterior construction (such as the striping, etc.) there will need to be some general notes, will need to provide the appropriate documentation from TDEC regarding the septic system that it will function with this use.

Chairman Henszey stated this is the same facility that a veterinarian tried to get and was turned down by TDEC, am I right.

Mr. Morgan stated he doesn't know.

Mr. Gannaway (John Green Realtors) representing the McKenzies (owner) and the potential buyer of the building stated it was his understanding on the previous vet clinic that they just really wanted out of the contract and there was no issue with using this system for a vet clinic.

Mr. Morgan stated there is some question as to the size of the domestic water service line and that needs to be investigated.

Mr. Matheny stated we are not sure but we suspect its ¾ to a 1 inch diameter service line but this is for domestic use only.

Mr. Morgan stated the big concern regarding this building is that it is not sprinkled yet and would need to be brought up to code if it is going to be used for any kind of business now and so whether or not that service line is big enough will have to be looked into, and the owner shall be required to connect to the City's centralized sewer system when available to the site and as determined by the City Engineer, there is possibly a dedication issue (number 19 of the staff report on page 4) that would have to happen and will have to be looked into and the only requirements we can make are for circulation-to get the access to the south, the building has to be brought up to code for fire suppression just like any and every building in Piperton and that is a requirement of the Fire Chief and cannot be mitigated otherwise, the parking works for the site but legally we have to the handicap parking and now DRC wise the building has some age and does not know if their intent is to paint the exterior or not.

Vice-Mayor Binkley inquires on fencing and the outdoor training area.

Mr. Morgan stated there is an existing fence and the applicant will provide 2 gates to enclose the back area and there is not fencing around the side parameter.

Mark Underwood (Property Solutions) stated some of the training would occur out in the side field but I will let the applicants speak to the operation portion of this.

Deborah Minemoto stated liability wise the dogs can't be off the leash.

Jacque BoNéy stated 90% of the dogs will be on leash outside and the other 10% of dogs have gone through extensive basic or advanced obedience and/or doing certain drills that will require them to be off leash and that will be more towards the back of the building not towards the front of the building, discussion ensued with regards to the existing fence and lighting.

Mr. Underwood stated there are some single lights above the doors but on the east and west side of the building those are wall packs and in the back southwest corner there is a pole light like a street light.

Vice-Mayor Binkley stated the light was upgraded on the building when the car dealer were there.

There will be no grooming done at this facility.

Mr. Underwood stated we fully understand that this whole area will redevelop maybe even sooner than later now and in talking with Mr. Gannaway and the owners of the property this building has a life span and that window is slowly closing maybe 10 or 15 years, we see this as an opportunity to get tenants into the building that are low impact, doesn't require a lot of parking, a lot of employees that will assist the City as well as the clients, and the applicants have spent a tremendous amount of time trying to find a property like this, a couple of things of note as Brett had

mentioned on the site plan; 1) showing a gravel drive going out that was strictly from the survey, I didn't draw that in, the survey showed a gravel drive and obviously it has grown in a little bit and I don't think there is any problem what so ever with putting some gravel down to make sure it is accessible out to the road.

Mr. Gannaway stated that has been there for years and Mr. McKenzie actually closed it off because the tenants at the other buildings were driving across his property to get to their space so it can be re-opened.

Mr. Underwood stated regarding the parking striping, I took some of the old historical aerials and found where the striping was and basically put that in place with exception of the spaces on the east side of the building, that was an old dumpster pad those are all 10 x 20 that are shown on the eastside, I can easily delineate where the handicap accessible space can fit with dimensions obviously make it fit parking according to the ordinance without any issue on that, with regards to some of the improvements that are being ask for to the building itself, the building is what it is at this point and time and it does have a life cycle that is dissipating, they are already having to put in a substantial amount of money for HVAC improvements over \$20,000.00, the property hasn't been vacant there has been business operating out of it periodically during this whole time and an expense of a sprinkler system for this if required is gonna knock them out of competition for this building, that was unexpected, not accounted for, not thought of with business having taken place in this building.

Fire Chief Bullock stated we are under the 2018 International Fire Code, section 102.3 this is a changing use of the building, it is a different business from anything that has been there before so that is a different classification that therefore kicks in and it must be brought to current code, discussion ensued.

Mr. Gannaway stated we are talking about a building that may have 10 more years of life and to put a sprinkler system into a 10 year building economically makes no sense what so ever, there is no logic to that, I understand your codes but basically what you are saying to the owner of this building is cannot use it period because it doesn't make economic sense.

Fire Chief Bullock stated the previous veterinary clinic application had the same requirements so it is not new.

Mr. Gannaway stated I am not saying it is, I didn't expect it and that was my own fault for not asking but the vet that was looking was going to buy the building and upgrade which would have been a long term situation for them not a lease situation and the owner of this building is looking for a future development that would involve everything from here all the way to 385 and putting that kind of money into a building to require a fire sprinkling system when it is not a high fire risk, it will kill their ability to use the building for anybody.

Commission Archer stated this also plays in that you have to go to the BZA and ask for a special exception which plays right into the change of use.

Mr. Morgan stated it would have to go to the BZA, it would have to do that anyway for the special exception, so the Planning Commission can make recommendation to go to the BZA with the conditions that are in place and the applicant can look at the numbers to see if they can pull it off.

Chairman Henszey inquired if the applicant wanted to go forward or withdraw the application.

Ms. Minemoto stated to go ahead.

Action taken: Vice-Mayor Binkley moved to approve the Allegiance Canine Training Site Plan application as recommended to the BZA for a special exception subject to the 19 conditions, seconded by Commissioner Archer. Chairman Henszey abstains. The Motion passes.

Agenda item 6. In-Law Suites/Accessory Residential

Mr. Morgan went over changes made to the document discussed at last month's meeting and a discussion ensued with additional revisions recommended for this document, Mr. Morgan asked the Planning Commission to continue to review and let him know on anything missed or any other needed revisions.

Agenda item 7. Any other old/new business, questions or matters from the audience
Discussion ensued about the City Seal, with examples given to the Planning Commission to review.

Agenda item 8. Adjournment

Action taken: Vice-Mayor Binkley moved for adjournment, seconded by Commissioner Ragon. The Motion received all affirmative votes, and the meeting was adjourned at 7:18 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____