

**MINUTES OF THE REGULAR SESSION OF THE  
PIPERTON PLANNING COMMISSION  
April 11, 2023, 6:00 P.M.**

The Piperton Planning Commission met on April 11, 2023 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, and Commissioner Mimi Ragon. Vice-Mayor Mike Binkley and Commissioner Bob Archer were absent. City Planner Brett Morgan, Fire Chief Reed Bullock, and City Recorder Beverly Holloway were also present along with Jim Ragon, Cara Martin, Josh Burnett, Frank Fitzgerald, Aaron and Savannah Stoeger, Walter Priddy, and Letha Granberry in the audience. City Engineer Harvey Matheny was absent.

**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:** Chairman Henszey led in the opening Prayer and Commissioner Mimi Ragon led in the Pledge of Allegiance to the American Flag.

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

**Action taken:** There were no changes to the Agenda, Mayor Coats moved to approve the agenda as presented, seconded by Commissioner Mimi Ragon. The Motion received all affirmative votes.

**Agenda item 4.** Any changes to the Minutes of the Regular Session of March 14, 2023; Motion to approve the Minutes of the Regular Session of March 14, 2023

**Action taken:** There were no changes to the Minutes of the Regular Session of March 14, 2023, Mayor Coats moved to approve the Minutes of the Regular Session of March 14, 2023 as presented, seconded by Commissioner Ragon. The Motion received all affirmative votes.

**Agenda item 5.** Recess – hold Public Hearing concerning the proposed amendments to the Piperton Urban Growth Map

**Action taken:** Mayor Coats moved to recess the meeting to hold a public hearing, seconded by Commissioner Ragon. The Motion received all affirmative votes.

City Planner Brett Morgan stated as we have previously discussed the County is undergoing revisions of the urban growth boundaries, that was started back when Chapter 1101 was adapted. Mr. Morgan went over Piperton’s urban growth map for those in the audience, due to Blue Oval the Fayette County Mayor has initiated this initiative to make some changes to the urban growth boundaries and so when that opens up it also opens to every municipality within the county and Piperton has decided to look at its urban growth boundary and procure a boundary that allows for its future growth. The proposed map was placed on the screen and Mr. Morgan explained the map and the plan for everyone’s benefit. There is some land that will be given back to Rossville as a part of Rossville’s growth plan. The plan abuts the Shelby County line going up to Hwy 193 (Macon Road) and encompassing the Boyle property, Turley property and 4M Limited property and this also services to protect two areas that may be protentional retail development in the future. The Planning Commission was given the charge to hold a public hearing and next week the Board of Mayor and Commissioners will also hold a public hearing and vote on Resolution No. 23-269 which will amend the urban

growth boundary from the previous to the urban growth boundary dated March 7, 2023. There have been questions regarding annexation to which Mr. Morgan stated Piperton cannot annex in any of the urban growth boundaries without the property owner requesting it. The purpose of the urban growth boundary is to make it easier for a property owner if they wanted to be annexed but the main reason is to keep property that is in Piperton's area in Piperton and the same with Rossville and Oakland. This still has to receive the County's approval for any amendments, and for all of the municipalities that are changing their boundaries, this will have to go before the coordinating committee which consists of all the mayors, heads of utilities in the area and some other political figures, all concerned will have to vote to approve one over all Fayette County urban growth boundary. There were no questions from those in attendance.

**Action taken:** Mayor Coats moved to reconvene the meeting, seconded by Chairman Henszey. The Motion received all affirmative votes.

**Agenda item 6.** Recommendation of Resolution No. 23-269 concerning the proposed amendments to the Piperton Urban Growth Map to the Board of Mayor and Commissioners

**Action taken:** Mayor Coats moved to recommend Resolution No. 23-269 to the Board of Mayor and Commissioners, seconded by Commissioner Ragon. The Motion received all affirmative votes.

**Agenda item 7.** Consideration of an application for Preliminary Site Plan approval of Yancey Commercial Self-Storage, Applicant: Yancey Brothers Construction, LLC

Mr. Morgan stated on November 17, 2020 the Piperton Board of Mayor and Commissioners approved, on 2<sup>nd</sup> reading, Ordinance 332-20 rezoning 21.4 acres of the Yancey tract to a Planned Development Overlay district. Five acres of the PD-O lie south of Hwy 57 and 16.40 acres lie north of Hwy 57. The applicant is requesting Preliminary Site Plan approval of a self-storage facility in Area 2 (16.40 acres) on the north side of Hwy 57. A 3-lot subdivision of area 2 is proposed with approximately half of the area being dedicated to self-storage use. A breakdown is as follows: 1) 8.34 acres Self-Storage lot, 2) 3.98 acres Outparcel (future development) and 3) 4.08 acres Outparcel (future development). The Self-Storage lot is proposed to have over 250 feet of Hwy 57 frontage on the west side of the proposed subdivision and wrap around the 2 outparcels along the entire north line. One of the recommendations that will be required as we get to the final approval is that a companion subdivision plat must be submitted which creates this 3-lot subdivision for the Self-Storage Unit. The plan proposes a mix of standard storage and climate-controlled storage units. The total proposed building area is 104,300 sq. ft which includes 2,100 sq. ft. of office space that also provides living quarters for an on-site manager. The self-storage use is an allowed use in the PD-O. The applicant is proposing what is a typical self-storage area and I believe they have addressed some things with TDOT. They are showing 3 drives along the Hwy 57 frontage, and there is a conflict there with what was approved for the planned development. In the planned development text, it stated a maximum of 2 entrance drives off Hwy 57 would be allowed on the northside and those would be connected in some way by a 37" connective isle between them. We knew when this was proposed that this was conceptual and we knew there would be changes likely made to the plan, but the language it is fairly clear about this and I went back to make sure that the City had not suggested that, that was actually language that the applicant was proposing of the maximum 2 drives on the northside, so we have 3 drives that I believe has received preliminary TDOT approval, is that correct?

Cara Martin (Pickering Firm) stated we have received feedback from TDOT, I wouldn't say that it's approval word yet.

Mr. Morgan stated the feedback has been positive and so they proposing to do some striping of the highway that creates turn lanes to enter and the third driveway would be a right-in right-out only and it is my understanding that the right-in right-out is due to the fact that there

is a bridge and TDOT would not let a full movement access drive occur there because they cannot widen the bridge to allow for turn lanes to get in and out of the site. So the question is how that conflict needs to be resolved, that is something that is before us and as a preliminary plan I don't think it is a problem that can't be overcome and one solution that has been suggested is that since this driveway will be the main entrance to the self-storage probably coming both ways is that this driveway be moved as far west as TDOT will allow and it becomes the drive for the self-storage moving both directions and you could have some connectivity between here connecting these two lots and ultimately it would probably save some paving money for that.

Mayor Coats inquired if Hwy 57 was already improved there to which Mr. Morgan stated it is not improved there.

Commissioner Ragon inquired if you were suggesting eliminating the drive that is the most west and moving the other one?

Mr. Morgan stated yes, that is one solution, eliminate the right-in right-out and move this one as far down as you could to have a full access lane and connect the two together like the master plan shows and it meets the plan. So that is something the applicant can probably come up with a solution by the time we get to the final review and figure it out. This drive has to stay in place because it is lining up with the drive on the south side so you get full movement across the highway there but the drive on the west side could be pushed one way or the other and just have the two entrances that the plan development requires as a maximum.

Frank Fitzgerald stated the full function of the curb-cut is as far west as it will go so that is our problem and that is the reason we put the right-in right-out drive in. That was not known when we worked on those plans. We are only asking for the two at this time and we are only showing that because it lines up like you said but we are not putting it in with this phase.

Mayor Coats inquired if you could mirror it (flip it) and solve some of the entry problems.

Mr. Fitzgerald stated they choose this configuration because we felt it was better for the 2 outparcels and the mini storage is much more flexible. We can deal with the ditch easier and the other site characteristics a lot better but we did look at that.

Mr. Morgan stated this is not a full entrance so technically there are only 2 full entrances provided to the site and if you wanted to read the plan development text to that then that would work, so TDOT has said this can't move because of the transitions to turn lanes but there is a transition with people coming out so it is the left turn lane that you are saying can't be shifted down. The curb cuts aren't as problematic to me, the ingress-egress between lots that ultimately has to be made and when the plat is recorded there needs to be an ingress-egress easement included on there to keep common connectivity between the lots and I know that is what the Planning Commission's intentions was. All of these areas are asphalt areas and this area beside the units is to remain vegetation according to this plan and if it changes to become something else that needs to be noted and in commercial developments, gravel is not allowed for parking vehicles on for this type of thing and that is an ordinance condition and I know we had talked about something else being done back here. That will have to get approved as a part of this, these buildings would not be within a setback line, they are on the line and so the property line of these lots would need to move in to allow for building setback and I know screening has been mentioned to screen the backs of these so that these lots aren't just looking at the walls of a storage unit.

Chairman Hensey stated the screening could be put on the setback.

Mr. Morgan stated it can be a common building setback/landscape screen.

Chairman Henszey inquired about 10 feet?

Mr. Morgan stated we would have to go to the planned development overlay to see what it says regarding to bulk regulations on these setbacks, I would imagine they are controlled by the B2 commercial development district. The applicant has not submitted a full set of DRC plans which are the building elevations, a landscape plan, lighting, fencing and

signage however the signage may not come with this initially but they are planning on making that a part of the final plan review. We can get final plan review but still could not have a building permit done without the DRC being completely approved, I believe they are bringing all of that in at that time. I think those were the main issues discussed at staff.

Commissioner Ragon inquired at one time wasn't there a space to store vehicles.

Mr. Morgan stated at one time I think this was a place maybe to store boats and RVs in the open and they could come in and put more condition space there and it would just be a modification to the site plan which would be a fairly easy thing to do. The Pickering Firm is doing the engineering for this plan and the City Engineer Harvey Matheny works for Pickering felt like it was a conflict of interest for him to review the plans and so Josh Burnette who works for Renaissance Design Group agreed to review this set of plans from an engineering standpoint.

Mr. Burnette stated he had spoken with Richard Mills (Public Works Director) and will have to extend the 12-inch waterline and sewer line up to this point and it will need some type of automatic flush on it to keep the water quality fresh so it won't get stale as this is a storage unit so there is not going to be much water pulled from it, that is a long 12-inch line and there is nothing lubing it.

Mayor Coats stated believes Mr. Mills told us that they will put a sewer meter right at the Rossville City Limits so that will ease the situation with all the hookup.

Mr. Burnette stated the existing sewer meter is near the lift station and will to be moved down stream of this one so it can pick this site up.

Mr. Morgan stated the utilities are worked out for it and the Fire Chief will have to make sure for any areas that sprinkling is required there is adequate pressure.

Mayor Coats inquired if we need to put in an additional hydrant.

Chief Bullock stated there has to be a hydrant every 500 feet.

Mr. Morgan stated overall the utilities have pretty much been worked out, Mr. Burnette is working with Mr. Mills on this.

Mr. Morgan inquired on the sediment basin, if that lot was going to change hands or if that was going to be Mr. Fitzgerald's lot to which Mr. Fitzgerald stated that Mr. Yancey and he were going to be partners. Mr. Morgan stated he will look into this but I believe a temporary construction easement would be good to come in with the plat and it would go away as soon as the basin was no longer needed for erosion, we are so close to the water outlet that all the drainage is not going to require detention, and I don't foresee if this becomes a commercial area that it would add some much more water that detention would be required anywhere.

Mr. Burnette stated probably not so far down stream it is not likely that you will need it and I don't know if they had any plans to but the City may want to see some calculations, you are not connected to any public infrastructure and you are discharging right to a ditch.

Chief Bullock inquired on the two parcels that aren't developed there would there would there be any runoff that would need to be underground under the storage facility and that planned out ahead of time.

Mr. Burnette stated they do have a storm system that runs through the site and they know they have to have reception.

Chief Bullock stated I'm just saying it is calculated in for the future development of those lots to which Mr. Burnette stated it should be.

Mr. Morgan stated so there are headwalls or inlets along these lines to which Mr. Burnette stated there is one headwall at the corner so it will pick up.

Chief Bullock inquired I know there is a lot of runoffs there so does that account for all of those areas there to which Ms. Martin stated that is correct.

Mr. Morgan stated that is pretty much it for preliminary and at the back of the staff report is the standard conditions that do not deal with some of these specifics that we have talked about, they are mainly in the text but the first condition is that the applicant shall

satisfactorily address all Planning Commission and Design Review Commission conditions of approval and staff markups prior to the recording of the Final Site Plan. That will be how we resolve any of these other issues and then the applicant will be able to address the final site plan.

Mr. Fitzgerald stated as far as the area of parking for storage that we are going to have, we will do it in two phases with the far western part of the L is phase 1 and then the builds going east to west will be phase 2 and with phase 2 we want to gravel that lot for storage, we saw the condition in the staff report about paving the parking and we want to clarify that we are going to pave all required parking as defined in the ordinance as it defines parking, that we are considering storage area so will would like to gravel that area that is evidently going to be phase 2 and then the future development area is the part we don't know what we are going to do with yet (the east part of the L), it could be buildings or it could be open storage, we will have to decide that.

Chairman Henszey inquired so Phase 2, you want gravel until you start construction? Mr. Fitzgerald stated part of it, we will basically come down and build this (phase 1) to here and gravel a portion of this for storage and then when we build this to here and gravel a portion of this for storage and when we build this, we will figure out what the market demand use is for this area and will come back to you for that.

Mayor Coats inquired how long it will stay gravel.

Mr. Fitzgerald stated until we build this (phase 2), the way we understand the parking ordinance is that it says that asphalt is on required parking and it is defined in the ordinance as parking for vehicles and it talks about the parking so we are not calling this a parking area, it is more of a storage area, it is not going to be just vehicles and the other thing is we do not want to have a fence that is 10 feet offset of these building, we want the back of the buildings to be on the property line and what we are willing to do on these lots is to record a landscape easement where they would be putting the landscape on the front lots and that is because of the no-man's land created between the building and the fence, that is hard to maintain and it is unsightly and it's hard to get to, so it's a better solution to where these building will be on the line and if we need to do additional landscaping on these lots that are in front of the storage units then that is the way to do it as opposed to having storage units, a dead area and then a fence.

Chairman Henszey inquired if security is part of that thought process.

Mr. Fitzgerald stated certainly, yes.

Mayor Coats stated you are still going to landscape but the easement will be on the other property, is that right?

Mr. Fitzgerald stated yes sir.

Chairman Henszey inquired landscaping would not go in until you have a new tenant for those two lots?

Mr. Fitzgerald stated right now we are just proposing that the back of those buildings be there but we could put some plantings along there.

Mr. Morgan stated going back to your original phasing, are you wanting final approval on just this phase? Or do you want final approval on both phases?

Mr. Fitzgerald stated we are asking for to have the whole thing approved, but we don't think this is going to change any but we are going to do it in stages, we will pull the building permits individually on the buildings as we go through.

Mr. Morgan stated we will have to see how that works because typically you come in for any development with a phase and that phase gets fully developed not fully developed but partially over here until the market says I can do it.

Mr. Fitzgerald stated we would ask for the flexibility in this plan if we run out of climate controlled storage we might ask to build this building but in the past I have done these in Millington and we had our master plan approved and as we had market demand for another

building they would issue a building permit for that building as we go along and it's the same thing here, we might run out of climate control and still have non-climate control we might try to build that building first as the market demands but it's really no change from this other just the order of the buildings and we pull individual building permits on them anyway.

Mr. Morgan stated that it is up to this Body whether or not that kind of phasing works, I would suggest that typically in storage the landscape is on the storage to do, and if they want the line right there, I don't think that is problematic, it does reduce the amount of fencing they have to do but it is probably a good idea to go ahead and put this landscaping in rather than putting on whoever buys the other lots.

Mayor Coats stated I agree with what you just said, and on the buildings if they build all the west side and all the conditioned space rents out and the others don't if he decides to do the other the conditioned spaces or changes configuration so he can put more condition spaces or product, does he need to come back then versus if he leaves it all the same?

Mr. Morgan stated this Body of course is the ultimate arbiter to that, it is how much of the site plan do you want to be built according to what you approve or how much flexibility do you want allow within that, that is up to this Body.

Mayor Coats inquired to Chairman Henszey, it will all be the same in the design as proposed here, same materials and all so I don't see a problem with phasing it.

Chairman Henszey stated no.

Commissioner Ragon stated what he is saying was do the left (west) side and then he would have storage over there but it would just be like storage of boats or something until they come in and build.

Mayor Coats stated that is not what I understood.

Mr. Morgan stated he stated he would build this but it would just be gravel parking.

Commissioner Ragon stated he would store boats and things there, so are we ok with approving that and there is nothing blocking that.

Mr. Morgan asked Ms. Martin to put something together to show us how that would work so that we can see it better and understand it better.

Chairman Henszey stated I don't have a problem with the phasing but I have a problem with one of the phases being storage that wouldn't comply with our zoning.

Mr. Morgan stated the Planning Commission has looked at this, staff has reviewed this, member of the Board of Mayor and Commissioners has looked at this, and what has always been the driving force when this overall development was approved for a planned development is this is the entrance to Piperton and the City wants to make sure that whatever happens here makes a great impression and storage is also needed so I am not saying that can't make a great impression, I am just saying there are some things that have been talked about from staff that would like to be seen in order to make sure that impression is still there.

Mayor Coats stated we would want actual building material samples for the DRC to see and I agree it needs to look good.

Mr. Morgan stated we need a fencing plan and know there has to be security here in some ways, typically on commercial developments chain-link is not allowed, it is allowed on manufacturing but not commercial and those are some of the things that needs to be vetted out.

Mr. Fitzgerald stated everything here will be first class with black rod-iron fencing with black rod-iron gates, it is going to be well landscaped and we are willing to put in the landscape buffer. We are working with architects getting the buildings designed and getting the materials now. We are intending to fence with a security type chain-link fence but this fence would be temporary until these buildings were built along the property line and then we remove the fencing and it would just be landscaping and again we will landscape that now. And then if we build a fence here, it would be landscaped from view and this is a deep thing, we are hundreds

of feet from the road and I think it will look great, everything will be first class with tree buffers. It will be a nice apartment with a patio and garage parking something you are proud of.

Chairman Henszey stated his concern is the unknown of vehicles whether it is boats or trailers parked on gravel temporarily back in the back.

Mr. Fitzgerald inquired if it was visually or the functionality.

Chairman Henszey stated it is a little of both.

Mr. Fitzgerald stated we have a 150,000-pound machine running on gravel right now in Rossville and Bruce Yance, our contractor put the limestone gravel down, it sets up fantastic and it will be a nice base to ultimately build these buildings on but the functionality is better than asphalt from my prospective, because it doesn't tear up.

Mr. Morgan stated I am only stating what the ordinance states now and what these commissioners have to go by.

Mr. Fitzgerald stated when it refers to asphalt it says required parking which is up here and this parking back here is of storage nature and I went through the whole ordinance I don't see it specifically addressed.

Mr. Morgan stated if an RV is parked right here it is parked and that has been the view that the City has taken and I am only stating what the City's understanding of it has been and I am not saying that we shouldn't look at maybe doing something different. The final site plan needs to clarify those things, it will need to show what is going to be built at first, what is going to be built next, this will be temporarily fenced until this gets in, all of that needs to be clarified on the plan. What also needs to be considered if you can get fire equipment around this.

Commissioner Ragon inquired if this is all sprinkled to which Mr. Morgan stated that is to be determined.

Mr. Fitzgerald stated we have extra wide isles for fire equipment and we have extra wide turn radius.

**Action taken:** Mayor Coats moved to approve the preliminary site plan, seconded by Commissioner Ragon. The Motion received all affirmative votes.

**Agenda item 8.** Update on the status of Madeline Farms CD-O Phase 3

Mr. Morgan stated we approved phase 3 about a 1 ½ years ago and because of different issues the development agreement was not fulfilled at that time. We have received a letter requesting to move forward with the development agreement. This agreement will be under a new name (Creekside) for this phase only and after the development agreement approval they should be able to move forward.

**Agenda item 9.** Any other old/new business, questions or matters from the audience

There was none.

**Agenda item 10.** Adjournment

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

Respectfully submitted,

Beverly Holloway, City Recorder

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