

**MINUTES OF THE REGULAR SESSION OF THE
PIPERTON PLANNING COMMISSION
May 9, 2023, 6:00 P.M.**

The Piperton Planning Commission met on May 9, 2023 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Mimi Ragon, and Commissioner Bob Archer. City Planner Brett Morgan, Building Official Elizabeth Reed, and City Recorder Beverly Holloway were also present along with Jim Ragon, Frank Fitzgerald, Walter Priddy, Letha Granberry, Vicki Hancock, Michael and Sandra Tushek in the audience. City Engineer Harvey Matheny and Fire Chief Reed Bullock were 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: Commissioner Bob Archer 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; Additions/Deletions; Motion to adopt the Agenda

Action taken: There were no changes to the Agenda, Vice-Mayor Binkley moved to approve the agenda as presented, seconded by Mayor Henry Coats. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the Regular Session of April 11, 2023; Motion to approve the Minutes of the Regular Session of April 11, 2023

Action taken: There were no changes to the Minutes of the Regular Session of April 11, 2023, Mayor Coats moved to approve the Minutes of the Regular Session of April 11, 2023 as presented, seconded by Commissioner Mimi Ragon. The Motion received all affirmative votes.

Agenda item 5. Planning Commission Projects Work Session

City Planner Brett Morgan stated we have two projects that we want to do work sessions on tonight. (1) Yancey Commercial Self Storage with Mr. Frank Fitzgerald, last month we had preliminary site plan approval, there were two Commissioners that were absent and the feeling of the Chairman and the Mayor was that for final approval everyone needs to be involved and this work session is to bring everybody up to speed on where we are in the process on the Yancey Self Storage and then (2) is to update the Planning Commission on the continuing work on trying to get the Gateway Plaza to function the best we can no matter what the depth to the railroad from the highway, it is problematic and it will be hard as there is no perfect solution but we continue to work with the applicant to come up with a better solution. Mr. Morgan showed the Yancey PD-O as it was approved on the screen and then showed the initial proposed plan that shows a subdivision of 3 lots rather than the 7 lots with the west side and the north side all being devoted to self-storage and then two other lots that total right at 4 acres which later on that could be subdivided any further; but we knew the previous concept was necessarily going to hold. There were some conditions placed in the planned development that had to be considered as part of what needs to happen with one of them being that the planned development allows for a maximum of 2 drives on the northside of Hwy 57; and as we work through it, the idea was a third drive has been shown on the plan but it is right-in, right-out

and I think by the letter of the law say that there are two full drives maximum on the northside of Hwy 57, so we are still abiding by that. We are abiding by the setbacks that are required for the development. We are abiding by the landscape plates that are required for the development, and initially the Planning Commission did give preliminary approval but with the understanding that certain things needed to be looked at. The plan shows the buildings right on the property line and we knew that wasn't going to work with the building setbacks that are required within a PD-O, which is 20 ft side yard setback and so the applicant has resubmitted a plan that does show the setbacks and they will be required to provide a three-lot plat with this development. This plan takes care of that issue, but there are a few other issues that were not addressed initially that they have come back and looked at. One of those issues is outside the PD-O but within our zoning ordinance all storage has to be screened with a combination of fencing and landscaping or solid fencing. We typically do not allow for chain-link but this is a development that does have some manufacturing use within it allowed and so the way that the applicant is planning to show this is not a typical to how self-storage units is done today, the fence is taken up same line as the building line and connects to the rear of the building and so the back of the building becomes part of the barrier for security purposes. So that way the property is secured with a minimum amount of fencing being required and that all works good as long as there is landscaping in front of it. And so, while working with the applicant, staff suggested that a landscape plate be added along the back of these units all the way down wherever anything is being stored can be seen there needs to be this screen. They have provided a landscape plate and discussion ensued over the landscape material. The landscape plate needs to have a plant schedule for sizes as a part of the final plan. Here is where the flexibility I believe comes into play, the original PD requires an interior streetscape for this street but that is a public road and now we are talking about drives that are private so I feel like that interior streetscape shouldn't be required of this street since we are already putting them on the highway frontage so they are adding them according to this lot that is not a part of their lot. There needs to be an access easement that goes between the two full drives on the plat for the future connectivity for the drives and later on if someone does come in and doesn't want to be connected and can make the argument to not be connected in the future before this body.

Mayor Coats inquired if we should dictate time of year for the landscape plantings, if he finishes this in July should we let him wait till October to plant because of the ability to survive.

Vice-Mayor Binkley stated if they want to wait, we should allow them to wait but if they want to go ahead, it is going to be under a warranty.

Mr. Morgan stated typically the landscape plate is the last thing to go in, and so there are several things that need to be added to this landscape plan; the plant schedule, specifics regarding street trees and there would be landscape notes regarding irrigation.

Chairman Henszey inquired on a monument sign entrance which would change the landscaping to which Mr. Fitzgerald stated they haven't decided on a monument sign at this time.

Mr. Morgan stated signage is something that we allow to come in later to the DRC but that is not a bad thought to look at where it might be located. The one thing I did notice is there are no refuse containers in here to which Mr. Fitzgerald stated we generally do not have a dumpster area. Mr. Morgan stated I think the landscape plan works as long as it gets tidy up with a good plant schedule. I do believe that even though this is a private road that to keep with the PD-O requirements, the fence will need to be moved 20 feet off of this line and put a little bit of streetscape on this road (15 feet is required) and another thing that needs to be discussed is the area to the right that is designated for outdoor storage and so what is the nature of that area. There was discussion about this being done in phases and so we asked them to submit a phasing plan and the applicant has done that. In phase one the discussion was putting gravel down temporarily for parking and so that patch is shown as temporary gravel and the next patch is shown as permanent gravel and there were internal meetings regarding a number of these

issues and the gravel parking was one of them and to my understanding of it pretty much everyone is on board that parking in this area for outdoor parking should be asphalt or concrete, not gravel and that is something the applicant would like some consideration on. The Zoning Ordinance when it speaks to parking speaks to paving, now whether or not we want to change the Ordinance to allow for this kind of thing in a commercial development, it would be a time-consuming thing but could be done. It would be 2 or 3 months to go through the process to allow it. We did allow gravel for Heavy Machines simply because they are in an industrial area.

Vice-Mayor Binkley inquired when phase 1 goes in, do you want to gravel all of that to use for outdoor storage or just parking?

Mr. Fitzgerald stated based on our market demand, we would like to be able to gravel whatever portion of that is necessary for outdoor storage; and eventually it would be our goal that anywhere there is a building there is going to be pavement, and it would be our goal to eventually have covered parking in that area based on demand but at this time we are requesting gravel to be approved until such time as it is converted to building parking and that area we say permanent gravel as we do better if it is actually covered parking even for a storage lot and we do request that we would be allowed to have gravel storage in that area.

Commissioner Archer clarified with Mr. Fitzgerald on his plan. Mr. Fitzgerald stated some of the storage we have will accommodate vehicles stored inside but talking about the phase 3 area what we would love to see happen there is to eventually have covered outdoor storage for the larger RV's and such and that is as the market matures.

Commissioner Ragon inquired what are you proposing to have for screening to that outdoor storage area initially?

Mr. Fitzgerald stated we will go ahead and landscape the entire eastern and southern border of our phase 1, we will do the whole thing when we start as far as the landscaping and that will be done with phase 1. Our fence will be 600 feet from the center line of the road and this will look really nice, there will be wrought iron fencing with an attractive office for the resident manager and evidently all will be completely hidden.

Mr. Morgan stated we typically do not allow chain-link fencing and that was written at time which there was really no coated chain-link but we have allowed it in areas that have what is considered a manufacturing use. This whole planned development allows for it and if these become manufacturing uses here then the chain-link is totally appropriate. I personally do not feel like a coated chain-link is problematic back here because these shrubs will be in front of it anyway and you will not see any of it. We had mentioned slatted fencing and that may be the better way to go. It creates a more solid barrier if that is what this Body wants to do but that would only be in a certain area. We don't have height details on the wrought iron fence or the chain-link fence which needs to be a part of the plans. We do allow up to 8 feet chain-link fence for storage areas but we don't allow razor wire or barb wire.

Mr. Fitzgerald stated we want to put everything up on the road, the front would be a wrought iron fence and everything in the back we would like to have chain-link and I would call your attention to the ordinance that was passed regarding this commercial type development, what is called out as a by right use in this outline plan is under self-storage is an M1 use for self-storage to which Mr. Morgan stated if you do that you will have to be 200 feet off the road and I have tried to give you the commercial so we could stay down here.

Commissioner Ragon inquired if you have a problem with a powder coated chain-link fence?

Mr. Fitzgerald stated he doesn't know what it costs to coat one but will find that out, but we are putting in a landscape screen and its way in the back and assuming it is not a budget breaker we are happy to coat it, and we are thinking a 6 foot fence right now and asked that they review the ordinance for the use because we strongly believe we fall within that but regardless we are willing to put the landscape screen in front of the fence.

Mayor Coats stated if the landscaping is done properly to which Mr. Morgan stated it will look fine.

Mayor Coats stated if the landscaping plan works, you won't even see the fence.

Commissioner Archer stated we really don't know what will go in these other two parcels right now. It could be some type of manufacturing or commercial so there is the distinction in my mind is commercial versus manufacturing so we should consider it before we make a final decision about putting something in under the presumption it might be manufacturing and then something else commercial comes in and you have a problem putting one in with that, that is a thinking process and I got your point.

Mr. Fitzgerald stated the reason why we agreed to move 20 feet off and they will have an additional drive with 40 feet of separation between any type of activity is because we would not want to adversely affect those, but we are confident we are not going to so we are not going to sell this. We plan to build it and own it and we would like to develop those front lots into nice attractive buildings. The nicer it looks the more value added and at your request to put the additional 20 feet in so we have 40 feet of landscape separation between the two uses and we do believe commercial uses will be compatible with this.

Mr. Morgan stated he can see this becoming 3 out parcels rather than 2 and stacking up with commercial right there.

Mr. Fitzgerald stated to be clear about that, we put this as 2 future lots to show the two drives so they could be approved but it will probably change when something comes in.

Mr. Morgan stated you don't have to do that at this time to which Mr. Fitzgerald stated the reason we didn't connect them because as opposed to recording a recorded platted easement, it would be better for them to come back once that property use is decided to plat the easement.

Mr. Morgan stated then I would take that drive out completely to which Mr. Fitzgerald stated we are happy to do that.

Commissioner Ragon stated the coated fence is a good compromise there if we are ok with the chain-link but do it up a notch.

Mr. Fitzgerald stated it is worth looking into.

Vice-Mayor Binkley stated as far as the gravel is concerned that we can allow the temporary outdoor gravel storage area.

Mayor Coats suggested a time limit for temporary gravel parking and then it has to be paved.

Mr. Morgan stated we just don't address it in the Zoning Ordinance. All we define parking now as a paved area but we don't make a distinction between storage parking and parking. This is way back off the road and you will not see a whole lot and once this builds out, you are really not going to see anything back there. The whole idea just to get back to the Planning Commission initial concern for this development is Hwy 57 has always been called the yellow brick road for the City, and this is the entrance to the yellow brick road and this whole thing was set up to make sure things were done right.

Chairman Henszey stated it is the gateway road for Piperton but also a gateway for Rossville and we haven't even thought about protecting our neighbors. We should think about our neighbors also.

Commissioner Archer stated your suggestion for a 3-to-5-year time period might be a good amendment so it doesn't go on forever.

Mr. Fitzgerald stated we would not be agreeable to a time frame on that. I have done this too many times to agree to those. Again, I would really ask you to consider what the end goal of paving that is. We feel it can exist like that and it is appropriate for the zone and the approval and would never have a detrimental effect especially with the landscaping and buffer we have for the location.

Commissioner Archer stated as a Board, we have to be very particular of the precedence that we set and if we allow parking on gravel and another applicant with a totally different setup comes in and we have set a precedent that we allow this to happen, must be very careful.

Mr. Fitzgerald stated I have been in your shoes and I understand the precedent but this is being judge under this ordinance as an M1 use and under M1 use you currently allow this; it is a permitted use just not on Mann Drive and it doesn't set a precedence for commercial use of gravel.

Mr. Morgan stated we have not seen a lighting plan and we will have to have a photometric plan.

Mr. Fitzgerald stated we would ask that we would be able to bring that back, we are still bidding the buildings and the buildings have lighting packages that come with the building so we can't provide one until we figure out which buildings we are going with.

Commissioner Ragon inquired on the materials.

Mr. Fitzgerald stated we are putting the materials together; they will be consistent with these colors and we are actually working with Mueller Industries here to bid on the buildings.

Mayor Coats stated we will need to see actual materials to which Mr. Fitzgerald stated we will put those together.

Mr. Morgan inquired if both gates will be operational to which Mr. Fitzgerald stated there will be two gates, in and out with key pads.

Mr. Morgan stated get us as much detail as you can get us regarding all that information (fencing etc.) before the meeting would be beneficial, the lighting plan can if the DRC so chooses to let that be something that staff reviews and decides on. Will there be any pole lights out here?

Mr. Fitzgerald stated I think we will have to have some poles in the front.

Mr. Morgan stated in the back they can all be building.

Vice-Mayor Binkley inquired on lighting for the outside storage.

Mr. Fitzgerald stated we are not proposing any lighting back there.

Mr. Morgan stated moving to item (2), lot 1A of the Gateway Plaza development, there are two driveways that are already in and TDOT had basically given approval to design to these two locations for this convenience store, restaurant, retail and hotel. This became a very problematic site plan because there is too much conflicting traffic in here trying to get out to a very small throated entrance drive with some of it turning left and some of it turning right and then there is two full drive side by side. It could be a major problem and so that become part of the issue that we asked them to go back to the drawing board about how to do a mid-block service station is not necessarily the best option here, but that is what the applicant is wanting to do. He has a right according to zoning to do that, so how do we help them to move this traffic around. We asked them to go back to the drawing board and relook at this and so they did. They looked at other areas in which there was an internal round about provided that now shorten up some of the retail and it starts to allow for a backup queuing. Everyone felt it was a move in the right direction but there are still some problematic areas to which Mr. Morgan pointed out on their plan displayed on the screen. We have the access easement that goes all the way out to Commerce Drive that needs to be looked into. They have moved it on their plan, but it is still a problem if it goes through there. It will split the rest of the properties that are south of the other lots, keeping those lots from adding depth to those lots, it would be better if the access drive could go all the way across hugging the railroad track all the way to Commerce Drive eventually. But there will need to be negotiations with Ready Mix in order to get that done and they are wanting to move forward with getting approval of this with having these big questions up in the air about what the City will accept as far as circulation in an area in which every answer is not going to be perfect and then how do we accommodate this back easement. After studying this, we talked about possibly trying take the best of the options, take

out the traffic circle and create this drive similar to an area in Collierville that we had looked at where it is almost like a public road even though it isn't but it functions as a road that divvies up traffic here and there and it gives a little bit more separation to this parking area and trucks going in and out. Discussion ensued with suggestions of changes.

Agenda item 6. Any other unfinished/new business, questions or matters from the audience
There was none.

Agenda item 7. 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 7:24 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____