

**MINUTES OF THE REGULAR SESSION OF THE
PIPERTON PLANNING COMMISSION
June 13, 2023, 5:30 P.M.**

The Piperton Planning Commission met on June 13, 2023 at 5:30 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. Fire Chief Reed Bullock, City Planner Brett Morgan, City Engineer Harvey Matheny, Public Works Director Richard Mills, and City Recorder Beverly Holloway were also present along with Jim Ragon, Frank Fitzgerald, Walter Priddy, Letha Granberry, Vicki Hancock, Chad Johnson, David Bray, Jeff Savage, Matt Wolfe, Mark Allmon, Michael and Betsy Florio (Ameriflo), Michelle Howard-Flynn, Chen Yang Lou, Rusty Norville, Suzanne Sheppard, Josh Burnette and Yaser Saleh 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 the Agenda

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

Agenda item 4. Any changes to the Minutes of the Regular Session of May 09, 2023; Motion to approve the Minutes of the Regular Session of May 09, 2023

Action taken: There were no changes to the Minutes of the Regular Session of May 09, 2023, Commissioner Archer moved to approve the Minutes of the Regular Session of May 09, 2023 as presented, seconded by Mayor Henry Coats. The Motion received all affirmative votes.

Agenda item 5. Consideration of approval of a residential front yard fence application at 1590 Hwy 196 S. Applicant: Suzanne Sheppard - Owner

City Planner Brett Morgan stated Suzanne Sheppard is proposing a 4-foot cross rail fence that will be stained dark brown with a wrought iron gate which is allowed for front yard fences.

Chairman Henszey inquired if there is enough space for delivery trucks to pull up to the gate without still hanging out on Hwy 196?

Mr. Morgan stated the gate is offset from the highway and that is the purpose of the offset.

Mayor Coats inquired on the width of the gate.

Mrs. Sheppard stated it is offset for at least a truck with a 16-foot trailer and the gate is 14 feet wide.

Action taken: Commissioner Archer moved to approve the fence at 1590 Hwy 196 S., seconded by Commissioner Mimi Ragon. The Motion received all affirmative votes.

Agenda item 6. Consideration of Final Site Plan approval of a Convenience Store/Gas Station on Lot 1A of the Piper Subdivision, 530 Hwy. 57
Applicant: Piperton Group Investors; Design: The Bray Firm

Mr. Morgan stated we have been working on development for a long time and we feel like we have gotten it to a place where it functions acceptably to the City of Piperton and to the applicant. We realize that because of the proximity of the railroad and Hwy 57 that it will be a tight development and there is not necessarily going to be a perfect solution for everything. We wanted them to look at this entrance drive and how we make this entrance drive create less conflict internally in regards to traffic. The plan shows the accommodation made for that with traffic entering in which is a one lane in that will allow traffic to go to the truck pumps in the back or travel to the automobile pumps in the front. There is always concern about access for this site, also the ingress and egress of trucks and cars. We feel like because of the highway traffic just constantly getting worse that we needed to look at this driveway on the east side with particular care so they have designed this driveway to have an island that allows for only right-in traffic eastbound and then egress side of it allows for right-out or left-out, but there is no left-in traffic to this secondary site. That was proposed and agreed to. The applicant is wanting this to be full access but we felt like that is something that would ultimately create more problems than not, there is an ingress/egress easement here that goes out to Commerce Drive that is on the land of Ready Mix that can be used but it is not surfaced at this time and so what we have proposed and they have agreed too is for this to remain a right-out/left-out and a right-in point of access and then when this easement opens up and is surfaced allowing traffic out to Commerce Road then this drive will become a right-in/right-out only. The applicant has also agreed to put a metric on it (timing wise). They have submitted a phasing plan with lot 1A being phase 1, the retail (lot 7) will be phase 2 and lot 8 will be phase 3 with the hotel (lot 9) being phase 4. When phase 3 occurs, the paving to Commerce will also occur and those have to be able to be done concurrently. Mr. Yaser, who is the developer of this site, is working to try to get the necessary agreements. But other than the ingress/egress issues, which we feel like are resolved to some degree although as we say probably never going to be perfectly resolved. We feel like this is a plan that we can look at as far as the final site plan is concerned.

City Engineer Harvey Matheny stated I believe the condition states when the third lot develops that is when they will connect out to Commerce, so whatever their third lot is that connection to Commerce Road needs to be made.

Mr. Morgan stated thanks for clarifying that. We have already reviewed and approved the landscape plan preliminary but they had to revise it according to the new layout. The dumpster area will have to be landscaped according to the City's requirements. They have submitted elevations with the materials of the C-store. It does meet the requirements. Signage will come in at a later date. The photometric plan was submitted and looks good. There may be a typographic error in the zoning ordinance regarding lighting (6-foot candles) under canopy. I would suggest that we work with the

lighting people. We need to come up with a standard (20 or 25) which seems to be the normal of most areas and update our ordinance. The elements of the DRC package (lighting plan, elevations, planting plan) are all in place and all except for the 6-foot candle average under canopy meets the standards of the City. Add condition 30 for staff to review lighting plan once it was modified to 20 or so. Condition 31 would be a staging plan showing lot cleanup and how the remaining tenants will be serviced during the time of construction.

Commissioner Archer wants clarification when speaking about clean-up, if you could be a little more specific. I don't know what your plans are about the empty granite building and the old white building but are your plans to take those down and clean those lots where you have a clean parcel to which Mr. Yaser Saleh stated that is the plan.

Mr. Saleh inquired on the progress of the sewer.

Mr. Matheny stated the jack n bore is underway as we speak.

Mayor Coats stated they should be finished this week or early next week.

Mr. Matheny stated he needs to have a pre-con meeting with David on some cleanup and final comments for the subdivision, on the water and sewer plans and on the site plan to get the plans ready to sign. The site plan will need building permits, so we will coordinate with your design consult.

Action taken: Vice-Mayor Binkley moved that the Planning Commission/DRC approve the final site plan of Lot 1A with the revised plat of the subdivision with the existing 29 conditions with adding #30 that staff will review the lighting plan and get the under canopy around 20 or so, and adding #31 providing a staging and cleanup design and how access will be provided to the existing buildings, seconded by Commissioner Archer. The Motion received all affirmative votes.

Agenda item 7. Consideration of Final Site Plan approval of Yancey Commercial Self-Storage Applicant: Yancey Brothers Construction, LLC; Design: Pickering Firm

Mr. Morgan stated the applicant is proposing three lots, lot 1 would be the self-storage area with lots 2 and 3 for future development. On the overall planned development plan, there is a drive that one of these drives has to line up with that is not shown on the plan. But we need to get those on the plans to make sure they do line up. If we approve the site plan, the subdivision plat goes with it. The utilities would be a part of the subdivision plat which is the extension of sewer and water to the site. 12-inch water line will be extended to the municipal line. The lift station site is to be determined.

Frank Fitzgerald stated we originally put the lift station on the plans, working with Piperton as an idea of what Piperton might want to see. But I think we have a great solution for you, we don't want a lift station. We want to do grinder pumps for the individual users over there with one connection to a force main so there will be private grinder pumps that you will have no responsibility for what so ever and all we got is connection to the force main which is the right way to do it. At the time we first started this we were talking about a centralized sewer pump which would be your problem, our problem, a location problem and future development problems. I think the right solution is that each one of the parcels has its own grinder pump and we have one connection

to the force main and if the grinder pump goes out it is on us. We have so little usage and it seems to be the right solution. We will work with staff.

Mr. Morgan stated to let staff and the applicant work on the sewer as long as we know the site is serviced, it doesn't affect the site plan at all. The way we were doing it, we were going to have to hide the lift with landscaping and so if this is an alternative solution then that would go away. That is part of the subdivision and as public improvements there will have to be development agreement that goes before the Board of Mayor and Commissioners for approval. Mr. Morgan reviewed the site plan for the benefit of the audience. We worked with the applicant regarding moving the lot lines so there could be a landscape buffer between the proposed storage units and a fence, so that the buffers for the other lots were in place. The applicant has addressed that and at the last week session changed the planting to something that could be spaced a little bit wider than the previous planting chosen. The only other issue is Phase 2, this hatched area shows where the temporary gravel parking lot is proposed and this hatched area is for permanent gravel parking area. When preliminary was given, the temporary gravel ended in this area and so the Planning Commission needs to consider whether or not they want to limit the temporary gravel or allow it further. This would make all of the area gravel until phase 2 begins to be built. The landscape plan was looked at regarding the road and at the work session they have made changes. They are limiting landscaping to just in front of this site now and whenever someone comes in to develop the other sites, they can take care of the landscaping of this road. The Planning Commission could propose that this could be fully landscaped at this time but at the work session we decided it wasn't necessary. They are landscaping the entrance and leaving the drive open. So, the questions that remain are: while everyone is good with the temporary gravel, we need to know what that section looks like and how deep is the gravel going to be? City Staff and the Engineer needs to look at the section of gravel to make sure it is a proper section and then if there are any concerns with the amount of gravel that is going in with phase 2, does that need to be conditioned in any way other than that. The site plan works as far as the bulk requirements and the requirements of the PD-O are concerned. DRC has other issues which are building elevations, landscape and lighting. I have requested lighting and elevations of these storage units but have not seen these yet, so I would say the DRC application is still deficient in those areas as to whether or not a full DRC approval could be given at this time.

Mr. Fitzgerald stated they are still bidding the structures. When we get the right bid in, we will get those samples to you to finish up the application. Same thing with lighting plan, the units come with lighting specs so whatever supplier we go with we will get their samples.

Mr. Morgan stated if you can get this done within a month then you could get DRC at the next Planning Commission and then the following week, the Board meeting could be your development agreement and you would be done.

Mr. Fitzgerald stated he would have to see how the bids come in.

Mr. Morgan stated until then only final plan approval could be given and DRC in the future.

Chairman Henszey inquired when you start putting buildings or covering whether it is for trailers or motorhomes or whatever it is, would you then asphalt those areas to which Mr. Fitzgerald stated yes.

Mr. Morgan stated before any motions are made this would be for subdivision approval and site plan approval.

Mr. Fitzgerald stated we agree with all the conditions except we would like to add the language that we work with staff on the water and sewer. We are advocating for the private grinder pumps. The only condition we saw that we weren't really sure about pertains to the tree survey. Mr. Fitzgerald stated everything else looks good.

Mr. Morgan stated you can strike that one if needed.

Chairman Henszey stated that is standard and is in everyone's, but there are no trees involved.

Mr. Morgan stated there is a condition #28, City Engineer and Public Works Director will review final layout of sewer and water systems for consistency with the PD-O Outline Plan condition.

Action taken: Commissioner Archer moved to approve the final site plan and the subdivision plan with the listed 28 conditions as presented, seconded by Mayor Coats. The Motion received all affirmative votes.

Agenda item 8. Consideration of Preliminary Site Plan approval of Ameriflo plan Applicant: Michael J. Florio, President & CEO of Ameriflo; Design: ETI Corporation

Mr. Morgan stated the applicant has submitted a fairly complete application for preliminary site review of a 110,508 square foot operations facility on lot 4 of the Wittchen Industrial Subdivision. Ameriflo's primary business is the assembly of pumps and pumping equipment. The plan shows 64 parking spaces (10 x 20) and 2 handicap parking spaces. M2 zoning for a proposed use of manufacturing. The height of the building falls within the 50-foot maximum that is allowed this type of structure. They are showing two signs on the building and you are allowed one wall sign per street frontage, and so they will only be allowed one of those signs. The signage needs to be white lettering. Their photometric plan does meet all of the criteria of 40k max and all of the averages that are required across the site and offsite are met, so their photometric plan is good. Landscape plan looks good and will match next door.

Vice-Mayor Binkley inquired if we are allowing or not allowing a second sign because of the interstate.

Mr. Morgan stated it would have to be on the interstate side and we will have to look at that as we have allowed before but there were certain circumstances.

Mr. Florio stated he thought the corner lot or a cove was another circumstance that was brought up in one of the first meetings.

Chairman Henszey stated it is streets.

Mr. Morgan stated if this is a hard corner lot then yes but this is a cove and it is not the same as a hard corner. But we will look into the interstate side and need to make sure those conditions are met before we do it and we will go through that at final. The flag is no issue. They don't fall under any standards of signage other than possibly height. Ground mounted sign is with colors that the City could probably live with. That is a quick run-down of the site plan and DRC.

Mr. Matheny stated water and sewer are available to the site. We met with the Design Engineer on the drainage and detention and that will be worked out well.

Chairman Henszey inquired if the drainage from the other side of the railroad track comes through this property and is it going to be an increased flow because of development that Yaser is doing.

Mr. Matheny stated Yaser will have to detain on his side of the railroad for his development. He will be required to do his detention and then they are providing detention on the west side of this building. And the flow that is coming under the railroad will be re-routed and bypass their detention. So, we have talked through that with their consultant and there is a good plan in place to make it work.

Chairman Henszey inquired if this was a wholesale business to which Mr. Florio stated we sell to distributors and reps who then sell to others. We can sell to a wholesaler who would then sell to others. We don't do retail business.

Chairman Henszey inquired on water usage to which Mr. Florio stated it would be very little, we have restrooms and we have a facility where we test equipment but we keep that water onsite and we recycle it, so we don't discharge any.

Mr. Morgan stated we looked into the paint to which Mr. Florio stated we have a paint booth. Mr. Morgan stated we looked to make sure it met the industrial requirements of that zoning district and everything was fine with that. That is a quick run through and we will get into more detail during final but staff recommends preliminary approval of site plan and preliminary approval of the DRC.

Mr. Morgan inquired about the building material.

Mayor Coats requested a sample board of materials to be used.

Mr. Morgan stated building that were like this, this body required a wainscoting so that it was not all metal. You may want to look at how you might wainscot on the front and side.

A sample board was presented to the Planning Commission for review.

Action taken: Vice-Mayor Binkley moved to approve the Ameriflo application for preliminary site plan for the Planning Commission and the DRC with the 22 conditions, seconded by Commissioner Archer. The Motion received all affirmative votes.

Agenda item 9. Reconsideration of Glenn Farms Phase 2, Lot 2 Final Site Plan
Applicant: Whitten Bend Investors, LP; Design: Civil Engineering Solutions, LLC

Mr. Morgan stated on June 11, 2019; Phase 2 was considered and approved by the Planning Commission. A development agreement was subsequently approved by the Board of Mayor and Commissioners. At that point movement of actual site development ceased and continued as such for the past 4 years. The applicant has returned with a Phase 2 application which has very minor changes to the 2019 application. The applicant will extend Shelby Drive all the way down to Mann Drive. The medians were taken out previously, so we need to decide what needs to happen with the medians on the rest of Shelby Drive to which Mr. Matheny stated it is included in the plans. It is hard to even distinguish what the changes were.

Rusty Norville stated there is a different tenant. There are minor changes to the drainage. We may have changed the driveway and it aligns up with the drive across the street. And then we extended Shelby Drive.

Mr. Morgan stated there are two entrances.

Mr. Norville stated this is not one whole tenant building, it could be multi-tenants or someone who needs just an office or some dock storage, it is kind of a flex space that is becoming a lot more attractive development.

Vice-Mayor Binkley inquired is that road being developed all the way to the back of the property to Glenn Farms Cove.

Mr. Norville stated where it stops today, it is staying where it is today.

Mr. Matheny stated Glenn Farms Cove extends further south than seen here today.

Mr. Morgan stated they have submitted additional landscape plans, building elevations (which are basically the same), a lighting plan, which is very hard to see; and I will request they resubmit the lighting that is easier to read and that includes the lighting of Shelby Drive. We might as well get Shelby Drive looked at and done now as far as the lighting is concerned.

Mr. Matheny stated on the Shelby Drive medians; as I recall the Planning Commission eliminated the medians at Shelby Drive all the way through the industrial area until we get to the residential area. We went to 5 lanes (2 lanes each direction and a center turn lane).

Mr. Morgan stated the landscape plan has not changed much if any.

Mayor Coats stated he was very surprised that you are only building one more building.

Mr. Norville stated they are in the planning stage for the next one. Some of this infrastructure sets up the building. That is the way we are actually extending all the way to Mann Drive. The architect of record has changed, it was Woodard Architecture and it is now Fisher-Arnold. We will make sure you receive updated plans. We will make sure you have all the samples. If it needs to come back to the DRC, we are ok with that.

Mr. Morgan stated I would say we approve DRC with staff review and then if it is all metal, I will ask that it come back to DRC.

Mayor Coats stated all buildings should be identical.

Mr. Morgan stated if it is identical then we are fine. The lighting plan is hard to read and will need to be increased so I can read it. But staff recommends approval with the conditions listed on the staff report and staff review of the lighting plan to make sure that all the DRC elements are good and don't need to be resubmitted to DRC. If staff finds that we don't need DRC review then they will be good to go.

Action taken: Mayor Coats moved to approve the reconsideration of Glenn Farms Phase 2, Lot 2 Final Site Plan with staff's approval and with review and it includes DRC, seconded by Commissioner Archer. The Motion received all affirmative votes.

Agenda item 10. Consideration of proposed amendments to the Piperton Zoning Ordinance that includes portions of Article 2 – Definitions, Article 3 – General Provisions, Article 8 - Provisions Governing Signs, Article 17 - Mixed Use Planned Development District (MUPD), and Table 4 – Land Use Chart. Requires a recommendation to the BMC.

Mr. Morgan stated these are zoning textual items that need to be made to the zoning ordinance. A lot of these were recommended by the Building Department. It basically strikes Southern Standard Building Code and replaces it with International

Code Council Family of Codes as adopted by the City of Piperton, which is more up to date. Harvey and I were discussing that we need to go back through some of our other documents such as the development agreement etc. to make sure that they say the correct thing. Elizabeth has asked to also add under Article 3.3.1 regarding swimming pools the following to 2: No swimming pool, spa or similar-type equipment shall be used by any person until an approved final inspection has been issued by the Building Official. There is also an addition to the Land Use Chart on Table 4 under Article 17-Mixed Use Planned Development District (MUPD) as follows

Table 4 – Land Use Chart: (Add the following to the end of Table 4)

RESIDENTIAL USES

| | R-C | R-1 | R-2 | MUPD | CD-O |
|---------------------------------|------------|------------|------------|-------------|-------------|
| SINGLE FAMILY ATTACHED** | | | | | |
| Duplexes | | | | R* | |
| Quadraplex | | | | R* | |
| Townhomes | | | | R* | |

* 1. A “By Right” use is only allowed as a part of an approved Master Development Plan.

** 2. Building elevations for all Single Family Attached units must be approved by the Piperton Design Review Commission as a part of the Master Development Plan review/approval process.

Mike Russell came to us regarding Piperton Preserve, talking to us about townhomes and duplexes. He actually has quadraplexes approved in his development but there is no mechanism in the zoning ordinance that would allow those to happen and so we did this to give a “by right” allowance to the quadraplex, the attached townhome or duplex only in a Mixed Use Development District (MUPD) and only as a part of approved Master Development Plan. This must be approved by this Body, it said yes to the quadraplexes already so this allows Mr. Russell to develop the senior living quadraplex if he should so desire to do it. Typically, the DRC is only allowed to review building elevations of commercial development with the caveat that it can do residential multi-family or anything that is attached according to State law. We want to make sure if duplexes, quadraplex or townhouses come in that this Planning Commission has a right to look at them and approve them. So those are the changes that staff is proposing and upon your approval, we will create an ordinance to go before the Board of Mayor and Commissioners (BMC). So this is a vote to recommend these changes to the BMC.

Action taken: Commissioner Archer moved to approve the changes to zoning ordinance and recommend it to the Board of Mayor and Commissioners, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Agenda item 11. Any other unfinished/new business, questions or matters from the audience

Letha Granberry inquired if any developments are coming in, could you require them to talk to homeowners that their development is backing up against so it isn’t so difficult to get in touch with them.

Mr. Morgan stated we try to make notification for those. We do encourage the builders to reach out to their neighbors to let them know what is going on so they are not in the dark. Unfortunately, sometimes they don't; but we do attempt on the City's level to make sure that that happens. We do have notification processes that we go through so that neighbors are notified when things are happening.

Chairman Henszey stated there is also a complaint process in the Building Department, we have some projects that require people be notified within a certain radius of where ever that project is.

Agenda item 12. Adjournment

Action taken: Vice-Mayor Binkley moved for adjournment, seconded by Mayor Coats. The Motion received all affirmative votes, and the meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____