

**MINUTES OF THE REGULAR SESSION OF THE
PIPERTON PLANNING COMMISSION
July 13, 2021, 6:00 P.M.**

The Piperton Planning Commission met on July 13, 2021 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Bob Archer, and Commissioner Mimi Ragon. City Planner Brett Morgan, Fire Chief Reed Bullock, Fire Lt. Adam Hursh and City Recorder Beverly Holloway were also present along with Vicki Hancock, Letha Granberry, Jason and Hannah South, Mike Russell, and David Crislip 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: 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 was a change to the Agenda with the request to postpone item 8 until the August meeting, Vice-Mayor Mike Binkley moved to adopt the agenda with that one change, seconded by Mayor Coats. The Motion received all affirmative votes.

Agenda item 4. Any changes to the Minutes of the June 8, 2021 Special Called Branding Committee and the Minutes of the Regular Session of June 8, 2021; Motion to approve the Minutes of the June 8, 2021 Special Called Branding Committee and the Minutes of the Regular Session of June 8, 2021

Action taken: There were no changes to the Minutes of the June 8, 2021 Special Called Branding Committee and the Minutes of the Regular Session of June 8, 2021, Commissioner Archer moved to approve the Minutes of the June 8, 2021 Special Called Branding Committee and the Minutes of the Regular Session of June 8, 2021 as presented, seconded by Commissioner Mimi Ragon. The Motion received all affirmative votes.

Agenda item 5. Sign Application - Request by Shane Strickland to approve a Complex Sign for multi-tenant commercial building.

City Planner Brett Morgan stated last month we had an agenda item that recommended a change to the zoning ordinance that would allow a Complex Sign of a multi-tenant commercial development to be counted separately from attached signs, and so this Body approved and last month recommended to the Board of Mayor and Commissioners that change and we will review the sign application understanding that it is conditioned upon the zoning ordinance in regards to signage going through the readings with the Board of Mayor and Commissioners and being approved, the applicant is basically applying for a sign for the 3725 Hwy 196 complex and he is asking to install the complex sign outside the right of way in the frontage section off the driveway, it is a monument sign and it will address all of the various businesses in the complex, the square footage of the sign area where there is textual components is 32 square feet that the ordinance will now allow, the sign is no more than six feet high and will be set back the appropriate distant from the Hwy 196 right of way line and so

the recommendation of staff is to approve this sign conditional upon the zoning ordinance in regards to signage being amended to allow an extra 32 square feet for complex signs of this nature, the request was made to reverse the lettering and background from black letters on a white background to white letters on a dark background and to provide sign illuminate levels and the sign is internally illuminated, and this would not hold it up or have to come back to this Body as the Planning Commissioners can review and comment on it internally but the sign itself can be approved but it can't be built or put in ground until the ordinance goes through.

Chairman Henszey stated we could approve everything other than the current background/lettering proposal or the requested reversal and then staff can approve that part.

Mr. Morgan stated he wants to have the Planning Commissioners input once it is received, and for our lighting we like more of a yellow light than a bright light and the plan submitted is not the correct plan as they have reduced the sign to 6 feet and the previous plan was sent out in error.

Commissioner Archer stated it would be much better if they could figure out how to make the dark background with the white lights to satisfy the table.

Vice-Mayor Binkley stated it would be better if we want to go black with white lettering and to have it illuminated by a flood light with Commissioner Ragon also agreeing.

Mr. Morgan stated flood lights may not be allowed on these signs in the ordinance.

Mayor Coats inquired if we need to table this due to the amount of questions concerning the lighting.

Mr. Morgan stated that is certainly an option so let's bring it back before this Body next month.

Action taken: Commissioner Archer moved to table the Shane Strickland Sign Application until the August meeting, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Agenda item 6. Proposed amendments to Article 5 – Provisions Governing Residential Districts of the Piperton Zoning Ordinance

Mr. Morgan stated there are two things we need to look at in Article 5, the first one could have been changed with a scribe's error but it was decided since the ordinance needs to go before this Body and the Board of Mayor and Commissioners for a change concerning the density of R-1 that we would address the error; in 2015 Ordinance 256-15 made changes to the R-1 Minimum Lot Area, changing from 10 acres to 1 acre and the Maximum Lot Area changing from Minimum lot area 1 acre to 10 acres, knowing that after you get to 10 acres it kicks into being a CD-O, PD-O or a mixed use planned development so this covers all the acreage between 1 to 10 and then in 2016, we brought the ordinance back adding a foot note in regards to where we measure the minimum lot width and had written as if it was at the right of way line and we wanted to insure that was at the setback line of the building but when that ordinance came before the Board I had somehow taken the first chart and put it in the ordinance that still read like column one and two read before it was changed in Ordinance 256-15 so while that wasn't dealt with under the Ordinance 267-16 and we felt like it could be just considered a scribe's error and we could modify it and update it but we decided to formally make that chart a part of an ordinance revision because we are really wanting to change the density for R-1 instead of it being .5 units to the acre which is 1 lot for every 2 acres we want to consider changing it to 0.67 units to the acre and this allows acreage that is as small as 3 acres to be subdivided into 2 lots, currently 3 acres could not be subdivided into 2 lots under R-1 because there is a minimum lot area of 1 acre and this allows subdivision from 3 acres on and it keeps 2 acre lots as they are which is a rural setting and 1 acre lots but it allows R-1 zoned districts if it is 3 acres or more to be subdivided into 2 lots and staff felt like this was appropriate, if its 3 acres currently it has to stay 3 acres, this came up due to the rezoning request this is the next item on the agenda for the 3 acre Dunn Schoolhouse, and so if it is the

will of the Planning Commissioners to recommend it to the Board of Mayor and Commissioners we will fix the error on the chart as well so on page 2 of the staff report that is the final way that the chart will now look in the zoning ordinance.

Action taken: Mayor Coats moves to approve the proposed changes to Article 5 in the Zoning Ordinance and recommends it to the Board of Mayor and Commissioners, seconded by Commissioner Archer. The Motion received all affirmative votes.

Agenda item 7. Rezoning Application – Request to rezone 3.04 acres, Parcel 183 008.00, also known as the Dunn Schoolhouse property, from the R-C Rural Conservation zoning district to the R-1 Low Density Residential zoning district

Mr. Morgan stated the request is to rezone 3.04 acres currently owned by Mike Russell to R-1 district which will allow the subdivision that was postponed at the beginning of the meeting, this rezoning would be conditional upon the Board of Mayor and Commissioners making the modifications to density allowed.

Mr. Russell stated the schoolhouse sits pretty far over to the east and Jason South has a contract to buy it, he desires to take the schoolhouse and turn it into a personal residence which will preserve the 99 year old building and he wants the ability to divide off the other lot which is certainly in keeping with the area, and this will match Piperton Preserve subdivision and Ray Shaul's lot.

Mr. Morgan stated this (item 8) should have been on the agenda tonight but because there were issues and questions that needed to be handled before we take it to a final vote.

Action taken: Mayor Coats moved to approve the rezoning application of Dunn Schoolhouse property and recommends it to the Board of Mayor and Commissioners, seconded by Commissioner Ragon. The Motion received all affirmative votes.

Agenda item 8. Subdivision Application – Request to subdivide 3.04 acres, parcel 183 008.00 to a 2-lot subdivision – Dunn Schoolhouse Subdivision

Action taken: This item postponed until next month's meeting.

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

Mr. Morgan stated this will be coming back next month to this Body; as you know Madeline Farms has gone through several amendments to the CD-O and they are wanting to do another amendment, the issue that we have been having regards the middle entrance drive, it is located almost at the crest of Raleigh LaGrange Road but the k-value on that vertical curve is more severe than what our subdivision ordinance allows and we at times have approached the County with how that can be lowered and the last thing we indicated to the developers was to get with the County and let's make this happen so Madeline Farms talked to the County and the County has said no, we like it the way it is and we are going to leave it as it is and they will give us a letter stating their final decision.

Chairman Henszey inquired what about the possible change in that whole development having the second entrance more east.

Mr. Morgan stated they are going to add more land to it and they are going to dedicate some of this land to the Wolf River Conservatory and that will all swap out and the densities are going to be the same and they plan on submitting this back to me this week so they can get on the August agenda; their engineers and Harvey are not worried about traffic coming out being able to see both ways as it is easy to see both ways from the entrance, the concern for us is cars stopping to pull in on a two lane road and not being able to see over the crest so one thing I discussed with Carson with McCarty Granberry is to move this entrance to the very top of the hill which will give a better line of sight for everybody but we also talked if that doesn't work then bypass this altogether and then in the next phase having another main entrance which I

don't think they want to do and there will be some options or at least some discussions but just wanted to make this body aware of it.

Chairman Henszey inquired if we still have the approval of the owners from the other side of the road, when this went through 8 or 10 years ago or whenever it was those property owners all agreed to having that road cut, do we have to redo that if the road would be lowered?

Mr. Morgan stated he didn't know if John McCarty and his group for Mr. Fitzgerald were going to do all of that, all I have heard is that they have met with the County in regards to the road and the County has said absolutely not.

Chairman Henszey stated we also talked about putting two lanes on Fitzgerald's property and not dealing with the other.

Mr. Morgan stated it could be there is a way that we could do some kind of a decal lane on the Madeline Farms property that allowed more of a middle lane but my understanding from Carson and also in my discussion with Harvey (who talked with them in more depth) today is that the answer is no and the County will write a letter to that effect but that is their position.

Chairman Henszey stated we need to get it right because that development is growing like mad, there is such a demand for property up there.

Mr. Morgan stated it is my understanding that the people up there love it so that is coming next month, so we will also have the 2-lot subdivision and we will look at the Strickland sign and aside from that roadway issue the other big issue is dedicating land to the Wolf River Conservancy and how that impacts the overall CD-O, I don't believe there is any negative impact I think it is counted as the open space but it is not common open space that is going to be maintained by the Homeowners Association but we have to make sure all of our mapping and the CD-O documents reflect accurately how that is handled and then with that there will be a CD-O amendment and then the next phase of the subdivision will come as well.

Vice-Mayor Binkley inquired on the lot count but we do require a second entrance.

Mr. Morgan stated we can't have any other lots before we have another entrance and the other issue that we have tried to be keen on is the construction roads but I don't know that real option with this concerning future phase construction.

Mayor Coats inquired if they put down the final surface.

Mr. Morgan stated no, sir.

Agenda item 10. 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 6:43 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: _____ date: _____