

A regular meeting of the **Planning Commission** was held on Thursday, November 2, 2017, at 6:00 p.m. in the Board Chambers of Town Hall, at 500 Poplar View Parkway.

Staff members present were: Town Attorney, Mr. Nathan Bicks; Development Director, Mr. Jay Cravens; Town Planner, Mr. Jaime Groce; Deputy Town Engineer, Mr. Jason Walters; and Administrative Specialist, Samantha Eldridge.

Pledge of Allegiance

Chairman Cotton led the Pledge of Allegiance.

Roll Call to establish a Quorum

Cotton – present, Worley – present, Tebbe – present, Netherton – present, Rice – present, Jordan – present, Kilmurray – present, Rozanski – present, Bradford – present.

Quorum Present.

Approval of Minutes

Chairman Cotton asked if there were any additions or deletions to the minutes from the October 5, 2017, Meeting.

Hearing none, he called for a motion to approve as presented.

Motion by Commissioner Tebbe, and seconded, to approve the minutes as presented from the October 5, 2017, meeting.

Hearing no further discussion, Chairman Cotton asked Ms. Eldridge to call the roll.

Roll call:

Tebbe – yes, Rice – yes, Bradford – abstain, Jordan – yes, Netherton - yes, Kilmurray – abstain, Rozanski – abstain, Worley – abstain, Cotton – yes.

Motion Approved.

Approval of Agenda

Chairman Cotton asked if there were any changes to the agenda as presented.

Mr. Groce stated that staff would like to defer items 7.a. PC17-53 – Resolution 2017-52 – Request to amend Porter Farms PD and 7.b. PC17-62 – Mark’s Park – Request approval of a Conditional Use Permit at the applicant’s request to the December 7, 2017 PC meeting.

Chairman Cotton called for a motion to approve the agenda as amended.

Motion by Commissioner Jordan, and seconded, to approve the agenda as amended by deferring items 7a. and 7b., at the request of the applicant, to the December 7, 2017 Planning Commission meeting..

Hearing no further discussion, Chairman Cotton asked Ms. Eldridge to call the roll.

Roll call:

Kilmurray – yes, Bradford –yes, Netherton – yes, Jordan – yes, Rice – yes, Tebbe – yes, Worley – yes, Cotton – yes.

Motion Approved.

Formal Agenda:

PC17-46 – 184 Mills Street – Ordinance 2017-16 - Rezone 1.36 acres on the east side of Mills Street south of Rowlett Street from R-2: Medium Density Residential to TN: Traditional Neighborhood.

Alderman Worley recused himself from the meeting at this time.

Mr. Jaime Groce gave the staff presentation. He explained that the property owners would like to rezone 1.36 acres on the east side of Mills Street South of Rowlett Street from R-2: Medium Density Residential to TN: Traditional Neighborhood. This request has already been heard before the BMA for a first reading and passed it, but the public hearing has not happened yet as they wanted to hear the PC's recommendation before they vote on it.

He showed some photographs of the property as it exists today. He explained that the applicant intends to subdivide the property and will create one lot that is .28 acres and a second larger lot of 1.08 acres that could be further subdivided in the future. The applicant is pursuing the rezoning and subdivision to allow for the construction of a single family house for personal use on Lot 2 and the sale of the smaller Lot 1. To ensure the protection of a large magnolia tree, the applicant has decided to ask the HDC to push the front façade zone back from the shown 30' - 40' to 40' - 50'. There is no timeline for the future subdivision of Lot 2 and they will ask for a sidewalk waiver and rural cross section as a part of the subdivision application. Both lots will be accessed from Mills Street and have access to water and sewer service.

The property is surrounded to the north, south and west by R-2 and to the east by MPO. Rezoning the property to TN for a 2-acre lot single family subdivision will minimally increase traffic along Mills Street. This rezoning is consistent with the Collierville 2040 Land Use Plan and the Downtown Small Area Plan.

Some of the next steps would be the Second Reading and Public Hearing of the BMA request, and at that time they will discuss the sidewalk waiver, and the Historic District is going to review the proposed structures. They might; however get a building permit before they ever record the plat.

Chairman Cotton asked if there were any questions of staff.

Hearing none, Chairman Cotton asked if there were any questions for the applicant.

Mr. Mark Moody, property owner, addressed the commissioners.

EXHIBITS	
1.	Applicant's Cover Letter & Traffic Study (8/17/17)
2.	Vicinity & Surrounding Zoning Map (8/7/17)
3.	Proposed Final Plat (9/20/17)
4.	Collierville 2040: Land Use Plan Excerpt
5.	2010 Downtown Collierville Small Area Plan Excerpt
6.	Grounds for an Amendment to the Zoning Map
7.	Ordinance 2017-05, with legal description and location map (10/6/17)
8.	Minutes from 10/10/17 HDC Meeting

Commissioner Tebbe asked how many houses were proposed on the lots.

Mr. Moody stated that there will be 2 homes total, 1 on each lot.

Hearing no further discussion, Chairman Cotton called for a motion.

Motion by Vice-Chairman Rozanski, and seconded, to recommend approval of Ordinance 2017-16 (Exhibit 6) at 184 Mills Street.

Hearing no further questions or comments, Chairman Cotton asked Ms. Eldridge to call the roll.

Roll call:

Jordan – yes, Kilmurray – yes, Rozanski – yes, Bradford – yes, Rice – yes, Netherton – yes, Tebbe – yes, Worley – recused, Cotton – yes.

Motion Approved

Alderman Worley returned to the meeting at this time.

PC17-60 – Ordinance 2017-20 – Lawrence P. Erickson Property (259 Washington Street) Rezoning – Request the rezoning of 2.55 acres from GI General Industrial to TN Traditional Neighborhood.

Mr. Jaime Groce gave the staff presentation. He explained that the applicant wants to rezone a portion of a larger tract. At one time the property owner was Pete Erickson, but is now owned by Mr. Mike Russell and will now be called Washington Grove. It is on the south side of Washington Street and will be a 12-lot infill subdivision. He showed the Conceptual lot layout and explained that this is a non-binding plan, but they did want to convey to the PC what was intended by rezoning this property.

It will be a 12 lot subdivision, and the traffic generated by the subdivision will be minimal with about 114 average trips per day. They do have a reserve area as you get closer to the railroad tracks and the topography changes. It is presumed that it is due to the railroad's use of the property as a "borrow pit". The proposed open space area will be reviewed by the Design Review Commission.

Mr. Groce noted that this particular neighborhood is a continuation of a trend that the town is seeing right now. All of the red areas on the map presented by Mr. Groce show the development of houses around the Square since 2009. The zoning map shows this area zoned GI: General Industrial and in 2011 a part of the property was rezoned to TN. At the time the property owner was looking to relocate his gymnastic facility there, but at this time it has since been sold and now the new owner would like to use the property in its entirety as TN zoning.

EXHIBITS

1. Applicant's Cover Letter with Grounds for Amendment (10/1/17)
2. Ordinance 2017-20 with Attachment A (11/2/17)
3. Downtown Zoning Patterns (11/2/17)
4. Excerpts from Downtown Collierville Small Area Plan (7/26/10)
5. Downtown Collierville Small Area Plan Character Areas and Special Areas Map (7/26/10)
6. Staff Analysis of Grounds for Amendment (11/2/17)
7. Applicant's Exhibits (10/1/17)
 - a. Plot Plan
 - b. Legal Description
 - c. Level 1 Traffic Impact Analysis
 - d. Conceptual Lot Layout
 - e. Existing Zoning
 - f. Future Land Use
8. Washington Street South Subdivision, Sheet 1

Even though the houses are not in the Historic District, they will be designed to have a historic feel to them. They do want to have a sidewalk along Washington Street, but it will be determined at a later date where the sidewalks will go. There are a lot of trees on the property that will be saved, but the ones closer to the road will likely be removed in order to develop the houses.

The Second Reading and Public Hearing will be heard at the BMA meeting on November 27, 2017. The DRC will look at the design elements and then eventually a subdivision plat would be submitted to the PC.

Chairman Cotton asked if there were any questions of staff.

Commissioner Kilmurray stated that she was looking at the conceptual lot layout, and it seems as though it is rather awkward to have housing facing the backs of other houses.

Mr. Groce stated that it is rather unusual, but The Twinning's Subdivision across the street does have houses that are configured this way. The developer will "dress up" the backs of the homes to make them more aesthetically pleasing.

Commissioner Netherton asked about the traffic on the road network after all of the new development and he asked about the long-term improvements to Poplar Avenue.

Mr. Groce stated that a recent traffic study had been done for a recent infill project and it says that the intersection of Poplar Avenue and Mt. Pleasant Road is not functioning well. The Major Road Plan also says that from the Eastley Street area to the area where the Collierville Methodist Church is located, the Town has no plans to widen Poplar Avenue. We do plan to widen Poplar Avenue from Eastley Street all the way back to SR385 and the Town is working with TDOT on those plans.

Commissioner Netherton spoke to concerns about the traffic in that area and the new developments continually adding to that issue.

A discussion ensued regarding the flow of traffic in that area and the different options drivers will have depending on their direction.

Hearing no further discussion, Chairman Cotton called the applicant to the podium.

Mr. John McCarty, of McCarty Granbury Engineering, and Mr. Mike Russell, property owner and developer of the property, addressed the commissioners.

Vice-Chairman Rozanski asked about the reason for rezoning of the "reserve area". What is the reserve area?

Mr. Russell explained that the purpose for that area is that the houses will be just inside that and so they need the rezoning. It equates to about 1 and ½ acres that they want to leave it in a natural condition. They will clean up the area, but leave it as natural as they can and have a buffer from the railroad track. They feel that the conceptual plan will add more rooftops to the area and will allow for people to choose whether they want a large back yard or a large front yard.

Commissioner Tebbe asked what the average square footage of the homes will be.

Mr. Russell stated the minimum should be around 2,800 to 3,000 square feet.

Alderman Worley asked about the reserve area and whether or not anything will be built there.

Mr. Russell explained that nothing will be built there.

There was a brief discussion regarding another natural area in Town that is being disturbed at this time, and stressed how the developer needs to make sure that the plat notes that the “reserve area” will be protected and not disturbed.

Hearing no further discussion, Chairman Cotton called for a motion.

Motion by Alderman Worley, and seconded, to recommend approval of Ordinance 2017-20.

Commissioner Rice stated his concerns about rezoning all of the General Industrial areas around the Town over time. The PC needs to be mindful in the future.

Hearing no further questions or comments, Chairman Cotton asked Ms. Eldridge to call the roll.

Roll call:

Jordan – yes, Kilmurray – yes, Rozanski – yes, Bradford – yes, Rice – yes, Netherton – yes, Tebbe – yes, Worley – yes, Cotton – yes.

Motion Approved

PC17-57 – Resolution 2017-55 – Price Farms Planned Development – Request an Amendment to the Planned Development to create Area 2a by reducing Area 2; establishing the Shopping Center Commercial (SCC) and Medical Professional Office (MPO) uses by right for Area 2a; allowing specific uses by right rather than by conditional use permit (CUP) in Areas 2a and 9; increase the maximum building height for senior living in Areas 2a and 9 to 45 feet, and; allow a senior living development in Areas 2a and 9.

Mr. Jaime Groce gave the staff presentation. He explained that the request is to amend the Price Farm PD and there have been multiple amendments to the plan over the years and the Outline Plan dates back to 1996. The applicant has held two neighborhood meetings and the applicant is Mike Hammond with Dalhoff Thomas Design Studios and Jim Wilson and Associates own areas 2a and 9 only.

The applicant is requesting to extract what they are calling 2a from area 2, and 2a contains the Carriage Crossing MarketPlace power center. The proposed amendment would maintain the SCC Shopping Center Commercial and MPO Medical Professional Office uses in Area 2a and Area 9 as allowed by the Outline Plan, but will allow some uses “by right” rather than by Conditional Use Permit (CUP). More specific standards would be included for senior living developments in Areas 2a and 9, clarify use and age restrictions, building height of 45 feet and parking ratio

EXHIBITS

1. Applicant’s cover letter (9/29/17)
2. Resolution 2017-41 with Attachments (11/3/17)
 - A. Price Farm Outline Plan Map with Proposed Changes
 - B. Price Farm Outline Plan Text with Proposed Changes
 - C. Conditions of Approval
3. Zoning Ordinance Exceptions & Additions (9/29/17)
4. Requests & Justification (9/29/17)
5. ITE Description & Parking Ratios for Congregate Care Facility (9/29/17)
6. Neighborhood Meeting Minutes & Attendance (9/26/17)

set. They want to be able to better market that shopping center to prospective tenants and they want to have “by right” zoning to court certain tenants to that area.

He showed a map where the two parcels are located and explained what would be changing in Areas 2a and 9. Uses that would be allowed “by right” without a CUP in Area 9 would be, hotel, auto parts, new auto rentals, convenience stores with gasoline sales, pharmacy with a drive-through, tire sales and servicing, drive-in restaurants, animal hospitals and clinics, electronic amusement devices, arcades, indoor trampoline parks, equipment leasing and rentals, auto repair and garages. MPO would allow uses “by right”, such as, veterinaries and clinics, animal boarding facilities with outdoor runs, and research and development services. In Area 2a, “by right” uses would be auto parts new, auto rental, convenience stores with gasoline sales, pharmacy with a drive-through, tire sales and servicing, drive-in restaurants, animal hospitals and clinics, electronic amusement devices, arcades, indoor trampoline parks, equipment leasing and rentals, auto repair and garages, veterinaries and clinics, animal boarding facilities with outdoor runs, and research and development services.

If the PC recommends this to the BMA, you are forgoing the ability to see a CUP when they go to develop the area at a later date. You are saying that these uses are not creating an adverse off-site impact and there is adequate infrastructure to support these uses. Shelby Drive and Houston Levee Road are abutting this property and already have been improved in this area.

Chairman Cotton asked if there were any questions of staff.

Hearing no further discussion, Chairman Cotton called the applicant to the podium.

Mr. Mike Hammond, representative for the applicant, addressed the commissioners. He explained that Mr. Groce’s presentation was pretty thorough and they would be happy to answer any questions.

Vice-Chairman Rozanski asked if they were doing anything special for buffers in Area 9. If there is going to be an auto repair business, animal clinics, etc., in that area, there will need to be a big buffer requirement.

Mr. Hammond explained that in Area 3 there is already a strip of land that works well as a built in buffer, but Area 9 would also require an additional buffer.

Commissioner Netherton asked if they intend to bring in a senior living center.

Mr. Hammond stated that it is a possibility.

Hearing no further discussion, Chairman Cotton called for a motion.

Motion by Vice-Chairman Rozanski, and seconded, to approve Resolution 2017-55 – Price Farms Planned Development – Request an Amendment to the Planned Development to create Area 2a by reducing Area 2; establishing the Shopping Center Commercial (SCC) and Medical Professional Office (MPO) uses by right for Area 2a; allowing specific uses by right rather than by conditional use permit (CUP) in Areas 2a and 9; increase the maximum building height for senior living in Areas 2a and 9 to 45 feet, and; allow a senior living development in Areas 2a and 9.

Chairman Cotton asked if there was any discussion.

Alderman Worley spoke to his concerns regarding having an “open door” on CUPs in this Area of the Town. There is significant amount of residential homes in the surrounding area and he does not feel that it would be proper to allow these kinds of uses approved “by right”.

A discussion ensued regarding the requests of the applicant and the PC’s concerns of the blanket CUP approval. Alderman Worley stated that the Town wants to see this shopping center succeed, why they want the additional flexibility, but they feel that office space or churches would be a good fit for this area, rather than more service types of businesses.

Mr. Hammond explained that Area 3 allows for town homes and multifamily already. If it does ever develop it would likely be as offices. As for Area 9, they are open to losing some of the uses. They are asking for it to be allowable “by right” in Area 9. Some of the things mentioned like the gas station, Mr. Hammond said they would be willing to restrict that to the corner in Area 2a. He added that the current entitlements of the MarketPlace were approved in 2006 and while these conditional uses would be by right, they would still be subject to the conditions of approval on the property currently.

Alderman Worley stated that the existing town houses concerned him, but it may take a work session with the PC to come to an agreement on which uses would not need a CUP and he doesn’t feel that the PC is ready to give them a “blanket” right to develop the areas presented with the amendment they are requesting.

The applicant stated that the down side to a CUP for them is that the process can sometimes take up to six months and that can be detrimental to obtaining a tenant. Hopefully in these coming years there will be more housing development around this shopping center, but right now they are just trying to keep the area alive and useful.

The commissioners agreed that a work session would be beneficial for the applicant.

Mr. Hammond requested a deferral at this time and asked for a work session to discuss their request.

Motion by Vice-Chairman Rozanski, and seconded, to make a new motion to approve the applicant’s request for a deferral.

Hearing no further questions or comments, Chairman Cotton asked Ms. Eldridge to call the roll.

Roll call:

Jordan – yes, Kilmurray – yes, Rozanski – yes, Bradford – yes, Rice – yes, Netherton – yes, Tebbe – yes, Worley – yes, Cotton – yes.

Motion Approved

PC17-54 - Resolution 2017-D (Public Hearing) - Request to Amend Article II, Section 2 of the Subdivision Regulations relative to submittal requirements for Sketch Plats; Article II, Section 5 related to Development Agreements; Article III, Section 7 related to the maximum cul-de-sac length; and, Article IV, Section 1 related to the submittal requirements for Sketch Plats.

Mr. Jaime Groce gave the staff presentation. He explained that this item was deferred at the last PC meeting so that the BMA could act on a specific change that staff was making on development agreements. This request ties back to a work session

- | EXHIBITS | |
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| 1. | Resolution 2017-D, with Attachments A, B, and C, and D (9/26/17) |
| 2. | Sketch Plat Background, 7/6/17 |
| 3. | “Short-form” Development Agreements Since 2012 |
| 4. | Cul-de-sac Length Study by Fire Marshal |

that the PC had back in August 2017 regarding the Subdivision Regulations. One change is that they will no longer require a survey at the stage of the sketch plat. When staff sees the Sketch Plats, we want to keep that cost minimal. Similar to Ordinance 2017-18 for site plans, amendments would delegate to the Mayor the ability to sign all development agreements for subdivision without placement of agreement on the BMA's agenda for a vote. There will be monetary thresholds instead of qualitative "triggers". There are no rights created by the change to be able to use this process and like a "consent agenda" any BMA member or staff could refer an agreement to the full BMA for action. The change will simply reference the process in the Zoning Ordinance as the BMA decides on delegation powers to the Mayor. This is meant to save staff time all the way around. A few of the qualitative "triggers" are that traffic impacts warrant a full traffic impact study, parkland is to be dedicated to the Town, or the development is proposed within the floodplain, to name a few.

Another change would be the maximum cul-de-sac length would be increased from 600 feet to 1,000 feet, however, for lots fronting on the portion of a cul-de-sac that exceeds 600 feet, any dwelling shall be constructed with a fire suppression system approved by the Fire Marshal. We have some situations in the town where you may want a longer cul-de-sac.

He explained that other changes discussed at the August 2017 work session are in development, but do not directly impact the Subdivision Regulations (amending the R-1 front yard setbacks, allowing "by right" cluster subdivision, establishing a policy for how Major Road Plan Amendments are processed, etc.)

He explained the next steps for the Resolution and explained that this is a public hearing and it was advertised as such.

Chairman Cotton asked if there were any questions of staff.

Hearing no further discussion, Chairman Cotton called for a motion.

Motion by Commissioner Rice, and seconded, to approve of Resolution 2017-D).

Vice-Chairman Rozanski asked about the alternate right-of-way decisions, and whether or not it was appropriate for a decision if it was approved "by right".

Mr. Groce explained that this Resolution will not change the process for alternative right-of-ways at all and developers would still have to make a cases for them.

A discussion ensued regarding the likely frequency of long cul-de-sac requests and the relatively low costs to developers to install sprinklers systems when they are going to be required.

Hearing no further questions or comments, Chairman Cotton asked Ms. Eldridge to call the roll.

Roll call:

Jordan – yes, Kilmurry – yes, Rozanski – yes, Bradford – yes, Rice – yes, Netherton – yes, Tebbe – yes, Worley – yes, Cotton – yes.

Motion Approved

Other Business:

Chairman Cotton asked if there was any other business.

Mr. Groce explained that the boards and commissions “Thank you” reception is going to be held on November 21st at the Morton Museum at 6 pm. If you like being a commissioner, staff would encourage you to reapply if you haven’t done so already.

Staff is currently working on the meeting dates for the boards and commissions for 2018. Staff noticed that the 4th of July is in the middle of the week, so your meeting that month would be on the 5th. We have talked about moving the PC meeting to the following Tuesday, that way it works with most people’s vacation schedules.

Chairman Cotton said it was good.

Commissioner Rozanski asked about whether the PC meetings have to begin at 6 pm or can be changed to 5 pm.

Mr. Groce stated that staff could develop a change to the bylaws if it is the consensus of the commissioners.

Commissioner Worley stated that he would be ok with 5 pm but it would be hard for the citizens to be at 5 pm meetings.

There have been some new development applications received by staff and the October Development Activity report will be coming out soon.

Hearing no further business, Chairman Cotton adjourned the meeting at 7:08 p.m.

Secretary, Commissioner David Bradford