

A regular scheduled meeting of the **Planning Commission** was held on Thursday, December 2, 2021, at 6:00 p.m., in the Board Chambers of Town Hall.

Staff members present were: Town Planner, Mr. Jaime Groce; Deputy Town Engineer, Tim Gwaltney; Planner, Scott Henninger; Planner, Donquetta Singleton; Chief of Fire Prevention, Paul Witt; Town Attorney, David Goodman; Administrative Specialist, Sr., Mrs. Amy King; and Administrative Specialist, Sr., Mrs. Gina Salvatore.

Pledge of Allegiance

Chairman Cotton led the Pledge of Allegiance.

Roll Call to establish a Quorum

Cotton – Present, Rozanski – Present, Kilmurray – Present, Goddard – Present, Johnson – Present, Given – Absent, Gilbert – Absent, Jordan – Present, Worley – Absent.

Quorum Present.

Approval of Minutes

Chairman Cotton asked if there were any changes or corrections to the minutes from the November 4, 2021, meeting.

Hearing none, Chairman Cotton called for a motion to approve the minutes from the November 4, 2021, meeting.

Motion by Commissioner Rozanski, and seconded, to approve the minutes from the November 4, 2021, meeting.

Hearing no discussion, Chairman Cotton asked Mrs. Salvatore to call the roll.

Roll call:

Rozanski – Yes, Kilmurray – Yes, Goddard – Yes, Johnson – Yes, Jordan – Yes, Cotton – Yes.

Motion Approved.

Approval of Agenda

Chairman Cotton asked if there were any additions or deletions to the Agenda.

Mr. Groce stated there are no changes to the agenda.

Chairman Cotton called for a motion to approve the Agenda as stated.

Motion by Commissioner Jordan, and seconded, to approve the amended agenda.

Chairman Cotton asked Mrs. Salvatore to call the roll.

Roll call:

Kilmurray – Yes, Goddard – Yes, Johnson – Yes, Jordan – Yes, Rozanski – Yes, Cotton – Yes.

Motion Approved.

Approval of Consent Agenda

Chairman Cotton called for a motion to approve the Consent Agenda.

Motion by Commissioner Rozanski, and seconded, to approve the Consent Agenda.

Chairman Cotton asked Mrs. Salvatore to call the roll.

Roll call:

Goddard – Yes, Johnson – Yes, Jordan – Yes, Rozanski – Yes, Kilmurray – Yes, Cotton – Yes.

Motion Approved.

CONSENT AGENDA

6. a. Case # 216789 – 191 Mills Street – Request approval of a Final Plat for a 2-lot subdivision of a 0.96 acre tract located on the west side of Mills Street.

MOTION:

Approve the Final Plat for a two-lot minor subdivision of a 0.96 acre tract located 191 Mills Street, subject to the conditions in Exhibit 1.

CONDITIONS OF APPROVAL

1. This development is subject to all applicable standard conditions of approval as adopted by the Board of Mayor and Aldermen, Resolution 2006-54.
2. Update the front setback range on the plat layout and data table as a “front façade zone” instead of a setback, and include the following footnote below the plat data table: *“The front building face or wall should be placed within the front facade zone. The dimensional requirement closest to the street is the minimum front building setback.”*
3. Garages shall meet the requirements of the Single-Family Design Standards §151.210 (C, 12) if the property is rezoned to TN. Note this on the plat.
4. The following comments from the Engineering Division shall be addressed:
 - a. The Town’s Engineering Review is not a comprehensive technical design review. It is the Engineer and/or Surveyor of Record’s responsibility to verify all existing and proposed data and property boundaries. Our review is to determine general conformity to Town standards and requirements. It is the Design Professional’s responsibility to ensure the plans meet the Town’s Specifications. The Town is not responsible for any errors or omissions made by Design Professionals or their employees.
 - b. Any additions to previously reviewed plans need to be annotated and specified as part of answers to comments. Only changes that are brought to our attention will be reviewed upon resubmission. Any

EXHIBITS
<p>The staff report and the following:</p> <ol style="list-style-type: none"> 1. Conditions of Approval (11/26/21) 2. Applicant’s Cover Letter (dated 8/25/17) 3. Trip Generation Letter (8/31/21) 4. Photographs of the Property 5. Aerial Photograph of the Property 6. Plat Recording Checklist 7. Final Subdivision Plat (11/2/21)

plan item that was not specifically commented on will be assumed to have remained unchanged from the previously submitted plans.

- c. Please provide a CAD file.
- d. Please provide a DAIS for preparation of the Development Agreement.

FORMAL AGENDA

7. a. Case #218966 – Ordinance 2021-22 - Request rezoning approval of a 0.60-acre tract from MPO: Medical-Professional-Office to SCC: Shopping Center Commercial located on part of Lot 2 of the Car Wash USA Express Subdivision.

Mr. Scott Henninger reviewed the Staff report which is included in the record as an exhibit.

Chairman Cotton asked if there were any questions for Staff.

A discussion ensued about the appropriate future zoning for the area and of the different types—Shopping Center Commercial, Neighborhood Commercial or General Commercial. These districts each come with different rules about permitted uses, minimum lot sizes, and setbacks.

Chairman Cotton asked the applicant to come forward.

Mr. John McCarty, 198 Progress Road, came forward and addressed the Commissioners.

The applicant discussed the importance of the project having a drive-thru for the intended user of the property and the possibility of future rezoning if the Board believes the project to be suitable for the location. Shopping Center Commercial allows for drive-through uses but Neighborhood Commercial does not.

Chairman Cotton asked if there were any questions for the applicant.

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

Motion by Commissioner Rozanski, and seconded, to defer Ordinance 2021-22.

Chairman Cotton asked if there was any discussion.

A discussion ensued. It was discussed that a traffic study would be needed before making a final determination on the viability of the site for a drive-through use and expansion of General Commercial would not be appropriate for the area due to the types of uses allowed.

Hearing no further discussion, Chairman Cotton asked Mrs. Salvatore to call the roll.

Roll call:

Johnson – Yes, Jordan – Yes, Rozanski – Yes, Kilmurray – Yes, Goddard – Yes, Cotton – Yes.

EXHIBITS
The staff report and the following:
1. Applicant's Cover Letter including Grounds for an Amendment to the Zoning Map (11/9/21)
2. Applicant's Traffic Analysis (11/8/21)
3. Staff Analysis of Amendment to the Zoning Map
4. Ordinance 2021-22 with Attachments (11/24/21)
5. Current Zoning Map
6. Future Land Use Map
7. Downtown Small Area Plan Excerpt (2010)
8. Aerial Photograph of the Vicinity
9. Engineering Division Traffic Memo (11/18/21)
10. Non-binding draft Preliminary Plat (11/9/21)
11. Vehicular Stacking Exhibits (11/16/21)

Motion Deferred.

7. b. Case #218263 – 1088 W. Poplar Avenue Subdivision, Lot 2 (Chipotle & Sandwich Shop) – Request approval of a Preliminary Site Plan for a 3,725 square foot proposed building on 1.06 acres located on West Poplar Avenue.

Ms. Donquetta Singleton reviewed the Staff report, which is included in the record as an exhibit.

Chairman Cotton asked if there were any questions for Staff.

Ms. Singleton confirmed the applicant has agreed to all conditions.

Chairman asked the applicant to come forward.

Mr. John McCarty, McCarty Granberry Engineering, 198 Progress Road, came forward.

EXHIBITS
The staff report and the following:
1. PC Conditions of Approval (11/24/21)
2. DRC Conditions of Approval (11/24/21)
3. Applicant’s Cover Letter (9/15/21)
4. Storm Water Drainage Summary (9/15/21)
5. Traffic Impact Study Executive Summary (9/14/21)
6. Preliminary Site Plan Package (11/3/21)
7. 1088 W. Poplar Avenue Subdivision Final Plat (9/27/21)

Mr. McCarty discussed the Site’s drive-thru design and that it will prevent any queuing onto Poplar Ave.

Chairman Cotton asked if there were any questions for the applicant.

A discussion ensued regarding egress with adjoining sites. Lot 2 will provide a connection and easements to the property to the west so that the sites can be connected in the future.

Hearing no more discussion, Chairman Cotton asked for a motion.

Motion by Commissioner Kilmurray, and seconded, to recommend that the BMA approve the request for a Preliminary Site Plan for Chipotle (1088 W. Poplar Avenue, Lot 2) subject to the conditions in Exhibit 1. .

CONDITIONS OF APPROVAL

1. This development is subject to all applicable standard conditions of approval as adopted by the Board of Mayor and Aldermen, Resolution 2006-54.
2. No signage will be approved with the site plan. Submit sign permits for review for any proposed signage before it is installed.
3. The Town’s Engineering Review is not a comprehensive technical design review. It is the Engineer and/or Surveyor of Record’s responsibility to verify all existing and proposed data and property boundaries. Our review is to determine general conformity to Town standards and requirements. It is the Design Professional’s responsibility to ensure the plans meet the Town’s Specifications. The Town is not responsible for any errors or omissions made by Design Professionals or their employees.
4. Retime the Poplar Avenue and Market Boulevard light with the Final Site Plan and Development Agreement.
5. Grant an access easement to Firestone for the cross access along the west property line.
6. Install bollards and place a double-sided sign stating that the stub will be “Private drive to be extended by authority of the Town of Collierville” at the end of the cross-access easement connecting to Firestone.
7. Install a sign at the southeast corner of the lot in the parking lot island that prohibits left turns onto the private drive.

8. Show the outdoor seating area on the site layout and landscape plan.
9. Include the outdoor seating area into the minimum required parking calculations.
10. Water & Combination Utility Plan: Change saddles to 1-inch and note to use 1-inch K-Copper (half sizes are not allowed). 1-inch K-Copper or 2-inch SCH 80 PVC from water main to meter.
11. Water & Combination Utility Plan: Remove 1.5-inch iron body gate valves. Only required on water service lines 2-inch and larger.

Chairman Cotton asked if there was any discussion.

Hearing none, Chairman Cotton asked Mrs. Salvatore to call the roll.

Roll call:

Jordan – Yes, Rozanski – Yes, Kilmurray – Yes, Goddard – Yes, Johnson – Yes, Cotton – Yes.

Motion Approved.

7. c. Case #217636 – Winston Gipson Property - Request approval of a Preliminary Site Plan for 473 U.S. Highway 72 located on the northwest corner of Harris Street and U.S. Highway 72.

Ms. Donquetta Singleton reviewed the Staff report, which is included in the record as an exhibit.

Chairman Cotton asked if there were any questions for Staff.

Ms. Singleton stated applicant agrees to all conditions.

Hearing no further discussion, Chairman asked the applicant to come forward.

EXHIBITS

The staff report and the following:

1. PC Conditions of Approval (11/24/21)
2. DRC Conditions of Approval (11/24/21)
3. Applicant’s Cover Letter & DRC Waiver Request (7/30/21 & 10/18/21)
4. Traffic Impact Analysis (3/29/21)
5. Existing Conditions & Conceptual Color Site Layout
6. Preliminary Site Plan Package (10/15/21)

Mr. Mark Underwood, Property Solutions, 784 Deans Creek Drive, came forward. He discussed the reasons for a reduced front yard buffer along Hwy 72 and the applicant’s desire for parking spaces to be close to the house. Mr. Groce noted that the buffer rules are addressed by the DRC, not the PC.

Chairman Cotton asked if there were any questions for the applicant.

Chairman Cotton wants the PC’s support of the buffer width reduction noted in the record for the BMA

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

Motion by Commissioner Rozanski, and seconded, to recommend that the BMA approve the request for a Preliminary Site Plan for 473 Highway 72 subject to the conditions in Exhibit 1.

CONDITIONS OF APPROVAL

1. This development is subject to all applicable standard conditions of approval as adopted by the Board of Mayor and Aldermen, Resolution 2006-54.
2. A Minor Final Plat shall be recorded to combine both lots.
3. Correct Note #4 on the “Topography” sheet from “Fayette County” to “Shelby County”.

4. Correct and add the sheet numbers for each page in the site plan.
5. Correct the title block for the photometric sheets to “Site Lighting Plan” and “Site Lighting Cut Sheets”.

Chairman Cotton asked if there was any discussion.

Hearing none, Chairman Cotton asked Mrs. Salvatore to call the roll.

Roll call:

Jordan – Yes, Rozanski – Yes, Kilmurray – Yes, Goddard – Yes, Johnson – Yes, Cotton – Yes.

Motion Approved.

Other Business:

Chairman Cotton asked if there was any Other Business.

Mr. Groce discussed future projects. First, Ashby PD could potentially submit in the next few months a site plan for multi-family units with additional single family homes. Second, a revised The Park PD will be on an upcoming PC agenda. Additionally, Guthrie’s Final Site Plan, Mid-South Gifted Academy Preliminary Site Plan, People First Urgent Care Preliminary Site Plan are upcoming projects. Lenox PD and The Towne at Byhalia Commons will be making Development Agreement Revisions.

Mr. Groce also asked the Board to complete the State required training for 2021 by 12/31/21. Next year’s board appointments will be released mid-month. Finally, remember to complete the State’s Disclosure of Interest forms to be updated annually.

Hearing no further business, Chairman Cotton adjourned the meeting at 7:04pm.

Secretary, Commissioner Jeremy Given