

A regular scheduled meeting of the **Planning Commission** was held on Thursday, March 3, 2022, at 5:00 p.m., in the Board Chambers of Town Hall.

Staff members present were: Development Director, Mr. Jay Cravens; Town Planner, Mr. Jaime Groce; Town Attorney, Mr. David Goodman; Chief of Fire Prevention, Mr. Todd Johnson; Deputy Town Engineer, Mr. Tim Gwaltney; Assistant Town Planner, Ms. Nancy Boatwright; Planner, Mr. Scott Henninger; Planner, Ms. Donquetta Singleton; Administrative Specialist, Sr., Ms. Lynette Denzer; and Administrative Specialist, Sr., Ms. Gina Salvatore.

Pledge of Allegiance

Chairman Cotton led the Pledge of Allegiance.

Roll Call to establish a Quorum

Cotton – Present, Rozanski – Present, Kilmurray – Absent, Goddard – Present, Given – Present, Jordan – Present, Green – Present, Sunkara – Present, Worley – Present.

Quorum Present.

Approval of Minutes

Chairman Cotton asked if there were any changes or corrections to the minutes from the January 6, 2022 meeting.

Hearing none, Chairman Cotton called for a motion to approve the minutes from the January 6, 2022 meeting.

Motion by Commissioner Rozanski, and seconded, to approve the minutes.

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

Roll call:

Rozanski – Yes, Goddard – Yes, Given – Yes, Jordan – Yes, Green – Yes, Sunkara – Yes, Worley – Yes, Cotton – Yes.

Motion Approved.

Approval of Agenda

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

Mr. Groce stated are no changes to the agenda. However, some public comments were received for item 6c on the Consent Agenda. Applicants on the Consent Agenda agree with the Staff comments and Conditions of Approval.

Commissioner Given called for a motion to approve the Agenda as presented.

Motion by Commissioner Worley, and seconded, to approve the agenda.

Chairman Cotton asked Ms. Salvatore to call the roll.

Roll call:

Given – Yes, Jordan – Yes, Green – Yes, Sunkara – Yes, Worley – Yes, Rozanski – Yes, Goddard – 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 as presented.

Chairman Cotton asked Ms. Salvatore to call the roll.

Roll call:

Jordan – Yes, Green – Yes, Sunkara – Yes, Worley – Yes, Rozanski – Yes, Goddard – Yes, Given – Yes, Cotton – Yes.

Motion Approved.

CONSENT AGENDA

6. a. Case #219490 – Civic Center Office Park Subdivision – Request approval of a Final Subdivision Plat for a 4.66 acre property located on the south side of Civic Center Drive, west of Market Boulevard.

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.Remove the following language from the Covenant and Restrictions note: The covenants and restrictions and/or property owners’ association (POA) documents need to fully explain how each individual property/building owner pays their fair share for future maintenance of all infrastructure, water, sewer, storm water piping, detention, parking lot, lighting, and landscaping. This condition still applies but should not be included in the note.
- 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.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 plan

EXHIBITS
The staff report and the following:
1.Conditions of Approval (2/25/22)
2.Applicant’s cover letter (12/22/21)
3.Plat Recording Checklist
4.Master Site Plan (1999)
5.Civic Center Office Park Final Subdivision Plat (2/9/22)
6.Proposed Final Site Plan for Civic Center Office Park (2/9/22)
7.Major Road Plan

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

6. b. Case #220348 – The Meadows at Clara’s Ridge P.D., Phase 1 – Request approval of a Final Subdivision Plat for 43 residential lots, on 15.644 acres located at the northeast corner of Sycamore Road and Shelby Drive located on the northeast corner of E. Shelby Drive and Sycamore Road.

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.Replace Note #14 on the plat with a note that requires that “All garages shall be a minimum of 20 feet from the back of the sidewalk to allow for parking in the driveway without blocking the sidewalk as approved in Resolution 2019-46 for the Clara’s Ridge at Cartwright Farms Outline Plan.”
- 3.Use the correct name of the subdivision (The Meadows at Clara’s Ridge at Cartwright Farms P.D.) throughout the plat, including the following:
 - a.Title block
 - b.Future Phase 2
 - c.Subdivision data chart
- 4.Correct the number of common open space lots from 4 to 5 on the title block or remove the text.
- 5.Remove the lot lines from the future phase and label as, “The Meadows at Clara’s Ridge at Cartwright Farms P.D. Future Phase 2.” The lot layout and road network for Phase 2 are not being approved at this time.
- 6.Address the Engineering comments in the mark-up of the Final Subdivision Plat found in Exhibit 4.
- 7.Street names shall be approved by MLGW. A copy of the MLGW address assignment shall be submitted to the Engineering Dept.
- 8.Street Signs shall be installed before the plat is recorded. Please contact the Engineering Inspector and the Town’s Sign Shop before installation to verify that all signage meets the current requirements
- 9.Plans are being reviewed by the Engineering Inspector. Additional comments may be made
- 10.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.
- 11.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 plan item that was not specifically commented on will be assumed to have remained unchanged from the previously submitted plans.

EXHIBITS
The staff report and the following:
1.Conditions of Approval (2/25/22)
2.Applicant’s Cover Letter (2/1/22)
3.Plat Recording Checklist
4.Engineering Plat Mark-up (2/9/22)
5.Final Subdivision Plat (2/1/22)

6. c Case #55540 – Steeple Chase Planned Development, Section E – Request approval of a Preliminary Subdivision Plat for 4 residential lots on 1.2 acres located north of E. Poplar Avenue and west of Grand Steeple Drive.

Conditions of Approval:

EXHIBITS
The staff report and the following:
1.PC Conditions of Approval (2/25/22)
2.Applicant’s Cover Letter (1/14/22)
3.Traffic Generation Data (12/7/20)
4.Engineering Mark-ups (2/4/22)
5.Preliminary Subdivision Plat (1/14/22)
6.Existing Conditions (1/14/22)
7.Grading & Drainage Plan (1/14/22)
8.Public Comments (3/3/22)

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. The front yard setbacks on the south side of Lot 1 (Poplar Avenue frontage) shall be revised to 30 feet to meet the PD requirements with all setbacks labeled.
3. Provide an example site plan for a home on Lot 1 to show that the lot is developable.
4. A Homeowners' Association (HOA) shall be established for the subdivision and shall be responsible for the maintenance of the Poplar Avenue streetscape and entry feature maintenance. Remove Private covenant #14 and replace it with language that requires that a homeowners' association be established for the purpose of maintaining the streetscape.
5. Provide the HOA documents for review by the Town Attorney. The Final Plat will not be allowed to be recorded until the HOA documents have been approved by the Town. The Final Plat application will not be considered sufficient for PC review without the HOA documents.
6. Add a plat note: Owners of the lots shall be subject to the Covenants, Conditions, and Restrictions of the Homeowners' Association as recorded in Instrument # _____, of the public records of Shelby County, Tennessee.
7. Add a plat note: The Poplar Avenue streetscape and entry feature shall be maintained by the Homeowners' Association as described in Instrument # _____.
8. Please be advised that the plat will still need to be filed for Final Approval before it is recorded.
9. The minimum Finished Floor Elevations will be reviewed once the As-Built Topo is submitted.
10. Change the title block to "**Preliminary** Subdivision Plat" on the three plat sheets.
11. Address the Engineering comments in the mark-up of the Final Subdivision Plat found in Exhibit 4.
12. 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.
13. 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 plan item that was not specifically commented on will be assumed to have remained unchanged from the previously submitted plans.

FORMAL AGENDA

7. a. Case# 73620 – Resolution 2022-A – (Public Hearing) – Request approval of an amendment to the Collierville 2040 Land Use Plan related to the applicable Place Types and the maximum gross residential density for approximately a 105-acre portion of a 252.58-acre tract located on the west side of Houston Levee Road, north of State Route 385, also known as The Parke at Houston Levee Planned Development.

Ms. Nancy Boatwright reviewed the Staff report which is included in the record as an exhibit.

Chairman Cotton asked if there were any questions for Staff.

Hearing no questions, Chairman Cotton asked the applicant to come forward.

Mr. Kevin Vaughan, 1115 Halle Park Circle, Collierville, came forward and addressed the Commissioners.

Mr. Vaughan stated the resolution is an administrative decision that needed to be addressed before the project could move on to the BMA.

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

Motion by Commissioner Rozanski, and seconded, to approve of Resolution No. 2022-A to amend the Collierville 2040 Land Use Plan.

Chairman Cotton asked if there was any discussion.

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

Roll call:

Green – Yes, Sunkara – Yes, Worley – Yes, Rozanski – Yes, Goddard – Yes, Given – Yes, Jordan – Yes, Cotton – Yes.

Motion Approved.

7. b. Case #220095 – Ordinance 2022-02 – Request rezoning approval of 44.85 acres, known as the Humphreys Property, from FAR: Forest Agricultural Residential to R-1 Low Density Residential located on the west side of Fleming Road, south of Midnight Sun Drive.

Ms. Nancy Boatwright reviewed the Staff report which is included in the record as an exhibit.

Chairman Cotton asked if there were any questions for Staff.

Ms. Boatwright clarified for the Board that the project could be limited by sewer capacity. Sewer flows will be requested once it proceeds to the Planned Development stage. Currently 91 lots are proposed for the future PD. The rezoning will result in changing RL lots to R1 Low Density Residential allowing for the possibility of denser capacity. The future Planned Development will result in needed improvements to Fleming Rd. due to increased traffic.

Chairman Cotton asked the applicant to come forward.

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

Mr. McCarty stated the project is similar to the Magnolia Homes development located across the street. The density of the Planned Development will be approximately 2.1 or 2.2 units per acre. The project is already under discussion with Public Works and has been determined at this time to have the necessary sewer capacity. However, it will be an ongoing study.

The Planned Development has several amenities planned such as walking trails, ponds, benches.

Thomas Liddy, 4775 Fleming Rd, Collierville expressed his concerns regarding the rezoning and new development. He stated his property is at the lowest point between Magnolia Preserves and the proposed new Development. There is already considerable run-off onto his property from the Magnolia Preserves Development and worries it will only worsen with the new Planned Development. Mr. Liddy is also concerned about increased traffic and the widening of Fleming Rd.

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

<p style="text-align: center;">EXHIBITS</p> <p>The staff report and the following:</p> <ol style="list-style-type: none">1. Applicant’s cover letter with Grounds for Zoning Amendment (1/11/22)2. Staff Analysis of Grounds for Amendment (1/28/22)3. Ordinance 2022-02 with Attachments (1/28/22):<ol style="list-style-type: none">A. Existing ZoningB. Proposed ZoningC. Legal Description4. Future Land Use Map5. Traffic Generation Letter (1/11/22)6. Maximum Gross Residential Density Map7. Property Survey (1/11/22)8. Concept Plan (1/18/22)9. 2040 Plan Excerpt10. Applicant’s Yield Plan (2/23/22)
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Motion by Commissioner Rozanski, and seconded, to recommend approval of Ordinance 2022-02 (Exhibit 3).

Chairman Cotton asked if there was any discussion.

Discussion ensued about whether the rezoning request is consistent with the Town's Land Use Plan. The potential density allowed by rezoning is cause for concern without plans for the proposed Planned Development being considered at the same time. The Board would also like to see numbers regarding sewer capacity for the future Planned Development prior to approving the rezoning. The Board also acknowledges that the Planned Development will come before the Board at a later time and it will have the opportunity to make comments on it at that time and today's motion is about the appropriateness of rezoning of the area only.

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

Roll call:

Sunkara – Yes, Worley – No, Rozanski – Yes, Goddard – No, Given – No, Jordan – No, Green – No, Cotton – Yes.

Motion Failed. The Planning Commission did not recommend approval of the rezoning.

7. c. Case #219161 – Car Wash USA Express Subdivision, Lot 3 (People First Urgent Care & Tenant Space) – Request approval of a Preliminary Site Plan for a 4,834 square foot proposed building on 0.80 acres located on the northeast corner of U.S. Highway 57 (W. Poplar Avenue) and Fletcher Road.

Ms. Donquetta Singleton reviewed the Staff report which is included in the record as an exhibit. The presentation will be on the previously submitted site plan. A new site plan has been submitted to the Planning Department but has not been formally reviewed by Staff.

Hearing no questions, Chairman Cotton asked the applicant to come forward.

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

Mr. McCarty stated the redesigned site plan requires review by Engineers to ensure the parking and rear drive will be workable.

A discussion ensued regarding whether or not the new site plan will adhere to the Collierville Downtown Small Area Plan.

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

Motion by Commissioner Rozanski, and seconded, to defer the request for a Preliminary Site Plan for People First Urgent Care & Tenant Space (Car Wash USA Express Subdivision, Lot 3) until the revised site layout can be reviewed by Staff.

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

EXHIBITS
The Staff Report and the Following:
1. PC Conditions of Approval (1/28/22)
2. Updated Site Layout (2/17/22)
3. Applicant's Cover Letter (1/11/22)
4. Traffic Impact Study Executive Summary (1/11/22)
5. Storm Water Drainage Summary (1/11/22)
6. Preliminary Site Plan Package (1/11/22)
7. Resubdivision of Lot 2 of the Car Wash Express USA Plat (1/11/22)
8. Car Wash USA Express Subdivision Plat (7/8/20)
9. Downtown Collierville Small Area Plan Excerpt

Roll call:

Worley – Yes, Rozanski – Yes, Goddard – Yes, Given – Yes, Jordan – Yes, Green – Yes, Sunkara – Yes, Cotton – Yes.

Motion Approved.

7. d. Case #218966 – Ordinance 2021-22 - Request rezoning approval of a 0.60-acre tract from MPO: Medical-Professional-Office to NC: Neighborhood Commercial located on part of Lot 2 of the Car Wash USA Express Subdivision and a 0.45-acre property at 357 Poplar Avenue from R-1: Low Density Residential to NC: Neighborhood Commercial.

Mr. Scott Henninger reviewed the Staff report which is included in the record as an exhibit. He explained that the rezonings to Neighborhood Commercial (NC) are consistent with the 2010 Downtown Collierville Small Area Plan.

Chairman Cotton asked if there were any questions for Staff.

Mr. Henninger clarified that the drive for Lot 2 would intersect with the drives of the Car Wash and Lot 3.

Chairman Cotton asked the applicant to come forward.

Mr. Steven Williams, 198 Progress Road, Collierville, came forward and addressed the Commissioners.

Mr. Williams stated the plan for property is to adhere to the Town’s 2040 Development Plan and to develop the properties as Neighborhood Commercial. On Lot 2, the plan is to work with Engineering to determine which plan will work best but there will be a drive connection from Lot 3 to Fletcher Road; as well as the existing access from Poplar Rd. There are also plans to provide sidewalk access from Fletcher Road for pedestrians to Lot 2. The plan across the street at 357 Poplar Ave is to provide better transition between the existing Christian Brothers Automotive and the future development by providing cross access between the lots with parking in back to mirror what is across the street.

<p>EXHIBITS</p> <p>The staff report and the following:</p> <ol style="list-style-type: none"> 1.Applicant’s Cover Letter including Grounds for an Amendment to the Zoning Map (12/21/21) 2.Applicant’s Traffic Analysis (1/4/22) 3.Staff Analysis of Amendment to the Zoning Map 4.Ordinance 2021-22 with Attachments (2/25/22) 5.Current Zoning Map 6.Future Land Use Map 7.Downtown Small Area Plan Excerpt (2010) 8.Aerial Photograph of the Vicinity 9.Non-binding draft Preliminary Plat (11/16/21) 10.Public Comment (2/20/22)
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Hearing no more discussion, Chairman Cotton called for a motion.

Motion by Commissioner Jordan, and seconded, to recommend approval of Ordinance 2021-22.

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

Roll call:

Rozanski – Yes, Goddard – Yes, Given – Yes, Jordan – Yes, Green – Yes, Sunkara – Yes, Worley – Yes, Cotton – Yes.

Motion Approved.

Commissioner Rozanski Recused Himself

7. e. Case #219128 – Mid-South Gifted Academy – Request approval of a Preliminary Site Plan for a 10,580 square-foot, two-story, non-residential school building located on 0.80 acres at 220 South Center Street.

Mr. Scott Henninger reviewed the layout in the Staff report which is included in the record as an exhibit. The HDC deferred action on this site plan so the site layout could be changed to pull the building up to Center St. Layout Option B, sent to the Board by Staff today, has not been fully reviewed by Staff.

Chairman Cotton asked if there were any questions for Staff.

Mr. Henninger clarified the current school will remain open and become the lower school; while the newly constructed school will become the upper school. The new school will require 22 parking spots. The current site plan provides for 17 and will need BMA approval to count for 5 spaces on Center Street. Layout Option B would provide for all 22 parking spots on site.

Chairman Cotton asked the applicant to come forward.

EXHIBITS
The staff report and the following:
1. Conditions of Approval (2/25/22)
2. Applicant's Cover Letter (2/23/22)
3. Traffic Impact Study (1/28/22)
4. Aerial Photo showing existing and proposed campus
5. Vehicular Stacking Plan (1/24/22)
6. Illustrative Renderings (2/18/22)
7. Preliminary Site Plans (2/23/22)
8. Layout Option B Site Plans (3/3/22)
9. Applicant Parking Narrative (2/24/22)
10. Public Comment (3/3/22)

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

Mr. McCarty explained traffic concerns were a primary focus in the development of the current plan and that they created the longest stacking line possible. However, to address the HDC concerns and place the building on Center Street (presented in Option B), the site gains a few parking places and the loses a few car lengths of stacking ability. Option B presents grade issues on Center Street that will need to be addressed.

Jessica White, Co-Owner Mid-South Gifted Academy, Collierville, explained it is a micro-school and while it is expanding its total enrollment will be between 150-200 students.

Jen Morris, Co-Owner Mid-South Gifted Academy, Collierville, stated traffic and the safety of the students is an equal concern for the School. The School is committed to being a good neighbor and creative problem-solver and will work to address any concerns the Board and Town may have.

Bill Cox, 373 South Rowlett, Collierville, addressed the Commission with his concerns regarding traffic from the school, parking issues, and potential fallout for businesses on the Square due to liquor license restrictions within 500 feet of a school.

Scott Rozanski, 108 E. Mulberry, Collierville, stated in the Historic District the separation distance is 100 ft. in regards to the alcohol restrictions.

A discussion ensued about how Layout Option B could address parking issues and building placement concerns of the HDC.

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

Motion by Commissioner Goddard, and seconded, to defer Case #219218 to allow the HDC to consider Layout Option B.

Chairman Cotton asked if there was any discussion.

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

Roll call:

Goddard – Yes, Given – Yes, Jordan – Yes, Green – No, Sunkara – Yes, Worley – Yes, Rozanski – Abstained, Cotton – Yes.

Motion Approved.

Other Business:

Chairman Cotton asked if there was any Other Business.

Mr. Groce noted that the Hinton Preserve Planned Development and a revised version of the Humphreys rezoning will be on April's agenda. The Parke Planned Development will go before the BMA on March 28. The Ashby work session will be Tuesday, March 8, at 5:30. Lastly, there will be a training opportunity on March 17, a link will be sent at a later time.

Hearing no further business, Chairman Cotton adjourned the meeting at 7:38 pm.

Secretary, Commissioner Jeremy Given