

A regular scheduled meeting of the **Planning Commission** was held on Thursday, March 2, 2023, at 6:00 p.m., in the James H. Lewellen Board Chambers of Town Hall.

Staff members present were: Assistant Town Administrator, Mr. Adam Hamric; Town Planner, Mr. Jaime Groce (via Teams); Town Attorney, Mr. Nathan Bicks; Senior Civil Engineer, Mr. Tim Bierdz; Traffic Engineer, Ms. Neetu Singh; Planner, Ms. Donquetta Singleton; Planner, Mr. Josh Hankins; and Administrative Specialist, Sr., Ms. Angela Gizzarelli

Pledge of Allegiance

Chairman Cotton led the Pledge of Allegiance.

Roll Call to establish a Quorum

Worley	Green	Goddard	Jordan	Rozanski	Fletcher	Virani	Given	Cotton
Present	Present	Present	Present	Present	Present	Absent	Present	Present

Quorum Present.

Approval of Minutes

Chairman Cotton asked if there were any changes or corrections to the minutes from the January 5, 2023, meeting.

Hearing none, Chairman Cotton called for a motion.

Motion by Commissioner Goddard, and seconded, to approve the minutes from the January 5, 2023, meeting.

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

Roll call:

Rozanski	Fletcher	Virani	Given	Cotton	Worley	Green	Goddard	Jordan
Yes	Abstain	Absent	Yes	Yes	Abstain	Yes	Yes	Abstain

Motion Approved.

Approval of Agenda

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

Ms. Singleton, stated there are no additions or changes to the published Agenda.

Chairman Cotton called for a motion to approve the Agenda.

Motion by Commissioner Green and seconded, to approve the Agenda.

Chairman Cotton asked to call the roll.

Roll call:

Fletcher	Virani	Given	Cotton	Worley	Green	Goddard	Jordan	Rozanski
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Motion Approved.

Approval of Consent Agenda

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

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

Chairman Cotton asked to call the roll.

Roll call:

Virani	Given	Cotton	Worley	Green	Goddard	Jordan	Rozanski	Fletcher
Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Motion Approved.

CONSENT AGENDA

6. a. Case #224109 – 4823 Windsong Park Drive – Request approval to construct an accessory structure over 1,200 square feet on a property that is one (1) acre.

MOTION: To approve an accessory structure over 1,200 square feet on a property with more than an acre located at 4823 Windsong Park Drive, subject to the conditions in Exhibit 1.

CONDITIONS OF APPROVAL

1. Any deviation from the request must be approved by Staff or the PC, as appropriate, prior to commencing any work.
2. The color of the accessory structure siding shall be compatible with the colors of the principal structure.

EXHIBITS

The staff report and the following:

1. Example Conditions & Next Steps (1/27/23)
2. Cover Letter and 2-Prong Test (11/30/22)
3. 2-Prong Test for Approval – Staff Analysis (1/23/23)
4. Garage Plans (11/23/22)
5. Photos of the Property (1/13/23)
6. Property Aerial Showing Accessory Structure Location (1/13/23)
7. BZA Draft Minutes (1/19/23)

FORMAL AGENDA

7.a. Case #230371 – Collierville Heights –Request approval of a Conditional Use Permit (CUP) for Electrical Goods Wholesale use on 8.57 acres located at 325 Byhalia Road.

7.b. Case #230374– Collierville Heights –Request approval of a Conditional Use Permit (CUP) for Grocery & Related Products Wholesale use on 8.57 acres located at 325 Byhalia Road.

Mr. Josh Hankins presented the two conditional use permits as one staff report. Mr. Hankins stated the business use will be showroom space for C-Store wholesale selling.

Chairman Cotton asked if there were any questions for Staff.

Discussion ensued about the conditional use permit language, is it allowing for a C-Store to be in the facility. It was clarified that the conditional use permit does not allow for a C-Store on the premise. Mr. Groce stated that it would need to be a separate application for anyone that wanted to use the multitenant building for a C-Store.

Discussion ensued about the concern of traffic and further traffic study needing to be done with the factor that the intended tenant will have 18 wheelers for delivery of product.

Chairman Cotton asked the applicant if they agree with the conditions of approval.

John Granberry, 1685 York Ave, Memphis, TN stated to the concern of 18 wheelers and the projected delivery of 18 wheelers is one per week or less. Mr. Granberry stated they do agree with all conditions of approval.

Chairman Cotton called for a discussion.

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

Motion for case# 230371 by Commissioner Rozanski, and seconded, to recommend approval of a Conditional Use Permit (CUP) for Electrical Goods Wholesale Use on 8.57 acres located at 325 Byhalia Road, subject to the conditions in Exhibit 1, as amended.

CONDITIONS OF APPROVAL

1. This development is subject to all applicable standard conditions of approval as adopted by the Board of Mayor and Alderman, Resolution 2006-54.
2. Any activities that would increase the intensity of the use shall not be allowed without an amendment to this CUP or through a separate CUP application. Increases in intensity shall be considered expanding the building size beyond 41,000 square feet or increasing the number of parking spaces related to this use.
3. No exterior storage or product display is being approved with this CUP. An amendment to this CUP and a Site Plan Modification would need to be approved to allow for outdoor storage or product display.
4. The use is limited to the 8.57 acres located at 325 Byhalia Road.
5. Warehousing and storage shall not exceed 50% of the floor area for the ~~tenant space~~ and building.

Roll call:

Given	Cotton	Worley	Green	Goddard	Jordan	Rozanski	Fletcher	Virani
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EXHIBITS
The staff report and the following:
1. Conditions of Approval (Electrical) (2/24/23)
2. Conditions of Approval (Grocery) (2/24/23)
3. Applicant’s Cover Letter & CUP Responses (Electrical) (2/20/23)
4. Applicant’s Cover Letter & CUP Responses (Grocery) (2/21/23)
5. Staff Analysis of 6-Prong CUP Test (2/24/23)
6. Existing Conditions (2/17/23)
7. Site Plan/Landscape Plan (2/16/23)
8. Existing Zoning Map (2/20/23)
9. Existing Land Use Map (2/20/23)
10. Parcel Map (2/20/23)
11. Traffic Generation Letter (11/29/22)
12. Drainage Narrative (11/29/22)
13. Suburban Commercial Character Area Excerpt (2/22/23)

Yes	Yes	Yes	Yes	Yes	Yes	yes	Yes	Absent
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Motion Approved.

Motion for case# 230374 by Commissioner Rozanski, and seconded, to recommend approval of a Conditional Use Permit (CUP) for Grocery & Related Products Wholesale Use on 8.57 acres located at 325 Byhalia Road, subject to the conditions in Exhibit 2 as amended.

CONDITIONS OF APPROVAL

1. This development is subject to all applicable standard conditions of approval as adopted by the Board of Mayor and Alderman, Resolution 2006-54.
2. Any activities that would increase the intensity of the use shall not be allowed without an amendment to this CUP or through a separate CUP application. Increases in intensity shall be considered expanding the building size beyond 41,000 square feet or increasing the number of parking spaces related to this use.
3. No exterior storage or product display is being approved with this CUP. An amendment to this CUP and a Site Plan Modification would need to be approved to allow for outdoor storage or product display.
4. The use is limited to the 8.57 acres located at 325 Byhalia Road.
5. Warehousing and storage shall not exceed 50% of the floor area for the ~~tenant space~~ and building.

Roll call:

Cotton	Worley	Green	Goddard	Jordan	Rozanski	Fletcher	Virani	Given
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes

Motion Approved.

7.c. Ordinance 2023-02 – Accessory Structures and Small Wireless Facilities.

Mr. Jaime Groce presented the staff report. Mr. Groce stated the Town has received comments on the changes from MLGW and Verizon but not AT&T. The version of the attachment released on 3/1/23 address Verizon’s feedback.

Chairman Cotton asked if there were any questions for Staff.

Discussion ensued about the diameter of the replacement pole bases.

Discussion ensued about wireless companies using MLGW poles for colocations. MLGW would determine if the colocation would meet their own design requirements before a provider could locate on one of the poles. Tennessee State Law allows wireless companies to erect their own pole in the public right-of-way to host a small wireless facility if they are denied colocation.

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

Motion by Commissioner Rozanski, and seconded, to recommend approval of Ordinance 2023-02 (3/1/2023) version of Exhibit 1.

Chairman Cotton asked if there was any discussion.

EXHIBITS

The staff report and the following:

1. Ordinance 2023-02 (3/1/23), with Attachment A (Residential Accessory Structures) and Attachment B (Small Cells)
2. Example of Residential Accessory Structure (1/27/23)
3. Example of Small Cell Towers (1/27/23)

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

Roll call:

Worley	Green	Goddard	Jordan	Rozanski	Fletcher	Virani	Given	Cotton
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Motion Approved.

Other Business:

Chairman Cotton asked if there was any Other Business.

Mr. Groce made announcement that Ms. Don Singleton has been promoted to Assistant Town Planner. The April meeting is on Tuesday due to the Easter holiday. The April 4th meeting will have Hinton Preserve Phases 1-3 for Preliminary Plat and Oakwood Phase 2 Preliminary Plat. Oakwood has reduced the size of the project as one of the property owners has withdrawn. Updated that a date for a BMA work session with the PC and DRC has not been decided.

8.a. 70 Mt. Pleasant Road – Sledd Property – Review and discuss a potential Preliminary Site Plan application for 24 Attached Residential Dwellings (Multiple Family) on 1.43 acres located on the east side of Mt. Pleasant Road and south of Washington Street.

Mr. Josh Hankins made a presentation asking for the PC’s feedback about the front façade zone reducing in size, from 15-30’ to 10-30’ on the southwest corner of the property. Mr. Hankins shared that the DRC has provided feedback on the potential waiver request, and they seemed amenable to the idea.

Chairman Cotton asked if there were any questions for staff.

Hearing none, Chairman Cotton asked to hear from the applicant.

Kyle Sledd, 10460 Hartwell Ridge Dr., Collierville, gave an overview the project, which will be developed with three buildings containing high end condos.

Robert Bingham, 198 Progress, Collierville, spoke to the curve of the road on the southwest of the property is what is resulting in the potential waiver request.

Discussion ensued that the property is not in the Local Historic District but is near the Town Square and limits of the Downtown Plan overlay. The existing zoning allows for this type of infill development.

Discussion ensued about the potential waiver request is allowing for the flexibility and uniqueness of the property. Within its context granting a waiver request such as this would not set a precedent.

Hearing no further business, Chairman Cotton adjourned the meeting at 7:11 pm.

Secretary, Commissioner Jeremy Given