

A regular scheduled meeting of the **Planning Commission** was held on Thursday, January 4, 2024, at 6:00 p.m., in the Board Chambers of Town Hall.

Staff members present were: Senior Civil Engineer, Mr. Tim Bierdz; Deputy Engineer, Mr. Shane Richardson; Assistant Town Administrator, Mr. Adam Hamric; Town Planner, Mr. Jaime Groce; Town Attorney, Mr. Nathan Bicks; Planner, Ms. Maria De Mesa; 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	Present	Present	Present

Quorum Present

Election of Officers

Chairman Cotton called for nomination and a motion of officers for the PC for 2024

Motion by Commissioner Worley, Fletcher, Green, and seconded to maintain the 2023 officers for 2024, Chairman Cotton, Vice-Chair Rozanski and Secretary Given by acclamation with no objection.

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

Quorum Present

Approval of Minutes

Chairman Cotton asked if there were any changes or corrections to the minutes from the December 7, 2023, meeting.

Hearing none, Chairman Cotton called for a motion.

Motion by Commissioner Rozanski, and seconded, to approve the minutes from the December 7, 2023, meeting.

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

Roll call:

Rozanski	Fletcher	Virani	Given	Cotton	Worley	Green	Goddard	Jordan
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	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 additions or changes, there is a comment card for citizen comment on the consent agenda.

Chairman Cotton stated the consent agenda will move to the Formal Agenda

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

Motion by Commissioner Goddard and seconded, to approve the Agenda as amended.

Chairman Cotton asked to call the roll.

Roll call:

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

Motion Approved

Citizen Comments

Chairman Cotton called for citizen comments.

Hearing none, Chairman Cotton moved forward with the meeting.

FORMAL AGENDA

8. a. Case #234285 – Oakwood Subdivision Phase 2 - Request approval of a Final Subdivision Plat for 3 residential lots located north of Poplar Ave. The 2.3-acre property is located at 262 E. Poplar Avenue.

Mr. Jaime Groce reviewed the Staff report which is included in the record as an exhibit. Mr. Groce stated the Preliminary Subdivision Plat was approved by the PC in 2023, the Development Agreement as also been approved by the BMA in 2023. Drainage concerns were raised during the Preliminary Subdivision Plat. Those concerns have been addressed by the developer’s engineer and the Town Engineer concurred that the two lots would not have adverse impacts and do not require an on-site detention pond. There were no substantial changes to the design from the Preliminary Subdivision Plat to the Final Subdivision Plat.

<p>EXHIBITS</p> <p>The staff report and the following:</p> <ol style="list-style-type: none"> 1. Example Conditions of Approval (12/29/23) 2. Plat Recording Checklist 3. Oakwood, Phase 2 Final Plat (received 3/21/23) 4. Public Comments & Staff Response (1/4/24)
--

Chairman Cotton asked if there were any questions for Staff.

Hearing none, Chairman Cotton asked the neighbors that completed the speaker card to come forward.

Rob and Mary Ann Simhouser, 209 Rogers Wood Cove, Collierville TN, stated there have been drainage issues for years at their property and have conversations with Mr. Dale Perryman, Town Engineer about possible solutions. The concern with this project is the changes due to tree removal, and this development will create further drainage issues in the area.

Nathan Bicks stated he sympathizes with the residents; however, as a reminder, this is a Final Subdivision Plat approval. The concerns being discussed regarding drainage are not for this Commission to vote upon or solve. The comments and discussion made will be on record. The residents will need to work with the Town Engineer or BMA for possible solutions.

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

Motion by Commissioner Rozanski, and seconded, to approve the Final Subdivision Plat for Oakwood, Phase 2 (Exhibit 3), 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. Adjust the subdivision data chart to reflect this plat is a “Final” plat.
3. Delete the duplicate certificate sheet (last sheet) from the plat prior to recording.
4. No right-of-way is being dedicated with this plat. Revise the subdivision data chart accordingly.
5. Delete notes # 1 and 2 on the left side of Sheet 1 of the Final Plat as they are not needed for this subdivision.
6. There are three groupings of notes on Sheet 1. Consolidate all notes together and number sequentially. Do not repeat numbers. Consider moving all notes to Sheet 2 with the other plat notes. Do not repeat the same note.
7. Since there is a mortgage on the property, provide a certificate for the bank to sign on Sheet 2 of the Final Plat before it can be recorded showing the mortgagee consents to the subdivision of the property.
8. 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.
9. Add the following note: “The Town of Collierville is not responsible for any maintenance or repairs to the Public Ingress/Egress Turn Around Easement located on lots 1 & 2.”
10. Add the following note: “The Town of Collierville shall have the right to enter the property for the purpose of maintaining the drainage, water and sewer systems located within public easements. However, the Town does not have the responsibility to repair any damage to the yards, parking lot, streets or drives caused by soil settlement or other reasons that are not directly caused by the Town’s action of performing maintenance to the underground systems.”
11. If private Covenants and Restrictions are to be recorded with this plat, add the appropriate certificates and notes.

Chairman Cotton called for discussion.

Discussion ensued of being sympathetic to the homeowners and their comments will be noted for the recorded.

Roll call:

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

Motion Approved

9.a. Case #234183 – Ordinance 2024-02 – An Ordinance Amending the Official Zoning Map of the Town of Collierville by Rezoning 5.10-Acres from FAR: Forest Agriculture Residential to RL-1: Large Lot Residential, located on the west side of Reynolds Road.

Ms. Maria De Mesa reviewed the Staff report which is included in the record as an exhibit. Ms. De Mesa stated there was a comment for support that has been added as exhibit 7. Ms. De Mesa stated the current property owner is requesting a rezoning from FAR to RL-1 on the new 5.10-acre lot for the future owner to have less constrictive setbacks for the single-family dwelling that will be built. The future owner has provided non-binding conceptual images of the dwelling. The PC will need to consider whether rezoning only one tract to RL-1 instead of the general area is appropriate, and if rezoning the property to allow for lots of this size without municipal sewer existing in the area is appropriate?

Chairman Cotton asked if there were any questions for Staff.

Clarification was made that the existing lot 4 is 15.65-acre tract zoned FAR, the owner will be selling 5.10-acre tract for future lot 3. Future lot 3 is the property requested to be rezoned to RL-1. There is no municipal sewer in the area at this time and new houses will need to have septic systems. The rezoning is being requested due to the new dwelling’s planned setbacks and the large setbacks of FAR zoning.

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

Matthew Davis, 44145 Chestnut Hill Dr, is available for questions.

Discussion ensued that private deed restrictions are planned by the applicant to prevent further division of the property into smaller lots. Deed restrictions cannot be written as a Condition of Approval by the Town with rezoning requests.

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

Motion by Commissioner Rozanski, and seconded, to recommend approval of Ordinance 2024-02 (Exhibit 3).

Chairman Cotton asked if there was any discussion.

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

<p>EXHIBITS</p> <p>The staff report and the following:</p> <ol style="list-style-type: none"> 1. Cover Letter (11/22/23) including: <ol style="list-style-type: none"> a. Grounds for an Amendment to the Zoning Map b. Email from applicant’s realtor on private restrictions c. Email from applicants confirming private deed restrictions 2. Staff Analysis to Grounds for an Amendment to the Zoning Map (12/28/23) 3. Ordinance 2024-02, with attachments (12/20/23): <ol style="list-style-type: none"> a. Existing Zoning b. Proposed Zoning c. Legal Description 4. Existing Land Use Map (12/12/23) 5. 2040 Plan Place Types Map & 2040 Plan: Maximum Gross Density Map (12/12/23) 6. Boundary Survey and Conceptual Plot Plan (10/31/23) 7. Comment (1/4/24)
--

Roll call:

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

Motion Approved.

Other Business:

Chairman Cotton asked if there was any Other Business.

Mr. Groce stated everyone's appointment letter has been provided at your seats, the annual Boards/Commissions training is scheduled for February 1, 2024, from 4:00-5:30pm, prior to the PC meeting and will be recorded. This training opportunity is eligible for the state's required four (4) training.

Mr. Groce reminded everyone that the deadline to submit the State of Tennessee Disclosure of Interest statement is January 31st. Letters have been mailed by the State this week regarding details for completion of the form. If anyone has any questions, please let us know.

Mr. Groce stated the February and March meetings are light with items but that there will be presentations for planned amendments by staff to the Zoning Ordinance Amendment and Subdivision Regulations.

Hearing no further business, Chairman Cotton adjourned the meeting at 6:39 pm.

Secretary, Commissioner Jeremy Given