

A regular scheduled meeting of the Planning Commission was held on Thursday, February 1, 2024, at 6:00 p.m., in the James H. Lewellen Board Chambers in Town Hall, at 500 Poplar View Parkway.

Staff members present were: Assistant Town Administrator, Mr. Adam Hamric; Town Planner, Mr. Jaime Groce; Town Attorney, Mr. Josh Whithead; Assistant Town Planner, Ms. Donquetta Singleton; Fire Marshal, Mr. Todd Johnson; Senior Civil Engineer, Mr. Tim Bierdz; Traffic Engineer, Ms. Neetu Singh; and Administrative Specialist, Sr., Ms. Lynette Denzer

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**Pledge of Allegiance**

Chairman Cotton led the Pledge of Allegiance.

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**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**

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**Approval of Minutes**

Chairman Cotton asked if there were any changes or corrections to the minutes from the January 4, 2024, meeting.

Hearing none, Chairman Cotton called for a motion.

***Motion by Commissioner Rozanski, and seconded, to approve the minutes from the January 4, 2024, meeting.***

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

**Roll call:**

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

**Motion Approved**

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**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 published agenda.

Chairman Cotton called for a motion to approve the agenda.

***Motion by Commissioner Goddard and seconded, to approve the agenda.***

Chairman Cotton asked to call the roll.

**Roll call:**

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

**Motion Approved**

**Citizen Comments**

Chairman Cotton called for citizen comments.

Hearing none, Chairman Cotton moved forward with the meeting.

**Approval of Consent Agenda**

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

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

Chairman Cotton called for Discussion.

Hearing none, Chairman Cotton asked to call the roll.

**Roll call:**

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

**Motion Approved.**

**CONSENT AGENDA**

**7. a. Case #234329 – Belfair PD Subdivision, Phase 3 – Request approval of a Final Subdivision Plat for 14 single family lots on 4.11 acres, located on the Northwest corner of Collierville-Arlington and Shelton Road.**

**MOTION: To approve the request for a Final Subdivision Plat for Phase 3 of the Belfair PD Subdivision, with the conditions listed 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. Change all phase references on the plat to correctly depict this plat as Phase 3, not Phase 4.
3. Provide certificates for the adjacent property owner to sign since some of the easements are off site.
4. Identify the property owner in the data chart.
5. Correctly label the second sheet as “Sheet 2 of 2”.
6. In the title block identify the scale of the drawing.

**EXHIBITS**

- The staff report and the following:
1. Example Conditions of Approval (1/26/24)
  2. Applicant’s Cover Letter (11/29/23)
  3. Final Plat Recording Checklist (2024)
  4. Final Subdivision Plat (received 11/30/23)

7. Prior to plat recording, a drawing showing the area (s.f.) of all public sewer, water and drainage easements and r.o.w. dedicated with this plat must be submitted.
8. The Min. F.F.E.s will be reviewed once the As-Built Topo is submitted and must be provided on the plat before it is recorded.
9. Add the following note to the plat: “All Home Builders are responsible for the proper drainage of their lot. Developers, with proper review from the Town Engineers, have the right to address any issues that may arise that will improve the subdivision until all homes are built. Builders should be aware of other drainage that affects their lot.”
10. The sizes for the proposed Public Drainage and Sewer Esmts. do not match what was shown on the approved Preliminary Plat. Revise the easements to match the Preliminary Plat or provide a written explanation for the different size easements for review and approval by the Town Engineer.

## **FORMAL AGENDA**

**8. a. Case #234176 – Resolution 2024-01 - Request approval to amend the Gallina Centro Planned Development to allow auto dealerships as a permitted use, located north of Winchester Road and just west of South Houston Levee Road.**

**8. b. Case #234175 – Ordinance: 2024-01 - Gallina Centro Planned Development - Request approval to rezone 17.22 acres from SCC: Shopping Center Commercial to GC: General Commercial, located north of Winchester Road and just west of South Houston Levee Road.**

Ms. Donquetta Singleton reviewed the Staff report which is included in the record as an exhibit. Ms. Singleton stated there are two separate but related cases that will be presented. Ms. Singleton stated Blair Parker Design (Brandon Doss, PLA) is requesting approval of an amendment to Gallina Centro Planned Development (PD) and approval of rezoning a 17.22-acre parcel from SCC: Shopping Center Commercial to GC: General Commercial on behalf of Principle Toyota.

The property is surrounded by SCC: Shopping Center Commercial (north and east) and MPO: Medical Professional Office (south) zones. The PD also abuts the City of Germantown to the west which is zoned T4 - General Urban with a PD overlay that allows for residential uses. The Gallina Centro PD was approved in 1998 in Unincorporated Shelby County and annexed by Collierville in 2000. The PD was created prior to regulations requiring the base zoning and PD overlay to match.

The 103.6-acre PD is currently divided into two “parcels”, A and B. Of the 103.6 acres in the PD, approximately 56 acres are currently developed. Parcel A contains over 20 businesses and shopping centers. Parcel B contains

## **EXHIBITS**

The staff report and the following:

1. Applicant’s Cover Letters
  - A. PD Amendment Request (11/15/23)
  - B. Rezoning with Grounds for Zoning Amendment (11/15/23)
2. Neighborhood Meeting Notes & Sign-In Sheet (1/11/24)
3. PD Exception Requests & Justifications (12/22/23)
4. Resolution 2024-01, with Attachment (1/26/24):
  - A. Outline Plan (12/22/23)
5. Ordinance 2024-01, with Attachments (1/26/24):
  - A. Existing Zoning (1/17/24)
  - B. Proposed Zoning (1/17/24)
  - C. Legal Description (11/15/23)
6. Staff Analysis Grounds for Zoning Map Amendment (1/26/24)
7. Existing Land Use & Place Type Map (1/17/24)
8. Traffic Study Executive Summary (11/15/23)
9. Town’s Traffic Engineer Memo (12/28/23)
10. Drainage Narrative (11/15/23)
11. Sewer Flow Letter (11/15/23)
12. Amendment Agreement (2000)
13. Conceptual Site Layout (12/22/23)
14. Conceptual Elevations & Renderings (12/22/23)

2 residential homes located along Poplar Avenue. A new 17.22-acre section, Parcel C, will be created. It is requested this parcel be rezoned from SCC (Shopping Center Commercial) to GC (General Commercial) for the future development of an auto dealership, as automotive dealerships are not allowed in SCC Districts.

Non-binding conceptual building elevations, renderings, and site plans were shown. Ms. Singleton presented a summary of the requested nine amendments or waivers to the Planned Development, impact to traffic at the proposed location, and detention and sewer findings. Comparisons to existing car dealerships within the Town were also presented.

Chairman Cotton asked if there were questions for Staff.

Discussion ensued about the difference between zoning types of General Commercial (GC) and Shopping Center Commercial (SCC) and zoning of locations near the subject property. The zoning of the property to the south (across Winchester) is MPO and to the west in Collierville is SCC, the abutting property to Gallina Centro (not the proposed parcel) in the City of Germantown limits is zoned to allow attached and detached single family dwellings. The 2040 Plan shows the area as Suburban Commercial which is not a zoning type but a Land Use Policy about future land uses. It was clarified all auto dealerships require a Conditional Use Permit (CUP) in the GC District; however, the use could be allowed by right by the BMA through flexibility possible with a Planned Development. Discussion ensued about the impacts from future development of the remaining parcels within the PD, and the zoning progression the of Germantown parcel to the west of Gallina Centro PD.

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

Mr. John McCarty, 198 Progress Rd, came forward. Mr. McCarty discussed the conceptual site plan which includes connections and frontage roads for better traffic circulation within the site. Principal Toyota is purchasing the remaining parcels but has no immediate plans to develop.

Mr. Brandon Doss, Blair Parker Design, 5400 Wheelis Drive, Suite 100, Memphis TN, came forward. Mr. Doss presented justification for the requested waivers for buffers, landscape, and architecture.

Mr. Todd Lochner, Principal Toyota, 153 Treeline Park, Suite 100, San Antonio, TX, is available for questions.

Chairman Cotton asked if there were questions for the Applicant.

Clarification about the glass portal on the front face of the building was requested.

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

**Motion by Commissioner Jordan, and seconded, (case #234175) to recommend approval of Ordinance 2024-01 (Exhibit 5), Request approval to rezone 17.22 acres from SCC: Shopping Center Commercial to GC: General Commercial, located north of Winchester Road and just west of South Houston Levee Road.**

Chairman Cotton called for discussion.

Discussion ensued about the potential implications of changing the zoning from SCC to GC, the impact on adjacent properties and potential future zoning uses, and the location and types of businesses allowed in GC Districts. Discussion ensued about traffic volume for an auto dealership in comparison to other types of uses allowed in GC and SCC zoning districts.

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

**Roll call:**

Fletcher	Virani	Given	Worley	Green	Goddard	Jordan	Rozanski	Cotton
No	Absent	No	No	No	Yes	Yes	Yes	Yes

**Motion did Not Pass (a majority vote is needed for an affirmative action of the PC)**

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Mr. Whitehead explained the actions of the PC related to Ordinance 2024-01 shall be forwarded to the Board of Mayor and Aldermen (BMA). Because the PC did not recommend approval of the rezoning request, the Zoning Ordinance requires a favorable vote of a majority of the entire membership of the Board of Mayor and Aldermen (BMA) on the rezoning. A recommendation for Resolution 2024-01 is needed for the BMA’s consideration.

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**Motion by Commissioner Rozanski, and seconded, (case #234176) to recommend approval of Resolution 2024-01 (Exhibit 4), Request approval to amend the Gallina Centro Planned Development to allow auto dealerships as a permitted use, located north of Winchester Road and just west of South Houston Levee Road.**

Chairman Cotton called for discussion.

The PC reviewed the nine exceptions, amendments, and waivers raised by the applicant in Exhibit 3. Mr. Groce noted that not all the requested amendments are included in Attachment A to Exhibit 4, the Outline Plan for the PD Amendment. A discussion ensued about the design standards that would be applicable to a new car dealership in Parcel C and the processes the Town should use to approve a new dealership. The consensus of the PC was that a CUP is needed for a new car dealership and the amended Outline Plan should reflect that. The PC was supportive of the removal of the requirement for the north/south road, having front and side buffers that use landscaping instead of berms, and allowing the DRC to decide such issues as whether bulkheads are needed on the storefronts, the types of accent materials, the percentage of glass on the building, and whether masonry columns should be used on the ornamental fencing planned for the rear of the site.

Discussion ensued about how the DRC should consider the applicant's exhibit showing the extent of the glass storefront when they are calculating the maximum limit of glass/glazed area and how the DRC should make sure that standard dealership franchise designs are modified to better blend with the character of Collierville.

Mr. Groce advised the PC that, based on the discussion, a few changes to the wording in the Outline Plan are needed to give the PC what it wants to send to the BMA; however, it is largely written as they are recommending. Commissioner Rozanski said he agrees with the edits made to his motion for the topics on the screen and his motion reflects the edits and the discussion. The second agrees.

Given its vote on the rezoning and lack of a positive recommendation, a discussion ensued about the appropriateness of GC zoning in this area. The PC debated whether to strike GC uses from being allowed in Parcel C, but Mr. Whitehead and Mr. Groce reminded the PC that the PD ordinance was amended around 20 years ago to require the uses allowed in a PD to match the base/underlying zoning. Given that constraint, the consensus of the PC was to send the amended Outline Plan text on to the BMA and let them decide the issues about whether GC zoning and its related uses, such as car dealerships, would be appropriate for the Gallina PD and the new Parcel C.

Hearing no further discussion, Chairman Cotton asked to call the roll on the updated motion, which was to recommend approval of Resolution 2024-01 (Exhibit 4), revising the Outline Plan text so that auto sales uses in Parcel C will require a Conditional Use Permit (CUP) and fence designs in Parcel C may not have columns and will be reviewed by the DRC on a case-by-case basis.

**Roll call:**

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

**Motion Approved**

**8.c Ordinance 2023-09, An Ordinance to Amend Title XV, Chapter 151, of the Town of Collierville Code of Ordinances by Amending §151.003 Definitions Related to Vesting; §151.024(G)(7)(e) Related to the Maximum Height of Cell Towers; §151.115(D) Related to Off-Site Parking Requirements; §151.171 to § 151.180 Related to Reserved Parking Signage; §151.311 Site Plan Review Related to the Effective Period of Site Plan Approval; §151.155(E) Additional Provisions Related to Vesting; the Creation of § 151.008 Traffic Impact Analysis; and, the Creation of § 151.313 Vesting**

**EXHIBITS**

The staff report and the following:

1. Summary of Amendments (1/26/24)
2. Ordinance 2023-09 (1/26/24), with Attachments A through H
3. Target Example of Restricted Parking Signage (9/12/23)

Mr. Groce stated staff has requested voting on this item be deferred to the next regularly scheduled meeting.

**Motion by Commissioner Rozanski, and seconded, to defer Item 8c Ordinance to Amend Title XV, Chapter 151, of the Town of Collierville Code to next scheduled meeting.**

**Roll call:**

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

**Motion Approved**

**Other Business:**

Chairman Cotton asked if there was any Other Business.

A memo was provided by Mr. Groce to the PC about amendments to the subdivision regulations planned for the March PC meeting, but there was no discussion.

Mr. Groce stated there will be a few voting items, including the deferred item, on the agenda for the March 7<sup>th</sup> meeting.

Hearing no further business, Chairman Cotton adjourned the meeting at 7:45 pm.

Secretary, Commissioner Jeremy Given