

A regular meeting of the **Planning Commission** was held on Thursday, May 5, 2016, at 6:00 p.m. in the Board Chambers of Town Hall, at 500 Poplar View Parkway.

Staff members present were: Town Attorney, Mr. Nathan Bicks; Assistant Town Administrator, Mr. Josh Suddath; Town Planner, Mr. Jaime Groce; Town Engineer, Mr. Dale Perryman; Deputy Town Engineer, Mr. Jason Walters; Assistant Town Planner, Mrs. Nancy Boatwright; Planner, Mr. Scott Henninger; Planner, Mr. Matthew Wilkinson; and Administrative Specialist, Mrs. Sandi Robbins.

Pledge of Allegiance

Chairman Cotton led the Pledge of Allegiance.

Roll Call to establish a Quorum

Cotton – present, Worley – present, Tebbe – present, Netherton – present, Murdock – present, Rice – present, Jordan – absent, Rozanski – present, Bradford – present.

Quorum Present.

Approval of Minutes

Chairman Cotton asked if there were any additions or deletions to the minutes from the April 7, 2016 meeting.

Hearing none, he called for a motion to approve as presented.

Motion by Commissioner Rozanski, and seconded, to approve the minutes as presented from the April 7, 2016 meeting.

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

Roll call:

Rozanski – yes, Netherton – yes, Bradford – yes, Rice – yes, Worley – yes, Cotton – yes, Tebbe – yes, Murdock – abstain.

Motion Approved.

Approval of Agenda

Chairman Cotton asked if there were any changes to the agenda as presented.

Mr. Jaime Groce stated there are none and that there are no items on the consent agenda.

Hearing no further discussion, Chairman Cotton called for a motion to approve the agenda as presented.

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

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

Roll call:

Netherton – yes, Bradford – yes, Tebbe – yes, Rice – yes, Rozanski – yes, Worley – yes, Murdock – yes, Cotton – yes.

Motion Approved.

Formal Agenda:

PC16-15 – Collierville First Pentecostal Church Addition- Request approval of an amendment to the existing Conditional Use Permit (CUP) for a place of public assembly/place of worship and a Preliminary Site Plan for a 17,697 square foot building addition on 7.51 acres located at 10545 Collierville Road.

Mr. Matthew Wilkinson gave the staff presentation. He showed an aerial view of the property and explained the applicant’s request. He listed the following key questions he will be addressing in this presentation:

1. How will the enlargement of the church campus impact traffic on Collierville Road?
2. Will there be adequate parking for the addition to the church campus?

He stated the existing conditions at the site include three structures, a sanctuary, a framed structure towards the rear of the property, and the original house on the lot that was converted into classroom space. There is currently one curb cut on Collierville Road and a 30-foot Town sewer easement that runs across the property towards the south west portion of the property.

<p style="text-align: center;">EXHIBITS:</p> <ol style="list-style-type: none">1. Applicant’s cover letter (4/12/16).2. Preliminary Site Plan Exhibits (4/12/16-4/13/16)3. Elevations and Roof Plan (4/12/16)4. Final Plat from 2006/20075. Applicant’s Traffic Study Memorandum (4/12/2016)6. BZA Conditions of Approval for original CUP from 20027. Conditional Use Permit Test Analysis by staff

The Preliminary Site Plan includes a new sanctuary and a new parking lot. The existing sanctuary will be repurposed. There will also be a new sidewalk connection between the church and Collierville Road as well as a second curb cut to the west. He gave a brief overview of the site layout. He explained the grading and drainage plan. He explained the architectural elevations of the structure which include an entry drop off/pick up area on the side.

He explained how the church campus will impact traffic on Collierville Road. The applicant did commission a traffic impact study from Kimley-Horn. They found that there will be an increase in average daily vehicle trips generated of 162 per day and 649 on Sunday which, added to the existing, will become 232 trips per day during the week and 928 trips on Sunday. The most recent traffic count for Collierville Road at this location is 1807 daily trips. He stated Collierville road is classified as an undivided four lane minor collector on the 2015 Major Road Plan. The church had dedicated a portion of this road for right-of-way but deferred improving it until they added this segment of expansion and growth. Concurrent with this addition, they will be widening the street to meet the Major Road Plan. This addition will also allow for a second curb cut onto Collierville Road. Kimley-Horn did find a potential conflict with the driveway across the street at Old Path’s Baptist Church; however, much of this conflict was mitigated by the fact that most of the traffic would be turning left

and using more of the western driveway opposed to the eastern driveway. He explained how they will have adequate parking for the church campus.

He stated there is currently a 30-foot sanitary sewer easement running through the property. The Town plans to run a water line through this area of the existing easement to connect an adjacent well site to the treatment plant. The Town is working with the applicant to convert the sanitary sewer easement into a public utility easement.

He stated the Preliminary Site Plan along with the changes required by the Conditions, will bring the site into compliance with the Zoning Ordinance. Staff has noted additional issues related to the Design Guidelines in the report and those will be addressed through the DRC and their Conditions of Approval. The proposed place of worship conforms with the applicable special footnotes for places of worship in residential districts. The proposed use is consistent with the existing and potential uses in the vicinity of the subject property, which is largely churches. Conditions have been included to ensure compatibility and character between all the uses. The Town's Land Use Plan indicates that the subject property should develop as a Conventional Suburban Neighborhood and acknowledges the existing place of worship use at the site. There are no known archaeological, environmental, historical or cultural resources on the site other than the well easement. Adequate public and private facilities currently exist to serve the enlarged place of worship, or will exist once the PC Conditions have been adequately met.

He explained how the church met the additional requirements for a Place of Worship in a residential area. He described the next steps and the example motion with conditions.

Chairman Cotton asked if there were any questions of staff.

Hearing no further questions, Chairman Cotton called the applicant to the podium.

Mr. Wes Ashworth, Ashworth Engineering, 366 College St, stated they are excited for this place of worship to expand. They have worked diligently with the Staff and agree with all conditions. He is here to answer any questions.

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

Motion by Alderman Worley, and seconded, to recommend that the BMA approve the request for a Preliminary Site Plan and the proposed amendment to the existing Conditional Use Permit for a 17,697 square foot addition to the existing Collierville First Pentecostal Church on 7.51 acres located on the south side of Collierville Road subject to the following conditions:

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 demolition permit will be required at the time of the final site plan.
3. Proposed contours on the Grading and Drainage Plan must be tied into existing contours correctly.
4. All drainage ridge lines shall be shown and labeled on the Grading and Drainage Plan.
5. Drainage swales directing water to the detention pond shall be better delineated on the Grading and Drainage Plan.
6. The appropriate FEMA note will be required on the Grading & Drainage Plan.
7. The required TDEC Stream Buffer, as well as a note describing the upstream drainage area of the stream, shall be shown on the Grading and Drainage Plan. The TDEC Permit and Town's Storm Water

Ordinance require a 60' wide (from top of bank) water quality buffer for streams with a drainage area over 1 square mile and 30' wide (from top of bank) if it is less than a square mile.

8. A detailed drainage report shall be provided to the Development Department at time of the Final Site Plan. This report shall include a summary of all pre and post developed flows for the 2, 10, 25 & 100 year storm events. Copies of all drainage calculations need to be provided with the report.
9. The Town's Standard Detail Sheets shall be used at the time of the Final Site Plan. Site specific details may be added.
10. A CAD file must be submitted to the Town prior to the submission of the Final Site Plan.
11. Plan and profile sheets and cross section sheet for Collierville Road improvements shall be provided to the Town at the time of the Final Site Plan. Collierville Road additions shall be made concurrent with the sanctuary addition.
12. All walks shall be designed and constructed to meet the requirements and standards of the Town and the Americans with Disability Act.
13. A revised Lighting Plan shall be submitted with the Final Site Plan. The revised Lighting Plan shall include property lines, lumens of the selected light fixtures, cut sheets of selected light fixtures, and the location and lumens of any existing exterior light fixture currently on site that will remain following the addition.
14. All sheets included in the Final Site Plan submission shall be numbered and that number shall be included on the page as well as on the cover sheet.

Roll call:

Netherton – yes, Rozanski – yes, Bradford – yes, Rice – yes, Murdock – yes, Tebbe – yes, Worley – yes, Cotton – yes.

Motion Approved.

PC16-20 – Price Farms PD, Ph. 2 – Carriage Crossing – Request approval of a Conditional Use Permit for a re-occurring outdoor event and fundraiser called “BrewFest”.

Mr. Matthew Wilkinson gave the staff presentation. He reviewed the key questions he will be addressing which include:

1. Has Carriage Crossing hosted similar large-scale events?
2. What will take place at this event?
3. What is the expected size of the event?
4. Does the Town have a beer permit process for such events?
5. Should the CUP approval process be structured to allow this event to be reoccurring and how would that work?
6. Will “Non-Basic” Town services be needed?

EXHIBITS:

1. Applicant's cover letter (4/7/16)
2. Site Plan (4/7/16)
3. Supporting Event Documents (4/7/16)
4. Outdoor Event Questionnaire (4/7/16)
5. March 22nd, 2016 Beer Board Minutes
6. Conditional Use Permit Test Analysis by staff

He showed a site plan of the location of BrewFest at the Carriage Crossing mall. He stated Carriage Crossing has hosted other events at the proposed site including the Susan G. Komen Race for the Cure, as well as hot air balloon rides and several 5K runs. In addition to these events, the shopping center has the ability, per its PD, to host events in its central plaza area without obtaining a CUP or seeking Town approval. Such events that have been held at that location include movie screenings, live entertainment, and fashion shows. The proposed event

is a benefit for Le Bonheur Children's Hospital and will entail ticketed beer tasting. Tickets for the event will be limited to those aged 21 and over and sold in advance and at the gate. The target ticket total is 1,000. The applicant is estimating that there will be 20-30 sponsor/vendor tents, as well as 4-6 food trucks. The event will also have live entertainment in the form of a band or DJ. The total attendance for the event is expected to be 1,250 individuals, including staff. They are expecting 500 individuals at any one time. The area in the parking lot to be dedicated for the event will be approximately 40,000 square feet. The location of the event will be in the parking lot southwest of Macy's and will displace 171 parking spaces at the shopping center.

The Town currently does not have a beer permitting process in place for special events like this one; however, the Beer Board did discuss the event at the March 2016 meeting and offered suggestions on how the event should be conducted including the use of temporary barricades. As there was no basis in the Ordinance for the Beer Board's approval or disapproval of the event, no recommendation was made by that Board. The fact that the Town does not have a beer permitting process in place for this type of event does raise some administrative issues.

The Town has structured CUP approvals for other reoccurring outdoor events on private property, such as Bumpus Harley-Davidson, Carriage Crossing Food Truck Fridays, and the Collierville Farmers Market at Collierville United Methodist Church with staff administratively approving extension of the CUP on an annual basis after they ensure the applicants follow through with all the conditions and requirements. If the event is to be reoccurring, the applicant should formally request that extensions of the CUP be allowed, and the BMA would make a determination on whether such extensions are appropriate. The applicant plans on using on-site custodial and security guards. All voluntary servers will go through application training and background checks as required by the Town.

The site layout provides ample room for the outdoor event being proposed, as well as parking. Carriage Crossing has a lot of experience hosting large events, such as the one being proposed and they have a history of obtaining all required permits and approvals before hosting such an event. There are no special CUP footnotes applicable for outdoor events in shopping center areas. The proposed use is consistent with the surrounding mall related uses as well as the overall character of the existing developments within the vicinity of the subject property. The applicant will be responsible to obtain all required permits for this site and not adversely impact the surrounding properties. Outdoor events of this scale are consistent with land use in the area. There are no known adverse impacts in the immediate vicinity. Adequate public facilities and services exist to serve the site.

He explained the example motion with the example conditions.

Chairman Cotton asked if there were any questions of staff.

Commissioner Murdock asked if Collierville anticipates establishing a beer permitting process for events such as this one.

Mr. Josh Suddath, Assistant Town Administrator, stated other towns such as Franklin have in their beer ordinances a special event beer permit that is given to a company or entity to allow them to distribute beer at an event. The Ordinance in Collierville requires beer permits to be distributed to businesses such as restaurants and convenience stores. When the Town's Fathers put together this Ordinance they hadn't envisioned an event wanting to distribute beer. In order for this to be added to an Ordinance it has to go through the Ordinance process enunciated by the BMA. At this time there are no plans to do this with the BMA.

Commissioner Murdock asked under what circumstances the Planning Commission should make a recommendation for this special event beer permit process to be created.

Mr. Suddath stated it could certainly be a recommendation by the Planning Commission. There was a similar event in 2012 that was envisioned at the mall but never actually happened. This raised the question of our legal counsel whether it could happen. The advice legal gave was since the Ordinance is silent about it, the Town could allow it to occur since it doesn't actually violate the Beer Ordinance. If everything fits within the Town's requirements for the event to take place, and isn't detrimental to the Town or community, then it can occur.

There was discussion about how the Planning Commission could make a recommendation to add such a permit process to the Ordinance, but it would add another hurdle for the applicant. It was also discussed how the idea for now is to use the CUP process to condition the event, as this type of event does not happen frequently.

Chairman Cotton called the applicant to the podium.

Mrs. Susan Eads, General Manager at Carriage Crossing, stated she is ready to answer any questions.

Alderman Worley asked if there is a way to monitor the situation if they have more people than anticipated in attendance of this event.

Mrs. Eads stated they would limit the ticket sales to 1,000. If they had that growth, that would be great, but they want to do it gradually so they can make sure they can be prepared and control the crowds. They have had a similar event with the St. Jude Walk that grew extraordinary fast but they didn't limit ticket sales that year, but with this event they want to grow more slowly.

Alderman Worley stated they had a lot of Town services to monitor the flow of traffic with the Race for the Cure. He knows they stated that no Town's services will be needed but he was wondering if they would be needed for this event to monitor traffic flow.

Mrs. Eads stated if they limit ticket sales to 1,000 they wouldn't need Town services for traffic control or anything like that. For the Race for the Cure they estimated 13,000 people in attendance. They didn't have Town services for the St. Jude Walk and she believed that maximum in attendance was under 3,000. She believes they can contain, handle the parking, and traffic control while it's limited to 1,000 tickets.

There was a discussion about the event start time and durations, and only allowing people 21 years old and up to participate. It was then discussed how they will check the participants' IDs at the entry with additional security monitoring the event.

Commissioner Rozanski asked if she wanted the Planning Commission to structure the approval of this event to be reoccurring.

Mrs. Eads stated they do want to be reoccurring, but she can see why they may need to come back for additional review and approval should it grow into a bigger event where they would require Town services. Until then, she would like for it to be approved to be reoccurring.

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

Motion by Commissioner Bradford, and seconded, to approve the request for the Conditional Use Permit for "BrewFest" at Carriage Crossing (see Exhibits 1-4), located on Houston Levee Road between Collierville Road and Shelby Drive subject to the conditions in the example motion.

Chairman Cotton stated it was his understanding that the applicant requested for this to be a reoccurring event.

There was a discussion over allowing the request to be a reoccurring event and, if they allowed the reoccurring event, the CUP could be revoked by the BMA if the event is found to be in violation of any of its conditions.

There was a discussion on how to structure the approval to make it reoccurring as requiring the applicant to notify Staff 60 days prior to the start of the event, limiting the event to only once a year, and ensuring there was a limit to the amount of attendees to this event.

Commissioner Bradford agreed to the friendly amendments to the motion, such as new language for condition 10 and adding conditions 11 & 12, and the Commissioner who seconded agreed to the following amended motion to approve the request for the Conditional Use Permit for “BrewFest” at Carriage Crossing (see Exhibits 1-4), located on Houston Levee Road between Collierville Road and Shelby Drive subject to the following conditions.

1. No fire lanes or handicap parking shall be blocked by the special event.
2. No electrical cords shall be allowed to run across the ground, through doors or windows per building codes and fire regulations.
3. Alcohol possession and consumption will be contained to the event area as defined in Exhibit 2.
4. The event area defined in Exhibit 2 shall have temporary barricades around the perimeter.
5. Alcohol possession and consumption at the site will be limited to the day and hours of the event as specified in Exhibit 4
6. If a taxi/Uber/Lyft pickup area is planned, that location will be defined on an updated site plan and approved by staff prior to the event.
7. There shall be no parking on any public streets or rights-of-way.
8. Outdoor event equipment (tents, chairs, stages, etc) shall not remain outdoors overnight.
9. Any additional permits (tent, electrical, signage) shall be obtained prior to the event.
10. The Conditional Use Permit is valid on a reoccurring annual basis (once per year) as long as they meet the same conditions and limitations of this approval.
11. 60 days of notice shall be given to the Town prior to the event.
12. Attendance at the event shall be limited to no more than 1000 paid attendees.

Roll call:

Murdock – yes, Tebbe – yes, Netherton – yes, Bradford – yes, Rice – yes, Worley – yes, Rozanski –yes, Cotton – yes.

Motion Approved.

PC16-08 – The Villages at Porter Farms Planned Development, Phase 14 - Request approval of a Preliminary Subdivision Plat and Construction Drawings for 15 lots, on 2.29 acres located along South Shea Road NW of the northern “square-a-bout”.

Mr. Scott Henninger gave the staff presentation. He reviewed the proposed Preliminary Subdivision Plat. He stated this is a follow up from the Planning Commission April meeting agenda item that was a Planned Development (PD) Amendment and that the BMA approved on April 25, 2016. He explained the exhibits in the

EXHIBITS
1. Applicant’s cover letter (rcv’d 4/11/16)
2. Preliminary Subdivision Plat (4/11/16)
3. Planting Plan Exhibit (4/11/16)
4. Architectural Character Photos (4/11/16)
5. PC Minutes for PD Amendment (4/7/16)
6. Common Open Space A Easement
7. Problem Area Exhibit (4/28/16)

packet. In Exhibit 2 he showed a space about the proposed 15-lot subdivision that was designated for future office development. He explained the range of setbacks on this proposed subdivision. In Exhibit 3 he explained the planting plan and where the applicant plans to plant street trees. Exhibit 4 he showed photos that indicate homes that have been built in Villages at Porter Farms Phases 8 & 10 because they plan to use similar homes for the proposed subdivision.

He stated the subdivision follows the intent of the Villages at Porter Farms PD because of a recent amendment that reduced the area for “Village Office” and now allows the “Village Townhouse” to expand. The future development tract would allow the “Village Office”, assisted living, and “Office Uses” as regulated by the medical use office space.

Mr. Groce stated we have received a new application for the future office tract that is unrelated to this project. It is an assisted living facility with a related PD Amendment, and a subdivision plat will be related to it. You will this on an upcoming PC agenda.

Mr. Henninger stated this lot layout could possibly result in an undevelopable non-residential lot in Area 6. There is a small parcel that would not be appropriate for nonresidential use. They could technically add one more lot similar to the lots you see, or they could potentially use it as common open space. It’s possible that traffic circulation around the north square can also be improved with this application. Staff has observed that traffic from Jennings Mill Lane often circulates around the square in the wrong direction to go northbound on Shea Road. The applicant should consider studying the intersection. For example, adding a concrete island at the intersection could direct traffic around the square in the correct direction. No formal study of the intersection has occurred and there are no conditions of approval in the example motion about this.

He explained the example motion along with the example conditions. The applicant is in agreement.

Chairman Cotton asked if there were any questions of staff.

Chairman Cotton called the applicant to the podium.

Mr. Jim Kelley, Kelley Professional Services, 2990 Warren Road, Oakland, TN 38060, stated he is here for any questions they may have.

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

Motion by Commissioner Rozanski, and seconded, to recommend approval to the Board of Mayor and Aldermen of a Preliminary Subdivision Plan for Phase 14 of the Villages at Porter Farms Planned Development, subject to the following conditions.

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 4/25/16 Amendment to the Planned Development must be recorded prior to submitting for the Final Subdivision Plat for Phase 14.
3. Update the site data table on the plat to incorporate the acreage for the “Village Center” future development tract and update the overall parcel acreage as impacted by the future development tract.
4. Side setbacks adjacent to service drives shall be 5 feet and clearly labeled.
5. The front setback range on the south side of Lot 12 shall be indicated and labeled as 18 to 20 feet as required by the PD Amendment.
6. As part of the Development Agreement, the applicant shall pay \$300 for each required mitigation tree.

7. All existing encumbrances and easements on the subject property need to be shown on the Final Plat. A title search needs to be done, which needs to be reviewed by the engineer or surveyor who is preparing the plat, or by legal counsel who can issue an opinion of title. A note to this effect needs to be added to the plat.
8. The Engineering Division will require the following:
 - a. All staff comments related to the construction plans shall be addressed prior to the BMA review of the Development Agreement.
 - b. Prior to plat recording, please provide a 11 x 17 drawing showing the area (s.f.) of all public easements and right-of-way to be dedicated with this plat
 - c. Northing & Easting's are required to be shown and labeled for all boundary corners.
 - d. Note the minimum Finished Floor Elevations will be reviewed once the project is completed and the As-Built topo is submitted.
 - e. Add Note – F.E.M.A. now requires for the zone that the project is located in to be listed.
 - f. Lot Table – The area for C.O.S. B did not get moved with the table
 - g. North of Lot #5 – The 20' Drainage Easement label is on top of the bearing.
 - h. North of Lot #5 – Clarify what the 5' and 95.22' dimension is for.
 - i. The 20' Drainage Easement and the new portion of the 20' Sewer Easement needs to be dimensioned and tied down in a detail.
 - j. Sheet 2 – Area 6 – The Drainage Easement and Pedestrian Easement are not shown. The easements in Phase 2 that exist and impact the property of Phase 14 must be shown.
 - k. Sheet 2 – C.O.S. A – Change the color/line type so that it does not appear to be a part of this plat and remove the dimensions related to C.O.S. A.
 - l. Provide a copy of the NOI, NOC and SWPPP.
 - m. Provide a CAD file.
9. The Public Services Department will require the following:
 - a. Add 2" blow-off hydrant at end of service drive off of Jennings Mill Lane.
 - b. Plug deleted sewer line into Lot 12 inside manhole and cap pipe.
 - c. Plug inside manhole and cap 8" water pipe at Lot 4.
 - d. For Lots 12 thru 15, sanitation service off ingress/egress easement, not Shea Road.
 - e. For Lot 7, the foundation of the home, including porch, chimney, and bay windows, are not permitted to encroach within the drainage easement.

Roll call:

Netherton – yes, Rozanski – yes, Bradford – yes, Rice – yes, Murdock – yes, Tebbe – yes, Worley – yes, Cotton – yes.

Motion Approved.

PC16-21 – Ordinance 2016-06, an Ordinance to Amend Title XV, Chapter 151, Of The Town of Collierville Code of Ordinances by Amending §151.006 General Provisions for All Districts, § 151.020 Districts Established, §151.021 Uses Permitted in Each Zoning District, §151.024 Specific Provisions for Conditional Uses, §151.025 Accessory Uses Permitted in Each Zoning District, § 151.027 Bulk Regulations and Yard Requirements for All Zoning Districts, §151.156 Specific Standards and Criteria for Residential Planned Developments, adding §151.038 R-2A Medium Density Residential Districts, and Renumbering §151.038 through §151.049, for the Purpose of Creating a New Medium Density Residential Zoning District.

Commissioner Murdock recused herself at this time.

Mrs. Nancy Boatwright gave the staff presentation. She stated this was a Staff-initiated Ordinance after a joint BMA & PC work session which was in response to the Hoppers Tract rezoning request for R-3A on a portion of the subject property. She will be addressing the answers to the following key questions:

EXHIBITS

1. Ordinance 2016-06 with attachments (5/5/16 Draft)
2. Bulk Requirements for Single Family Detached Residential Districts
3. Zoning Map Legend

1. Is there a need for a new Residential Zoning District?
2. Would duplexes be allowed in the new R-2A District?
3. How will the new district be reflected on the Zoning Map?

She stated there will be 7 sections of the zoning ordinance that will be amended to create the R-2A District. One new section will be created for the R-2A and the sequence of the districts will have to be renumbered to insert the R-2A. She summarized what the ordinance for the new R-2A will include. §151.006 will add R-2A. This applies to all conventional single family residential districts. §151.020 which established all districts, will add the proposed R-2A District. §151.021 is the use table and will be adding a Column for R-2A. §151.024 is the sexually oriented business section which will add R-2A to prohibit any sexually oriented business within 1,000 feet of an R-2A District. §151.025 is the accessory uses section and adds the proposed R-2A to the permitted accessory uses table. She explained the bulk requirements for the R-2A district. She stated duplexes are not allowed in the current R-2 district and would not be allowed in the new R-2A district. She stated § 151.039 creates a new section which would be the new R-2A Medium Density Residential Districts. The purpose and intent are similar to R-2. She explained one of the purposes is to provide a variety of medium density lot options. § 151.156 is the Specific Standards and Criteria for Residential Planned Developments which sets the base density for planned developments. She explained the May gross density for R-2A in a PD and the methodology on how that was developed.

She explained the example motion.

Chairman Cotton asked if there were any questions of staff.

Mr. Groce stated the PC & BMA had a work session on March 17, 2016 at the library and this idea was suggested as a way to help. This allows a slightly smaller lot size than R-2 and this new district removes the concern about duplexes by not allowing them. There may be a market need for this type of lot size and Staff would like feedback to see if this addresses the concern that was raised at that work session.

Hearing no further questions, Chairman Cotton called citizens forward who wished to speak.

Mrs. Melinda Dunham, 1240 Yorktown Road, stated her opposition to the R-2A zoning district is related to her opposition to Ordinance 2016-05. She doesn't believe it is in best interest to the residents currently around the Hoppers Tract to create a new zone that ultimately produce houses upon houses. She stated she is not really interested in the smaller lots at this point.

Commissioner Tebbe stated the change between the R-2A and R-3 is minuscule. The only reason he would be in favor is because it wouldn't allow duplexes.

Commissioner Netherton asked if it were a possibility to remove duplexes from the existing R-3.

Mrs. Boatwright stated yes but, that would take a separate amendment to the Zoning Ordinance.

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

Motion by Commissioner Netherton, and seconded, to recommend approval to the Board of Mayor and Aldermen of Ordinance 2016-06, an Amendment to §151.006 General Provisions for All Districts; §151.020 Districts Established; §151.021 Uses Permitted in Each Zoning District; §151.024 Specific Provisions for Conditional Uses; §151.025 Accessory Uses Permitted in Each Zoning District; § 151.027 Bulk Regulations and Yard Requirements for All Zoning Districts; §151.156 Specific Standards and Criteria for Residential Planned Developments; Adding §151.039 R-2A Medium Density Residential Districts; and, Renumbering §151.039 through §151.049, for the purpose of creating a new Medium Density Residential Zoning District (Exhibit 1).

Commissioner Rozanski stated he is in favor of a new zoning district that allows additional flexibility and reflects a demographic where we are seeing a population that wants a nice size house in a nice neighborhood but without the yard upkeep.

Commissioner Netherton stated he took the time to look last night in regards to single family districts, we current have more districts already in place than Bartlett, Arlington, Olive Branch, and Germantown. Do we really need to create another one or do we need to study what we have existing and maybe make some amendments to those?

There was a discussion if they could tweak an existing district rather than creating a new zoning district.

Alderman Worley stated he is in agreement with not having too many regulations, but hopefully this will prohibit people from coming in with R-3 or R-3A by choosing to use R-2A. He believes people might chose R-2A over R-3 and R-3A, which could result in better projects.

There was a discussion over changing R-3A by removing its negative features while somehow honoring the preexisting zonings and the possible benefits from the new R-2A District.

A discussion ensued on how voting on PC 16-21, creating a new zoning district, is separate from any other item on the PC agenda.

Roll call:

Netherton – no, Rozanski – yes, Bradford – yes, Rice – yes, Murdock – recused, Tebbe – yes, Worley – yes, Cotton – yes.

Motion Approved.

PC16-06 – Ordinance 2016-05 – Request approval to rezone 89.5 acres located at the southwest corner of Shelton Road and Collierville-Arlington Road, part of the Hoppers Tract, fr om R-1 Low Density Residential to R-2 Medium Density Residential and R-2A Medium Density Residential.

Commissioner Murdock recused herself at this time.

Mrs. Nancy Boatwright gave the staff presentation. She reviewed the proposed rezoning and showed a vicinity map. She stated the key questions that will be covered.

1. Why does the applicant want a mix of R-1, R-2 and R-2A?
2. Does the proposed zoning comply with the Land Use Plan?
3. Are the lot sizes appropriate?
4. What road improvements will be required?

EXHIBITS

1. Applicant's Original Cover Letter with Responses to Standards for an Amendment to the Zoning Map (1/26/16)
2. Applicant's Cover Letter with Revisions to Rezoning Request (4/15/16)
3. Ordinance 2014-06 (5/5/16)
 - a. Zoning Map Attachment
4. Existing Zoning
5. Applicant's Exhibits (1/26/16)
 - a. Hoppers Tract Rezoning & Conceptual Lot Layout
 - b. Existing Land Use
 - c. Future Land Use
6. Excerpt from Collierville 2040 Land Use Plan
7. Maximum Gross Residential Density Map
8. Traffic Assessment

She explained the applicant would like to develop the property with a variety of lot sizes and lot widths. She explained the acreage per zoning district on this property and how they transition. The proposed zoning complies with the 2040 Land Use Plan. The 238 lots on a 108 acres will produce a gross density of 2.2 dwelling units per acre. The 2040 Plan for this area envisions a range of 2.01-2.5

dwelling units per acre based on the sewer capacity of the area and the desired land use character. The density will be reviewed with a subdivision plat, but the developable acres will be reduced due to the right-of-way, required storm water detention, and common open space. She reviewed the proposed zoning on the density map and bulk comparison table. She explained the surrounding zoning of lots around the proposed property. She explained lot sizes surrounding the Hoppers Tract with a map that was shown at the March work session. She showed an aerial map that showed the adjacent lot types. She stated the site is heavily wooded. She stated Shelton Road is classified as a major collector, four lane divided road with a right-of-way between 90 and 114 feet and a 70 foot pavement section. Collierville-Arlington on the east side is also classified as a major collector but with a four lane undivided with a right-of-way of 84 feet and a 64 foot pavement section. The Preliminary Site Plan will propose a narrower cross section for Shelton Road and a Level 2 Traffic Impact Study will be required to determine the extent of the road improvements and the impact of the new traffic signal at that corner.

She reviewed Hoppers Tract's grounds for an amendment to the Zoning Map. She then explained the next steps and the example motion.

Chairman Cotton asked if there were any questions of staff.

Commissioner Tebbe asked if the remaining R-1 perimeter would be equal to one lot deep.

Mrs. Boatwright stated that is correct.

Commissioner Tebbe asked if the responsibility for improving Shelton Road goes to the developer.

Mrs. Boatwright stated any improvements to the south side of Shelton Road and the west side of Collierville Arlington would be the responsibility of the developer.

Commissioner Tebbe asked if this plot of land has been zoned R-1 for 30 years.

Mrs. Boatwright stated she would have to research the history for the property but she thinks since it was annexed it was zoned R-1.

Chairman Cotton called the applicant to the podium.

Mr. Kevin Vaughan, Township Development Services, 260 Revell Pointe, stated he believed that the property was zoned R-1 when annexed. There were barely any projects that came in to Collierville that were not R-1 at that time. Mr. Hopper was an absentee land owner so the property stayed dormant for quite some time. He stated he appreciates the Commissioners stance on the new R-2A zoning district. It was not what he had initially requested but understands through the vetting process things change. He believes it is important to have more lot sizes available that don't have the stigma of a possible duplex use to them. He stated new developments are good for existing home owners. They are trying to bring in something that is going to improve the tax base for the Town and they believe it will have spillover effects on property values considering the high costs of homes that will be located there. They are proposing a transition in lot sizes from the south and west to the north and east. They have reduce lots down to 238 since March, but through preliminary engineering work, natural preservation areas, drainage issues, and homeowner associations amenities they will reduce lot density even further to below 2.1 units per acre. The gross density of the proposal will ultimately be equal to what is allowed in an R-1, but because of this property's size, build out will take a long time. They expect this proposal to take 10 years before it is finished. They want the ability to have the different product for different buyers because of the length of the development. They plan on providing high end and high quality houses, not row house after row house. They have studied the road network and have detailed analysis of that, and available infrastructure in the area has the capacity.

Commissioner Tebbe asked what was his rationale behind using R-2 & R-3 instead of R-1.

Mr. Vaughan stated this project has a great deal of infrastructure requirements off-site which don't necessary benefit the project. There are economic realities involved with being able to afford the infrastructure associated with it. There is flexibility, from a design stand point, that smaller lots allow you and they think this will allow them to better serve the market place.

Commissioner Tebbe asked if he wanted to blend in with the surroundings.

Mr. Vaughan states yes, it is easy to say that area is all R-1 with the perspective from the south side but when you start looking from the north and east it's a variety of different size lots. They are trying to come up with a consistent and transparent plan to adapt their development to the surroundings.

Hearing no further questions, Chairman Cotton called citizens forward who wished to speak.

Mrs. Melinda Dunham, 1240 Yorktown Road, stated her property backs up to the Hoppers Tract and she prefers to keep the area as R1 since it has been laid out that way for years. She doesn't anticipate the development of Hoppers Tract to be detrimental to her neighborhood. She understands they want more houses to be able to pay for road improvements but she respectfully requests they look at all alternatives to paying for the roads other than selling lots of homes. She submitted a proposal for the development that would use the existing drainage area as a buffer from R-1 and R-2. She believes there should be a larger buffer for R-1 and that they use R-2 instead of R-2A.

Mrs. Pat Ellis, 260 E. Harpers Ferry, stated she hates to lose the trees but she knows progress happens and would like for it to be the right kind of progress and to keep the nature of the neighborhood the same. She would like to see a bigger buffer on R-1 and is concerned about traffic flow on Shelton.

Mrs. Mary Beth Trouy, 154 E. Harpers Ferry, stated she realizes this property is going to be developed at some time. It is a heavily wooded lot and there is a lot of wildlife on that property. She believes all the trees will go if they continue with the proposed project. She doesn't want the character of her neighborhood to change that much. She is also concerned about the traffic.

Mrs. Karen Conlan, 1226 Yorktown Road, stated she has the same concern as the others. There is a really bad drainage issue that needs to be fixed. She has fixed their own drainage to work a little better but her worry is that once they start building will it worsen the drainage issues. She is also concerned about the traffic flow.

Mr. Charles Caldwell, 1034 Moorefield, stated he believes the proposed development is ludicrous and is completely different from some of the surrounding homes. There is nothing wrong with developers trying to maximize their profits on projects they work on. He believes this project, which may be a good design, is in the wrong place.

Alderman Worley asked if the area by Shelton Road will be a big detention area.

Mr. Vaughan stated yes sir.

Alderman Worley asked if there will be another detention area besides the one by Shelton Road on this property.

Mr. Vaughan stated yes sir.

Alderman Worley stated realistically you have seen the issues that these residents have brought up about drainage issues and you will hopefully help by adding these detention facilities.

Mr. Vaughan stated yes sir, when there is an absentee landowner that doesn't maintain the property, things happen over time to degrade the property. There are ditches that are not shallow enough for the flow of water. That has created issues throughout the property that he believes through development will correct this issue. They will have two entrances off of Shelton that he believes will be a structural improvement to the drainage system for the area.

There was a discussion over access points and how many a development is required to have.

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

Motion by Commissioner Netherton, and seconded, to recommend approval of Ordinance 2016-05 (Exhibit 3) which amends the official Zoning Map of the Town of Collierville by rezoning 54.4 acres from R-1 Low Density Residential to R-2 Medium Density Residential, and 35.1 acres from R-1 Low Density Residential to R-2A Medium Density Residential, located on the southwest corner of Shelton Road and Collierville-Arlington Road.

Commissioner Tebbe stated he doesn't believe the development is blending in with surrounding neighborhoods because the surrounding neighborhoods have 2/3 of their lots zoned R-1, while the proposed development only has 17% zoned R-1. He explained there are over 11,000 single family dwellings in Town that are available for empty nesters. He stated he is concerned with how can the Town benefit with this rezoning. He believes building houses on smaller lots will attract more students which he is concerned with because our current schools are at capacity. He doesn't want Collierville to develop with smaller lots with homes on top of each other.

Commissioner Rice stated he believes there is overwhelming public sentiment that has been verbalized. He stated the public sentiment has been heard.

Commissioner Rozanski stated he appreciates the concerns about the development. He stated if they kept the existing zoning of R-1 and regraded the property they could fit almost as many houses as they are proposing. To his understanding, parts of the rezoning and lot sizes are to adapt to the site and leave it as natural as possible. The boundaries of the R-2 & R-2A aren't clean cut lines, they are following the topography or drainage in order to help make the natural parts of the site exist. You can't do a subdivision like this and not impact the trees and the animals. He agrees and understands to what the public had to say this evening, but there is a larger public that is not here but is also being impacted. The ability to have flexibility with what they are doing will be beneficial in the long run when the property values increase and with the road improvements.

Commissioner Rice stated the first four people that spoke all pointed out they understand development must happen but are seeking to maintain the current R-1 zoning on the property.

Alderman Worley stated he would like to make a suggestion. He would like to have R-1 zoned lots facing R-1 zoned lots then behind the R-1 lots have it transition to R-2. That way, the R-1 lots across the street on the south side are facing another R-1 lot. He stated over to the east was zoned R-3 a long time ago and the lots to the west don't face R-1 lots so you won't see that width in those areas. He stated this would be a good projection to what you are dealing with across the street. He likes how the lots will back up to Collierville-Arlington. He believes this would be a good transition if they change the lot sizes to the south.

There was a discussion over leaving only the south part of the property to R-1 and not the west part because the lots don't face the R-1 lots on the west side.

Commissioner Netherton stated he believes it is their responsibility to look after the interest of current Collierville residents, not the potential ones that may buy one of these lots. He believes the amount requested to be rezoned something other than R-1 is too disproportional and he can't support the request as it is.

Commissioner Tebbe stated he believed the public would be fairly receptive if they changed the request to leave 2/3 of the property zoned R-1 and rezone the remainder which would be more representative of the surrounding neighborhoods.

Roll call:

Netherton – no, Rozanski – yes, Bradford – no, Rice – no, Murdock – recused, Tebbe – no, Worley – no, Cotton – yes.

Motion Denied.

PC15-55 – Resolution 2016-A – (Public Hearing) – A Resolution of the Planning Commission of the Town of Collierville to amend the Collierville 2040 Land Use Plan, the official general plan for the Physical Development of the Municipality and its Urban Growth area, to reflect the change in the applicable Place Types and Permitted Uses for a 95.1+/- acre portion of the 252.58-acre tract located north of SR 385, south of Winchester Boulevard, and west of Houston Levee Road, known as the HL Investments Property.

Mr. Jaime Groce gave the staff presentation. He reviewed the proposed and explained the Planning Commission deferred this at its March meeting. There was a joint work session held on March 17 with the Board of Mayor and Aldermen and this item was discussed along with the Hopper's Tract. The applicant has retracted the scope of the project to match the feedback from the work session. He stated Orgill has announced they will be building their new headquarters across the street with a 100,000 square foot building. The 2040 plan currently calls for Office Intuitional Campus Place type uses for this property.

EXHIBITS

1. Applicant's cover letter (March 28, 2016), with phasing plan and requested Place Types.
2. Resolution 2016-A (4/22/16), with:
 - a. Attachment A – Amended 2040 Place Types
 - b. Attachment B – Existing 2040 Place Types
3. Collierville 2040 Place Types (2012):
 - a. Office/Institutional Campus
 - b. Suburban Commercial
 - c. Green Infrastructure/Corridor
4. March 2016 Planning Commission Meeting Minutes
5. Commercial Node Policy (2012)
6. Demographics for Houston Levee Road Corridor (2015)

He showed a comparison of what the applicant would like to do now compare to what the commercial node was originally proposed. He stated in Collierville we try to separate retail uses with other uses. The 2040 Plan calls that the commercial node concept. Collierville has six different sizes of commercial nodes to accommodate the retail needs of the community. The mall is located in a regional node and it's the only one in Collierville and the Land Use Plan states we should have only one regional node in Collierville. The applicant is looking in expand the Town's only regional node from 234 acres to 328 acres.

He explained the next steps and the example motion.

Chairman Cotton asked if there were any questions of staff.

Commissioner Netherton asked what year was the 2040 plan approved and put in place.

Mr. Groce stated in 2012 and it was an update to a 2001 Land Use Plan that had been amended several times since then.

Chairman Cotton called the applicant to the podium.

Mr. Kevin Vaughan, Township Development Services, 260 Revell Pointe, this reflects the changes that were discussed at the work session and if you have any questions he is available to answer them.

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

Motion by Commissioner Tebbe, and seconded, to approve Resolution 2016-A (Exhibit 2), a resolution of the Planning Commission of the Town of Collierville to amend the Collierville 2040 Land Use Plan.

Commissioner Netherton stated this seems like a good fit but what concerns him is they are four years into a Land Use Plan that states the commercial node is not supposed to be expanded from what is already mapped and shouldn't be increased, yet we are wanting to increase it by 40%. He understands things change and if this was a 40 year old plan he could comfortable say a lot has changed since this was put in place, but it has been 4 years since it was put in place. He is wondering why they put those polies for the regional node in there to have it changed 4 years later.

Commissioner Rice stated he has looked through the old meeting notes for when Carriage Crossing was approved and there were comments made that showed sentiment then to not let retail uses expand on Houston Levee, the north side of 385.

Alderman Worley stated he was on the 2040 Plan Steering Committee and what they would have liked to have seen some institution/uses such as colleges being developed out that way. That didn't happen. There are 2 to 3 companies always looking at Collierville for their corporate offices and want 10-15 acre tracts. The applicant in March wanted to bring this in as straight commercial, but he doesn't want the area to be like Wolfchase.

This new plan is pulled back and with the rest of the land that they aren't committing to retail or residential, hopefully they can get some more corporate offices in here. Times have changed and he is comfortable with this change because it is so close to the interstate. If retail uses were to be if it was further north on Houston Levee he would be uncomfortable with it.

Mr. Nathan Bick, Town Attorney, stated it is important with this request to consider that the Town now has its own school system, which is a change that has occurred since 2040 Plan created in 2012, and this has created a new demand for tax revenue.

Mr. Vaughan stated he was chairman for the 2040 Plan Steering Committee. One of the issues then was they need to offer some type of protection to Carriage Crossing because they were newer at that time. It was a desire at that time to not cannibalize its customers. The Haynes family that owned that tract had their representatives come in and state they wanted to leave the office designation it has always been as a way of a place holder because they weren't sure what they wanted to do with it. In the meantime, the new management at Carriage Crossing has welcomed this change because they feel like a larger critical mass will in turn help them. The 2040 Plan was originally trying to help protect the mall but now the mall wants more co-tenancy.

Commissioner Rozanski explained how the outparcels have overtime filled out on Poplar. They have been siting vacant for years. Four years ago, when the 2040 Plan was being worked on there wasn't much development activity and everything was stagnant. Now you see the growth happening and we want it to happen in a specific area not allowing it really to spread too far and this amendment allows us to do that.

Commissioner Rice stated a perspective with this amendment could be an author of the plan in 2012 who thought this property should be MPO is now hired by the landowner to help with the development of the property has now changed his perspective where it now could be deemed okay for it to be commercial.

Roll call:

Netherton – yes, Rozanski – yes, Bradford – yes, Rice – no, Murdock – yes, Tebbe – yes, Worley – yes, Cotton – yes.

Motion Approved.

Other Business:

Chairman Cotton asked if there was any other business.

Mr. Groce reviewed the Development Activity Report. He explained a few highlights. There is an assisted living center at the corner of Winchester and Shea Road that will look very similar to the Culpepper Place. At the mall, Frida's Mexican Restaurant has finished with the administrative review process and should be able to start pretty soon. CCL Label has submitted a Final Site Plan for an expansion and will soon go to the Board for a development agreement. Starbucks and Mattress Firm, which was denied in April by the BMA, just had a work session with the PC and they will have to resubmit plans for review if they want to return to the BMA. There are still some site plans going to the Board soon, such as Discount Tire and Murphy's Oil.

Announcements:

Hearing no further business, Chairman Cotton adjourned the meeting at 8:16 p.m.

Secretary, Commissioner David Bradford

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