

A regular meeting of the **Planning Commission** was held on Thursday, July 7, 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; Town Administrator, Mr. James Lewellen; Town Planner, Mr. Jaime Groce; Town Engineer, Mr. Dale Perryman; Deputy Town Engineer, Mr. Jason Walters; Assistant Town Planner, Mrs. Nancy Boatwright; Planner, Mr. Matthew Wilkinson; and Administrative Specialist, Sr., Mrs. Shari Michael.

Pledge of Allegiance

Chairman Cotton led the Pledge of Allegiance.

Roll Call to establish a Quorum

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

Quorum Present.

Approval of Minutes

Chairman Cotton asked if there were any additions or deletions to the minutes from the June 2, 2016 meeting.

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

Motion by Vice-Chairman Rozanski, and seconded, to approve the minutes as presented from the June 2, 2016 meeting.

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

Roll call:

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

Motion Approved.

Approval of Agenda

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

Mr. Groce stated that item 7.B. PC16-27 – Villages of Porter Farms, Phase 15, Areas 1, 1a, 2 & 3 has been withdrawn prior to this meeting, and the applicant for item 7.D. PC16-32 – The Arches of Collierville PD has asked for a deferral prior to tonight’s meeting until the September 2016 PC meeting. He knows that a lot of people have come out to the meeting tonight for this meeting. The Town Attorney, Mr. Bicks, has some thoughts on how to handle this.

Mr. Bicks explained that if you continue this to a date certain, then this fulfills the legal public notice requirement, but you may want to require that additional notice be circulated to the people who have come tonight can be given a specific date and public notice cards will be sent out again for that meeting.

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

Motion by Alderman Worley, and seconded, to approve the agenda as amended by withdrawing Item 7.B. PC16-27 – The Villages of Porter Farms, Phase 15, Areas 1, 1a, 2 and 3, and noting that item 7.D. PC16-32 The Arches of Collierville PD will be deferred to the September 1, 2016 PC meeting, and public notice cards will be mailed by staff.

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

Roll call:

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

Motion Approved.

Consent Agenda:

PC16-33 The Villas of Tara Oaks – Request approval of a Final Subdivision Plat

Motion by Commissioner Jordan, to approve a Final Subdivision Plat for the Villas of Tara Oaks Subdivision (Exhibit 2) subject to the following conditions.

<p>EXHIBITS:</p> <ol style="list-style-type: none"> 1. Applicant’s Cover Letter (6/14/16) 2. Final Subdivision Plat (6/14/16)
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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 Final Subdivision Plat shall not be officially recorded until the subdivision has reached the level of initial acceptance as defined in the Development Agreement approved by the Board of Mayor and Aldermen.
3. Correct the name of the developer in the title block on Sheets 1, 2, & 3 to Crews Realty LLC.
4. The Engineering Division requires the following:
 - a) Scale up the Notes on Sheet 2 to improve readability when it is copied and/or scanned.
 - b) Extend the drainage easement line to the right-of-way on Lots 23 & 24 to match other lots.
 - c) State in Note 1 which lots do not have a side/rear utility easement due to the drainage easement.
 - d) Remove the utility easement from inside the drainage easement on Lots 19 & 20.
 - e) Change “outdood” to “outdoor” on the garage note of the Subdivision Plat Data Table on Sheet 2.
5. Provide written responses stating how each comment was addressed.

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

Roll call:

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

Motion Approved.

Formal Agenda:

PC16-28 – Resolution 2016-23 – The Villages at Porter Farms PD – Request approval of a Major Amendment to the Planned Development to create Area 1a; reduce the size of Areas 1 and 3; limit the uses in Area 1a to assisted living and associated uses; establish the rear yard setback for Area 1a; allow alternative planting screens for portions of the boundary and road frontage of Area 1a; allow an 8-foot masonry wall for courtyard areas; allow a 19-foot deep parking space with a 26-foot drive aisle, and; increase the number of dwelling units per acre for assisted living from 10 to 13 with a minimum FAR of 0.25 and maximum FAR of 0.50.

Mrs. Nancy Boatwright gave the staff presentation. She explained that this amendment request if approved, will create Area 1a from parts of areas 1 and 3, limits use in Area 1a to assisted living, establishes rear yard setback for Area 1a, allows alternative planting screen for west boundary and Winchester Road frontage, allows up to an 8 foot masonry wall for courtyards, allow 19-foot by 9 foot parking space with 26-foot drive aisle, and increases the density of the dwelling units per acre (DUA) for assisted living from 10 to 13 with a range of FAR from 0.25 to 0.50. There are several key questions to address tonight and they are:

- Is the amendment consistent with the 2040 plan?
- Is the increased DUA appropriate?
- Why are there alternative streetscapes/buffers?
- Why were there 2 neighborhood meetings?
- How many times has the PD been amended?
- What is the role of conceptual site plan?

EXHIBITS

1. Applicant's cover letter (6/13/16)
2. Resolution 2016-23 with Attachments (7/7/16)
 - A. Bailey Station Outline Plan Text with Proposed Changes
 - B. Bailey Station PD Outline Plan Map with Proposed Changes
 - C. Conditions of Approval
3. Justification of Text Changes (6/13/16)
4. Section H.2. Villages at Porter Farms Outline Plan
5. Conceptual Site Layout (6/13/16)
6. Collierville Greenbelt Network Map
7. Neighborhood Meeting Minutes & Attendance
 - a. May 17, 2016
 - b. June 16, 2016

She explained that there were two neighborhood meetings because more information needed to be disseminated to the neighbors on the scope of the changes. One meeting was held on May 17th and the other was held on June 16th, which provided more information. The proposed design is appropriate and the PD sets the maximum density for assisted living but the Zoning Ordinance does not and it therefore not limited but they have chosen to do this in the PD. The increase from 10 DUA to 13 maximum is appropriate. She showed the area becoming Area 1a. The 2040 area plan shows 1a to develop as office or industrial campus. Assisted living is an acceptable use according to the Zoning Ordinance by right and the MPO does comply with the 2040 Plan. She showed the conceptual site layout and she showed where the 30 feet setback would be located. She explained that this is conceptual and non-binding at this time. She showed the alternate landscape plates for Winchester Road and the west boundary which will include the greenbelt trail and easements. The PD text will be cleaned up and there will be one section for Area 1a. She reviewed the next steps for the applicant and the motion that is contained in the staff report.

Chairman Cotton asked if there were any questions of staff.

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

Mr. Michael Rogers, representative for the applicant, addressed the commissioners. He stated that they have worked with staff and they have no issues and nothing further to add.

Hearing know further discussion, he called for a motion.

Motion by Vice-Chairman Rozanski, and seconded, to recommend approval of Resolution 2016-23 (Exhibit 2).

Roll call:

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

Motion Approved.

PC16-27 – Villages of Porter Farms, Phase 15, Areas 1 1a 2 and 3 - withdrawn by the applicant

PC16-26 – Villages at Porter Farms, Phase 16 – Request approval of a Preliminary Site Plan

Mrs. Nancy Boatwright gave the staff presentation. She explained that the applicant is requesting to build an Assisted Living/Memory Care facility which will contain 99 units and will be located in Area 1a of the Villages at Porter Farms PD. The key questions to consider with this application are:

- Does the site plan meet the PD outline plan?
- What are the traffic implications?
- Are the required buffers and fences provided?

EXHIBITS:

1. Applicant’s cover letter (6/13/16)
2. Preliminary Site Plan Package (6/13/16)
3. Color Building Perspectives (6/17/16)
4. Summary of building materials & colors (5/10/16)
5. Applicant’s traffic generation letter (5/10/16)
6. Villages at Porter Farms Landscape Plates

She showed renderings of the development. Most of the facility will be brick and masonry and the site plan does meet the PD requirements as amended. She reviewed the bulk regulation requirements and the preliminary site layout. The 99 units will generate 291 daily trips with an average peak of 18 trips in the A.M. and afternoon peaks of 29 trips. The applicant will be required to pay their fair share of payment-in-lieu-of-construction of the traffic signals at S. Shea Road and Winchester Road, and S. Shea Road and Houston Levee Road. There will be two access drives; one on S. Shea Road and one on Winchester Road. S. Shea Road is already improved and E. Winchester Road will be improved to its full width per the Major Road Plan from the center line. She reviewed the grading and drainage plan and showed the landscape plates. She reviewed the next steps for the applicant and the example motion as contained in the staff report.

Chairman Cotton asked if there were any questions of staff.

Alderman Worley asked about the west entrance off of Winchester Road and whether or not they make them a joint inlet with the Halle property to the west. This could help so that we don’t have two driveway aprons in the same area.

Mrs. Boatwright stated that has not been discussed because the greenbelt trail is located there and that might complicate things. He doesn’t believe that they have been approached by Mr. Halle about that but it does align with the current existing median cut.

Alderman Worley asked about Winchester Road if we can time this construction at the same time they improve that area with the MPO money the Town has acquired.

Mrs. Boatwright agreed but it stops at Bailey Station.

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

Mr. Michael Rogers, representative for the applicant, addressed the commissioners. He stated that they are fine with the conditions listed in the staff report but would like to ask for a friendly amendment to add a condition. They really do not need 120 parking spaces on the site, and they would like to reduce the parking if at all possible, and if they can, they would like to do it administratively with staff's approval. This would obviously increase the greenspace as well. They would still be well above the minimum parking requirement; however, they would like to reduce the number of spaces, if possible. Regarding the entrance, they have not spoken with Mr. Halle, but do intend to in the near future. Their current entrance is centered with the existing median cut and he doesn't see it changing in the future.

Commissioner Jordan asked what will the eliminated parking spaces become if they eliminate parking spaces.

Mr. Rogers stated that it would become greenspace.

Alderman Worley stated that he was fine with the entrance as proposed, he was just trying to find out if there was any discussion to avoid a double apron in that area.

Chairman Cotton asked staff if the PC adds a condition stating that the applicant can delete some parking spaces, can the applicant meet with staff and do that administratively?

Mrs. Boatwright stated yes.

Mr. Bicks stated that the person who makes the motion can add that as a condition.

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

Motion by Vice-Chairman Rozanski, and seconded, to recommend that the BMA approve the request for a Preliminary Site Plan for the Villages of Porter Farms Assisted Living facility (Villages at Porter Farms, Phase 16) subject to the following conditions and adding condition number 10 to state, "Option to reduce parking spaces within the required limits with administrative approval to increase greenspace."

Commissioner Rice stated that he was glad to see the 120 spaces, but he would like to see a cap added to the condition to cover a minimum parking spaces kept on the site.

Mr. Rogers stated that they haven't decided that they want to do this for sure, but they would like to look at it again and delete spaces if they aren't necessary. They do like to have more than the minimum as they need extra parking on special holidays.

Commissioner Murdock asked if they can give the PC a maximum reduction number.

Ms. Elizabeth Link, representative for the Fosters, addressed the applicant. She explained that at a current facility where there are 67 beds, the maximum number of spaces that is utilized is 50. When they designed this site with 120 spaces, they had not taken into account the Memory Care Unit, which will not need as many

spaces as those patients do not drive or have cars. They are doing more research to see if they actually need the 120, but she doesn't think they would have less than 60, but maybe somewhere under 100. She feels they will need somewhere between 70 and 80 total. One shift would have about 9 employees, so when there is a shift change, you would utilize around 18 spaces. They will do a parking analysis and share that with staff before they ask for any kind of reduction.

A discussion ensued regarding how many spaces they would need with the number of units of the facility.

Based on the discussion, Vice-Chairman Rozanski made a friendly amendment to his motion, to add to condition of approval number 10 that, ***“If anything below 70 parking spaces is proposed, the application has to come back to the Planning Commission for approval.”*** The second agreed.

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 approval of the Preliminary Site Plan shall be contingent on the approval of the amendment of the Villages at Porter Farms PD Outline Plan (Resolution 2016-23) by the Board of Mayor and Aldermen.
3. Provide the following on the Existing Conditions Aerial:
 - a. Provide the zoning of the adjacent properties to the south and east, not the land use.
 - b. Provide the appropriate information (e.g., ownership, zoning classification) for the subject property.
4. Provide written permission from adjacent property owners for any off-site grading or other improvements.
5. Provide a full 12 feet of pavement width for all greenbelt trails.
6. Provide the following on the Site Layout:
 - a. On the site data chart, the existing zoning shall be R-3 High Density Residential with the Villages at Porter Farms PD Overlay.
 - b. Label the ingress/egress easement also as the public water easement.
 - c. Show the location of the detention area.
 - d. Remove the plat book and page number for the 5 foot pedestrian easement on South Shea Road as it is not for this property.
 - e. Show the location of any flagpoles. Flags require a sign permit.
7. With the Development Agreement, the developer shall make payment in-lieu-of construction for his pro-rata portion of the traffic signals that will eventually be installed at East Winchester Boulevard and South Shea Road, and at Houston Levee Road at South Shea Road.
8. The Final Subdivision Plat creating the lot shall be recorded before a building permit is issued.
9. The Engineering Division requires the following:
 - a. Remove the signature and date line for the Town Engineer from the title block on all sheets. He will not sign these sheets.
 - b. In the Final Site Plan package, use the General Notes sheet that is on the Town's website.
 - c. On the Site Layout, include the boundary labels that were removed.
 - d. In the Final Site Plan and Plat submittal, an easement to the Town for the future traffic signal cabinet and pole at the corner of Winchester Rd. and Shea Rd. may be required. This will need to be looked at closer at that time.
 - e. On the Final Grading & Drainage Plan, please label the drainage as Public/Private.
 - f. With the Final Grading & Drainage Plan, a detailed drainage study will be required for the underground detention.
 - g. With the Final Grading & Drainage Plan, maintenance requirements for underground detention will be needed.
 - h. With the Final Grading & Drainage Plan, an easement for the pipe discharging to the south will be required.

- i. With the Final Grading & Drainage Plan, an easement for the grading and road construction on the property to the south will be required, as will an easement for the grading and pipe on the property to the west.
 - j. On the Final Grading & Drainage Plan, please 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.”
10. ***The applicant shall have the option to reduce parking within the required limits with administrative approval to increase greenspace. If anything below 70 parking spaces is proposed, the application has to come back to the Planning Commission for approval.***

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

Roll call:

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

Motion Approved.

PC16-34 – Progress Road Business Park – ChemStation – Request approval of a Conditional Use Permit (CUP) for the light manufacturing of soaps and other detergents within a 42,200 square foot building on 1.97 acres located on the west side of Progress Road, east of US Highway 72, south of SR385 and north of Shelby Drive.

Mr. Jaime Groce gave the staff presentation. He explained the applicant is seeking approval of a CUP for the light manufacturing of soaps and other detergents. The proposed building size will be 24,200 square feet, and the lot size is 1.97 acres. This business will be located across the street from CCL Label and located on the west side of Progress Road, east of US Hwy 72, south of SR385, and north of Shelby Drive. The property is zoned RI: Restricted Industrial, which allows light industrial, warehousing and manufacturing uses. The properties adjacent to this site are RI as well. The key questions to consider tonight are:

- Why is a Conditional Use Permit required in this circumstance? Is the industrial manufacturing of chemicals allowed in R1?
- Even though the proposed building is significantly larger than 10,000 square feet, why is the application being processed as a Final Site Plan?
- What is the role of the conceptual site plan?

EXHIBITS
1. Cover Letter and CUP response (6/13/16)
2. Conceptual Site Plan (received 6/14/16):
a. Site Layout
b. Grading and Drainage Plan
c. Floor Plan
d. Architectural Elevations
e. Color Site Layout
f. Color Architectural Elevations
3. Products and Chemicals offered by ChemStation (received 6/30/16)
4. General Information about ChemStation (received 6/30/16)
5. CUP Test Analysis (6/30/16)

ChemStation will provide customers with environmentally friendly cleaning products and industrial cleaning products. “Industrial manufacturing, assembly, processing storage or distribution of chemicals, drugs and abrasive products” is only permitted in GI: General Industrial District, not RI: Restricted Industrial. The North American Industry classification system says ChemStation is classified as “Soap and other detergent

manufacturing” (per 2012 NAICS #325611). “Other light manufacturing” is allowed in RI by CUP and so is light manufacturing of “groceries and related products.” Authorization to discharge into the sanitary sewer system has not yet been issued, but the Public Service Department has looked at their Memphis location and believes it will be possible for the applicant to obtain a discharge permit. Rinse-out water or overflow wastewater could be removed by contractor for disposal until a permit was secured, or a permanent solution has been determined. A Final Site Plan application has not been submitted for this project yet, but once they do and it is approved, they could come to the BMA for a development agreement by October 2016. This CUP approval will lead to a Final Site Plan approval and although typically the fast-track approval process cuts-off at buildings 10,000 square feet or larger and could take up to 180 days, the Town views this as an economic development project and it qualifies as a fast track project and it is located in an industrial district. They intend to fully comply with the Zoning Ordinance and the Design Guidelines and the conditions of approval with the CUP will require that. According to their conceptual site layout, they plan to have a 30-foot buffer along Progress Road with one curb cut. They will have 4 truck docks at the rear of the site, and there will be an office type area in the front of the building, which will help to buffer and hide the docks and the activity in the rear of the building. They will be asking for 2 water meters; a 2-inch meter line for servicing the office area, and a 1-inch meter for the production area. Their production area consists of running water into the warehouse and filling up large plastic drums which contain the soaps and detergents. These drums are then shipped from the site to their customers. The drums are reusable and the applicant does recycle them. The building will use mostly brick and stone materials in the front façade along with some EIFS. They will add some articulation to the front of the building and they will use some metal siding on the back sides of the large expanse wall on the south side. They have agreed to use a large amount of landscaping to hide the expanse of metal from public view.

He explained the example motion that was in the staff report and the next steps for the applicant along with the conditions of approval that were listed in the staff report. The applicant has agreed with the conditions.

Chairman Cotton asked if there were any questions of staff.

Commissioner Jordan asked about the current zoning. How do we know what goes into the water from their discharge and that it is not classified as a hazardous chemical?

Mr. Groce explained that the discharge permit is pretty specific of what they can and can't do and all of those questions are covered in the permit process.

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

Mr. Michael Fahy, representative for the applicant, addressed the commissioners. He explained that the federal government regulates what they can use in their manufacturing process of soaps and detergents and what they can discharge.

Alderman Worley asked if any of the chemicals or products they will be using will be going through the sewer system.

Mr. Fahy stated that they have spent two months with staff on this one specific issue and he assures the Town that nothing that they will be manufacturing or discharging is going into the public sanitary sewer. This is why the applicant is requiring two water lines/meters, one will be for the office's use and the other is strictly for bringing water in to fill the tanks and they will not be discharging anything back into the sewer from the 1 inch line.

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

Motion by Commissioner Bradford, and seconded, to recommend to the Board of Mayor and Alderman a request (Exhibit 1) of approval for a Conditional Use Permit (CUP) for ChemStation for the light manufacturing of soaps and other detergents within a 24,200 square foot building on 1.97 acres located on the west side of Progress Road, east of US Hwy 72, south of SR385, and north of Shelby Drive, 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. All activities except for parking and loading of vehicles shall be carried on within completely enclosed buildings, thus preventing any adverse characteristics from affecting neighboring properties. Outdoor manufacturing and storage is expressly prohibited.
3. This CUP is listed as “Soap and Other Detergent Manufacturing” uses per the North American Industry Classification System (2012 NAICS # 325611), which includes uses that are “primarily engaged in manufacturing and packaging soaps and other detergents, such as laundry detergents; dishwashing detergents; toothpaste gels, and tooth powders; and natural glycerin.” Should the property owner want to expand the types of chemical manufacturing uses allowed by this CUP, a new CUP or an amendment to this CUP approved by the BMA will be required. Notes shall be placed on the Final Site Plan and Development Agreement for the new building documenting this. The deed for the property shall include language intended to document this use limitation.
4. Regarding sanitary sewer service for the subject property, uses permitted at this location are limited to those that can successfully obtain a discharge permit from the Town of Collierville. Notes shall be placed on the Final Site Plan and Development Agreement for the new building documenting this. The deed for the property shall include language intended to document this requirement and the process for connection to the public sanitary sewer lines.

A brief discussion ensued regarding how the CUP conditions of approval apply to this specific business model and use at this specific address. This is a very specific use and is only approved for this business model.

Chairman Cotton asked Mrs. Michael to call the roll if there was no further discussion.

Roll call:

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

Motion Approved.

Other Business:

Chairman Cotton asked if there was any other business.

Mr. Groce reminded the commissioners of the work session that is scheduled for July 14th at 4:30 in the Administration Conference Room with the DRC to discuss three items. Also the PC and BMA will meet in another work session on July 21st at 2:00 pm to discuss the 2040 Plan in the southern area of Town.

Mr. Groce reviewed the Development Activity Report. He explained that staff has received Starbuck’s and Mattress Firm’s new plans and they are pending after being turned down by the BMA. McDonald’s has resubmitted their site plan and is very similar to what you saw a few years ago and they are updating their traffic study. The Hopper’s Tract that was not recommended for approval to the BMA has resubmitted a new

application and should be ready to come before you at your August meeting. The new request leaves more or the area zoned R-1. The owners of 148 North are continuing to construct their new building on Mai Street and they would like to have a worksession with the PC prior to the HDC meeting on August 25, 2016 to discuss the Preliminary Site Plan they have submitted for a new 2 story building they want to build next door to it. This would help them move quicker through the major site plan approval process and allow them to start building by Christmas of this year. It is a large infill building in the Historic District and warrants major site plan review. The U-Haul company has submitted a plan to be located on Byhalia Road between the new C-store and the Pepsi plant.

There was a brief discussion about the latest Hopper's Tract resubmittal. They are planning to hold an optional neighborhood meeting before the next PC meeting.

Announcements:

Hearing no further business, Chairman Cotton adjourned the meeting at 7:03 p.m.

Secretary, Commissioner David Bradford

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