

A regular meeting of the **Planning Commission** was held on Thursday, August 4, 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. Scott Henninger; 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 – 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 July 7, 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 July 7, 2016 meeting.

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

Roll call:

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

Motion Approved.

Approval of Agenda

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

Mr. Groce stated no and that it is as advertised.

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

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

Roll call:

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

Motion Approved.

Consent Agenda:

PC16-19 – Rolling Meadows PD, Phase 3C – Request Preliminary Subdivision Plat approval for 20 single-family residential lots on 13.512 acres located at the northeast corner of Majestic Trail and Mountain Side Drive.

Chairman Cotton asked for a motion to approve the Consent Agenda as published.

A brief discussion ensued regarding the zoning differences between the R-1 zoning and R-1a.

Motion by Vice-Chairman Rozanski, to approve a To approve the Preliminary Subdivision Plat (Exhibit 2) for Rolling Meadows Planned Development (PD), Phase 3C for 20 single family residential lots on 13.512 acres subject to the following conditions.

<p>EXHIBITS</p> <ol style="list-style-type: none"> 1. Applicant’s cover letter (dated 7/12/16) 2. Preliminary Subdivision Plat (7/12/16) 3. Infrastructure Construction Drawings excerpts (7/12/16)

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 Tree Protection & Mitigation Plan shall be updated to include all mature (8” in caliper or greater) trees within the boundaries of the subject property or otherwise impacted by construction before the Development Agreement will be placed on a BMA agenda for approval. A tree mitigation ratio of one tree planted for every two trees removed is required per the approval of the Rolling Meadows PD Master Plan.
3. Proposed mitigation trees shall be located in common open space areas subject to the review and approval of the Design Review Commission. A payment into the tree bank, currently set at a rate of \$300 per mitigation tree, may be approved by the Town as an alternative to providing tree mitigation.
4. Finalized Declaration of Covenants, Conditions and Restrictions for the subject property shall be submitted prior to staff for Town Attorney review before the Development Agreement will be placed on a BMA agenda for approval.
5. A fee in-lieu of parkland dedication shall be required for the 20 single family residential lots and will be collected through the Development Agreement.
6. The Preliminary Plat document shall be revised to address the following before the Development Agreement will be placed on a BMA agenda (except as specified otherwise). Additional comments for the Subdivision Infrastructure Construction Drawing set may be provided by the Town Engineer.
 - a. Add setback lines for Lot #171.
 - b. Change “Final Plat” on Title Block to “Preliminary Plat.”
 - c. The minimum F.F.E.s will be reviewed once the project is completed and the As-Built topo is submitted.
 - d. Please dimension the boundary between Lots #152 and #156. Also at the northwest corner of Lot #152.
 - e. The following note shall be included on the plat:

“The Homeowners’ Association, Property Owners’ Association, or private owner(s), as applicable, shall, at their expense, be responsible for maintenance of the common open space. If, for any reason, the common open space is not adequately maintained, the Town shall have the right, but not the obligation, to enter upon and maintain the common open space. The expense incurred by the Town in such regard shall be divided by the number of parcels or lots within the development that have a right of enjoyment of said common open space and the resulting figure shall be owed to the Town by each parcel or lot owner. Said sum shall be secured by a lien upon each of the parcels or lots shown within said development and such sum shall be due and payable at the next due date of Town taxes assessed to a parcel or lot. Such sum may be collected and the lien enforced as provided by law.”

7. The Landscape Plan (for COS “C”) shall be revised to address the following before the Development Agreement will be placed on a BMA agenda:
 - a. Update direction of north arrow.
 - b. Add detailed planting plan to the Landscape Plan sheet.
 - c. Incorporate bench and playground specifications into the Construction Drawing set.

Roll call:

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

Motion Approved.

Formal Agenda:

PC16-06 - Ordinance 2016-05 – Request approval to rezone 58.78 acres located at the southwest corner of Shelton Road and Collierville-Arlington Road, part of the Hoppers Tract, from R-1 Low Density Residential to R-2 Medium Density Residential and R-2A Medium Density Residential.

Mrs. Nancy Boatwright gave the staff presentation. She explained that there are five key questions to consider with this request:

- How is this request different from the March 3rd request?
- Why does the applicant want a mix of R-1, R-2, and R-2A?
- Does the rezoning comply with the Land Use Plan?
- Are the lot sizes appropriate for the neighborhood?
- What road improvements will be required?

The property is currently vacant and it is anticipated by the 2040 Plan that it will be developed per the Conventional Suburban Place Type policies. She showed what was previously proposed as to what is being proposed in their current applicant. The R-1 area has been expanded from what the PC considered in March 2016, from 19.2 acres to 49.5 acres. The R-2 area is reduced from 51 acres down to a little over 33 acres, and the R-3A area has been removed and replaced with a smaller amount of acres being R-2A (about 25.5 acres). The mixed areas will allow the developer to have a variety of lots sizes and homes sizes. She showed the maximum gross density map and explained that this request does comply with the Land Use Plan. She

PC 8-4-16

EXHIBITS	
1.	Applicant’s Original Cover Letter with Responses to Standards for an Amendment to the Zoning Map (1/11/16)
2.	Applicant’s Cover Letter with Revisions to Rezoning Request (6/15/16)
3.	Ordinance 2016-05 (8/4/16) <ol style="list-style-type: none">a. Zoning Map Attachment
4.	Existing Zoning
5.	Applicant’s Exhibits (6/15/16) <ol style="list-style-type: none">a. Proposed Zoning - Shelton Rd. Propertyb. Adjacent Lot Widthsc. Survey of Hoppers Propertyd. Existing Land Usee. Future Land Use
6.	Excerpt from Collierville 2040 Land Use Plan
7.	Maximum Gross Residential Density Map
8.	Traffic Assessment
9.	Planning Commission Minutes (3/3/16)
10.	New Home Lot Sizes 2010 – April 2016

reviewed the bulk regulations and stated that the request does meet the requirements. The intent is to transition from the R-2 lots to the south and the west and the smaller PD lots to the north will transition with the neighborhoods across Shelton Road. East of the proposed development is the R-2A area, which will transition with Arlington Hall which is zoned R-TH. She showed the aerial view showing the adjacent lots and lots widths and how each section will transition with the adjacent areas. There has been some discussion about the Major Road Plan requirements for Collierville-Arlington Road and Shelton Road, and the applicant will be required to submit a traffic study with the application and then an amendment to the Major Road Plan may be made at that time, depending on its findings. She reviewed the grounds for an amendment to the Zoning Map and stated that it is in conformance with the requirements. She reviewed the next steps for the applicant and the example motion that is 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. Kevin Vaughan, representative for the applicant, addressed the commissioners. He explained that there were some questions to answer from the last meeting and one of them was, why rezone any of the property? In 1985 the property was annexed by the BMA and zoned R-1 as the default designation. As an example of a similar rezoning, in 1975 the PC annexed the area that is now known as the Shenandoah Subdivision, and some of the R-4 was zoned and turned into commercial and now it is zoned R-3. Members of the Greenhill's Subdivision came to those meetings and expressed extreme concern over these changes and impacts as well. Time changes things and time changes the needs of the zoning district's appropriateness. The entire northern border of the Town now has 70 foot lots along Shelton Road, and in addition the Major Road Plan has changed as well.

In the 1990's there was some road dedications, but they will have a large area of road dedication to fund with this project as Shelton Road has been unequally allocated to this property. They are trying to open this property to broader type of market because the costs of developing this piece of property will demand it, but when completed, it will significantly be improving the home values of the area. They are only asking for a 10 foot reduction on each side of the smallest lots, which is 3,000 square feet small than an R-1 designation. They do not have a conceptual plan yet, because it is changing due to the lots sizes and the terrain that they are having to build around. They estimate that it will take 10 years to build this development out, with the first homeowners to move in around two years from now. They have completed a school impact study and it shows that this development will only be adding 12 students per year and the school system will not be impacted by this low number. He showed pictures of several developments built by the property owner around town and the different types of products that are being built and are successful.

A discussion ensued regarding the location of the detention pond, the amount of unusable land and the number of homes to be located in the R-1 area.

Alderman Worley stated that his concern was that he would like to see the R-1 area backing up to R-1 existing and he thinks this new plan achieves that. He asked about a box culvert separating the two zoning areas?

Mr. Vaughan stated that there will be two box culverts in the plan.

Commissioner Murdock asked about the HOA amenities.

Mr. Vaughan explained that they will be bringing a plan later in the process but it should contain items such as a swimming pool and community clubhouse and a nice common open space area.

Hearing no further discussion, Chairman Cotton called citizens to the podium who wished to speak.

Mr. Charles Caldwell, resident at 1034 Moorefield Road, addressed the commissioners. He congratulated Mr. Vaughan on an excellent presentation even though he disagrees with him. The property to the south and west has been developed by several developers over the years in the R-1 zoning. He looks at this like putting a puzzle together and he sees this as the last large piece of the last remaining buildable R-1 tract in Collierville. If you change the rule now, then you are changing it just for them. All of the other developers in the past have kept the R-1 zoning and built accordingly. Why change the rules for this one developer? They can create a plan that will be successful for them, but that doesn't mean that it is good for Collierville and its citizens. He urged the commissioners to consider this for the future and to leave this whole area as R-1.

Mr. Stephan Kail, resident at 1287 Rain Lake Lane, addressed the commissioners. He explained that he still feels that the R-2 and R-2A area still needs to be smaller. He understands that the developer wants to make the most money out of the property. He lives in the adjacent neighborhood and he has never heard anyone looking for a new house, ask for a smaller yard for their kids to play in.

Mrs. Melanie Andrews and her son Brodie Andrews, residents at 149 Elm Creek Cove, addressed the commissioners. She read a letter that her son wrote which stated that he is opposed to the development. He thinks they should lower the acreage to be destroyed as it contains a lot of forest, which is a habitat for rabbits and deer and he has enjoyed seeing this for many years.

Mrs. Mary Beth Truey, resident at 154 E. Harpers Ferry Road, addressed the commissioners. She stated that they have no objection to the R-1 zoning. There will be a lot more traffic in the area when it is completed, and they would like to keep more of the property R-1 and see the developer build a greenbelt. This would leave more trees on the property and more green space as well.

Hearing no further discussion, he called for a motion.

Motion by Vice-Chairman Rozanski, and seconded, to recommend approval of Ordinance 2016-05 (Exhibit 3) which amends the official Zoning Map of the Town of Collierville by rezoning 33.17 acres from R-1 Low Density Residential to R-2 Medium Density Residential, and 25.61 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 that he appreciates Mr. Vaughan's presentation and if he had the guarantee that they would be building all those houses in the next 10 years he would feel better about that.

Mr. Vaughan stated that the entire community should be built by one single builder and will be held to private architectural guidelines.

Mr. Tebbe stated that he used to live in the Shenandoah Neighborhood and he understand the blending, but he still has concerns with the retention pond and reducing the number of R-1 homes. He would still like to see more R-1 area in the southern boundary.

Alderman Worley asked Mr. Vaughan if they were willing to commit to a minimum of 13,000 square foot lots in the area proposed for R-2 zoning.

Mr. Vaughan stated yes.

A discussion ensued regarding the size of the lots to be developed and the fact that conditions cannot be made tonight on a rezoning request, but there are other ways to accomplish that such as private deed restrictions for the subdivision.

Commissioner Netherton stated that there are just too many unknowns for him at this time and he doesn't understand how they can commit to the square footage of homes when they don't even know how many lots they will have. He would feel more comfortable if he could see the concept plan for the development.

Commissioner Rice agreed with that as there are serious contemplations to consider.

Roll call:

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

Motion Approved.

PC16-24 - CDJR Subdivision, First Revision – Request approval of a Final Subdivision Plat on 5.507 acres located southwest of the intersection of Harley Oaks Cove and Byhalia Road.

Mr. Scott Henninger gave the staff presentation. He explained that this item and the next on the agenda are going to be presented together, but will need two separate motions. He showed an aerial view of the properties and stated that there are two key questions tonight to consider:

- What is changing in the subdivision(s)?
- Why is the change necessary?

<p style="text-align: center;">EXHIBITS:</p> <ol style="list-style-type: none">1. Applicant's Cover Letter (7/12/16)2. Proposed Final Subdivision Plat (7/12/16)3. Conceptual Site Layout Exhibit4. Ordinance 151.115 (B)(4)(c)

He explained that the applicant is wanting to add a 500 foot strip of land to the north of the current Lot 1 of the CDJR Subdivision. This strip will be coming out of the Harley Plaza Subdivision, Lots 6 & 7. Due to the success of the car dealership, they currently do not have enough parking spaces for cars being sold on their lot. They are using overflow spaces, parking in the drive aisles and parking on the street of the cove entrance. The additional space will be used as 4 individual parking lots. The elevations that have been provided are only conceptual, and non-binding. The applicant may submit a CUP application as early as next month for extra parking spaces.

Mr. Groce explained that the Zoning Ordinance was recently updated to remove the "parking cap" from certain uses and to allow applicants to expand on their site and increase automobile inventory and display area.

Mr. Henninger explained that this moving of the lot line 50 feet will result in the expansion of Lot 1 from 3.88 acres to 4.501 acres and a reduction to the Harley Plaza Subdivision by 62 acres, and a decrease in Lots 6 & 7 to 3.733 acres. He reviewed the next steps for the applicant and the two motions with the conditions of approval.

Mr. Groce stated that the applicant has not filed for a CUP amendment yet to expand the dealership to include this new acreage, but he wanted to state that if the commissioners have concerns with allowing more display area with this request without seeing the CUP request and plat, it would be prudent to ask the applicant to defer

until the plat and CUP can be seen at the same time. You cannot defer plats indefinitely, as they approve by “default” if you don’t take action on them within a certain amount of time.

Chairman Cotton asked if we were to approve this tonight, without any idea of what they are going to do, we can open this up to this being just a big car lot.

Mr. Groce stated that the applicant is planning to submit their CUP next week, however, if you don’t want to see this there without a plan to look at and confirm, then you would just be looking at a bunch of green space in the future. They told staff they wanted to work out the land deal first, and then come in with a CUP.

Vice-Chairman Rozanski stated that creating a larger lot with this request this is at their risk.

Alderman Worley stated that he is glad that they are doing so well, however, he doesn’t think what they have submitted is going to be enough inventory added, and are we making two lots smaller that will have a hard time finding a use for if that space is removed.

Mr. Groce explained that they did discuss this with the applicant and but they believe another bank size building could go there that was similar in size to the bank on the corner, or CDJR could even expand to these lots in the future.

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

Mr. Dave Watkins, representative for the applicant, addressed the commissioners. He explained that just because they approve the land swap tonight means that they can build anything that they want to there. He is here tonight in place of Cindy Reaves and the layout of the parking lot will have to be approved by the Planning Commissioners.

Mr. Groce stated that they would have to come back with a CUP amendment application.

A discussion ensued regarding the green space to be absorbed and the concerns that the commissioners have about approving this tonight with so much information missing, especially a CUP request.

Mr. Watkins asked the commissioners for a deferral of these two items until the September 1, 2016 meeting.

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

Motion by Commissioner Murdock, and seconded, to defer until the September 1, 2016 meeting, the request for a Final Subdivision Plat for the CDJR Subdivision, First Revision located southwest of the intersection of Harley Oaks Cove and Byhalia Road.

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

Roll call:

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

Motion Approved.

PC16-25 – Harley Plaza Subdivision, Lots 6 and 7 – Request approval of a Final Subdivision Plat on 3.722 Acres located southwest of the intersection of Harley Oaks Cove and Byhalia Road.

Hearing no further questions, Chairman Cotton called for a motion to defer this item.

Motion by Commissioner Murdock and seconded, to defer, until the September 1, 2016 meeting, the request for a Final Subdivision Plat for the Harley Plaza Subdivision, Lots 6 and 7 located southwest of the intersection of Harley Oaks Cove and Byhalia Road.

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| <p style="text-align: center;">EXHIBITS:</p> <ol style="list-style-type: none">1. Applicant’s Cover Letter (7/12/16)2. Proposed Final Subdivision Plat (7/12/16)3. Conceptual Site Layout Exhibit (7/12/16) |
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Roll call:

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

Motion Approved.

PC16-31 - Byhalia Retail Center, Lot 2, McDonalds Restaurant Relocation - Request approval of a Preliminary Site Plan for a 5,206 +/- square foot restaurant on 1.17 acres located on the north side of Poplar and west of New Byhalia Road.

Mr. Scott Henninger gave the staff presentation. He explained that the proposed site would have a double lane drive-thru, with a shared access drive with Walgreens to the east, and another access drive with the Taco Bell cross cut access drive in the northwest corner of the site. There will be underground detention on both side of the building and there is an existing detention basin to the north of the proposed building. He reviewed the landscaping plan and explained that the trash enclosure has been relocated to the north corner. There are several key questions to consider and they are:

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| <p style="text-align: center;">EXHIBITS:</p> <ol style="list-style-type: none">1. Applicant’s cover letter (07/12/16)2. Preliminary Site Plan (07/12/16)3. Color Exhibits (07/12/16)4. McDonald’s Traffic Findings and Conclusions (07/12/16)5. Town’s Traffic Consultant Analysis (07/26/16)6. Shared Access Easement Agreement |
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- Why is the PC and DRC seeing this Preliminary Site Plan again?
- What did the BMA approve in 2014?
- What is different from the 2014 application?
- Have the traffic impact assumptions changed since 2014?

The BMA approved the Preliminary Site Plan on February 24, 2014, and the approvals for these applications expire after 2 years. These expire after two years because regulations change over the years. No regulations have changed since 2014 that would impact the application; however, the updated Traffic Analysis identifies additional impacts to the Poplar Avenue and Byhalia Road intersection compared to the 2013 analysis.

The BMA approved the Preliminary Site Plan in 2014 and the 2016 site layout is similar to this. There are no new curb cuts in Poplar Avenue connections to Poplar Avenue via shared access drives. Following a 2013 DRC work session the franchise design was modified to comply with the recommendations.

There have been minor changes since the 2014 application. The location of the street trees and trash enclosure have been adjusted to avoid easements and sight triangles. There is now a reciprocal agreement between McDonald’s and Walgreens for the access connection and the sidewalk connecting to Poplar Avenue has been relocated due to grading issues.

The traffic impact study was actually completed in 2013, prior to their 2014 Preliminary Site Plan approval. Since that time, traffic in that area has experienced a significant growth. The Town's traffic consultant has noted some concerns and those were addressed in the staff report. He noted potential conflicts with a joint driveway, delays in attempting to turn left onto Poplar Avenue at noon peak hours, impacts to the Poplar/Byhalia Road intersection, and the actual length of the queues at the drive-thru window and staging lanes. If more than 15 cars back up at any one time, there could be some issues within the parking lot and could spill over the access drives. The traffic study indicates that Byhalia Road to the south is already inadequately sized. To improve the functionality on Poplar Avenue, condition number 2 in the staff report require the restriping of Poplar Avenue to 7 lanes. This was also a condition of approval in 2014. He reviewed the example motion and the conditions of approval which were included in the staff report and the applicant has agreed to them.

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

Ms. Elaine Pickering, civil engineer for the applicant, addressed the commissioners. She explained that the site was approved two years ago and they have only made some very minor adjustments to the plan before you tonight. They acknowledge that traffic has changed some but this is a relocation of the restaurant. They feel they are not adding to the traffic problem, rather just shifting it down the road to the other side of the intersection on the north side of Poplar Avenue. The busiest time of day for this restaurant is the morning hour and predominate traffic should be westbound with right-in/right-out turns. They will not be doubling the traffic, just shifting it from area to the next.

A discussion ensued regarding the proposed parking and traffic through the parking lot. Ms. Pickering stated that 67% of their traffic is drive-thru. The drive-thru for this restaurant will have double lanes, and a new third window for slower pick-up orders. This will give them up to 18 slots for cars and they do not expect to have 15 or more cars in queue at any one time.

Mr. Randy Tolvert, traffic engineering for the applicant, addressed the commissioners. He explained that they have observed many McDonald's restaurants in several states and they have never seen over 15 cars backed up at any one time and a lot of those had only single order boards. With the proposed double order boards, and a three window scenario, they estimate that they can handle between 150 to 180 cars per hour with no traffic issues on the lot. There are a total of three directions that people can exit the restaurant.

A discussion ensued regarding people trying to make left-hand turns onto Poplar Avenue from the Walgreen's access drive now. There will be a separate turn lane there for people making left-hand turns and right-hand turns.

Alderman Worley asked the Town's traffic engineer if he was comfortable with increased traffic out there now, and the fact that Starbuck's is proposing to build right down the street and both of these businesses are serving heavy morning users.

Mr. James Collins, traffic engineer for the Town, addressed the commissioners. He explained that McDonald's does expect their heaviest traffic to be in the morning, very closely followed by the noon peak. There is less than a 10% difference in traffic between the two times. The traffic on Poplar Avenue is heaviest during the noon peak hour. Along this proposed area, there are only two lanes on the westbound road. If they were to restripe Poplar Avenue in that area, this would help a lot. If they do not, then there is going to be some real issues. If they do not provide the three westbound lanes, then traffic coming out of Taco Bell and McDonald's at that cross section are going to back up because turning left will be a long wait and cars trying to get out will block the Taco Bell driveway. This same issue could happen at the Walgreen's access. Offering a third lane on Poplar Avenue will make things better, but the traffic in this area has increased in the past two years, so this just makes things difficult. They studied the McDonald's traffic in Collierville and they observed that during the peak hours, there were routinely at least 15 cars in the queue. When you get to the 15 cars at the proposed site you will then have a car blocking the driveway entrance and people trying to exit the lot will not be able to move around the cars in the drive-thru and the site will be in a gridlock. If they could widen the road area in the front of the site, this would make the situation better. Having the extra window at pick-up section does help somewhat.

Commissioner Tebbe asked Mr. Collins what he feels is the best situation to correct this.

Mr. Collins stated that the Walgreen's traffic is the one that really concerns him. If the traffic backup on the McDonald's site is backing up traffic on the Walgreen's site then this is serious. Walgreen's doesn't have any other driveways and both of their access drives are difficult to turn east out of and he doesn't know that there is a good solution to this.

Mr. Groce stated that each land use decision needs to be made in such a way that we don't do any harm. It may be possible to have the applicant do a "payment-in-lieu-of" striping because that extra lane will help with efficiency but it wouldn't be good to have the store up and running without that 3rd westbound lane in so the BMA may want to consider a condition with the Final Site Plan to require that those 7 lanes be installed before the store is operational.

Mr. Tolvert stated that he agrees that the additional westbound drive would help and McDonalds is willing to do that. Regarding the Walgreen's traffic trying to turn left, they conducted a traffic study and there were only 6 cars trying to do this, which equates to 1 ever ten minutes. He doesn't see them impeding the traffic. They could make the front driveway on their site 20 feet wide in lieu of the proposed 16 feet. This would create a bypass lane to eliminate the congestion that could occur.

A discussion ensued regarding moving the access drive on the west side of the site.

Mr. Groce stated that the whole area may need to be restriped and repaved all the way from Byhalia Road to Market Boulevard and asked if McDonald's was will to handle that cost.

Mr. Tovert stated that they had only committed to the area from Byhalia Road to Collierville Crossing.

Alderman Worley asked if repaving was done on this State road, who will pay for that.

Mr. Jason Walters, Deputy Town Engineer, addressed the commissioners. He explained that the pavement on Poplar Avenue is not in a condition that it could just be restriped. Poplar Avenue would have to be restriped all the way across the street through this area. Milling and overlaying would have to be done over the entire road of that area and then restriped. If we need the 7 lanes now then the applicant needs to look at whether or not they can get with TDOT and cover that cost. The Town at some point could ask TDOT to do this, but he doesn't know at this time if it is within their plans to mill and overlay that section of Poplar Avenue anytime soon. If there needs to be 7 lanes before McDonald's can open, then the applicant needs to look into how to make that happen.

A brief discussion ensued regarding whether or not the building could be moved back on the site. Mr. Groce stated that it has been reviewed pretty heavily and it is about as tight as you can get it. They are at 32% open green space now so moving things around now would impede this. Ms. Pickering said there is a detention drain that runs around the building so they cannot move the building.

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

Motion by Commissioner Netherton, and seconded, to recommend to the BMA approve the request for a Preliminary Site Plan for a 5,206 +/- square foot McDonald's restaurant on 1.17 acres at the Byhalia Retail Center, Lot 2, located on the north side of Poplar and west of New Byhalia Road, with 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. With the Final Site Plan, McDonalds shall provide a restriping plan for Poplar Avenue between Byhalia Road and Market Boulevard for review. The plan shall incorporate seven lanes with lane width dimension that match the striped section at Market Boulevard and Poplar Avenue. Include the east side of the Byhalia Road Intersection specifically indicating the striping for the westbound approach to the intersection where Poplar Avenue widens out approaching the intersection. The striping plan will be reviewed to determine if restriping and sensor relocation will be a requirement for site development.

3. With the Final Site Plan, provide a plan or performance specification (if design-build) for the required irrigation system. Upon completion, an as-built survey is required, as is consultant certification that the irrigation system provides adequate coverage of the site (Site Plan Checklist).
4. With the Final Site Plan:
 - a. Do not show the existing trees on the Site Plan, Grading Plan and Combination Utility Plan only indicate them on the Tree Removal and Protection Plan.
 - b. Include the Town's General Notes sheet which is on the Town's website
 - c. On the Site Plan, the existing h/c ramp at the southwest corner will need to be shown as being upgraded to current ADA and Town regulations. Diagonal type ramps are no longer allowed.
 - d. On the Grading and Drainage Plan, a complete drainage system analysis report will be required. It will need to include the immediate downstream storm sewer system.
 - e. On the Combination Utility Plan, water should not be run to the dumpster area. The addition of a drain to the sanitary sewer is not acceptable as Public Services will not allow the collection of storm water into the sanitary sewer system.
 - f. On the Civil Details Sheet, use the Town's Standard Details along with any site specific details.
 - g. All work in/along Poplar Avenue will need to be submitted to TDOT for approval. Provide a copy of the approval to the Town.
 - h. Provide a CAD file at time of Final.
 - i. Record the easement agreement (Exhibit 6) or provide a revised plat for administrative review that shows the revised/new easements. The plat shall be recorded before building permits are issued.

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

Roll call:

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

Motion Failed.

Alderman Worley stated that if they worked out who is going to pay for the 7 lanes to be restriped on Poplar Avenue then he would vote yes, but the way it is right now, he has to vote no.

PC16-35 U-haul Byhalia Road - Request approval of a Conditional Use Permit (CUP) for a new moving equipment rental store to be constructed on 10.7 acres located along the east side of Byhalia Road, approximately 260 feet north of East Winchester Boulevard.

Mr. Jaime Groce gave the staff presentation. He explained that the site will have almost 73,000 square feet of buildings of which will be a moving rental equipment store and self-storage units. Self-Storage is allowed “by right” in our industrial areas of Town and this would be the 12th storage business. This will be located in a GI: General Industrial area which allows a broad variety of industrial uses, such as warehousing and manufacturing. There are several key questions to consider tonight and they are:

- Why is a Conditional Use Permit (CUP) required in this circumstance?
- What other uses will occur on the property?
- What is the role of the conceptual site Plan?

EXHIBITS	
1.	Cover Letter and CUP response (7/28/16)
2.	Conceptual Site Plan (received 7/28/16):
	a. Color Landscaping Plan
	b. Color Architectural Elevations
3.	Trip Generation (June 30, 2016)
4.	CUP Test Analysis (7/28/16)
5.	Self-storage Facilities in Collierville (August 2016)

The CUP is needed to prevent any adverse effects to the area. This use will have a lot of trucks in and out of their parking lot as well as a lot of display and on-site storage. How it looks is important to this area as this is a gateway to the Town. We need to make sure that it's a good fit and that it blends into the area nicely. He showed views of the area and noted that the site has very few trees on the actual lot. Landscaping can be added to buffer the view of product and self-storage from public view. He reviewed the conceptual site layout and noted that this is non-binding and could change slightly when they apply for their Preliminary Site Plan. There are atypically wide drive aisles in front of the retail store and the site will only have one access point with the c-store on the adjacent property. The Fire Department has expressed concerns with this and is suggesting that they have another access drive onto Winchester Road. There will be "shunting lanes" for the moving trucks next to the southern boundary lines and additional landscaping can be added to screen them from view off site. The Zoning Ordinance views these trucks in two ways: customary display of moving equipment rental store products and parked vehicle signs or vehicles used as signs. There are conditions of approval in the staff report that will help keep these trucks parked more toward the side of the site rather than right out front. He reviewed the conceptual elevations and explained that some architectural changes will be made so that it will better match the c-store on the adjacent lot. He reviewed the next steps and the CUP "test". The site will be a low traffic generation user, but they have 172 trips for the retail store, and with the storage units, they may see 343 trips per day. There are a few conditions of approval that the applicant does not agree with such as numbers 2, 4 and 5, and they have provided suggested language for how they would like them to read. Staff has provided the suggested conditions on the screen.

Hearing no questions of staff, he called the applicant to the podium.

Mr. Harvey Matheny, representative for the applicant, addressed the commissioners. He explained that they believe with the zoning of the property that this is a good transitional use. From a traffic impact point, this should be very minimal and the numbers that you have seen in your packet are from a national ITE study and should be about 25% lower. They submitted the originally Preliminary Site Plan and the CUP together; however, they decided that they wanted to proceed with the CUP approval first to see if the use was going to be approved. The elevations will be modified after meeting with staff and the DRC to meet the Design Guidelines. The basic layout should stay about the same.

Alderman Worley asked about conditions 2 and 5 being their issues, he thinks he would like to talk to Mr. Collins about the traffic flow coming out on Byhalia Road. We need to make a decision about the no outdoor display issue as well.

Commissioner Rozanski asked about the one access drive with a shared drive and people driving these larger trucks in and out of the site.

Mr. Matheny stated that the desire to consider a right-in/right-out would be a nice feature they would consider at the northern part of the site.

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

Mr. David Pollock, architect and design professional for the applicant, addressed the commissioners. He explained that U-Haul has been in business for 70 years and is still a family run business. They are excited to come to Collierville and they strive to be good neighbors and a reputable company. They are trying to get their CUP approval tonight so that they can provide their service of renting trucks. They also have onsite storage rental and they have a retail store for people to come in and shop. They are hoping to get their CUP and then they can move forward with their Preliminary Site Plan. They will become a part of the community and be a flourishing business. He has studied a lot of traffic for this business and a cemetery generates more traffic than they do. Their traffic figures are usually about 30% lower than ITE. He would like to add another access drive because the customer is going to be driving a truck they aren't familiar with and they are only going to have one way in and one way out, through the gas station parking lot. They will be screening the trucks from the offsite view and ask that the commissioners give them approval of their application tonight.

Mr. James Collins, traffic consultant for the Town of Collierville, addressed the commissioners. He explained that he would echo what has already been said and he doesn't expect to see any problems.

Alderman Worley asked about the second access drive being added as a right-in/right-out.

Mr. Collins stated that Byhalia Road is a state road and there are requirements that will have to be met based on the needs of the traffic study. That needs concludes that the adverse impacts of additional driveways will be outweighed by the improvement of circulation and safety. The Town would be looking for a study that shows that the safety of it is outweighed by the improvements made.

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 Alderman (Exhibit 1) of a Conditional Use Permit (CUP) for U-haul Byhalia Road, a new moving equipment rental store to be constructed on 10.7 acres located along the east side of Byhalia Road, approximately 260 feet north of East Winchester Boulevard, subject to the following conditions amended with the applicant's suggested changes in 2, 4 and 5:

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. **Any outdoor display shall be subject to approval through the Planning Commission and Board of Mayor and Aldermen site plan approval process.** There shall be ~~no outdoor display of moving equipment, moving vehicles, or~~ accessory outdoor storage/warehousing between the main building and Byhalia Road. ~~Such activities shall be limited to the side or rear of the site and screened from public streets to the maximum extent practicable.~~
3. Any accessory storage buildings or covered storage shall be screened from offsite view from Byhalia Road and Winchester Blvd (both arterial streets) to the maximum extent practicable.
4. A second access to the property shall be provided ~~off of Winchester Boulevard~~ if any proposed building exceeds 30 feet.
5. **Only** One access point to Byhalia Road is ~~provided allowed and it shall be~~ through the ingress/egress easement with the property to the south. **Any additional access drives shall be subject to approval through the Planning Commission and Board of Mayor and Aldermen site plan approval process.**
6. Building facades visible from public streets are to be held to a similar standard as commercial areas. An exception would include "remote walls" as defined by the Design Guidelines. Any "remote wall" portion of the elevations shall be screened from view as required by the Design Guidelines. Failure to provide proper screening will require visible elevations to be held to commercial standards as far as exterior building materials and horizontal and vertical articulation.
7. Franchise architectural designs shall be modified as needed to follow the Design Guidelines. Specifically, the portion of the new structures visible from Byhalia Road or Winchester Boulevard shall be compatible with their neighbors in regard to exterior building materials and colors, particularly when adjacent structures are substantially in compliance with the Guidelines.
8. Any development of this property for this use shall be reviewed through the Preliminary (Major) Site Plan process so that the screening and architectural issues can be properly vetted by the PC, DRC, and BMA prior to the Final Site Plan stage.

Alderman Worley asked if they can add or deny the second access and work out the outdoor display issues when they come with their Preliminary Site Plan.

Mr. Groce stated yes.

Commissioner Rice stated he doesn't think that you will find a better transitional use than this for that area.

Commissioner Netherton agreed but stated that he has concerns with in and out traffic on one shared access point. Within two years this stretch of road is going to change greatly in the future with high school students

traveling this route at 7 am and 2 pm through the week. This increase in traffic needs to be considered when the Preliminary Site Plan is submitted for approval.

Mr. Pollock stated that their largest truck is 30 feet, but is going to be discontinued and the turning radius is considered when they configure the lot. He has fears of the customers using the gas station access drive.

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

Commissioner Netherton stated that it is not for the PC to determine whether or not a customer can turn a truck around at this stage, but whether or not this site is the best fit for the requested use.

Roll call:

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

Motion Approved.

Other Business:

Chairman Cotton asked if there was any other business.

Mr. Groce stated that the HDC is going to meet on August 25th and it would be necessary to call a special meeting for the PC to meet at 5:00 on that evening to give feedback on a new 2-story building to be next door to 148 Main Street where the restaurant is being rehabbed for a restaurant.

A TDOT representative has requested to come before you to make a special presentation about access management and they would like to speak to you at 5:15 pm, prior to your September 1, 2016 meeting.

The commissioners agreed.

Mr. Groce reviewed the Development Activity Report. He explained that ChemStation will be moving forward soon and Collierville First Pentecostal Church has submitted their construction plans. The assisted living center that was approved has not submitted their application yet but staff is anticipating to receive it soon. Staff is reviewing the site plan for Discount Tire Store and they should be going to the BMA in September for a development agreement. The Stables have submitted plans for several more phases and will go to the BMA later this month. The Arches PD did not turn in their plans so they will not be heard in September as anticipated. The Highlander Pub, to be located at the Square, will be going into the Allison Rodgers location and CCL Label Korsini now has a development agreement and they will start their construction soon. Orgill will go to the BMA on August 22 for their development agreement.

Announcements:

Hearing no further business, Chairman Cotton adjourned the meeting at 8:37 p.m.

Secretary, Commissioner David Bradford