

**MINUTES OF THE REGULAR SESSION OF THE  
PIPERTON PLANNING COMMISSION  
SEPTEMBER 8, 2020, 6:00 P.M.**

The Piperton Planning Commission met on September 8, 2020 at 6:00 p.m., at City Hall, with Board members: Chairman John Henszey, Mayor Henry Coats, Vice-Mayor Mike Binkley, Commissioner Bob Archer and Commissioner Mimi Ragon present. City Planner Brett Morgan, City Engineer Harvey Matheny, Fire Lt. Adam Hursh and City Recorder Beverly Holloway were also present along with Public Works Director Bill Kilp, Charles McElwee, Sheila Curtiss, Bruce Smythe, Don Mol, John McCarty, Carson Hardwick and Bruce Yancey in the audience.

**Agenda item 1.** Call to order, establish quorum

**Action taken:** Chairman John Henszey called the meeting to order at 6:00 p.m., and established that a quorum was present.

**Agenda item 2.** Prayer and Pledge of Allegiance to the American Flag

**Action taken:** Chairman Henszey led in the opening Prayer and Mayor Henry Coats led in the Pledge of Allegiance to the American Flag.

**Agenda item 3.** Any changes to Agenda; Additions/Deletions; Motion to adopt Agenda

**Action taken:** There were no changes to the published Agenda and Commissioner Bob Archer moved to adopt the Agenda as presented, seconded by Mayor Coats. The Motion received all affirmative votes.

**Agenda item 4.** Any changes to the Minutes of the Regular Session of August 11, 2020; Motion to approve Minutes of August 11, 2020.

**Action taken:** There were no changes to the Minutes of the Regular Session of August 11, 2020, Vice-Mayor Mike Binkley moved to approve the Minutes of the Regular Session of August 11, 2020, seconded by Commissioner Mimi Ragon. The Motion received all affirmative votes.

**Agenda item 5.** Curtiss Fence Application

City Planner Brett Morgan stated Sheila Curtiss made application for a fence at 60 Windspring Cove South, the reason this is coming before this body is the fence does encroach into the front yard, they had originally built a gate for the garage that was over 4 feet and they have redesigned the gate to 4 feet high and the reason is a medical situation in which there is a need to secure all exits, the Windbrook HOA Architectural Review Committee has reviewed and approved this and the correspondence is included so staff recommends the Planning Commission/DRC approve the Curtiss application.

**Action taken:** Mayor Coats moved to approve the fence application with 1 restriction, seconded by Vice-Mayor Binkley. The Motions received all affirmative votes.

**Agenda item 6.** Power & Tel Signage Application

Mr. Morgan stated Power & Tel is seeking approval of signage, they are proposing a sign on the Keough Drive side and a sign for the 385 right of way side, they are allowed a total of 400 square feet and each sign individually is 172 square feet and the combined square footage is 344 square feet and meets the maximum allowance and is internally lit and meets all the requirements of the Piperton Zoning Ordinance, so staff recommends approval

**Action taken:** Commissioner Archer moved to approve signage for Power & Tel, seconded by Commissioner Ragon. The Motion received all affirmative votes.

**Agenda item 7. Consolidated Pipe Signage Application**

Mr. Morgan stated this is something we can do administratively, they have an existing sign for which they want to replace the insert so staff recommends approval of the Consolidated Pipe Sign.

**Action taken:** Commissioner Ragon moved to accept Consolidated Pipe Signage Application, seconded by Commissioner Archer. The Motion received all affirmative votes.

**Agenda item 8. Yancey Commercial PD-O Rezoning Application**

Mr. Morgan stated the applicant is requesting rezoning of 21.4 acres of land from R-C to some kind of retail development zoning district and the conclusion was that going straight B-2 did not match the intent of the land use plan and the Planning Commission recommended that a PD-O be put in place, 16.4 acres lie on the north side of Hwy 57 and 5 acres on the south side and so Mr. McCarty and his team went back to the drawing board and produced a document that meets the requirements of the PD-O (Planned Development Overlay) and we are requiring it on what is essentially speculative zoning, so we are essentially trying to do in the process is establish the base line by which everything else will be judged in the future on what happens here, we can't require it to be too detailed because no one knows exactly what is going to go in here at this point in time, a PD-O requires three things; 1) an existing conditions map, and being part of a larger tract of land as discussed last month they will have to record a subdivision plat first that divides this up into multiple lots, 2) an Outline Plan and 3) a Preliminary Site Plan, so the three elements of the PD-O are met and in the staff report you see the Outline Plan text that they have provided, Harvey and I went through this and in red are comments that staff is recommending and it is worthy of consideration, the applicant is proposing to use B-2 Minor Planned Commercial District and O-Office District and Mr. Morgan went over the comments and/or recommended language, under light industrial uses allowed by right, staff may need clarification on that.

Mr. McCarty stated the main goal with the light industrial is to have some contractor style offices like the southend of Mann Dr. that would be appropriate and not take away from commercial or retail office type of uses.

Mr. Morgan stated it would not be an M-1 base underlying zoning, it would be B-2 and O.

Mr. McCarty stated correct, we are not looking to have large warehouses like Glenn Farms.

Chairman Henszey inquired if you are looking for all the equipment storage and the stuff that goes with it.

Mr. McCarty stated we have language in there about those types of uses have to be fully screened from the highway if someone has some equipment storage, if a contractor on the north road of the development had a contractor's office in there and they have equipment behind the office and it was crated it wouldn't be appropriate.

Chairman Henszey stated on the north side if you have commercial along the highway and the backside of that is that type of business, I wouldn't have a problem with that but would not be excited to see it right on the highway.

Mayor Coats inquired what the large tract is.

Mr. McCarty stated the large tract is 16 acres and we currently have it planned to divide into 7 lots so we are not talking about really large things-2 acre or may have a 3 acre lot somewhere in the back corner, talking about some of the smaller lots on Mann Dr.

Mr. Morgan stated this whole thing could be developed as 1 big use, it is doubtful but it could be and what we don't want is it stripped into 4 long commercial lots and so this gives us the base line by which to not allow that in the future, so we want you to describe the uses you intend, and needs more clarification on the meaning of completely screened and provide a baseline illustration of

appropriate architecture for “retail commercial” and define or illustrate the 200’ buffer zone-the buffer consists of existing vegetation and/or landscape as required by the Planning Commission

Chairman Henszey inquired if Mr. McCarty read all the changes to which Mr. McCarty replied yes sir and stated we are in agreement with all the conditions.

Chairman Henszey inquired on changes to item C.

Mr. Morgan stated they will have to come back with the language they want and Mr. Morgan continued going over the uses permitted along with the bulk regulations recommendations included on the staff report.

City Engineer Harvey Matheny reviewed the recommendations in the staff report concerning access and circulation and the roadways, and staff will weigh in when the time comes, a maximum of 2 drive entrances to Hwy 57.

Mr. Morgan reviewed the parking, landscaping/screening/lighting, signs, and architecture/buildings recommendations.

Mr. Matheny reviewed the recommendations for drainage-a stormwater management plan for the project is required with the first site plan that is submitted, the FEMA Zone A means there is no base flood elevation established so per our Floodplain Ordinance we are going to have to work with the engineer to establish what those minimum official elevation are that are appropriate for Zone A.

Mr. Morgan inquired if they could do offsite detention.

Mr. Matheny stated I would have no concern with that, to me that would be appropriate, same ownership with the appropriate easement and recorded so that it will not disappear but yes.

Mr. Morgan stated he said that because they may want to consider revising their subdivision plat to include an area for stormwater, you don’t have to it could be in a permanent easement but you could revise it to provide an area for stormwater.

Mr. Matheny stated same thing south of the highway, it could be on the west side of the project but the point being for that section A is we would like a plan to establish what the plan is for stormwater management.

Mr. McCarty stated we don’t mind doing that more than likely with this development it would probably be a plan submitted on the south whenever the first thing on the south develops and a plan on the north submitted whenever the north develops-independent of each other since those waters won’t mix until they are in the big creek.

Mr. Matheny continued with utilities, most of our concern would be addressed in section A that sewage and drainage where we would like a master drainage plan to be developed and we would like a master plan for sewer and water to be developed as well and whatever that plan is if it is a septic system initially there needs to be a master plan for how that is going to be temporary and what is the plan ultimately to connect it to the centralized system and the wastewater plant isn’t far from here but if there are obstacles between here and there, and the plan maybe to not pump to Rossville there could be a pump and that 8 inch line would be reversed pumped to the station that is going in now on Russell Creek and so there are options here but the point being we need a master plan development to know what that is and what the phasing plan is for that to be established.

Mr. McCarty stated he would anticipate the first part of it definitely being on septic and well and then transitioning.

Mr. Matheny stated even though we would want this plan to come in with your first site plan development even then it may change because you won’t know what the second, third and fourth development is going to be, but we need a game plan as to how this will ultimately be on City water and City sewer.

Mr. Morgan stated the rest of the outline plan text is pretty much standard language and so staff recommends approving the zoning and for the Planning Commission to approve and let staff look at the rest of it as it comes in or whether or not the Planning Commission would like to see these changes effected and wait until next meeting to do a final vote on it.

Chairman Henszey inquired on a timeline for starting.

Mr. McCarty stated we have got 1 project that the guy calls on pretty regular basis that wants to get started but he was told we need to handle this first before we can get to him, if you are comfortable then we would obviously love to go ahead and get it approved tonight and submit back to Brett if there is anything that he just wants to show y'all that he is not comfortable with then by all means before it is legally recorded then the Planning Commission would have the right to have us come back.

Mr. Morgan stated this still has to go to the Board for 2 readings, the Planning Commission could vote on it at the next meeting and it be on the same Board agenda but it would be irregular to do it next month and it be on the next BMC meeting because we have a standard waiting time between a PC vote and a BMC meeting.

Chairman Henszey inquired if Mr. McCarty is okay with all red letter changes.

Mr. McCarty stated yes sir.

Mr. Morgan stated staff recommends approval.

**Action taken:** Commissioner Archer moved to approve the rezoning of the 21.4 acres of the Yancey property from R-C Rural Conservation to PD-O Planned Development Overlay application with underlining zoning of B-2 & O (Office) subject to the 26 conditions with the red correction that have been made and that being submitted prior to our next meeting, seconded by Vice-Mayor Binkley. The Motion received all affirmative votes.

Vice-Mayor Binkley inquired the further width of Hwy 57, is it wide enough that we will have 5 or 6 lanes.

Mr. McCarty stated that is a great mystery in the State of Tennessee is what that future right-of-way of that section is, it is listed as a scenic corridor and so as of right now TDOT has no plans to widen, commercial development along it requires that if a turn lane were necessary the City could come forward and say we want two travel lanes in each direction and a turn lane but more than likely the right-of-way out there is sufficient and on the western part of the site where the right-of-way is really wide it is because they replaced those bridges about 20 years ago and did a lot of dirt work in that process, where Dollar General is they added the turn lane and I don't think they had to dedicate any right-of-way to make that work, it is a 100 feet in most narrow areas through there right now and in a rural cross section that is acceptable and you can take an urban cross section to a five lane road at 100 feet no issues what so ever.

**Agenda item 9.** Any other old/new business, questions or matters from the audience

Mr. Matheny gave an update on a little piece of property between the Power & Tel site and the interstate that the City owns, it is .94 acres that has an MLG & W transmission power line on it, Power & Tel was interested in purchasing that and the City put it up for bid and Power & Tel bid on it but maybe on the verge of closing with them, Power & Tel's walking trail as approved goes along the pond back around on Keough and now that they are acquiring this property they would like to reroute their walking trail through this property and do some minimal grading on this property and so staff just wanted to make you aware of this and whether or not you wish to vote on that to make it officially a part of their site plan or not.

Vice-Mayor Binkley stated one thing he would like to see if they are going to make that look really nice, they are still going to have that stretch of all natural vegetation out in the front, and I wish they would clean that up.

Mr. Matheny stated that is about to change because the TDOT project to widen Keough Road, with the widening of the road the ditch will be relocated and since it is a regulated stream they will have to plant it back with natural appropriate vegetation.

**Action taken:** Vice-Mayor Binkley moved to allow staff to approve the walking trail to include the new parcel and give staff final review, seconded by Commissioner Archer. The Motion received all affirmative votes.

Chairman Henszey stated on the monument signs proposals coming into the City, we are ready to start close to the 1<sup>st</sup> of October, we need to pick a date, no Mondays, Thursdays or Fridays, and asked Mr. Morgan to let us know and he will inform to the people involved.

**Agenda item10.** Adjournment

**Action taken:** Commissioner Archer moved for adjournment, seconded by Mayor Coats. The Motion received all affirmative votes, and the meeting was adjourned at 7:02 p.m.

Respectfully submitted,

Beverly Holloway, City Recorder

Approved: \_\_\_\_\_ date: \_\_\_\_\_