



**DeSoto County Planning Commission**  
**May 2, 2013**

1. Approval Of May 2, 2013 Minutes

Documents:

[PC-5-2-2013-MINUTES.DOC](#)

2. Call To Order
3. Invocation
4. Roll Call
5. Minor Lot
6. New Business
7. Consent
8. Other Items
9. Public Hearing
10. Final Subdivision
11. Rezoning
12. Old Business



**DESOTO COUNTY PLANNING COMMISSION**  
**ORDER OF ITEMS**  
**May 2, 2013**  
**6:30 p.m.**

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – February 28, 2013

**CONSENT :** The Consent Agenda is a technique designed to expedite the handling of routine and miscellaneous business of the Planning Commission. The Planning Commission in one motion may adopt the entire Consent Agenda. By request, any Planning Commission member, audience member or staff member may open discussion on a Consent Agenda item.

**Minor Lot**

**Clark/Turner Minor Lot (6884)** – Application is for final subdivision approval of one (1) lot of 8.49 acres and three (3) lots of 2.83 acres each, identified as Parcel #2-06-6-14-00-0-00031-00 and Parcel #2-06-6-14-00-0-00031-11. Subject property is located on the east side of Alexander Road and south of College Road in Section 14, Township 1, Range 6 and is zoned Agricultural-Residential (A-R). (District 4)

**Labyer Lot Minor Lot (6886)** – Application is for final subdivision approval of one (1) lot of 3.0 acres, identified as Parcel #3-09-9-31-00-0-00002-00. Subject property is located on the west side of Waikiki Cove and north of East Williams Road in Section 31, Township 3, Range 9 and is zoned Agricultural-Residential (A-R). (District 4)

**Myers Minor Lot (6887)** – Application is for final subdivision approval of one (1) lot of 8.42 acres, identified as Parcel #3-05-4-18-00-0-00021-01. Subject property is located on the east side of Red Banks Road and south of Strickland Road in Section 18, Township 3, Range 5 and is zoned Agricultural (A) and Highway Commercial (C-2). (District 1)

**Joe Ann C. Farley Minor Lot (6888)** – Application is for final subdivision approval of one (1) lot of 3.54 acres, identified as Parcel #3-05-8-28-00-0-00015-01. Subject property is located on the north side of Holly Springs Road and west of Watson-Desoto Road in Section 28, Township 3, Range 5 and is zoned Agricultural (A). (District 5)

**NEW BUSINESS**

**Final Subdivision**

**Little Cedars Minor Lot (6883)** – Application is for final subdivision approval of one (1) lot of 30.215 acres, identified as Parcel #3-06-8-33-00-0-00001-00. Subject property

is located on the south side of Gitter Road and north of Rock Creek Drive in Section 28, Township 3, Range 6 and is zoned Agricultural (A). (District 5)

**Wright Subdivision, Second Revision of Lot 8 (6885)** – Application is for final subdivision approval of four (4) lot of 2.0 acres each, identified as Parcel #2-05-4-20-03-0-00008-00. Subject property is located on the north side of Herbert Road and south of Banks Road in Section 20, Township 2, Range 5 and is zoned Agricultural (A). (District 1)

**Castle Rock Creek, Phase 4 (6882)** - Application is for final subdivision approval of 8 lots, identified as Parcel #3-06-8-33-00-0-00008-01. Subject property is located on the north side of County Line Road and west of Highway 305 in Section 33, Township 3, Range 6 and is zoned Agricultural (A). (District 5)

## **PUBLIC HEARING**

### **Rezoning Amendment**

**Eastbrooke Planned Development Rezoning (724)** - Application is for approval of Rezoning of property from R-30, Agricultural (A), and Agricultural-Residential (A-R) to Planned Unit Development (PUD), identified as Parcel #3-06-3-05-00-0-00024-00, Parcel #3-06-3-05-00-0-00014-00 and Parcel #3-06-3-05-00-0-00015-00. Subject property is located on the north side of Vaiden Road and west of Craft Road in Section 05, Township 3, Range 6 and is zoned R-30, Agricultural (A), and Agricultural-Residential (A-R). (District 5)

The DeSoto County Planning Commission met at 6:30 p.m. on Thursday, May 2, 2013 in the Third Floor Board Room of the Administration Building of DeSoto County located at 365 Loshier Street, Hernando, MS. Commissioners present included: Len Lawhon, Randy Jones, Julius Cowan, Tom Hunt, Joe Forsythe, Joan Robertson, Jeanne Shannon, Greg Ryan, Steve Reeves, David Arnett, Bill Sexton and Wade Carter. Planning Commission staff present included Ted Garrod, Tom Haysley, Ashley Hendricks and Jody Neyman, DeSoto County Attorney.

After the invocation and roll call, Chairman Robertson asked if there were any necessary additions to or deletions from the Minutes of the Planning Commission meeting held on February 28, 2013. Hearing none, Mr. Lawhon made a Motion to approve the minutes as presented. Mr. Ryan seconded the Motion. The Motion was passed by a unanimous vote.

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**Minor Lot**

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**Labyer Lot Minor Lot (6886) – Application is for final subdivision approval of one (1) lot of 3.0 acres, identified as Parcel #3-09-9-31-00-0-00002-00. Subject property is located on the west side of Waikiki Cove and north of East Williams Road in Section 31, Township 3, Range 9 and is zoned Agricultural-Residential (A-R). (District 4)**

**Myers Minor Lot (6887) – Application is for final subdivision approval of one (1) lot of 8.42 acres, identified as Parcel #3-05-4-18-00-0-00021-01. Subject property is located on the east side of Red Banks Road and south of Strickland Road in Section 18, Township 3, Range 5 and is zoned Agricultural (A) and Highway Commercial (C-2). (District 1)**

**Joe Ann C. Farley Minor Lot (6888) – Application is for final subdivision approval of one (1) lot of 3.54 acres, identified as Parcel #3-05-8-28-00-0-00015-01. Subject property is located on the north side of Holly Springs Road and west of Watson-Desoto Road in Section 28, Township 3, Range 5 and is zoned Agricultural (A). (District 5)**

Mr. Haysley presented the Consent Agenda.

Mr. Carter asked if all of the Minor Lots met Subdivision Regulations and if Staff recommended approval of all the Minor Lots. Mr. Haysley confirmed that all of the Minor Lot applications met Subdivision Regulations and that Staff recommends approval of all the Minor Lot applications presented.

Mr. Ryan made a Motion to approve the Consent Agenda. Mr. Cowan seconded the motion. The Motion was approved by a unanimous vote.

## **NEW BUSINESS**

### **Final Subdivision**

**Little Cedars Minor Lot (6883) – Application is for final subdivision approval of one (1) lot of 30.215 acres, identified as Parcel #3-06-8-33-00-0-00001-00. Subject property is located on the south side of Gitter Road and north of Rock Creek Drive in Section 28, Township 3, Range 6 and is zoned Agricultural (A). (District 5)**

Mr. Haysley presented the Little Cedars Minor Lot (6883) application for final subdivision approval of one (1) lot of 30.215 acres, identified as Parcel #3-06-8-33-00-0-00001-00. He stated the minor lot subdivision is 30.215 acres which would not typically require approval by the Planning Commission, but this particular application includes an easement length that is longer than the maximum allowed.

Mr. Tommy Jameson and Mr. D. C. Harris came forward and stated the land being identified as the access easement was formerly Gitter Road Extended all the way to Mr. Harris' property. Mr. Jameson stated that the County abandoned this section of Gitter Road and he was able to purchase the property in order to access his property and allow two other land locked neighbors to be able to access their property.

Mr. Carter asked what kind of access road is going to be built. Mr. Harris stated he plans to build a driveway on the access easement.

Mr. Lawhon asked if there was ever a road to the property. Mr. Jameson stated years before the original road came all the way to Mr. Harris' property line. Mr. Lawhon stated in the past it has been precedent to allow a property owner an extended easement to allow access property that has been landlocked through no fault of their own.

Mr. Carter made a Motion to approve Little Cedars Minor Lot (6883) to include an easement length 850 ft. Mr. Lawhon seconded the motion. The Motion was approved by a unanimous vote.

**Wright Subdivision, Second Revision of Lot 8 (6885) – Application is for final subdivision approval of four (4) lot of 2.0 acres each, identified as Parcel #2-05-4-20-03-0-00008-00. Subject property is located on the north side of Herbert Road and south of Banks Road in Section 20, Township 2, Range 5 and is zoned Agricultural (A). (District 1)**

Mr. Haysley presented Wright Subdivision, Second Revision of Lot 8 (6885) application for final subdivision approval of four (4) lot of 2.0 acres each, identified as Parcel #2-05-4-20-03-0-00008-00. He stated the existing easement is longer than the maximum length allowed and will service three lots if approved.

Mr. Bob Farley came forward and stated he is the surveyor for the applicant and that the easement exists and not proposed for this application. He stated the applicant is requesting to divide the north four acres in two 2 acre lots to allow Mr. Wright's children to build homes on the property.

Mr. Lawhon asked if there are any existing homes on the property. Mr. Farley stated there is a home under construction on Lot 8A.

Mr. Carter asked when the plat for this subdivision was originally recorded. Mr. Farley stated the latest revision to Lot 8 was recorded in 2011.

Mr. Lawhon made a Motion to approve Wright Subdivision, Second Revision of Lot 8 (6885). Mr. Ryan seconded the Motion. The Motion was approved by a unanimous vote.

**Castle Rock Creek, Phase 4 (6882) - Application is for final subdivision approval of 8 lots, identified as Parcel #3-06-8-33-00-0-00008-01. Subject property is located on the north side of County Line Road and west of Highway 305 in Section 33, Township 3, Range 6 and is zoned Agricultural (A). (District 5)**

Mr. Haysley presented the Castle Rock Creek, Phase 4 (6882) application for final subdivision approval of 8 lots, identified as Parcel #3-06-8-33-00-0-00008-01 and stated the developer will be required to sign the Residential Development Agreement for this phase of the subdivision.

Mr. Greg Smith and Mr. Mike Bailey came forward to represent the application.

Mr. Carter asked if all the lots in the recorded phases of Castle Rock Creek Subdivision have been built on. Mr. Bailey stated approximately half of the lots in the existing phases have been built on at this time. Mr. Carter asked why the applicant is requesting to plat Phase 4 if all the lots in the first three phases have not been built on. Mr. Bailey stated he has buyers for three lots in Phase 4.

Mr. Lawhon made a Motion to approve Castle Rock Creek, Phase 4 (6882) application for final subdivision approval of 8 lots, identified as Parcel #3-06-8-33-00-0-00008-01. Mr. Cowan seconded the Motion. The Motion was approved by a unanimous vote.

Mr. Paul Young gave a presentation on the Mid-South Regional Green Print project. He invited the Planning Commissioners to attend the public meeting for the Mid-South Regional Green Print project at the Landers Center on May 14, 2013. He also invited everyone to take a survey concerning the project located on their website.

### **PUBLIC HEARING**

Mr. Ryan made a Motion to open the Public Hearing. Ms. Shannon seconded the Motion. The Motion was passed by a unanimous vote.

### **Rezoning Amendment**

**Eastbrooke Planned Development Rezoning (724) - Application is for approval of Rezoning of property from R-30, Agricultural (A), and Agricultural-Residential (A-R) to Planned Unit Development (PUD), identified as Parcel #3-06-3-05-00-0-00024-00, Parcel #3-06-3-05-00-0-00014-00 and Parcel #3-06-3-05-00-0-00015-00. Subject property is located on the north side of Vaiden Road and west of Craft Road in Section 05, Township 3, Range 6 and is zoned R-30, Agricultural (A), and Agricultural-Residential (A-R). (District 5)**

Mr. Haysley presented the Eastbrooke Planned Development Rezoning (724) application for approval of Rezoning of property from R-30, Agricultural (A), and Agricultural-Residential (A-R) to Planned Unit Development (PUD), identified as Parcel #3-06-3-05-00-0-00024-00, Parcel #3-06-3-05-00-0-00014-00 and Parcel #3-06-3-05-00-0-00015-00.

Mr. Carter asked if staff thinks only one child per household in this development will be attending schools. Mr. Haysley stated that the average number of children to attend per household presented in the packet presented is according to a study by Rutgers University.

Ms. Shannon stated she is concerned with traffic accommodations in this area. Mr. Haysley stated staff does not have a traffic analysis for this project. Ms. Shannon asked if there are any plans to widen Craft Road or Byhalia Road. Mr. Haysley stated he is not aware of any plans to widen these roads at this time.

Mr. Brett Morgan, Mr. Mike Bailey and Mr. Steven Steinbeck came forward to represent the application.

Mr. Morgan stated Eastbrooke development was first discussed by the Planning Commission in 2007, at that time the engineering department for the County requested a flood survey be performed on the property which the applicant has done. He then stated the economy slowed down this project. Mr. Morgan stated he feels the plan being presented today is a quality plan that meets the spirit of the I-269 Corridor Study. He stated he feels it is more important than ever to have a quality development that speaks to a market demand. He went on to state that market demand is going more toward smaller more low maintenance type development, which is what is being proposed by the Eastbrooke development. He stated Mr. Bailey also developed Windstone Subdivision in Olive Branch and is similar to this project; that offers quality housing.

Mr. Morgan stated the plan for Eastbrooke development proposes 3 miles of trails and he has spoken with Mr. Larry Jarrett to get input on the design of the trails. He went on to state there are several ponds proposed throughout the development that will act as amenities as well as help with watershed. He went on to state other proposed features of the development are streetscapes with boulevards, a community area with a clubhouse/pavilion and pool, a recommended plant list that are native to the area will be included in the plan book.

Mr. Morgan stated with the phasing plan as presented he anticipates full build out of the subdivision to take ten plus years. He then stated the developer has committed to creating a design review board to be in place until the last home is built in the development.

Mr. Steinbeck came forward and stated this plan has a traditional design that follows along with the I-269 Corridor Study. He stated even with the urbanizing of this area with the interstate coming through he feels it will take 10-15 years for this subdivision to be completely built-out. He stated the idea is to get ahead of the urbanization and plan for it.

There was discussion of the infrastructure and the cost and who will have to pay for the infrastructure. Mr. Steinbeck stated low density development will not pay for infrastructure and schools.

Mr. Mike Bailey came forward and stated this is not a starter home development; it is an upscale development similar to Windstone Subdivision. He stated they lowered the minimum square footage not for starter homes but for senior citizens who want less maintenance. The homes will be smaller, but higher quality. Mr. Morgan stated he has spoken with builders and they feel homes of this size are more marketable.

Mr. Carter stated he notices there is a considerable amount of flood on this property. Mr. Morgan stated the lakes included in the plans are proposed to help with the flooding issue. He went on to state developers often use the floodplain area for open space that is not useable; the developer is trying to use the lakes as amenities so that the land is not unusable. Mr. Carter asked if the lakes will have storage. Mr. Morgan confirmed that the lakes will have storage and will not ever be dry. Mr. Ryan stated these are water features and water retention, will they be maintained. Mr. Morgan confirmed they will be maintained.

Mr. Carter asked if the developer has plans for water and sewer. Mr. Bailey stated engineering plans have already been done for sewer.

Mr. Carter asked if the proposed development will overtax the volunteer fire department in this area. Mr. Morgan replied the fire department has not stated it will be overtaxed.

Ms. Robertson asked if there was anyone present to speak for or against this application.

Mr. Haysley presented a list of comments received in the Planning office by phone and email.

Rebecca Remington came forward and stated she is concerned with the following:

- This is not the area for this type of development
- Increased traffic
- Increase in the number of children entering Lewisburg schools
- Feels developer should widen/improve roads
- Fire rating
- Minimum house size
- Homes being built on back fill
- House and Lot size not being appropriate for the area

Tim Curtis came forward and stated he is concerned with the following:

- How it will affect the fire rating of the Lewisburg Community as a whole
- Flooding
- Development does not fit in this area
- Impact on school capacity
- Increased traffic
- How it will affect the volunteer fire department

Robin Gilley came forward and stated she is concerned with the following:

- Increased traffic
- Loss of quiet, country setting

Terry Abney came forward and stated he is concerned with the following:

- Houses on top of each other



- Not considering the impact on existing neighbors
- School overcrowding
- Flooding

Clifton Pierce came forward and stated he is concerned with the following:

- Flooding
- Increased traffic
- Loss of country setting/lifestyle
- House/Lot size

Jody McRee came forward and stated this is a great plan, but not right for this area.

Michael Austin came forward and stated he is concerned with the following:

- Not considering the impact on existing neighbors
- House/Lot size

Erica Savage came forward and stated is concerned with the increase in traffic.

Mr. Sexton asked if the developer has considered the increase in traffic and how the development will affect the fire rating and how to address these concerns.

Mr. Bailey stated he had a hard time getting Windstone development approved as well, but has turned into a good development. He went on to state they have developments with larger lots but have not been able to sell any of the lots, the market shows people want smaller lots. He stated to address the fire rating concerns there will be water throughout the development and would imagine a fire station will be installed in this area.

Mr. Carter made a Motion to deny the Eastbrooke Planned Development Rezoning (724). Mr. Forsythe seconded the Motion. The Motion was passed by a 9-3 vote.