



**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
MAY 30, 2019**

1. **Call to Order**
2. **Invocation**
3. **Roll Call**
4. **Approval of Minutes – May 2nd, 2019**

5. **Public Hearing**

a. **Old Business – Rezoning - Chapel Woods (778) -**

Application is to rezone 141.66 acres from A to R-30 Overlay, Located on the west side of Holly Springs Road and south of Melanie Lane, identified as Parcel #3- 7-6-23-00-0-00012-00 and 3-07-7-26-00-0-00003-00 in Section 23 & 26, Township 3, Range 7 (District 5)

Applicant: South Creek Homes, LLC

b. **New Business – Rezoning - Desoto Business Center**

(779) - Application is to rezone 58.75 acres from AR to M-1, Located on the south side of Kirk Road and east of Polk Lane, identified as Parcel #105419000 0002100 and 105419000 0001100 in Section 19, Township 1, Range 5W (District 1)

Applicant: DeSoto Business Centre

6. **Final Subdivision**

- a. **Lewisburg Crossing (7350) -** Application is for final subdivision approval of thirteen (13) lots on 35.89 acre(s). Subject property is identified as Parcel(s) #3-06-1-01-00-0-00006-00. Subject property is located on the southeast corner of Byhalia and Box Corner Rd in Section 1, Township 3, Range 6 and is zoned A. (District 1)
Applicant: EBI Land, LLC

The Desoto County Planning Commission met at 6:30 p.m. on Thursday, May 30 2019, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Commission members were present: Len Lawhon, Julius Cowan, Ted Dorsey, Ray Denison, Joan Robertson, Jeanne Shannon, Floyd Fiveash, B.G. Smith, Murry Haslip, Greg Paylor and David Arnett. Staff members present included Bennie Hopkins, Austin Cardosi, Ashley Hendricks, and Sam Barber, Board Attorney.

Planning Commission Chairman Mr. Fiveash called the meeting to order and asked whether any member of the Commissioners recommended changes to the Minutes dated May 2, 2019. No changes were suggested. Mrs. Shannon made a Motion to approve the minutes as presented. Mr. Cowan seconded the Motion. The Motion passed with a unanimous vote.

Public Hearing

Mr. Fiveash made a Motion to open a Public Hearing. Mr. Holland seconded the Motion. The Motion passed with a unanimous vote.

- a. Old Business – Rezoning - Chapel Woods (778) -
Application is to rezone 141.66 acres from A to R-30
Overlay, Located on the west side of Holly Springs Road
and south of Melanie Lane, identified as Parcel #3-7-6-
23-00-0-00012-00 and 3-07-7-26-00-0-00003-00 in Section
23 & 26, Township 3, Range 7 (District 5)
Applicant: South Creek Homes, LLC**

Mr. Hopkins presented the Chapel Woods application for rezoning of 141.66 acres from A to R-30 Overlay. He stated there has been a change in the number of lots since the original plan presented last month. Mr. Blake Mendrop was present to represent the application.

Mr. Cardosi explained what an R-30 Overlay is. He then explained that the property is in two different land use categories and when the acreage is averaged it meets the density for the R-30 Overlay.

Mr. Mendrop came forward and explained how they averaged the entire site to get the density. He then stated that they have placed the smaller lots in the middle of the development that will access the development from Malone Road so there will not be as much traffic on to Holly Springs Road.

Mr. Mendrop stated the following demonstrate a change in the neighborhood:

- There have been new subdivisions and property rezoned in the area
- Sewer and water are now available in the area
- Conforms to the General Development/Comprehensive Plan

He stated that they are proposing a no disturb area to maintain the existing buffer on the north side of the development. He then stated they made the cove on the original plan a cove on the east side of the development at the request of the adjacent property owner.

Mr. Mendrop stated that the minimum house size for the R-30 portion would be 2,600 sqf and the R-20 portion would be 2,400 sqf. He then stated that the developer is proposing underground power lines. Mr. Mendrop stated that there is no easement for the airport on this property and the developer has submitted a form to the FFA to make sure there are no restrictions due to the airport. He stated that they are proposing a larger rear setback of 100 feet for the lots along the airport side of the development and will build a 6 ft fence along the property line of the airport to minimize people and atvs from going on to the airport property due to safety concerns. He then stated they will do whatever is required as far as road improvements are concerned along Malone Road and Holly Springs Road.

Mr. Denison asked what is planned for the Malone Road entrance of the development. Mr. Mendrop stated the typical landscape as required by the County.

Mr. Mendrop stated that the area by the airport will be the last phase to be developed.

Mr. Fiveash asked what they will do in the common open space. Mr. Mendrop stated that common space will be a detention area with benches and would like to keep a portion of the common space natural. Mr. Lawhon stated that he is concerned that the common open space is not going to be an amenity for the homeowners of the development. Mr. Fiveash asked how the lots in the northern portion of the development will be able to access the common open space. Mr. Mendrop stated that they won't be able to access the common space, that portion is kind of like a stand-alone development. Mr. Lawhon stated he is concerned that all lot owners in the development will not be able to access the common space. Mr. Fiveash asked if the fence will extend through the common open space. Mr. Mendrop stated that the fence will extend through the common open space and when be installed before any homes are built.

Mr. Fiveash asked if there was anyone to speak for or against this item.

Susan Harris - 3550 Bolin Rd. – came forward and has the following concerns:

- Wants to maintain the rural feel
- There is not a need for this type of development
- Increased traffic
- Infrastructure cannot handle the increased amount of traffic from this proposed development
- Feels traffic studies in the area need to be done before any more development is approved
- Will overtax utilities
- Lack of sufficient fire hydrants in area

- Not an existing adequate fire department to service this type of development
- Overtax the Sheriff's department
- Does not feel water and sewer are available in area
- Overtax the schools
- Is on conflict with the Comprehensive Plan
- Not compatible with surrounding development
- Will disturb conservation and wildlife
- There are developments like this already approved in the city, so small development like this is not needed in this area
- Could lead to annexation
- The approved plan could change later without notice
- There are discrepancies in the staff report and the presented plan from the developer
- Falsely states in plan that the development is in the Lewisburg School District
- Waterlines in area are too small to accommodate fire hydrants

Teri Meriwether – 4275 Malone - came forward and has the following concerns:

- Traffic congestion
- Lots are too small for the area
- Increased traffic
- The number of lots accessing Malone Road
- Request a traffic study be done
- Would like to keep the rural feel of development in the area

Richard Erla – 4460 Holly Springs Rd. – came forward and had the following concerns:

- Increased flooding
- Existing flooding in the area
- The proposed site floods
- Too many lots

Tom Ferguson – 93 La Bauve St. - came forward and stated that he spoke with the developer about his concerns for the safety of the children in the proposed development due to the close proximity to the airport and the developer agreed to have a 100 ft rear setback on the lots joining the airport and to install a fence along the property line between the development and the airport. He then stated that he would like for the fence to be a black chain link fence not a vinyl fence.

Brandy Anderson – 3474 Bolin – came forward and was concerned that the development is in character with the area.

Joseph Harris – 3746 Malone – came forward and has the following concerns:

- Increased traffic
- Decreased traffic safety
- Lots are too small, they should be at least 1 acre in size

Mr. Mendrop clarified that the developer will make the upgrades to lines and the lift station for sewer service. He then stated that the development will tie in to the 8 inch water line coming from Johnston Road. He stated that fire hydrants will be installed in the development. Mr. Mendrop stated that the developer will make all road improvements required by the County.

Mr. Denison asked if there has been a traffic study done in the area. Mr. Mendrop stated that they have not done a traffic study but will work with the County to do a traffic count if required.

Mr. Denison asked why all the lots are not connected in this development. Mr. Mendrop stated that the development is set up this way because they did not want to have all the traffic accessing on to Holly Springs Road but they will connect the development if the Planning Commission wants them to.

Mr. Lawhon stated that he is concerned with flooding in the area and does not think that the lack of amenities in the common area qualifies it to be taken in consideration as actual common open space. To qualify in the Residential Overlay requirement the common open space needs to be an amenity, it needs to be an investment by the developer. He then stated that he feels there is a need for some type of connectivity throughout the development.

Mr. Denison stated that he is concerned that the permitted uses need to be addressed and that a traffic study needs to be done.

Mr. Lawhon made as Motion and Mr. Paylor seconded the Motion to deny the Chapel Woods application for rezoning of 141.66 acres from A to R-30 Overlay due to there being insufficient design of the plan, does not meet the needs of the community, there is no connectivity throughout the development, the open space is not used an amenity and the permitted uses need to be reviewed and addressed to make sure will not affect the surrounding areas. The Motion passed in a 14-0 roll call vote.

**b. New Business – Rezoning - Desoto Business Center (779) - Application is to rezone 58.75 acres from AR to M-1, Located on the south side of Kirk Road and east of Polk Lane, identified as Parcel #105419000 0002100 and 105419000 0001100 in Section 19, Township 1, Range 5W (District 1)
Applicant: DeSoto Business Center**

Mr. Hopkins presented the Desoto Business Center application for rezoning of 58.75 acres from AR to M-1. Mr. Bill Myers and Mr. Bob Barber were present to represent the application. Mr. Cardosi stated that that the City of Olive Branch responded the proposed plan is in line with the City of Olive Branch Land Use Plan.

Mr. Bill Myers stated that they believe there has been a change in the neighborhood.

Mr. Bob Barber presented the location of the site and the type of development Core 5 has done before. He stated there is flood plane on the east side of the property and currently there is an auto repair business with 30 plus cars on the property. He then stated the property is in close proximity to the Olive Branch Airport and distribution centers to the north and west. Mr. Barber stated that there are more distribution centers being constructed to the south. He then stated that the design of the site will be in character with the neighborhood. He then presented the site plan and the landscape plan.

Mr. Barber presented the following as examples of change in the area:

- Area has progressed from agricultural in 1957 to Holiday Industrial Park in 1996 into industrial development by 2006
- Construction of 3.15 million square feet of distribution space
- Infrastructure has been upgraded in the area such as sewer, water, streets, etc.
- Adoption of the Olive Branch Plan
- Consistent with the County Industrial Use Policies
- The reconfiguration of the Forest Park PUD
- There has been a lack in the update of the County Comp Plan and he does not feel the current plan accurately portrays the area
- There is a public need – DeSoto County’s industrial market is low and the demand exceeds the supply, this proposal will create jobs

Mr. Lawhon stated he would like to see a wider buffer area along Kirk Road. Mr. Barber stated that they will match the buffer on the other side of the street. Mr. Lawhon stated it also needs more of a buffer on the east side of the property. Mr. Barber stated they will also increase the buffer on the east property line. Mr. Myers confirmed they will meet the request for increased buffers along Kirk Road and the property line on the east.

Mr. Fiveash asked if there was anyone to speak for or against this item. There was no one.

Mr. Lawhon made a Motion and Mrs. Robertson seconded the Motion to approve the Desoto Business Center application for rezoning of 58.75 acres from AR to M-1 conditioned upon there be an increase in the landscape buffer on the north and east sides of the development to make compatible to the area, based on there being a change in the neighborhood demonstrated in the presentation. The Motion passed with a 14-0 roll call vote.

The applicant requested this item be heard by the Board of Supervisors on July 1, 2019 at 9:30 am. Staff stated this serves as notice that this item will be heard by the Board of Supervisors on July 1, 2019 at 9:30 am.

Mrs. Robertson made a Motion to close the Public Hearing. Mrs. Shannon seconded the Motion. The Motion passed with a unanimous vote.

Final Subdivision

- a. Lewisburg Crossing (7350) - Application is for final subdivision approval of thirteen (13) lots on 35.89 acre(s). Subject property is identified as Parcel(s) #3-06-1-01-00-0-00006-00. Subject property is located on the southeast corner of Byhalia and Box Corner Rd in Section 1, Township 3, Range 6 and is zoned A. (District 1)
Applicant: EBI Land, LLC**

Mr. Hopkins presented the Lewisburg Crossing application for final subdivision approval of 13 lots on 35.89 acre(s). He stated that the final plat substantially conforms to the preliminary plat. Mr. J.F. Lauderdale is present to represent the application.

Mr. Lauderdale stated that this subdivision was previously approved for final but a neighbor has purchased a portion of the site and does not want to be a part of the subdivision. He stated the plat presented is only 13 lots instead of the original 16 lots approved.

Mr. Denison made a Motion and Mr. Arnett seconded the Motion to approve the Lewisburg Crossing application for final subdivision approval of thirteen (13) lots on 35.89 acre(s). The Motion passed with a unanimous vote.

Mrs. Shannon made a Motion and Mr. Lawhon seconded the Motion to adjourn. The Motion passed with a unanimous vote.