



**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
July 2nd, 2020**

1. **Call to Order**
2. **Invocation**
3. **Roll Call**
4. **Approval of Minutes – May 28th, 2020**

5. **Public Hearing - Rezoning**

- a. **Bakersfield West Commercial (785)** –Application is for rezoning of 1.91 acres from AR to C-4, Located on the southeast corner of Pleasant Hill and Malone, identified as Parcel # 207726000 0000300 in Section 26, Township 2, Range 7 (District 5)
Applicant: Orion Planning and Design
- b. **McElroy Farms (789)** – Application is for rezoning of 44.8 acres from AR to PUD, identified as Parcel 206515000 0000200 located on the south side of College Road, east of Highway 305 in Section 15, Township 25, Range 6W (District 1)
Applicant: The Reaves Firm
- c. **Creekside Meadows Revision (790)** - Application is for amendment of the Rezoning of the Planned Unit Development (PUD) “Creekside” identified as Parcel #3-07-2-10-00-0-00003-01. Subject property is located on the east side of Getwell Road and south of Bright Road in Section 10, Township 3, Range 7 and is zoned Agricultural (A) (District 5)
Applicant: Civil Link

6. **Final Subdivision**

- a. **A.E. Allison Subd, Sect. D, 1st Rev. of Lot 42 (7576)**
–Application is for subdivision revision of Lot 42 in AE Allison Subdivision. Identified as Parcel # 206420040 0004200, located on the south side of McElroy Road, east of Craft Road. In Section 20, Township 2, Range 6 (District 5)

The Desoto County Planning Commission met at 6:30 p.m. on Thursday, July 2, 2020, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Commission members were present: Len Lawhon, Randy Jones, Julius Cowan, Theodore Dorsey, Greg Ryan, Floyd Fiveash, David Arnett, Jim Holland, Murry Haslip and Scott Ferguson. 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 28, 2020. No changes were suggested. Mr. Ryan made a Motion to approve the minutes as presented. Mr. Ferguson seconded the Motion. The Motion passed with a unanimous vote.

7. Public Hearing – Rezoning

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

- a. Bakersfield West Commercial (785) –Application is for rezoning of 1.91 acres from AR to C-4, Located on the southeast corner of Pleasant Hill and Malone, identified as Parcel # 207726000 0000300 in Section 26, Township 2, Range 7 (District 5)
Applicant: Orion Planning and Design**

Mr. Bob Barber came forward and asked to request to carry this item over until the July 28, 2020 meeting. He stated the applicant had a death in the family and will not be able to attend tonight's meeting.

Mr. Arnett made a Motion and Mr. Ryan seconded the Motion to carry over the Bakersfield West Commercial application for rezoning of 1.91 acres from AR to C-4 until the July 28, 2020 meeting. The Motion passed with a unanimous vote.

- b. McElroy Farms (789) – Application is for rezoning of 44.8 acres from AR to PUD, identified as Parcel 206515000 0000200 located on the south side of College Road, east of Highway 305 in Section 15, Township 25, Range 6W (District 1)
Applicant: The Reaves Firm**

Mr. Hopkins presented the McElroy Farms application for rezoning of 44.8 acres from AR to PUD. Mr. Mike Davis and Mr. Mark Matthews were present to represent the application.

Mr. Mike Davis stated the proposed site is surrounded by R-20, R-30 and R-30 Overlay and some smaller lots to the north in City of Olive Branch. He then

stated that there has also been a new hospital built, Lewisburg Schools, retail approved and the opening of I-269 to support the change in the neighborhood.

Mr. Davis went over the proposed plans discussing the lot sizes and the park in the common space. He stated the park in the middle of the development will be connected by sidewalks and the second common area will have walking trail in the natural area and a detention area.

Mr. Matthews stated there will be a privacy fence around the boundary with neighbors and fencing around the natural area in the common open space. He stated he anticipates the homes to be a modern farm style look and will be in the \$450,000 plus price range. He then stated the minimum home size will range from 2,500-3,500 sqf and be traditional style homes with a front porch.

Mr. Ryan asked how Lots 26, 27, 28 & 29 would be accessed. Mr. Matthews stated those lots will be accessed from College Rd. Mr. Ryan asked if any of the homes in the development will have front load garages. Mr. Matthews said that some of the interior lots will have front load garages.

Mr. Fiveash asked will all lots have access to the common open space. Mr. Matthew stated all lots will have access to the common open space. Mr. Fiveash asked how the lots along College Road will access the common open space. Mr. Matthews stated they are willing to put in sidewalks. Mr. Fiveash asked if the same improvements will be installed along College Rd. as were required at Mitchell's Corner Subdivision. Mr. Matthews stated they will install the same road section as Mitchell's Corner.

Mr. Ryan asked if the detention pond will be maintained. Mr. Matthews stated the detention pond will be maintained. Mr. Ferguson asked who will be responsible for maintaining the open space. Mr. Matthews stated the HOA will be responsible for maintaining the common open space. Mr. Fiveash asked what will happen with the pond currently on the property. Mr. Davis stated there is a breach in the dam of the current pond so it will be removed. Mr. Fiveash stated the detention pond is on the south east corner of the proposed site and asked how much water will drain on to the neighboring property. Mr. Davis explained how the water will be contained on the site with the detention ponds. Mr. Arnett asked where the excess water will go if the detention pond fills up. Mr. Davis explained how the spillway system will work.

Mr. Ferguson asked which fire department serves this area. Mr. Davis stated it will be served by the Lewisburg Fire Department.

Mr. Matthews stated they would like the side setbacks for lots 1-24 to be 10 ft. instead of 15 ft.

Mr. Hopkins recommended the developer speak with the US Postmaster for that area about whether cluster boxes will be required.

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

Jane Coln – 9434 College Rd – came forward and had the following concerns:

- Increased traffic, College Rd cannot handle increased traffic
- Water run-off
- Lots are too small, not keeping with other property in the area
- Increased noise
- Increased crime
- Leap frog development
- Could allow commercial and duplexes

Mr. Hopkins explained the only uses that would be allowed are what are approved in this application, which is residential use.

Deborah Beach – 9600 College Rd – came forward and had the following concerns:

- Increased traffic
- Increased noise
- Decreased traffic safety
- Too many lots
- Too small lots

Dianne Geardino – 3916 Mitchell’s Corner Rd – came forward and asked if the tree line will remain along the west property boundary of the proposed development. Mr. Matthews stated very little if any of the tree line along the western boundary will be removed and a fence will be installed along the western boundary.

Mr. Davis explained the water flow on the property.

Mr. Matthews stated they will add a complete lane and curb and gutter on College Rd.

Mr. Lawhon stated he feels this a good, quality plan and fits the density of the area.

Mr. Lawhon made a Motion and Mr. Arnett seconded the Motion to approve the McElroy Farms application for rezoning of 44.8 acres from AR to PUD, finding that is compatible to the area and there is a change in the neighborhood, conditioned upon there being a sidewalk on the lots along College Rd and extra lane and curb and gutter on College Rd. The Motion passed with a unanimous vote.

- c. Creekside Meadows Revision (790) - Application is for amendment of the Rezoning of the Planned Unit Development (PUD) “Creekside” identified as Parcel #3-07-2-10-00-0-00003-01. Subject property is located on the east side of Getwell Road and south of Bright Road in Section 10, Township 3, Range 7 and is zoned Agricultural (A) (District 5)
Applicant: Civil Link**

Mr. Hopkins presented the application for Creekside Meadows for an amendment of the rezoning of the Planned Unit Development. Mr. Nick Kreunen was present to represent the application.

Mr. Ryan asked if this is a new application. Mr. Cardosi stated that this is a revision to previously approved PUD.

Mr. Kreunen stated the reason for the change is that during the environmental review of the property an environmental engineer found wetland along the southern boundary of the property. He stated that the revised layout is used to work around the wetlands per the Corp of Engineer requirements to not disturb the wetlands. He stated in the revised plan there will be no alley way, all lots will have the same layout, garages will be off set 25 ft. to the rear and fences along the common open space will be a permeable fence and all other lots can have privacy fence.

Mr. Fiveash asked if the lot sizes or number of lots changed. Mr. Kreunen stated that there is the same number of lots but the lots are larger.

Mr. Lawhon stated he feels this is a totally different PUD. He stated that the wetlands are basically just a swamp. He then stated he doesn't understand how a walking trail can also be an emergency access. He stated that he doesn't feel the fences go with the design of the homes. Mr. Lawhon stated that this plan does not look anything like the original plan that was approved. He stated that this plan is drastically different.

Mr. Ryan asked if the areas that show green trees are park areas of part of the wetlands. Mr. Kreunen said it would be park area. Mr. Ferguson asked where the access points to the park. Mr. Kreunen showed where the access points are on the proposed plan. There was discussion of the wetlands and whether the proposed park area would be natural and untouched or maintained. Mr. Kreunen stated that the park area would be maintained/mowed. Mr. Lawhon stated that he feels the plan needs more detail of the common open space/park area.

Mr. Ferguson asked why the plan totally changed. Mr. Kreunen stated the plan changed because they discovered there were wetlands on the southern edge of the property.

Mr. Ryan asked if the emergency access was going to be gravel. Mr. Kreunen stated that the access drive will be 20 ft. asphalt road. There was discussion of who would have access to the emergency road.

Mr. Haslip asked if there are any plans to develop the property to the south. Mr. Kreunen there are no plans to develop the property to the south at this time.

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

Clarence Phillips – 3525 Bright Road – came forward and had the following concerns:

- Only one road into the development, no secondary road
- How it will affect his property
- Water and sewer on such small lots
- Increased traffic
- Decreased traffic safety
- Water run-off
- Creek erosion

Mr. Kreunen stated sewer will be provided from a main DCRUA trunk line coming across the property to the south.

Mr. Kreunen stated he feels the justification for this zoning amendment is that there was a mistake in the last zoning approval due to the environmental concerns.

Mr. Lawhon stated if the approved design cannot be done then the application the applicant should go back to the drawing board and come up with a different design. There was discussion of whether the PUD needs to be resubmitted as a new application. Mr. Kreunen stated that the attempt of the amendment was to keep the conservation type subdivision with a large amount of open space. Mr. Ryan stated the Planning Commission cannot see what the developer is intending for the common open space from the plan submitted. There was more discussion of the common open space.

Mr. Ryan made a Motion and Mr. Ferguson seconded the Motion to carry over the application for Creekside Meadows for an amendment of the rezoning of the Planned Unit Development. The Motion passed with a unanimous vote.

Mr. Ryan made a Motion and Mr. Ferguson seconded the motion to close the public hearing. The Motion passed with a unanimous vote.

8. **Final Subdivision**

- a. **A.E. Allison Subd, Sect. D, 1st Rev. of Lot 42 (7576)
–Application is for subdivision revision of Lot 42 in AE Allison Subdivision. Identified as Parcel # 206420040 0004200, located on the south side of McElroy Road, east of Craft Road. In Section 20, Township 2, Range 6 (District 5)**

Mr. Hopkins presented the A.E. Allison, Sec. D, 1st Rev. of Lot 42 application for a revision of lot line.

Mr. Ryan made a Motion and Mr. Arnett seconded the Motion to approve A.E. Allison, Sec. D, 1st Rev. of Lot 42 application for a revision of lot line. The Motion passed with a unanimous vote.