

Order of Items
DeSoto County Planning Commission
April 3, 2003

1. Roll Call
2. Invocation
3. Approval of Minutes 2/27/03 & 3/13/03
4. Comprehensive Plan Status Report
5. 2002 Year end report

MINOR LOT SUBDIVISIONS

1. Terrill Subdivision (Sorenson, Nicole) (6134) – Application is for 2 lots of 10 acres on an easement. Subject property is located on the south side of Byhalia Road, zoned Agricultural.

Section 1, Township 3, Range 6

SUBDIVISION MUST BE PLATTED AND RECORDED

2. Turner Minor Lot (6135) – Application is for 2 lots of 3.62 acres each. Subject property is located on the north side of Strickland Road and west of Meyers Road, zoned Agricultural.
3. Tate Minor Lot 1st Addition (6136) – Application is for 3 lots, one lot of 3.95 acres and two lots of 2.99. Subject property is located on the south side of Austin Road and east of Tulane Road, zoned Agricultural-Residential.

Section 15, Township 2, Range 8

4. Stockard Minor Lot (6137) – Application is for 2 lots of 6 acres each. Subject property is located on the south side of Cathy Road, zoned Agricultural.
5. Kirkman Minor Lot 1st Revision (6138) – Application is for 4 lots, one lot of 2 acres, one lot of 2.63 acres, one lot of 2.13 acres and one lot of 2.19 acres. Subject property is located on the east side of Highway 301, zoned Agricultural.

Section 25, Township 2, Range 9

SUBDIVISION MUST BE PLATTED AND RECORDED

6. Venture Builders Minor Lot (6140) – Application is for 2 lots, one lot of 1.34 acres and 1.35 acres. Subject property is located on north side of Nail Road and west of Highway 301, zoned Agricultural-Residential.

Section 36, Township 1, Range 9

OLD BUSINESS

RE-ZONING

1. Madison Lakes (606) – Application is to rezone 483.81 acres from Agricultural-Residential to Planned Unit Development. Subject property is on the north and west side of Byhalia Road and east of future McIngvale Road.

Section 5, Township 2, Range 7

MAJOR SUBDIVISION

2. Star Landing Commercial Subdivision Lot 1 (6127) – Application is for preliminary and final subdivision approval for 1 lot of .91 acres (from 19.75). Subject property is located on the west side of Highway 51 and south of Star Landing Road, zoned C-2 (Highway-Commercial).

Section 24, Township 2, Range 8\

(OVER)

NEW BUSINESS

MAJOR SUBDIVISIONS

3. Habitat for Humanity – Walls (6000) – Application is for preliminary and final subdivision approval for 1.09 acres. Subject property is located on the east side of Railroad Avenue and south of First Street, zoned R-2 (Single Family Residential).
Section 33, Township 1, Range 9
4. Miller Station (6129) – Application is for preliminary subdivision approval for 106 lots on 115 acres. Subject property is located on the east side of Center Hill Road and south of Goodman Road (Highway 302), zoned R-30 (Single Family Residential).
Section 4, Township 2, Range 5
5. Audubon Place Section A (6130) – Application is for final subdivision approval of 5 lots on 17.25 acres. Subject property is located on the east side of Horn Lake Road and north of Star Landing Road, zoned Agricultural-Residential.
Section 16, Township 2, Range 8
6. Greer’s Landing (6131) – Application is for preliminary subdivision approval of 12 lots on 20 acres. Subject property is located on the south side of Bright Road and east of Malone Road, zoned Agricultural.
Section 11, Township 3, Range 7
7. North Eudora Farms (6132) – Application is for preliminary subdivision approval of 24 lots on 53.42 acres. Subject property is located on the west side of Highway 301 and north of Highway 304, zoned Agricultural-Residential.
Section 9, Township 3, Range 9
8. Grove Meadows (5913) – Application is for a concurrence of an existing subdivision plat with 44 lots on 39.04 acres. Subject property is located on the west side of Getwell Road and north of Lester Road, zoned R30 (Single Family Residential)
Section 21, Township 2, Range 7

OTHER ITEMS

9. Mississippi APA – FREE Planning Commissioner Training in Hernando, May 8, 2003
10. Mid South Zoning Institute – Friday, March 2, 2003

The DeSoto County Planning Commission met at 7:00 p.m. on Thursday, April 3, 2003, in the Third Floor Boardroom of the Administration Building of DeSoto County located at 365 Loshier Street, Hernando, MS. Commissioners present were Paul Whitfield, Claudia Niebanck, Mitch Mitchell, Ed Williams, Jimmy Maxwell, Robin James, Charles McNemar, Larry Sykes, Julius Cowan, Leonard Lindsey, Earl Ward, and Mike Robison. Planning Commission Staff included Merritt Powell, Director of the DeSoto County Planning Commission, Michael Garriga, DeSoto County Planner, Jim McDougal, DeSoto County Transportation Coordinator, Andy Swims, County Engineer, Scott Young, Assistant County Engineer, Denise Dingman, Planning Commission staff and Katie Jewell, County Attorney.

Chairman Mike Robison called the meeting to order at 7:00 p.m., he then asked Mr. Jimmy Maxwell to lead the Commission in prayer.

Mr. Robison asked for a Motion to approve the February 27, 2003 & March 13, 2003 minutes. Mr. Larry Sykes made a Motion to approve the minutes. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

Mr. Garriga then gave a Comprehensive Plan update. Mr. Swims informed the Board members that the Board of Supervisors accepted changes to the County Subdivision Ordinance regarding Road Right of Ways, Drainage and Road widths. Mr. Swims then explained the changes that had been made.

At this time, Mr. Garriga gave a 2002 year end report.

MINOR LOTS

7. **Terrill Subdivision (Sorenson, Nicole)** (6134) – Application is for 2 lots of 10 acres on an easement. Subject property is located on the south side of Byhalia Road, zoned Agricultural.
Section 1, Township 3, Range 6
SUBDIVISION MUST BE PLATTED AND RECORDED
8. **Turner Minor Lot** (6135) – Application is for 2 lots of 3.62 acres each. Subject property is located on the north side of Strickland Road and west of Meyers Road, zoned Agricultural.
Section 17, Township 3, Range 5
9. **Tate Minor Lot 1st Addition** (6136) – Application is for 3 lots, one lot of 3.95 acres and two lots of 2.99. Subject property is located on the south side of Austin Road and east of Tulane Road, zoned Agricultural-Residential. Section 15, Township 2, Range 8
10. **Stockard Minor Lot** (6137) – Application is for 2 lots of 6 acres each. Subject property is located on the south side of Cathy Road, zoned Agricultural.
Section 20, Township 3, Range 5
11. **Kirkman Minor Lot 1st Revision** (6138) – Application is for 4 lots, one lot of 2 acres, one lot of 2.63 acres, one lot of 2.13 acres and one lot of 2.19 acres. Subject property is located on the east side of Highway 301, zoned Agricultural.
Section 25, Township 2, Range 9
SUBDIVISION MUST BE PLATTED AND RECORDED

12. Venture Builders Minor Lot (6140) – Application is for 2 lots, one lot of 1.34 acres and 1.35 acres. Subject property is located on north side of Nail Road and west of Highway 301, zoned Agricultural-Residential. Section 36, Township 1, Range 9

Mr. Garriga announced the above items and stated that minor lots conform to the DeSoto County Zoning and Subdivision Regulations and are ready for approval, subject to dedication of road right of way, and health department approval. He added the Terrill and Kirkman subdivisions must be platted and recorded. Mr. Maxwell made a Motion to approve minor lots 2, 3, 4 and 6. Mr. Lindsey seconded the Motion. The Motion passed by a unanimous vote. Mr. Garriga stated that he Terrill Minor lot was previously approved, but never platted and recorded. This application is for a concurrence and needs to be recorded due to an easement which is 959' in length. This easement has been there for a long time. Mr. Mitchell made a Motion to approve this application with all previous conditions and that this be platted and recorded (see file 4240). Mr. Whitfield seconded the Motion. Mr. Garriga then explained the Kirkman minor lot and recognized Ms. Joanna Kelly, Danny Rutherford Engineering, representative for the applicant. Ms. Kelly began by saying the applicant Mr. Kirkman is an elderly man, who is trying to set up equable distribution between his children. Mr. Garriga said there is a 30' easement, which has been recorded, all of this land is family owned. The easement is 650', but if the lot line on lot 2 B was moved east it could meet the county's 600' easement requirements. Ms. Kelly agreed to meet the county 600' easement requirement. Ms. Niebanck made a Motion to approve the application with the amendment that the easement be 600'. Mr. Maxwell seconded the Motion. The Motion passed by a unanimous vote.

OLD BUSINESS

RE-ZONING

Madison Lakes (606) – Application is to rezone 483.81 acres from Agricultural-Residential to Planned Unit Development. Subject property is on the north and west side of Byhalia Road and east of future McIngvale Road. Section 5, Township 2, Range 7

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He added, the packets include previous staff reports, Planning Commission minutes from the special meeting on March 13, 2003, and the letters from the City of Hernando. Mr. Garriga then read the latest letter received from the City of Hernando and their requests. Mr. Garriga said that all conditions/changes required by the DeSoto County Planning Commission Board have been met by the applicant.

Mr. Lindsey asked what the current density is? Mr. Garriga said "2.29" (page 4 of the zoning proposal).

Mr. Robison said he has read every page of this proposal, and has only found one misprint. The land use color code regarding size of lots is wrong, but the text is correct.

Mr. Whitfield asked what the odd horseshoe shape area is in park area number 7? Mr. Garriga responded by saying, it is an access loop and the park will be dedicated to the City of Hernando, the lake will also be filled.

Mr. Robison said he has received a request to enter into the record a written statement from 3 residents, Ms. Tillman, Ms. Dell, and Mr. Sawyer. Mr. Robison then stated that at the last meeting it was requested that the applicant supply a revised proposal to the Planning Commission office which would be available for public review prior to this meeting, he then asked if this was completed. Mr. Garriga responded by saying "yes", the documents were available for public viewing.

Mr. Robison stated there will not be any public comments allowed tonight, the public had an opportunity to speak at the special Planning Commission meeting held on March 13, 2003. In addition, the applicant, nor his representative will not be allowed to speak tonight. Discussion regarding this case will be amongst the Planning Commission Board members and staff, since the floor was closed at the previous meeting.

At this time, Mr. Polk Tillman stood up spoke stating all the people here tonight are opposed to this proposal and wanted to know if the board is going to consider the City of Hernando comments. Mr. Robison asked Mr. Tillman to sit down and acknowledged that there are about 15 people here tonight that are opposed to the proposal.

Mr. Lindsey stated the letter from the City of Hernando states the density is under the 2010 Comprehensive Plan, which has not yet been approved. Mr. Garriga stated that the county is currently under the 2010 Plan, which was adopted in 1994, and this proposal does conform to current Comprehensive Plan. Mr. Lindsey stated he thought the county was under the 2010 plan, and wanted it to be on record that the plan does conform, and the City of Hernando letter is incorrect. Mr. Lindsey further stated the City of Hernando asked that the density be 1.5, he disagrees with that density. Mr. Lindsey then questioned number 5 on the letter from the City of Hernando dated March 26th regarding private roads. He added, he wants to be sure that neither the County nor the City of Hernando if the property ends up in their jurisdiction be responsible for the roads, and that streets are private. Mr. Garriga responded by saying with the gated communities, we are asking, that there be language on the plat stating no governing authority will ever be responsible for the maintenance and up keep of the private streets.

Mr. Robison then asked if there is going to be two levels of membership in the Homeowners Association. There was no answer given.

Mr. Sykes stated the 1.5 density is a major reduction, then asked if the City of Hernando gave an explanation why they wanted this density? Mr. Robison said he is not aware that the City has adopted anything within their own ordinance for that type of density. Mr. Mitchell then asked why the City is asking the county to require the 1.5 density? Mr. Sykes responded saying, that is his question. Mr. James said he has a problem with the proposed density, he added, 701 lots out of the 995 are 10,000 square feet or under, which is 85%. 201 of the acres are 10,000 square foot lots which is 75% including the lakes and is a lot higher than that if the common areas are removed. He believes the density should be lower.

Mr. Sykes said if we approve this development and there is not adequate infrastructure and this development goes sour, and if the City does annex this property, the City will state we did not approve this, the county did. If we approve this development and it goes great, the City will say “look what we have”. If we approve it as it stands, not knowing what the City is wanting, Mr. Sykes said he is not sure it is a good idea to approve at this time. Mr. Lindsey responded saying, there have been many projects over the pass 12 years since he has been on the Planning Commission Board that have been annexed or proposed to be annexed. We do and have taken the Cities comments into consideration, but we still made decisions based on the information provided. At this time, this project is in the county and we have to made a decision weather to approve or deny it. We have never put off a project due to an annexation. Mr. Mitchell added, even if it is annexed, that does not mean it is automatically a part of the City, it can be challenged and be tied up in court for a long time. He concluded by saying, he agrees with Mr. Lindsey, a decision needs to made regarding this project, because it is currently in the county and it is our responsibility. Mr. Robison added, this applicant was before us a little of a year ago, in regards to the power substation across the street, and the applicant stated that there was a project in the works for this property. The applicant filed the application with our staff and the City of Hernando in December and it was then that the City came forth with the annexation. He does not believe the annexation included just this property, but they knew what was being proposed for this property when they filed the annexation. He also agreed that this Planning Commission Board has never held off a application due to an annexation, in addition they would not know how long to hold off this application. Mr. Lindsey said a good example is the “Elvis Property” in Horn Lake.

Ms. Niebanck said the City does have concerns, and would like to know why the density is so high. Mr. Mitchell responded by saying, he does not understand why the City has a problem with the density, when they have approved a development across the road by the golf course that has small lots (6,000 square feet). Mr. Robison added, that there is 30% open space, it has a great circulation plan, there are extremely high regulations for this project, nice features, and thinks that over all the development raises the bar. This is exactly what a PUD is intended to do, it has a good variety and blends in with the surrounding area. In regards to the comments being made about this being the largest PUD with regards to the lots in the county, this development would fit into the top 10, does not believe it is the largest. Thereupon, as far as the overall plan, this is a good model and a good plan.

Mr. Williams said the applicant has to prove the need for this development, he is not against growth, but he is concerned with the impact this development will have on the roads and schools. There is a potential for 2,000 cars on the road per day and the potential for an additional 2,000 students, which would mean a new school. Once again, he is not against growth, but the tax payers will pay for this if it is not a success.

Mr. James informed the board that the school board is considering a third tax increase in four years, brick and mortar is not for better education, it is strictly brick and mortar.

Mr. Mitchell replied by saying go back to what Mr. Garriga was saying about the growth, in looking at these figures, “yes” roads, schools and other facilities will be impacted, but

with the growth comes revenue. We don't build schools until we have the need for children, we don't build or improve roads until the demographics determine the need to do so. That area of the county is growing, the new Highway 304 is already being built, improvements on Green T and so forth. That is a primary location for that side of the county. This development will not be built over night, it will be most likely be two years before development even begins.

Mr. Maxwell said he believes that if the City of Hernando annexes tomorrow, even if some of the things change the project will still happen. We have to look and make decisions based on the county's regulations and make decisions as it is in the county today based on the need and change in the neighborhood. We are voting as a County board not a City board. This board has reviewed and listened to the public several times and even had a special meeting for just this development. The meeting tonight was just to come back and vote on this project not to hear the issues over again, there has been plenty of time for that. He continued by saying, we can come back next month and something will change, how many times do we need to come back and put this application off? The applicant has been given the list of requirements and has made the changes, and feels it is unfair to the applicant for us to rehash what has already been said and take up more time. When the City annexes they can change things at that time. It is time for this board to make a decision weather it is up or down.

Ms. Niebanck stated that Mr. Dalhoff has presented a good project and a good concept, but is still concerned with the density and the impact. She then asked if an impact study could be done. Mr. Robison replied by saying this board has never required another developer/applicant to do a impact/feasibility study and does not expect this applicant to do so. He also referred to the last letter from the City of Hernando, and stated he did not understand the impact study. Mr. Lindsey then stated that Dickens Place subdivision is over 900 lots and we did not ask them to do an impact study, and when that was approved Getwell Road was a two lane road. Mr. Mitchell said we could impact study ourselves to death, then what?

Mr. James said this is a beautiful urban plan, but this is not an urban area. Mr. Whitfield responded by saying, as a resident of Hernando, the City of Hernando historically does not handle growth well, so why are they annexing? There are problems in the City now that needs to be corrected. If they are going to annex more areas, then they need to think about how they are going to handle the problems. They have annexed to Star Landing Road and they are currently having problems servicing that area. Mr. Whitfield said the City of Hernando needs to have the ability to service the areas they annex, and historically they have not done so. He concluded by saying, there has already been a change in the area, the gravel pit will close and something will happen with the property. This property is currently in the county and we need to make a decision. The City has time to figure out how to service and solve the problems in the area. At this point there was a brief discussion regarding the road right of way and roads, who would improve them.

Mr. Williams asked who is going to be responsible for building on the mining areas. Mr. Garriga responded saying our county engineer has requested a geo technical review for

compaction of lots with fill. If this is in the City of Hernando's jurisdiction then it is their responsibility to be sure this is adhered to.

Mr. Robison entertained a Motion. Mr. Mitch Mitchell made a Motion to approve this application with staff recommendations, based on the changes in the character of the neighborhood and the public need. Those changes include: McInvale Road being extended, the new 6,000 square foot lots west of McInvale on the golf course, new subdivision to the south west of Byhalia and McInvale Roads (Grove Park), and new Highway 304 interchange. This new interchange will also help eliminate traffic from Green T Road. Mr. Mitchell then illustrated the public need for this project by referring to the latest population projections supplied in the Comprehensive Plan update. He also referred to the population increases in the area mentioned in the 2002 year-end report. Record numbers for new building permits was also mentioned in that report for 2002 and illustrated the need for new housing. Mr. Leonard Lindsey seconded the Motion. The Motion passed with a roll call vote of 6-5 to approve the application. This application will go to the Board of Supervisors May 7, 2003.

MAJOR SUBDIVISIONS

Star Landing Commercial Subdivision Lot 1 (6127) – Application is for preliminary and final subdivision approval for 1 lot of .91 acres (from 19.75). Subject property is located on the west side of Highway 51 and south of Star Landing Road, zoned C-2 (Highway-Commercial). Section 24, Township 2, Range 8.

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He added, the lot has been expanded and the boundaries now conform to the zoning lines. He then recognized Mr. Sam Ware and Mr. Johnson as being present to represent this application.

Ms. Niebanck asked about the C-2 uses. Mr. Garriga responded by saying the Board of Realtors have strict deed restrictions for this land and Mr. Johnson is going to hire a landscape architect for the remaining property and have it rezoned to C-4 with a site plan.

Mr. Ware said the Board of Realtors has approved the use of the Dollar General Store, he then read a letter from the Mississippi Board of Realtors and asked that the letter be made part of the record. He added, North Mississippi Board of Realtors has to approve all uses and buildings on this property. Mr. Ware continued by saying, he has a 25 year lease for the Dollar General Store. Mr. Ware further stated the Board of Realtors purchased 5.25 acres and the only way they would purchase this land is if they could have deed restrictions and the Board of Realtors hired an attorney to set up these restrictions, Mr. Johnson agreed to all of them. Mr. Powell asked Mr. Ware to get a copy of the deed restrictions and bring it to the Planning Commission office to be put into the subdivision file.

Mr. Garriga said this property is within a mile of the Hernando City limits and he has their comments if anyone would like to look at them.

Mr. Mitchell then asked if Mr. Ware agrees with the staff recommendations. Mr. Ware responded by saying “yes”. He would like number 2 of the staff report eliminated, but he will work with MDOT.

Mr. Williams asked if the sewage system has been worked out? Mr. Ware said “yes” the sewage plans have been approved with the health department.

Mr. Robison asked if there was anyone here for or against this application, there was none. He then entertained a Motion.

Mr. Sykes made a Motion to approve this application with staff recommendations and that a copy of the deed restrictions be placed in the subdivision file. (#6127)

Mr. Mitchell seconded the Motion. The Motion was approved by a unanimous vote.

At this time the Planning Commission took a ten minute break.

NEW BUSINESS **MAJOR SUBDIVISIONS**

Habitat for Humanity – Walls (6000) – Application is for preliminary subdivision approval for 1.09 acres. Subject property is located on the east side of Railroad Avenue and south of First Street, zoned R-2 (Single Family Residential). Section 33, Township 1, Range 9

Mr. Garriga presented the application and presented the staff report to the Planning Commission. Mr. Garriga added, there needs to be proper access to these lots, and the road needs to be improved. He then recognized Mr. Ben Smith as being present to represent this application.

Ms. Niebanck asked what lots were adjusted? Mr. Smith replied saying lots 1 & 3.

Mr. Mitchell asked about Road Right of Way along 1st street. Mr. Smith responded by saying the county supervisors and the county engineer should get together regarding who must improve this road. Mr. Mitchell then asked if any homes have been built. Mr. Smith there is one house on lot 1 and Habit for Humanity would like to build 3 additional homes.

Mr. Robison asked if there is anyone here for or against this application, there was none. He then entertained a Motion.

Mr. Lindsey made a Motion to grant preliminary subdivision approval for this application with staff recommendations. Ms. Niebanck seconded the Motion. The Motion passed by a unanimous vote.

Miller Station (6129) – Application is for preliminary subdivision approval for 106 lots on 115 acres. Subject property is located on the east side of Center Hill Road and south of Goodman Road (Highway 302), zoned R-30 (Single Family Residential). Section 4, Township 2, Range 5

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He added, that no work should be done on the property until final zoning approval by the Board of Supervisors. He then recognized Mr. Ben Smith as being present to represent this application.

Mr. Robison asked if the road could be inverted to keep the road near the section line. At this point there was some discussion regarding the location of the road and road right of way. Mr. Smith gave the locations of the different power lines and the substation. Mr. Smith added he laid out the roads according to the topography and the road follows the drainage swales. Mr. Smith continued by saying he believes future development will be east of Center Hill Road not west of Center Hill Road. Mr. Smith further stated he has provided 2 entrances, he also informed the board of the 5 stub out streets. He added, none of this property is located in the flood plain, and all TVA power lines that run through the property are located in the back yards. Mr. Smith then said the ditch is crossed only one time, and there will be a portable lagoon with gravity flow sewer, due to the DeSoto County Regional Utility Line that will come to this area, there is a meeting on the 16th regarding this issue. The City of Olive Branch has also agreed to provide the water. Mr. Mitchell asked if there are any plans for the ditch. Mr. Smith responded by saying, there are 510 acres and they will most likely construct a box culvert, but they are not planning on doing anything other than allow for a drainage easement on the plat. Mr. Smith added, there will be restricted covenants and the homes will be a minimum of 2,000 heated square feet. Mr. Smith said he agrees with the staff recommendations except number 3 & 7. Mr. Smith said there has to be 150' from any adjacent property lines and Mr. Loftin is the property owner. He continued by saying, there will be 55 lots in Phase 1 and pointed to the road that will be built to the ditch.

At this point there was more discussion regarding the roads. Mr. Smith informed the board that he is o.k. with this preliminary being heard at the Board of Supervisors meeting with regard to the Nail Road Alignment. Mr. Smith then requested this application be approved.

Mr. Robison asked if number 7 on the staff report has been resolved. Mr. Garriga said this will be the 3rd phase and by that time it will be out. Mr. Smith said he will put a note on the plat that the temporary lagoon will be located on lot 79 and that lots 80/78 will not be sold until the temporary sewer facility is gone and DUCRA has approved the lot/s. Mr. Smith said he could get a letter from the homeowner stating they have no problem with the lagoon, and DEQ will waive the 150'. Mr. Smith added, he would like a time limit of 3-5 years, he does not like this being noted on the plat forever with no time limit. Mr. Garriga then gave an example of sewer trouble in another subdivision in the county, and stated he would like to avoid that kind of situation and stated if the lagoon is built temporary, it will be temporary. Mr. Powell then further explained the problem with sewer lagoons and waiving the 150' setbacks.

Mr. Mitchell made a Motion to approve this application with staff recommendations, excluding numbers 3 & 7. Mr. Sykes seconded the Motion. The Motion passed with a unanimous vote.

Audubon Place/WOODS Section A (6130) – Application is for final subdivision approval of 5 lots on 17.25 acres. Subject property is located on the east side of Horn Lake Road and north of Star Landing Road, zoned Agricultural-Residential. Section 16, Township 2, Range 8

Mr. Garriga presented the application and presented the staff report to the Planning Commission. Mr. Garriga added, that the applicant has requested to change the name to Audubon Woods. He then recognized Mr. Greg Russell as being present to represent this application.

Ms. Niebanck asked if lots 5 & 6 have access. Mr. Garriga said the first 5 lots will be approved and there is access to Horn Lake Road. They want to record the first 5 lots to generate money for the internal roads. Mr. Russell said he agrees with staff recommendations.

Mr. Robison entertained a Motion. Mr. Lindsey made a Motion to approve the application with staff recommendations. Mr. James seconded the Motion. The Motion passed by a unanimous vote.

Greer's Landing (6131) – Application is for preliminary subdivision approval of 12 lots on 20 acres. Subject property is located on the south side of Bright Road and east of Malone Road, zoned Agricultural. Section 11, Township 3, Range 7

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Joe Frank Lauderdale as being present to represent this application.

Mr. Lauderdale said Brights Water will be servicing this subdivision and he agrees with staff recommendations.

Ms. Niebanck then asked how he came up with the name. Mr. Lauderdale said Mr. Henry Greer owned the property, don't know where the landing came from, he did not name the property.

Mr. Robison then entertained a Motion. Ms. Niebanck made a Motion to approve the application with staff recommendations. Mr. Lindsey seconded the Motion. The Motion was carried by a unanimous vote.

North Eudora Farms (6132) – Application is for preliminary subdivision approval of 24 lots on 53.42 acres. Subject property is located on the west side of Highway 301 and north of Highway 304, zoned Agricultural-Residential. Section 9, Township 3, Range 9

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then recognized Mr. Ben Smith as being present to represent this application.

Mr. Williams asked if the stub road could be flipped to the north. Mr. Smith agreed. Mr. Bobby Stucky owns the surrounding land and said it will not be developed. It was decided to leave the road to the south. Mr. Smith added, he has a letter from Bill Robertson stating water will be provided. He concluded, by saying there will not be a homeowners association but there will be covenants, with no mobile homes allowed. Mr. Smith agreed with staff recommendations, except number 1.

Mr. Robison entertained a Motion. Mr. Lindsey made a Motion to approve with staff recommendations with the exception of number 1. Mr. Cowan seconded the Motion. The Motion was approved by a unanimous vote.

Grove Meadows (5913) – Application is for a concurrence of an existing subdivision plat with 44 lots on 39.04 acres. Subject property is located on the west side of Getwell Road and north of Lester Road, zoned R30 (Single Family Residential) Section 21, Township 2, Range 7.

Mr. Garriga presented the application and presented the staff report to the Planning Commission. He then stated he looked at the plat and it conforms to what had previously been approved. Mr. Garriga concluded by saying, this is for a concurrence only, due to the plat not being recorded and the length of time from the final approval.

Mr. Robison asked about the pump station on lot 4. Mr. Bobby (?) said it is a dog house type station, it will have a chain link fence that will be locked, it will also be landscaped.

Mr. Robison entertained a Motion. Mr. Mitchell made a Motion to approve this application with staff recommendations. Mr. Cowan seconded the Motion. The Motion passed by a unanimous vote.

Mr. Garriga then announced to the Board members the Mississippi APA Free Planning Commission Training session in Hernando. He then requested everyone on the board to attend this session. He then announced the Mid South Zoning Institute training on Friday, March 2, 2003.

There being no further business in front of the Commission, the Planning Commission adjourned at 10:15 p.m.

These Minutes were recorded and transcribed by Denise Dingman.