



DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
February 25, 2010

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – January 28, 2010

CONSENT AGENDA

Minor Lots

Margaret Taylor Minor Lot (6785) - Application is for final subdivision approval of one (1) lot of 1.5 acres and of one (1) lot of 1.79 acres out of 3.29 acres. Subject property is located east of Laughter Road and north of Byhalia Road in Section 36, Township 2, Range 7 and is zoned Agricultural-Residential (A-R). (District 5)

Sorensen Minor Lot (6786) – Application is for final subdivision approval of two (2) lots of approximately 10 acres each out of 20 acres. Subject property is located on the south side of Byhalia Road and west of Lee Road in Section 1, Township 3, Range 6 and is zoned Agricultural (A). (District 1)

*****MUST BE PLATTED AND RECORDED*****

OLD BUSINESS

Final Subdivision

Mitchell's Corner Subdivision Residential East, Phase 1 Final & Phasing Plan (6782) – Application is to consider a construction phasing plan for Mitchell's Corner Residential Subdivision including 114 lots on 127.87 acres and to consider approval of the Final Subdivision Plat of Mitchell's Corner Residential East, Phase 1, including 29 lots on 28.49 acres. Subject property is located west and east of Highway 305 and south of College Road in Section 15, Township 2, Range 6, and in Section 16, Township 2, Range 6 and is zoned R-30, Single Family Residential. (Districts 1 and 5)

Other Items:

1. I-69/I-269 International Trade Corridor Study - Selection of Consulting Team for Recommendation to the Board of Supervisors

The DeSoto County Planning Commission met at 7:00 p.m. on Thursday, February 25, 2010 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, Wade Carter, Pat Hefley, Charles McNemar, Mike Robison, Joe Forsythe, Joan Robertson, Frank Calvi, Greg Ryan, David Henley, Eddie O'Bannon, Jimmy Maxwell and Robin James. Planning Commission Staff present included Jim McDougal, Gina Tynan, Ashley Hendricks and Mr. Jody Neyman, DeSoto County Attorney.

After the invocation and roll call, Chairman Robin James asked if there were any necessary additions to or deletions from the Minutes of the Planning Commission meeting held on January 28, 2010. Hearing none, Mr. Ryan made a Motion to approve the minutes as presented. Mr. Henley seconded the Motion. The Motion was passed by a unanimous vote.

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Ms. Gina Tynan presented the above Consent Agenda to include Margaret Taylor Minor Lot (6785) and Sorensen Minor Lot (6786) and stated the applications appear to conform to the DeSoto County Zoning and Subdivision Ordinance regulations subject to dedication of road right-of-way, Health Department approvals and platting and recording of Sorenson Minor Lot.

Mr. James asked if there was anyone present to speak for or against the applications. There were none.

Mr. Carter made a Motion to approve the Consent Agenda subject to staff recommendations. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

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**Section 16, Township 2, Range 6 and is zoned R-30, Single Family Residential.
(Districts 1 and 5)**

Ms. Tynan presented the application for Mitchell's Corner Subdivision Residential East, Phase 1 Final & Phasing Plan that was carried over from the meeting on January 28, 2010. She stated the applicants have since submitted additional application materials including a letter of water service provision from Lewisburg Water Association; an e-mail concerning the City of Olive Branch's ability to provide sewer service, which will require an upgrade to an existing lift station to serve Mitchell's Corner; a written description of the proposed drainage easement on the commercial property at the southeast corner of Highway 305 and College Road owned by Mr. Rick Powell; revised Final Subdivision Plat; and revised Covenants and By-Laws. Ms. Tynan then stated Mr. David Shores has discussed with staff his proposed plans for the subdivision entry features including signs, fencing and an architectural feature; however, plans for these features have not yet been submitted for review. She also stated the project engineer, Greg Russell, has met with County Engineer Andy Swims to discuss drainage issues at the site that may affect adjacent lots. Ms. Tynan stated a copy of pre- and post-development stormwater run-off calculations have been submitted by the project engineer to Mr. Swims for review and Mr. Swims also met with neighbors Mr. and Mrs. Rider, who spoke at January 28th meeting regarding stormwater run-off issue at their property south east of this project, at their home. Ms. Tynan introduced Mr. David Shores as present to represent the application.

Mr. David Shores stated he met with Mr. Swims at the site to go over how best to address the drainage issues. Mr. Shores stated there have been existing drainage issues in this area and that he has begun work to address the detention issue but that he needs the site to dry out in order to complete the detention work. He stated that after reviewing the flow calculations for the property it was determined he will need to raise the levee level of the detention pond to prevent overflow with a 100 year rain event. Mr. Shores stated that it has been determined that only 30% of the water drainage across the Riders' property can be attributed to run-off from the Mitchell's Corner Subdivision property. Mr. Shores stated he also plans to reduce the size of the outflow pipe to help decrease the amount of water run-off from his property.

Mr. James asked the applicant if he will work with the City of Olive Branch to upgrade the lift station. Mr. Shore stated he spoke with Mr. Steve Bigelow with the City of Olive Branch concerning the upgrade of the lift station and is currently negotiating his share of the cost of the upgrade.

Mr. James stated the raising of the levee will need to be completed before permits are issued for houses in the development.

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

Ms. Barbara Rider, 3524 Evergreen, came forward and presented photos of the drainage control efforts. Ms. Rider stated she gets 33 acres of water from the applicant's property and she believes that is more than 30% of water run-off from the site. She stated the levee has yet to be raised and the detention box installed seems to be undersized. Ms. Rider stated the pond mentioned in minutes from a previous meeting that was to be right behind her property to help with the drainage has yet to be built. Ms. Rider stated she feels the

applicant should fix the drainage issue before he builds any houses or he will never fix the drainage issue.

Mr. Greg Russell of Russell Engineering stated the size of the detention box is a typical size of a detention box. He confirmed the report concerning calculations of the pre- and post-development water run-off. Mr. Russell stated all measures to address the drainage issues have not been completed at this time due to the wet weather. Ms. Tynan asked for confirmation that the current drainage conditions at the site do not reflect the proposed mitigation measures outlined in plans submitted to Mr. Swims to reduce the amount of water run-off. Mr. Russell confirmed that the applicant is waiting for the site to dry out in order to do the on-site mitigation work necessary to adequately address the drainage issues. Mr. Russell also stated that the outflow of 22cfs that was the pre-development amount will be decreased to 7cfs once all drainage measures are installed, which is more than what is required of the developer under County Stormwater Ordinances.

Mr. Carter asked if the Homeowners' Association (HOA) will maintain the detention structures. Mr. Shores stated yes, the HOA will be responsible for maintaining the detention structures. Mr. McDougal asked when the HOA will be established. Mr. Shores stated as soon as the application is approved by the Planning Commission he will incorporate and record the documents necessary to create the HOA for Mitchell's Corner Subdivision.

Mr. Forsythe stated he would like to see the site improvements made to address the drainage issues prior to approving this application and at this time does not support approval of the application.

Mr. Robison asked if the availability of sewer service is required prior to issuing building permits. Mr. McDougal stated building permits would typically be issued once a letter is provided the City of Olive Branch confirming an agreement to provide service to the subdivision.

Mr. Ryan asked who is responsible for installing and maintaining the perimeter fencing. Ms. Tynan stated it is addressed in the revised covenants that the HOA will be responsible for the installing and maintaining perimeter fencing.

Mr. Carter asked for clarification as to whether or not the applicant will be required to sign the Residential Development Agreement. Ms. Tynan stated the rezoning of the property was approved prior to the adoption of the County's requirement for Residential Development Agreements.

Mr. Lawhon stated his intention of carrying this application over was to allow the engineers to meet and discuss the drainage issues and he feels the engineers have fulfilled this request. He stated he supports Mr. Swims' recommendations and that the stormwater run-off mitigation plan presented will improve the situation over pre-development conditions.

Ms. Rider stated she is concerned the developer will begin building houses and forget about completing the detention measures. Mr. Lawhon asked if the Planning Commission can recommend to the Board of Supervisors that the detention structures be bonded. Mr. Jody Neyman, Board Attorney, advised yes, the Planning Commission can recommend

for the Board of Supervisors to require the detention structures be bonded by the developer.

Mr. Lawhon made a Motion to recommend approval of the application for the Final Subdivision Plat of Mitchell's Corner Residential East, Phase 1 and the Phasing Plan with staff recommendations and the following:

1. The Restrictive Covenants shall address the HOA's responsibility be responsible for maintaining the detention areas;
2. The Developer shall bond any stormwater detention structures to ensure they are built to the engineer's specifications; and
3. The Planning Director shall retain the authority to withhold building permits if reasonable progress has not been made as it concerns stormwater as advised by the County Engineer.

Mr. Robison seconded the Motion. The Motion was passed by a vote of 13 to 1 with Ms. Hefley voting against approving the application.

Other Items:

1. I-69/I-269 International Trade Corridor Study - Selection of Consulting Team for Recommendation to the Board of Supervisors

Mr. James announced the totals of the evaluations from the interviews of the consulting teams for the I-69/I-269 International Trade Corridor Study, the average scores were as follows:

1. McBride Dale Clarion = 87.134
2. PB Americas = 76.067

Mr. Lawhon stated both teams interviewed were very good and capable, but that he felt McBride Dale Clarion scored higher based on the criteria. Mr. Robison agreed and stated he feels how well a firm can listen and engage the participants are key.

Ms. Robertson made a Motion to recommend McBride Dale Clarion to the Board of Supervisors as the consulting team for the I-69/I-269 International Trade Corridor Study. Mr. Calvi seconded the Motion. The Motion was passed by a unanimous vote.

The meeting adjourned at 8:10 p.m. These minutes were recorded and transcribed by Ashley Hendricks.