



**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
March 29, 2007**

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – March 1, 2007

CONSENT AGENDA

Major, Kenneth (6576) – Application is for final subdivision approval of five (5) lots on 16.788 acres. Subject property is located on the south of Bethel Road and north of Sunset Ridge in Section 29, Township 2, Range 6 and is zoned Agricultural-Residential. (District 5)

Hensley, Robert & Sheri (6578) – Application is for final subdivision approval of four (4) lots on 20 acres. Subject property is located on east of Highway 305 and south of Ingrams Mill in Section 23, Township 3, Range 6 and is zoned Agricultural. (District 5)
*****MUST BE PLATTED AND RECORDED*****

McDonald, Kevin (6579) – Application is for final subdivision approval of one (1) lot on 8.4 acres. Subject property is located west of Malone Road and north of Brights Road in Section 3, Township 3, Range 7 and is zoned Agricultural. (District 5)

Massey, Greg (6584) – Application is for final subdivision approval of one (1) lot on 3 acres. Subject property is located east of Bethel Road and south of Miller Road in Section 24, Township 2, Range 6 and is zoned Agricultural-Residential. (District 1)

Hidden Hills (6570) – Application is for final subdivision approval of 12 lots on 38.84 acres. Subject property is located east of Allen Road and both sides of Mosby Lane, in Section 36, Township 3, Range 6 and is zoned Agricultural. (District 5)

Atwood, Tony (6512) – Application is for final subdivision approval of five (5) lots on 8.62 acres. Subject property is located south of Spring Creek Road and west of Williams Road, in Section 3, Township 3, Range 9 and is zoned Agricultural. (District 4)

Moberly, Sherry (6586) – Application is for final subdivision approval of two (2) lots on 16 acres. Subject property is located west of Highway 51 and north of Wheeler Road, in Section 12, Township 4, Range 8 and is zoned Agricultural. (District 5)

SITE PLAN REVIEW

CVS Pharmacy (6569) – Application is for site plan approval of a proposed CVS Pharmacy. Subject property is located north of Highway 302 and west of Highway 301, in Section 25, Township 1, Range 9 and is zoned C-1. (District 3)

FINAL SUBDIVISION

NEW BUSINESS

Chandler (6585) – Application is for final subdivision approval of 3 lots on 10.04 acres. Subject property is located west of Pleasant Hill Road and north of Bridgeforth, in Section 12, Township 2, Range 7 and is zoned Agricultural-Residential. (District 2)
*****MUST PLAT AND RECORD*****

Miller Farms Section B (6568) – Application is for final subdivision approval of 10 lots on 13.41 acres. Subject property is located east of Miller Road and south of Hwy 78, in Section 18, Township 2, Range 5 and is zoned Agricultural-Residential. (District 1)

Kyle's Creek Subdivision Section A (6580) – Application is for final subdivision approval with 55 lots on 49.25 acres. Subject property is located on the south side of Highway 302 and west of Payne Lane, in Section 33, Township 1, Range 5 and is zoned PUD. (District 1)

Kyle's Creek Subdivision Section B (6581) – Application is for final subdivision approval with 12 lots on 9.63 acres. Subject property is located on the south side of Highway 302 and west of Payne Lane, in Section 33, Township 1, Range 5 and is zoned PUD. (District 1)

Barton Ridge (formerly Kyles Creek East (6582) – Application is for final subdivision approval with 33 lots on 18.94 acres. Subject property is located on the south side of Goodman Road and east of Payne Lane, in Section 33, Township 1, Range 5 and is zoned R-20. (District 1)

PRELIMINARY SUBDIVISION

Jordan Ridge (6547) – Application is for preliminary subdivision approval of 16 lots on 39.40 acres. Subject property is located north of Holly Springs Road and west of Coryelle Road, in Sections 22, Township 3, Range 6 and is zoned Agricultural-Residential. (District 5)

The DeSoto County Planning Commission met at 7:00 p.m. on Thursday, March 29, 2007, in the Third Floor Board Room of the Administration Building of DeSoto County located at 365 Loshier Street, Hernando, MS. Commissioners present included: Pat Hefley, Dennis Clemmer, Leonard Lindsey, Charles McNemar, Joe Forsythe, Leigh Graves, Frank Calvi, Robin James, Jimmy Maxwell, and Wade Carter. Planning Commission Staff present included Jim McDougal, Matt Hanks, Kristen Duggan, Dan Callahan, and Mr. Jody Neyman, DeSoto County Attorney.

After the invocation, Mr. Carter asked if there were any additions or deletions from the Minutes of the Planning Commission meeting held on March 1, 2007. There were none. Mr. Clemmer then made a Motion to approve the minutes. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

CONSENT AGENDA
MINOR LOTS

Major, Kenneth (6576) – Application is for final subdivision approval of five (5) lots on 16.788 acres. Subject property is located on the south of Bethel Road and north of Sunset Ridge in Section 29, Township 2, Range 6 and is zoned Agricultural-Residential. (District 5)

Hensley, Robert & Sheri (6578) – Application is for final subdivision approval of four (4) lots on 20 acres. Subject property is located on east of Highway 305 and south of Ingrams Mill in Section 23, Township 3, Range 6 and is zoned Agricultural. (District 5) *MUST BE PLATTED AND RECORDED*****

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Massey, Greg (6584) – Application is for final subdivision approval of one (1) lot on 3 acres. Subject property is located east of Bethel Road and south of Miller Road in Section 24, Township 2, Range 6 and is zoned Agricultural-Residential. (District 1)

Hidden Hills (6570) – Application is for final subdivision approval of 12 lots on 38.84 acres. Subject property is located east of Allen Road and both sides of Mosby Lane, in Section 36, Township 3, Range 6 and is zoned Agricultural. (District 5)

Atwood, Tony (6512) – Application is for final subdivision approval of five (5) lots on 8.62 acres. Subject property is located south of Spring Creek Road and west of Williams Road, in Section 3, Township 3, Range 9 and is zoned Agricultural. (District 4)

Moberly, Sherry (6586) – Application is for final subdivision approval of two (2) lots on 16. acres. Subject property is located west of Highway 51 and north of Wheeler Road, in Section 12, Township 4, Range 8 and is zoned Agricultural. (District 5)

Mr. Hanks announced the Consent Agenda. He then announced the above items and stated that the 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 also explained to the board that Hidden Hills was heard at the March 1, 2007 meeting, and they have met all concerns that were addressed by the Planning Commission.

Mr. Calvi made a Motion to approve the consent agenda with staff recommendations. Mr. Lindsey seconded the Motion. The Motion was passed by a unanimous vote.

SITE PLAN REVIEW

CVS Pharmacy (6569) – Application is for site plan approval of a proposed CVS Pharmacy. Subject property is located north of Highway 302 and west of Highway 301, in Section 25, Township 1, Range 9 and is zoned C-1. (District 3)

Mr. Hanks presented the application, staff report, and comments to the Planning Commission this application. He then explained to the board that this was originally a rezoning application from AR to C-1. With further review, the existing zoning was determined to already be C-1. The application is now only for a site plan review.

Mr. Lindsey asked how difficult it would be to rezone to C-4. Mr. McDougal explained that the area was already zoned C-1 in the 1970's, and there is no need to rezone to C-4. Mr. Hanks then introduced Mr. Dave White as being present to represent the application.

Mr. White began by stating that this is an 11,945 square foot CVS Pharmacy that will have 66 parking spaces and two drive-thrus. There will be access from both Highway 301 and Highway 302, and there will also be shared access with the northern property. They will have 15 feet landscaping buffers around the road frontage, and they will also have landscaping islands within the parking area.

Mr. Carter asked if this is the McLemore's property, and Mr. White said "yes." Mr. Carter then asked if there was an encroachment issue. Mr. Hanks replied that the county was under the impression that the property was zoned AR, but after further review it was determined that this was a C-1 zoning. With C-1 zoning it alleviates any encroachment issues.

Mr. Robin James made a Motion to approve the application with staff recommendations. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

After some discussion in the audience, Mr. McDougal stated to the board that there were people present to speak in regards to this application. He then asked the board if they would reopen the issue for discussion. Mr. Carter said that they would reopen the

application. Mr. Carter then said that anyone that wishes to speak may come to the front and state their names and addresses.

The first person to speak was Mr. Ed Jordan (Hickory Forest) He began by saying that everything in this area is one acre single family dwellings. He said his concern was whether there would be a buffer between the pharmacy and the subdivision. He doesn't want to walk in his back yard and see the back of this building. He is also concerned with the lighting. He said that his neighborhood is a nice, peaceful, serene area and he is worried about the integrity of the neighborhood.

Mr. Christopher Medlin then spoke. He said that his concern is traffic. He said that the mornings are very congested in this area and this will only cause more traffic. There are no turn signals onto Highway 301 and he is worried about wrecks and eventually someone being killed. He said that something needs to be done by the state or the county to fix this problem before the pharmacy is built.

Ms. Janice Adkins said that the bright lights and the buffers between the building and the neighborhood are her concerns. She stated that there is already so much light pollution from the ballpark and the storage facility, and they are concerned with more light.

Mr. Dave White then came back forward to address some of the concerns. He began by stating that CVS will comply with the light requirements from the staff and the county. He then said that there is landscaping on the front, and the northern landscaping will be addressed by the Board of Supervisors. They are willing to do whatever the staff feels is appropriate. He also said that they are currently working with MDOT on the road situations. He once again said that they will comply with any regulations and recommendations.

He then added that the north property is about 300 feet of commercial and that they cannot control what will go up in this area. The landscaping on this property will be the responsibility of that land owner.

Mr. McDougal said that this entire area is zoned C-1. He then said that the buffers of C-1 against C-1 will be discussed due to the concerns from the neighbors. As for the traffic issues, along Highway 302 MDOT has built turn lanes and curb and gutters. There is however enough shoulder to possibly create a turn lane into the property. Highway 301 is a five lane road with curb and gutter. He also addressed the lighting issue. He said that all commercial lighting is required to be inward as to not affect the surrounding area.

Mr. Carter asked if the board was still happy with the previous Motion. They were and Mr. Carter stated that the board Motion stands.

FINAL SUBDIVISION

NEW BUSINESS

Chandler (6585) – Application is for final subdivision approval of 3 lots on 10.04 acres. Subject property is located west of Pleasant Hill Road and north of

Bridgeforth, in Section 12, Township 2, Range 7 and is zoned Agricultural-Residential. (District 2) *MUST PLAT AND RECORD*****

Mr. Hanks presented the application, staff report and comments to the Planning Commission for the Chandler Minor lot. He then explained that the easement is longer than allowed by county regulations. Mr. McDougal stated that this does not meet the current guidelines and the Board of Supervisor has the ultimate decision, but they will ask what the Planning Commission recommendation was. He also explained that two lots were approved with the easement previously before the regulations were put in place, but it was never platted and recorded.

Mr. Carter asked if this was a family situation, and Mr. Hanks said “yes.” Mr. Hanks then said that there is an access road that is paved to a point and then it turns into gravel, but it is not a county road.

Mr. Lindsey said that the only thing that bothers him is that this would set a precedent for the next land owner. Mr. McDougal said that he would suggest if this is approved there should be a stipulation that no further land division can occur until a county spec road is built. Mr. Lindsey said that still leaves the county with the same situation.

Mr. Dennis Clemmer said that he cannot approve this without a county road. Ms. Graves said that she agreed with Mr. Clemmer.

Mr. Lindsey made a Motion to refer this application to the Board of Supervisors. Ms. Hefley seconded the Motion. The Motion was passed by a unanimous vote.

Miller Farms Section B (6568) – Application is for final subdivision approval of 10 lots on 13.41 acres. Subject property is located east of Miller Road and south of Hwy 78, in Section 18, Township 2, Range 5 and is zoned Agricultural-Residential. (District 1)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Miller Farms Section B. He then introduced Mr. Steve Canizaro to represent this application.

Mr. Canizaro began by stating that all of the lots have been changed to 1.5 acres except lot 73. It is 1.31 acres and they will get health department approval for this lot. He also said that the non-buildable lots 76 and 77 will be maintained by John Meadows. The plats will be updated to show the correct flood map dates. He also informed the board that the City of Olive Branch will be sending the letter agreeing to water service.

Mr. Carter asked where the extra land came from to enlarge the lots. Mr. Canizaro said that they moved a few of the property lines to enlarge these lots.

Mr. McDougal asked who Mr. John Meadows is and also why don't they join the non-buildable properties together. Mr. Canizaro said that they are working with the land owner to purchase the middle lots between lot 76 and 77.

Mr. Carter asked if there will be 3500 square foot minimums in Section B along with Section A. Mr. Canizaro said yes that they will have the same covenants. Mr. James then asked if the plats would have to be revised if they were able to purchase those additional lots. Mr. McDougal said that they would, and all lot owners in this Section will be required to sign the plat.

Mr. Lindsey made a Motion to approve the revised plats with staff recommendations. Mr. Calvi seconded the Motion. The Motion was passed by a unanimous vote.

At this time Mr. Hanks explained the relationship between the next three applications of Kyles Creek Section A, Kyles Creek Section B, and Barton Ridge. He then asked if the board would like to hear these applications together or separately. Mr. Carter said that they have different staff comments, so they should be heard separate.

Kyle's Creek Subdivision Section A (6580) – Application is for final subdivision approval with 55 lots on 49.25 acres. Subject property is located on the south side of Highway 302 and west of Payne Lane, in Section 33, Township 1, Range 5 and is zoned PUD. (District 1)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Kyles Creek Section A. He then introduced Mr. W D Porter to represent this application.

Mr. Carter said that he was confused about which were PUD and which were residential. Mr. Hanks stated that Kyles Creek Section A and Kyles Creek Section B are both PUD and Barton Ridge is R-20. There are also future developments that are both PUD and R-20.

Mr. Carter then asked how they were planning to meet the open space requirements and Mr. Hanks said that the preliminary planned showed a park in the lower west corner which would complete the open space requirements.

Mr. Carter asked if Section A lots would all be more than 20,000 square feet and Mr. Hanks replied yes. Mr. Carter then asked if the lake was existing, and Mr. Hanks again replied yes. Mr. Carter went on to ask if the lake would be used for detention. Mr. Porter said yes and that they had submitted all of their plans to MDEQ and are waiting for approval.

Mr. Hanks asked if there would be covenants and what the minimum home size would be. Mr. Porter said that the minimum home size would be 2,000 square feet and they would have covenants and a Homeowners Association.

Mr. Carter then asked if everyone would have access to the lake, and Mr. Porter said yes.

Mr. Lindsey then addressed Payne Lane and Mr. Porter stated they are proposing to extend this road. He also said that they have spoken with Jessie Medlin and Andy Swims about this matter.

Mr. McDougal explained how these different sections are combined together. He said that they are all minimums of R-20 lots, and that the issues with the PUD were addressed previously. He said that this was made into a workable subdivision.

Ms. Graves asked if they would widen Payne Lane. Mr. McDougal said that issue would be addressed in the other sections.

Ms. Graves made a Motion to approve this application with staff recommendations. Mr. James seconded the Motion. The Motion was passed by a unanimous vote.

Kyle's Creek Subdivision Section B (6581) – Application is for final subdivision approval with 12 lots on 9.63 acres. Subject property is located on the south side of Highway 302 and west of Payne Lane, in Section 33, Township 1, Range 5 and is zoned PUD. (District 1)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Kyles Creek Section B. He then introduced Mr. W D Porter to represent this application.

Mr. Hanks then stated that they have dedicated 80 feet of right of way on Payne Lane to the county which will provide three lanes. Mr. Lindsey asked who will build these lanes. Mr. McDougal said that the developer would be required to build two 12 foot lanes, and the county will have the right of way for future road work.

Mr. Porter said that they are in agreement with all of the staff recommendations and conditions.

Mr. Clemmer asked if there would be more than one entrance into the development. Mr. Porter said that there would be two, and Mr. Lindsey added that there will eventually be three.

Mr. Calvi made a Motion to approve the application with staff recommendations. Ms Hefley seconded the Motion. The Motion was passed by a unanimous vote.

Barton Ridge (formerly Kyles Creek East (6582) – Application is for final subdivision approval with 33 lots on 18.94 acres. Subject property is located on the south side of Goodman Road and east of Payne Lane, in Section 33, Township 1, Range 5 and is zoned R-20. (District 1)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Barton Ridge. He then introduced Mr. W. D. Porter to represent this application.

Mr. Hanks informed the board that the issue with the cove being too long was addressed in the previous minutes.

Mr. McDougal explained to the board that there was a concern with another curb cut onto Goodman Road. He also said that the circulation around the development was very good and there were other accesses onto the main road.

Mr. Porter said that there will also be a road into Miller Station that will have a connection running north and south.

Mr. Maxwell made a Motion to approve the application with staff recommendations. Mr. Clemmer seconded the Motion. The Motion was passed by a unanimous vote.

Jordan Ridge (6547) – Application is for preliminary subdivision approval of 16 lots on 39.40 acres. Subject property is located north of Holly Springs Road and west of Coryelle Road, in Sections 22, Township 3, Range 6 and is zoned Agricultural-Residential. (District 5)

Mr. Hanks presented the application, staff report and comments to the Planning Commission for Jordan Ridge. He then introduced Mr. Greg Smith to represent this application.

Mr. Smith began by stating that they are in the process of receiving the DCRUA permit. He also said that they will create a 20 foot ingress egress easement so that lot 8 will have access to the back of their lot. He then said that they have changed the roads through the development to maintain the topography of the land.

Mr. Carter asked if they would have a problem changing the name. Mr. Smith said that would not be a problem. Mr. James then asked about the water provider. Mr. Smith said that they would have individual wells with health department approval. He went on to say that the homes would be 2,000 square foot minimums and there will be no mobile homes.

Mr. Carter asked if there was anyone present to speak for or against the application. There was no one present. He then said that the application has already been approved, but the changes were made to the road.

Mr. Lindsey made a Motion to approve the application with staff recommendations. Mr. Maxwell seconded the Motion. The Motion was passed by a unanimous vote.

The meeting adjourned at 8:15 p.m. These minutes were recorded and transcribed by Kristen Duggan.