



**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
MARCH 3, 2005**

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – February 3, 2005

CONSENT AGENDA

MINOR LOT SUBDIVISIONS

1. **Crawford, John (6339)** – Application is for one lot of one acre. Subject property is located on the east side of Old Highway 61 South and south of Stateline Road, in Section 23, Township 1, Range 9 (District 3)
2. **Entrikin, William (6340)** – Application is for 2 lots of 1.6 acres each. Subject property is located on the east side of Getwell Road and north of Holly Springs Road, in Section 22, Township 3, Range (District 5)
****SUBDIVISION MUST BE PLATTED AND RECORDED****
3. **Ronnie James (6341)** – Application is for 2 lots, one lot of 1.98 acres and one lot of 2.51 acres. Subject property is located on the south side of Nail Road and west of Poplar Corner, in Section 2, Township 2, Range 9 (District 3)
****SUBDIVISION MUST BE PLATED AND RECORDED****
4. **Anthony, Raymond (6342)** – Application is for 1 lot of 5 acres. Subject property is located on the west side of Meyers Road and south of Byhalia Road, in Section 4, Township 3, Range 5 (District 1)
5. **Woolsey, Milton (6343)** – Application is for 1 lot of 1 acre. Subject property is located on the south side of Nolan Road and north of Woolsey Road, in Section 22, Township 2, Range 6 (District 1)
6. **Ferrell, Billy (6344)** – Application is for 5 lots on 9.34 acres. Subject property is located on the west side of Crawford Road and south of Fogg Road, in Section 31, Township 3, Range 8 (District 4)

FINAL SUBDIVISIONS

11. **McGOWEN ESTATES (6338)** – Application is for final subdivision approval of 5 lots on 8.5 acres. Subject property is located on the south side of Nesbit Road and east of Horn Lake Road, in Section 28, Township 2, Range 8 (District 4)

OLD BUSINESS

REZONINGS

12. **Ivy Meadows (649)** – Application is to rezone 192.40 acres from Agricultural to Planned Unit Development (PUD). Subject property is located on the south side of Oak Grove Road and on the west side of Robertson Gin Road.
Section 23, Township 3, Range 8 (District 5)

NEW BUSINESS

REZONINGS

13. **OAKWOOD TRAILS (650)** – Application is to rezone 155 acres from Agricultural- Residential to PUD, Planned Unit Development. Subject property is located on the south side of State Line Road and east of Highway 301.
Section 19, Township 1, Range 8 (District 3)
14. **CHAPEL RIDGE (651)** – Application is to rezone 43 acres from Agricultural- Residential to R-20, Single Family Residential (Low Density). Subject property is located on the east side of Center Hill Road.
Section 4, Township 2, Range 5 (District 1)

SUBDIVISIONS

15. **GREEN OAKS VILLAGE (6336)** – Application is for preliminary subdivision approval of 177 lots on 162.30 acres. Subject property is located on the south side of Byhalia Road and east of Craft Road and is zoned R-30, Single Family Residential (Low Density).
Section 5, Township 3, Range 6 (District 5)
16. **SHETLAND GARDEN (6337)** – Application is for preliminary subdivision approval of 106 lots on 78.54 acres. Subject property is located on the east side of Baptist Road and south of Star Landing Road and is zoned R-20, Single Family Residential (Low Density).
Section 20, Township 2, Range 7 (District 5)

The DeSoto County Planning Commission met at 7:00 p.m. on Thursday, March 3, 2005, in the Third Floor Board Room of the Administration Building of DeSoto County located at 365 Loshier Street, Hernando, MS. Commissioners present included: Dennis Clemmer, Leonard Lindsey, Wade Carter, Frank Calvi, Robin James, Jimmy Maxwell, Charles McNemar, James Mayfield, Len Lawhon, Joe Forsythe, Paul Whitfield, Julius Cowan, Mike Robison and Pat Hefley. Planning Commission Staff present included Merritt Powell, Jim McDougal, Denise Dingman, Andy Swims & Scott Young, County Engineers, and Mr. Jody Neyman, Commission Attorney.

After the invocation, Chairman Mike Robison asked if there were any additions or deletions from the Minutes of the Planning Commission meeting held on February 3, 2005. Mr. Lindsey stated the action of the Motion needs to be added to the Newberry motion. Mr. Lindsey made a Motion to approve the minutes with the above corrections, Mr. Calvi seconded the Motion. The Motion passed by a unanimous vote.

CONSENT AGENDA

Crawford, John (6339) – Application is for one lot of one acre. Subject property is located on the east side of Old Highway 61 South and south of Stateline Road, in Section 23, Township 1, Range 9 (District 3)

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FINAL SUBDIVISIONS

McGOWEN ESTATES (6338) – Application is for final subdivision approval of 5 lots on 8.5 acres. Subject property is located on the south side of Nesbit Road and east of Horn Lake Road, in Section 28, Township 2, Range 8 (District 4)

Mr. McDougal then announced the Consent Agenda. Mr. McDougal announced the above items and stated that all the minor & final 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. Mr. Carter made a Motion to approve the Minor lots with staff recommendations. Mr. Lindsey seconded the Motion. The Motion was approved by a unanimous vote.

REZONINGS

Ivy Meadows (649) – Application is to rezone 192.40 acres from Agricultural to Planned Unit Development (PUD). Subject property is located on the south side of Oak Grove Road and on the west side of Robertson Gin Road. Section 23, Township 3, Range 8 (District 5)

Mr. McDougal presented the application and the staff report to the Planning Commission. This item was carried over from the February 3, 2005 Planning Commission meeting. He then recognized Mr. Bob Dalhoff as being present to represent the application.

Mr. Dalhoff began by talking about the changes in the area. There are several new subdivisions in the area, Williamsbrook, Weatherby, Ivy Manor. This application also was heard by the City of Hernando and was recommended for approved. Mr. McDougal passed out a copy of the letter written by the City of Hernando. Mr. Dalhoff said this development is at the edge of the City of Hernando limits, this area has seen a lot of change. DeSoto County is the fastest growing county. The market also indicates a need for PUD's, it offers home diversity, amenities, quality, control of the home product and a sense of place. Mr. Dalhoff then talked about the following items:

- Goals, Trends of the Comprehensive Plan
- Plan for stable growth
- Sense of Community
- Smart Growth
- Site Sensitive
- Social life
- Entrances into the development
- Aerial Photo
- Site Analysis
- Flood areas/maps
- Site plan with aerial photos
- Preliminary site plans
- Land use plan
- Open Space
- Phasing Plan
- Home sizes
- Greenbelt Plan
- Lot sizes
- Wetlands
- Details of the clubhouse/pool

- Detention – Engineers are currently working on this, it will be discussed at the final subdivision stage.

Mr. Robison asked how it could be assured that the developer would in fact fulfill the details of the pool and clubhouse. Mr. Dalhoff responded saying all the details would be worked out by the final subdivision stage. Mr. Robison then stated he had talked with Mr. Bob Barber, City of Hernando Planner and they had discussed something that had been missed at their planning commission meeting, and that was improvements to Scott Road. Hernando's long range road plan shows Scott Road going south through this property then turning back to the east, eventually connecting to Highway 51 in alignment to Vinson Road. Mr. Dalhoff said this is the first he had heard of this plan. Mr. Powell said we do have a stub road to the north which will eventually tie into the Green Village Subdivision. Mr. Dalhoff replied saying there are 2 extra street stubs which the City of Hernando requested, one of those being a stub road to the east and one to the west. They also wanted some internal access. He then pointed to other possible locations of stub roads. Mr. Dalhoff added saying this development will take 5-6 years to complete.

Mr. Carter asked if there are any wetlands located on this property. Mr. Dalhoff said not that he is aware of.

Mr. Whitfield spoke stating the City of Hernando had an issue with the sewer. Mr. McDougal responded saying he has talked with the city and the sewer issues have been resolved. Mr. Dalhoff added saying when this development occurs, the water lines will be upgraded.

Mr. Robison asked if there was anyone here for or against this application.

1. Pat Woody – 1767 W. Oak Grove Road – She began by saying she talked with Janet Riley from the City of Hernando and was informed that the City of Hernando was not opposed to this development, but the City has set this application aside until the number of homes in the development has been determined. She then read a letter she wrote talking about the water in the area, roads/traffic, benefits, sewer services, infrastructures and impact on schools.
2. Bobby Stevens – 3230 River Oaks Drive – He began by saying his main concern was traffic. He was also concerned about the schools and the additional traffic they will experience.
3. Randy Christmas – 341 Ivy Lane – His concern was the water, drainage and the flood zone. He provided pictures of water in the area. He was concerned with the increased development and that it will create a large problem with flooding. Mr. Christmas was also concerned with the endangered species in the area. He then requested that a wetland study be completed.
4. Bill Murdock – 3268 Ivy Lane – He began by saying he understands the property owner has rights, but water is an issue. There had been water up to the back of his property which had not been there before dirt being moved in the area. Mr. Lawhon asked him if there are open ditches in his subdivision. Mr. Murdock

- answered saying 'yes". Mr. Murdock was also concerned about construction issues when this property is annexed by the City of Hernando.
5. Judy Cronnelly – 1415 W. Oak Grove Road. – She started by saying she works in the school system, and that the schools are already overcrowded. If there are 1,000 new homes built, what kind of impact will this have on the schools. She had moved from Colorado where the homes are packed in, this does not form a community as the applicant has stated. What the residents do is put up privacy fences. Crime rate is also higher when there is a high density of homes.
 6. Nancy McCarty – 3290 Shady Hill Drive – She is also concerned about the traffic. At Oak Grove Elementary there are 827 kids, every year this number increases. Traffic is already a big problem, if there are additional homes, it will increase that traffic even more. There are 15 students that walk across the street, and it is already difficult for them to get across due to the traffic.
 7. Susy Smith – She lives on the corner of Oak Grove and Lake Grove Drive. She is concerned about the water/drainage. Her yard already floods and she knows there will be increased problems with new development.
 8. Vernon Maness – 1814 W. Oak Grove Road – He said he is not directly affected by this application, but the Weatherby project has affected him. He stated 12,000 square foot lots are not consistent with anything in our area. When the Weatherby project began they had requested R-20 lots, after talking with the area residents the applicant did change the development to R-30's. The surrounding lots are at least 1.5 acres. He then described the natural drainage pattern, and passage of that drainage and what has happened to it since the Weatherby project has begun. It is a big problem in the area. Mr. Maness concluded by saying maybe the land should be cleared slowly, so that it does not disrupt the area drainage.

Mr. Robison then closed the floor.

Mr. Dalhoff responded saying most of tonight's comments have been about traffic and flooding. He stated the flooding is upstream from our property. The landowner has not seen water on his property. Mr. Dalhoff believes there is a restriction somewhere that is causing the flooding in the area. He added saying any cleaning we do should help the surrounding residents' drainage. Mr. Dalhoff also responded to the Weatherby subdivision issue and stated he does not know anything about that, but it sounds like a silt/erosion control problem. He continued saying even if this property has some flood issues it will only take one foot of fill to be buildable. This issue will be resolved by the final application. Mr. Dalhoff then talked about schools and stated that the DeSoto County Schools are the best around. He then talked about fences, and stated that 6' privacy fences have nothing to do with their front yards. People are able to go out and speak to their neighbors and crime does not increase in people's back yards and does not believe density increases the crime rate.

Mr. Robison asked about the wetland study. Mr. Dalhoff responded saying the ponds on the property were dry, and if there is an issue they would mitigate the wetlands. If there are wetlands it will be on the east end of the property.

Mr. Dalhoff then responded to the traffic concerns. He stated the opening of Highway 304 will relieve a lot of traffic. Neighborhood schools are great, but it is a fact that they cause traffic 2 times a day.

Mr. Powell asked about the improvements to Scott Road. Mr. Dalhoff answered saying that issue was not discussed at the City of Hernando's meeting. Mr. Powell said that issue will need to be discussed with the DeSoto County Engineers.

Mr. Lawhon then addressed the audience. He stated he feels bad that there are problems with Ivy Manor and understands the residents like the rural feel of the subdivision. When that subdivision was approved this board discussed how the City of Hernando would grow. He stated that he wishes they were here during the comprehensive plan hearings. Mr. Lawhon continued saying, R-20's are a fact of life in this county, I may not like it, but that is the way it is. He does not want to see a "grid" type community and he will be against it. The county has to offer affordable communities, and protect everyone's interest. DeSoto County is the cradle of what is happening. All of you live in Hernando which is the "hot spot" of this county. He believes it is possible to cluster communities. Mr. Lawhon added saying, he is one who screams about drainage in this county. How to solve drainage "curb and gutter". He also understands traffic is a big issue. There will be a day when Oak Grove Road will need to be widened. The DeSoto County board prides itself on trying to be above and beyond the municipalities. If he thought putting this application off to conduct drainage and traffic studies, then he would be for it. The fact remains, there are good developers and bad developers and if a person comes in and provides open space and keeps the density down, that tells him that this will be a nice development. Within 10 years the City of Hernando will be a big city, and we cannot prevent that. We can put this off, but there will be development on this spot, and he would like to see a good development, which he thinks this is. Whatever this board decides tonight will impact you as a community. He would like to see some relief with the drainage issues, and with some engineering that can be done.

Mr. Robison agreed with what Mr. Lawhon had just stated. The average lot size in the City of Hernando is 10,000 square feet. The land use map states this area could be developed at 2 units per acre the developer says he is going to develop at 1.6 units per acre with amenities. Lot size does not worry him to much, his concern is density. This is a "high end package," and that is not always the case. Most of the issues regarding drainage are upstream, which was a result of development around Hernando, kind of in "no man's land." Infrastructure comes with smaller lots and it is because of the price tag.

Mr. James spoke by asking if the improvements to Scott Road have been resolved. Mr. Powell stated the applicants will need to follow our county engineer's recommendations and will talk to the Board of Supervisors.

Mr. Robison entertained a Motion.

Mr. Lawhon made a Motion to approve this application with staff recommendations based on changes in the area proven by the applicant and that this project is compatible to the neighborhood and with the following conditions:

- Complete and thorough engineering study of all the drainage that is adjacent to all the property to the north be considered and the Board of Supervisors direct our engineering department to review these studies and see in what way if any this would help the drain ways that come in from the north. If there is something that can be done to help, that it be done.
- A study to be done to Scott Road and it be improved to handle the traffic and with the continued recommendations that the 2 lane road development be done as quickly as possible to aid the community in their traffic needs.

Mr. Forsythe seconded the Motion. There was a roll call vote of 13-0 to approve this application.

At this time the commission took a 10 minute break.

NEW BUSINESS

REZONINGS

OAKWOOD TRAILS (650) – Application is to rezone 155 acres from Agricultural- Residential to PUD, Planned Unit Development. Subject property is located on the south side of State Line Road and east of Highway 301. Section 19, Township 1, Range 8 (District 3)

Mr. McDougal presented the application and the staff report to the Planning Commission. He then recognized Mr. Al Yearwood as being present to represent the application.

Mr. McDougal stated that any design issues will proceed with the idea that there be “no rise” in elevation. He also has not received a response from the City of Southaven.

Mr. Yearwood began by passing out and reading a letter from Al to Mr. McDougal. He then stated this project was brought before you a few months ago in a different form. The density has since been reduced. He then talked about the changes in the area. This project is in close proximity to major roadways, there is adequate infrastructure in place to handle proposed uses, he then talked about the topography. Mr. Yearwood further stated it could be argued that a mistake was made in the zoning. The only factor used to determine this zoning was the fact that a portion of the property was in the floodplain of Horn Lake Creek. Based on the development in the surrounding area over the past 10 years, 1 acre lots are no longer being built in this area. Most major zoning studies call for greater consideration of higher density developments adjacent to major roadways, such as Stateline Road. These higher densities and heavy commercial uses are present to the east along this major roadway. A major sewer line also crosses the tract of land. The drainage problems associated with Horn Lake Creek could have been an overriding factor restricting development within the floodplain areas of this entire drainage basin. This should not have been allowed. Mr. Yearwood continued saying before 1993 there were approximately 200 lots built with approximately 80% being one-acre or larger. Most of

these were built before sewers were available. Since 1993 over 2,040 residential units have been built. About 120 of these lots were 1 acre or larger, but since 1995 there have been no new 1 acre lots. Most of these lots have been in the 10,000 – 12,000 square foot range with some zero lot lines. In addition two large power plants have been built to the east along Stateline Road as well as other industrial and commercial facilities. In conclusion this area is scheduled to be annexed by the City of Southaven early this year. There has been a change in the area.

Mr. Robison asked if there would be a homeowners association. Mr. Yearwood answered saying yes, along with architectural control over the properties, it will be responsible for upkeep of properties and the common open space. There will be restrictive covenants, but they are not ready at this time. The open space will be passive. Area A is the largest floodplain area. The minimum home sizes will be 1,800 and will be 100% brick (except gables) with 2 car garages. We have also changed our drainage plan several times, we will abide by all county drainage regulations.

Mr. Clemmer asked if the silo will remain on the property. Mr. Yearwood said “no.”

Mr. Robison asked who will be providing the water and sewer. Mr. Yearwood answered saying Walls Water will be providing water service and the sewer will be provided by the Horn Lake Interceptor.

Mr. Robison then asked Mr. Yearwood if he understands that a lane and half will need to be built along State Line Road. Mr. Yearwood replied saying “yes”.

Mr. Carter then asked for the location of the detention. Mr. Yearwood said it would be worked out with the county engineers. He thinks it will be an onsite detention and may be built in the floodplain.

Mr. Carter stated he is disappointed with the size of the homes, he had thought it would be 2,000 square feet.

Mr. Lawhon spoke stating he is not objecting to the R-20's, in a PUD, but he is concerned about the precedent it could set. Usually PUD's have detailed text so we understand what is forthcoming, but thinks the text needs to include hard core items. We cannot allow for a weak PUD application.

Mr. James added saying we are looking at a PUD, but this application is not planned yet.

Mr. Lawhon spoke saying more details are needed before a decision can be made on this application which will help protect the integrity of the PUD, the PUD application is a contract.

Mr. Robison said this is kind of a cookie cutter layout, does not seem to have much imagination. The applicants are referencing R-20 lots, drainage easements are a big part of that application.

Mr. James said he wants to be sure the lots are not less than 20,000 square feet even if the applicant has to lose some lots. He also wants to be sure that someone does not come back in the future and put in 15,000 square foot lots.

Mr. Yearwood asked for a “laundry list” of items the Planning Commission wanted to see because he did not see it in the regulations. Mr. Powell said there is a guide. Mr. Lawhon stated we are not a design board. He said he would like to see access to the common space, entry ways, buffering along Stateline Road, buffering along the east/west could be better, streetscape, design of homes along Stateline Road, drainage easements and how they will be maintained, open access between lots 39-40, bulk requirements, needs to be 2 stub roads to the south, turnarounds, ditch profiles, dimensions of each lot size, make sure all lots conform to county regulations, lot widths, amenities, R-20 regulations need to be incorporated into this project, homeowners association and how it will operate, covenants, staff recommendations, etc.

At this time there was brief discussion among board members regarding PUD’s.

Mr. Robison asked if there was anyone here for or against this application, there was none.

Justin McCarter – He has lived in DeSoto County for one month. He has worked for Memphis Light and Water for 8 years. He was concerned about the current water pressure at Horn Lake High School and how this development would impact that. Mr. Robison explained that it is serviced by two different companies. Mr. McCarter also wanted to know how he could find out information regarding property. Mr. Robison explained.

Mr. Lawhon made a Motion to carryover this item for 30 days. Mr. Cowan seconded the Motion. This was passed by a unanimous vote.

CHAPEL RIDGE (651) – Application is to rezone 43 acres from Agricultural-Residential to R-20, Single Family Residential (Low Density). Subject property is located on the east side of Center Hill Road. Section 4, Township 2, Range 5 (District 1)

Mr. McDougal presented the application and the staff report to the Planning Commission. He then recognized Mr. Greg Smith as being present to represent the application.

Mr. Robison asked for the lot sizes in the area. Mr. McDougal explained. Mr. Robison then asked if the applicant would consider changing this application to an R-30. The reason is due to the lot sizes in the area. Everything south of Goodman Road, has larger rural lots. (example: Miller Station, Center Hill Downs, and then a lot of one acre lots in the area). He then asked the representative if they considered an R-30?

Mr. Smith answered saying the developer does have a problem with the R-30. The width of this property lays out perfect for two separate roads laying east and west and the depths of those lots work out to be about a 175'. With a 20,000 square foot lot it works out to be 115-120 wide. The only difference between this project and the Miller Station Subdivision is these lots do not have depth. At this time, the sewer will available through the Braybourne Subdivision lagoon. All the developers in this area have entered into an agreement of buying into the lagoon. This property has an agreement for 70 lots, we are proposing 68 lots with a 1.6 density. When looking at this development and the Miller Station Subdivision the difference will not be seen. For these reasons he would like to request this application to remain as an R-20.

Mr. Robison asked what would happen to the yield of this development if it were an R-30. Mr. Smith answered saying it would be cut 20% or more.

Mr. Smith said as the development is currently laid out there will be 15-17 lots that will be right at 30,000 square feet anyway. We did not propose a 30,000 square foot layout due to the width of the lots and the land cost.

Mr. Robison said he understands the problems the applicant has, but when this comes back for subdivision approval, it could be a big problem. Mr. Smith said he is prepared for that. He is working for EBI and they have come in with some real nice drawings of this development, he then gave a few details.

Mr. James said we are going to set a precedent in the area, if we rezone this to R-20. Several board members agreed.

Mr. Smith said there are R-20's and PUD's in the area, he once again stated the only difference is the depth of the lots, this is not a high density development. The front of this property will also be open space. He then explained the changes in the area. The widening of Highway 302, new schools, the surrounding subdivisions are almost sold out, and the only difference between R-20's and R-30's is the depth of the lots. Mr. Robison said there are also fewer lots with an R-30.

Mr. Powell asked if that piece of property comes out to Center Hill Road. Mr. Smith said the 50' is to the center line of the road. Mr. Smith said we do have the complete width.

Mr. Robison asked if there was anyone here for or against this application.

1. Ken & Cally Hudson – 5540 Center Hill Road – She began by pointing to her property. The easement that Mr. Powell was referring to, Mr. Smith said they have, she knows does not exist. Mr. Robison said he knows that does not exist, that was something different. They have lived there for 40 years and they do not want to see the area change, and they definitely do not want smaller lots. Miller Station Subdivision is R-30 they want would like to see that size lot or larger, they just want to see a good development.

Mr. Clemmer asked if they thought this development would depreciate their property. Mr. Hudson answered saying, he guesses it would depend on them and what they do to their house and what kind of development this would end up being.

Mr. Lawhon said zoning sets a precedent, he would like to see an R-30 or a PUD. The changes in the area have been PUD's and R-30's.

Mr. Smith spoke stating they have been working on a plan and it is a good plan, he then asked that this application be put on hold until we can come back with a plan with details.

Mr. Lawhon made a Motion to carryover this application for 30 days. Mr. James seconded the Motion. The Motion was passed by a unanimous vote.

GREEN OAKS VILLAGE (6336) – Application is for preliminary subdivision approval of 177 lots on 162.30 acres. Subject property is located on the south side of Byhalia Road and east of Craft Road and is zoned R-30, Single Family Residential (Low Density). Section 5, Township 3, Range 6 (District 5)

Mr. McDougal presented the application and the staff report to the Planning Commission. He then recognized Mr. Greg Smith as being present to represent the application.

Mr. Lindsey asked if there is floodplain located on this property. Mr. McDougal said "yes" on the southern side.

Mr. Smith said the major issue is the road. Based on a meeting he had with Mr. Garriga, we had talked extensively about the extension of Ross Road. There are 6-7 major streams, he had agreed to allow this developer to shift our Right of Way over to the west to avoid the ditch. The staff report stated there should be 53' of right of way, he did not realize this was a section line road. In saying that, Mr. Garriga agreed that the 106' road will never be built. This is the reason it is proposed the way it is. What we can do is move the stub street and have a 3 way stop. The floodplain is mainly in a 6 acre area, he then pointed to that area and most of that will be the lagoon area. We do have 178 lots. We have no other way in or out then what has been proposed, we do feel comfortable saying development will occur around this property when this development begins.

Mr. Robison asked about the site distance along Byhalia Road. Mr. Smith said that as an engineer, he is not at all afraid to place the road where it is proposed. From Ross Road it is about 240'.

Mr. Smith offered to build a turning lane in front of their property, they do own the 50' strip. It is not really a lane, it would be tapered. They are not planning on any improvements to Byhalia Road. He added saying they have been to DCRUA, and DEQ has been on site.

Mr. Robison said when coming off the hill there needs to be an acceleration/deceleration lane.

Mr. Smith said the minimum home size will be 1,900 square feet and this development will have covenants. They have been submitted to the Planning Office today.

Mr. Robison asked if lot 138 is a buildable lot. Mr. Smith said “yes”.

Mr. Swims, County Engineer requested that additional detention be done on this site. Mr. Smith agreed.

Mr. Lindsey made a motion to approve this application with staff recommendations. Mr. Lawhon seconded the Motion. The Motion was approved by a unanimous vote.

SHETLAND GARDEN (6337) – Application is for preliminary subdivision approval of 106 lots on 78.54 acres. Subject property is located on the east side of Baptist Road and south of Star Landing Road and is zoned R-20, Single Family Residential (Low Density). Section 20, Township 2, Range 7 (District 5)

Mr. McDougal presented the application and the staff report to the Planning Commission. He then recognized Mr. Gerald Davis as being present to represent the application.

Mr. Davis began by saying he is surprised that Baptist Road is a collector road and required 53’ of Right of Way with a lane and a half. Baptist Road is a mile and half long, he does not think it is a collector road. This road was built less than 10 years ago with 80’ right of way. The property owner has ½ of frontage and if he has to build a lane and a half with 53’ right of way, it would make this project not viable. Mr. Davis continued saying they have provided 53’ of right of way on Lester Road, he then asked what part needs to be bonded. There is a very large ditch to the south it sits below this property. He continued saying the 90 degree angle lot can be changed. He has designed this development so that the houses sit higher than the road and tried to design the road to fit the topography.

Mr. Robison asked how wide the stub is from the east to the road. Mr. Davis answered saying 50’.

Mr. Robison then asked about the lots that back up to the open ditch area. Mr. Davis said they left that open for the treatment plant. There was a brief discussion on how the ditch will be crossed. North Mississippi Utilities will provide the water and sewer. They are attempting to upgrade the Legends Subdivision treatment facility and if that is approved we will pump to them. He said if that if that plan is not approved there is a sewer line along Star Landing Road. Mr. Davis continued saying it would be the same for the water. There is a 3” water line along Baptist Road. He then explained the location of that water line and where it runs.

Mr. Robison asked if the City of Southaven plans on annexing this area. Mr. Davis said “yes,” and he hopes the city will furnish the water and North MS Utilities will furnish the sewer.

Mr. Lindsey asked about the 8' water line. Mr. Davis replied saying, he has not talked with the City, but the City of Southaven may want to pay the difference between the 12" line and our 8" line. The developer will want to know that there will be adequate sewer and water before he moves any dirt.

Mr. Robison asked about the lane and half issue. Mr. Powell said it will need to be discussed at the Board of Supervisors and the County Engineer.

Mr. Robison then entertained a Motion.

Mr. Clemmer made a Motion to approve this application with staff recommendations and that the right of way and road issue be worked out at the Board of Supervisors Meeting. Ms. Hefley seconded the Motion. The Motion was approved by a unanimous vote.

There being no further business in front of the Planning Commission, this meeting adjourned at 11:15 p.m. These minutes were recorded and transcribed by Denise Dingman.