



DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
April 30, 2009

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – April 2, 2009

OLD BUSINESS

Final Subdivision

Laurelbrook Subdivision, Section “B” (formerly Fox Creek East) (6543) –

Application is for final subdivision approval of 83 lots on 32.16 acres. Subject property is located on the north side of Goodman Road and west of Center Hill Road in Section 29, Township 1, Range 5 and is zoned Planned Unit Development. (District 1)

NEW BUSINESS

Rezoning

Horn Lake Fire Station # 3 (710) – Application is for rezoning of one (1) lot of 71.6 acres and one (1) lot of 5.0 acres out of 76.6 acres from Planned Unit Development (PUD) to Agricultural-Residential (A-R). Subject property is located on the west side of Highway 301 and north of Primrose Lane in Section 36, Township 1, Range 9 and is zoned Planned Unit Development. (District 3)

Minor Lots

Horn Lake Fire Station # 3 Minor Lot (6756) – Application is for final subdivision approval of one (1) lot of 71.6 acres and one (1) lot of 5.0 acres out of 76.6 acres. Subject property is located on the west side of Highway 301 and north of Primrose Lane in Section 36, Township 1, Range 9 and is zoned Planned Unit Development (PUD). (District 3)

Other Items:

1. County Census Update
2. Update on I-69/I-269 International Trade Corridor & Presentation
 - a. County Greenways Program – Larry Jarrett

The DeSoto County Planning Commission met at 7:00 p.m. on Thursday, April 30, 2009, 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, Julius Cowan, Pat Hefley, David Henley, Charles McNemar, Mike Robison, Joe Forsythe, Joan Robertson, Frank Calvi, Eddie O'Bannon, Robin James, and Wade Carter. Planning Commission Staff present included Jim McDougal, Ashley Hendricks and Mr. Jody Neyman, DeSoto County Attorney.

After the invocation and roll call, Chairman Wade Carter asked if there were any necessary additions to or deletions from the Minutes of the Planning Commission meeting held on April 2, 2009. Hearing none, Mr. James made a Motion to approve the minutes as presented. Mr. Lawhon seconded the Motion. The Motion was passed by a unanimous vote.

OLD BUSINESS

Final Subdivision

Laurelbrook Subdivision, Section "B" (formerly Fox Creek East) (6543) – Application is for final subdivision approval of 83 lots on 32.16 acres. Subject property is located on the north side of Goodman Road and west of Center Hill Road in Section 29, Township 1, Range 5 and is zoned Planned Unit Development. (District 1)

Mr. McDougal stated this application was carried over from the April 2, 2009 meeting and presented a document drafted by Ms. Gina Tynan giving a chronological history of the rezoning of the Fox Creek and Fox Creek East Planned Unit Development projects including the covenants and conditions of approval concerning the minimum square footage of homes for Laurelbrook Subdivision (formerly known as Fox Creek East). Mr. McDougal then addressed the issues brought up by the Planning Commission at the April 2, 2009. He stated after researching it was determined the original zoning documents confirmed the minimum house size is 1400 square feet, except along the main roads which should have 1650 minimum square foot homes. The other issue concerning the amenities was addressed by stating the plans for open space have changed some in both size and type of amenities over time. Mr. McDougal stated the original approval of the rezoning was in the 1990's, and that over time the language the Planning Commission uses in addressing review has changed as far as types of amenities. He went on to say that he feels it would be appropriate for the Planning Commission to discuss some of the types of amenities they would like to see in the proposed subdivision. Mr. Lee Smart was present to represent the application.

Mr. Lawhon asked if the change made to make the drainage area larger was approved through the proper channels and if it was done with review by the County Engineer. Mr. McDougal stated Mr. Andy Swims, the County Engineer, was involved and made reviews of the change in the drainage area, and that Mr. Swims is okay with the latest plans.

Mr. Robison asked if the County Engineer had any comments concerning the street conditions within the subdivision. Mr. McDougal stated the first lift of asphalt is installed and Mr. Swims will make sure any weaknesses in the streets are repaired as needed prior to approving the second lift.

Mr. Lee Smart of Bank Plus came forward to represent the application. Mr. Smart stated that the minimum square footage of homes was addressed in the pattern book submitted. According to the floor plans presented by the builder that are included in the pattern book, homes will include square footages of 1600, 1700, 1800, and 2000 square feet. He then stated most homes will be pre-sale homes. At this time he presented Mr. Blair Parker, a landscape architect, and Mr. Michael Hatcher of Hatcher and Associates as being present to answer questions concerning the landscape design and maintenance of the proposed subdivision. Mr. Blair Parker stated he has added landscaping and a walking trail around the multi-use field within the common space as well as pine trees between the Sections A and B of Laurelbrook to be aesthetically pleasing to residents of both sections of the subdivision.

Mr. Carter asked if all homes were going to be built from the plans in the pattern book submitted, because the smallest homes in the book are 1540 square feet. Mr. Smart stated that some homes would be, but they would not be limited to just these plans. Mr. Smart went on to state the five homes that are currently pre-sold in the subdivision are from the plans included.

Mr. Robison asked Mr. Smart to address the issue of the side loading garages. Mr. Smart stated the existing designs as well as existing homes in Section "A" of Laurelbrook Subdivision do not have side load garages. He stated it was his understanding after speaking with Mr. McDougal that according to the language of the Planned Unit Development, side load garages were not required. Mr. McDougal clarified that the plat submitted in the original rezoning application showed a typical lot and house footprint and this illustration showed a side load garage. However, a requirement for side load garages was not included in the text. Mr. Robison stated he liked the looks of the homes included in the book with the variety of styles and materials, particularly the pergola and carriage styles, of the front loading garages. Mr. Carter stated he would also like to see a variety of styles and materials used for the front loading garages.

Mr. Lawhon stated he feels better about the current plans from the Planned Unit Development than he did about the original plans of the PUD, and would like to put as much emphasis as possible on the bank to oversee what is happening within the development of the subdivision and make sure it is kept to high standards. Mr. Carter clarified he feels the Planning Commission is wanting a commitment from Mr. Smart and Bank Plus to make sure that quality homes are built in Laurelbrook Section B. Mr. Smart stated he is willing to make this commitment because the bank's name will be associated with these homes and they will also want quality homes to be built.

Mr. Carter asked if there was anyone present to speak for or against the application.

Mr. Michael Hatcher of Hatcher and Associates came forward and stated he has been asked by the bank to maintain the property within the subdivision. He then stated he will soon be entering a contract with the bank and plans to make recommendations of ways to improve the landscape and add permanent landscape throughout the subdivision.

Mr. Lawhon made a Motion to approve the application for final subdivision plat of Laurelbrook Subdivision Section "B" based on the site plan to include:

1. The new plan submitted for the common open space;
2. The exhibit of elevations for the houses, or pattern book, included in the plans;

3. Improved design for the front loading garages to be more aesthetically pleasing; and
4. Staff recommendations.

Mr. Cowan seconded the Motion. The Motion was passed by a unanimous vote.

NEW BUSINESS

Rezoning

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Mr. McDougal presented the application to the Commission. He then introduced Mr. Robbie Jones, of Jones Davis Engineers as being present to represent the application.

Mr. Robison asked if the subject property is expected to be part of the future annexation by the City of Horn Lake. Mr. McDougal stated the property was part of the original annexation area that was denied. Mr. Jody Neyman, Board Attorney, advised legally a municipality can build in any part of the county as long as it is within 1 mile of City limits, and that by building the fire station in the County will not be cause to annex the property into the city.

Mr. Robbie Jones stated the applicants are requesting the subject property return to Agriculture Residential (A-R) zoning from Planned Unit Development (PUD), because of the change in the area and the loss of the Walls Fire Department. The loss of the fire department in this growing area leaves a void of protection. Mr. Jones went on to state the approved Circle G Ranch Planned Unit Development never developed, it never will and the property would better serve the community being zoned A-R to address the need for a fire station in this area.

Mr. Carter asked if there was anyone present to speak for or against the application. No one was present.

Mr. James made a Motion to approve the application for Horn Lake Fire Station # 3 Rezoning based on a change in the neighborhood and public need with staff comments. Mr. Calvi seconded the Motion. The Motion was passed by a unanimous roll call vote (13-0).

Minor Lots

Horn Lake Fire Station # 3 Minor Lot (6756) – Application is for final subdivision approval of one (1) lot of 71.6 acres and one (1) lot of 5.0 acres out of 76.6 acres. Subject property is located on the west side of Highway 301 and north of Primrose Lane in Section 36, Township 1, Range 9 and is zoned Planned Unit Development (PUD). (District 3)

Mr. Jim McDougal presented the application for the proposed minor lot subdivision for Horn Lake Fire Station #3 and stated the application appears to conform to the DeSoto

County Zoning and Subdivision Regulations subject to dedication of road right of way and Health Department approval.

Mr. Robbie Jones was present to represent the application. He stated there will be a 40 foot ingress/egress easement and 30 foot roadway with curb and gutters to allow the fire trucks access to the site from Highway 301. Mr. Robison asked who the easement would serve. Mr. Jones stated it would at this time serve the City of Horn Lake Fire Department and may later be a road at which time they could give additional right of way. Mr. McDougal clarified the site plan and easement would be addressed when the site plans are reviewed by the Planning staff and Planning Commission. Mr. Forsythe asked who holds the title for the property. Mr. Jones responded the City of Horn Lake owns the property and ACH Developers owns the easement.

Mr. Carter asked if there was anyone present to speak for or against the application.

Ms. Oril Nix stated her home is located three houses south of the subject property and would like to know if the fire station will back up to her property. Mr. Jones showed Ms. Nix where her property is located in relation to the property they are requesting to subdivide for the fire station, explaining that the new fire station would front on Highway 301.

Mr. David Linville, City of Horn Lake Fire Chief, stated the City did attempt to buy the Walls Fire Department located near this site, but were unsuccessful. At this time the truck and three firemen that service the area between Holly Hills subdivision and Twin Lakes subdivision are located in a small area behind the water department. If the proposed lot is approved the City will be able to build a facility that will house two engine companies which will better serve this community.

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

Other Items:

1. County Census Update

Mr. McDougal presented a memo concerning the Census Update and a newspaper article titled "Moving hits 60-year low across nation." He stated according to the newspaper article the most commonly stated reason for moving was a desire to own a home or live in a better neighborhood. According to the census update, which is a projection based on previous years, DeSoto County remains ranked as the 32nd fastest growing U.S. County with a population over 10,000.

2. Update on I-69/I-269 International Trade Corridor & Presentation

a. County Greenways Program – Larry Jarrett

Mr. McDougal presented Mr. Larry Jarrett, DeSoto County Greenway Coordinator, who gave an overview of what he is doing with the DeSoto County Greenway and what he sees going on in the County.

The meeting adjourned at 8:55 p.m. These minutes were recorded and transcribed by Ashley Hendricks.