

Agenda for the Meeting -

1. **Call to Order and Roll Call.**
2. **Pledge of Allegiance.**
3. **Approval of Previous Meeting Minutes from 6/26/2023.**
4. **Old Business - none.**
5. **New Business -**
 - a) **Case No. 2108 SDFP:** A request for approval of a subdivision final plat named “Sage Creek, Phase 1,” located at approximately 5070 Goodman Road West in Horn Lake by Sage Creek Properties, LLC, developer and owner; and W.H. Porter Consultants, PLLC, engineering company; for land zoned as Planned Unit Development (PUD), consisting of 46.113 acres +/- and 32 lots. (Address is unofficial and unassigned.)
 - b) **Case No. 2023-13 AI:** An aldermen initiative (AI) for a potential text amendment to the City of Horn Lake’s Zoning Ordinance initiated during the aldermen meeting of June 20, 2023, regarding the relationship between medical cannabis dispensaries and schools and daycares within the jurisdiction. More specifically, is approved as conceived, the effect would be to make medical cannabis dispensaries easier to establish in the city and limit the locations where schools and daycares could be established via the city zoning ordinance and via the city zoning scheme. Potential text amendment would be to Article XII, “Use Chart,” and possibly to Article V, Item T, “Medical Cannabis,” of said city zoning ordinance.
6. **Other Business:**
 - a) Comprehensive Plan update.
7. **Adjournment.**

Start of the Items/Cases Portion of the Minutes –

1. **City Planning Commissioners present** – Chad Engelke (Chair), Clara Kirkley, Linda McGan (Secretary), William Egner, Janice Vidal, Jesse Ware, and Bill Mercer. **Absent** – Jimmy Stokes (Vice-Chair).
2. **City Staff** – Chad Bahr, AICP, Planning Director; Jonathan Ryan, City Information Technology (IT); Andrew Hockensmith, Assistant Planning Director; and Billy Simco, Planner I (Storm Water Specialty).
3. **Gallery** – Francis J. Miller, resident and voting member of Horn Lake for 14 years from Ward #5; Henry Porter, with W. H. Porter, and Cheonshae Moore. A few others were in the gallery in attendance, but did not sign the “Sign-In Sheet”.

Note: For brevity, the following representations may be used as abbreviations in these minutes.

- a. Chair = Chairperson of the Planning Commission

- b. Plgn Dir = City Planning Director
- c. RZ = Rezoning or Zoning amendment case
- d. CU = Conditional Use
- e. Mtn = Motion
- f. 2nd = Second to a main or primary motion
- g. V = Vote or result upon a made motion
- h. PC = Planning Commission or Commissioner
- i. DE = Discussion ensued at some length upon the topic or subject indicated
- j. & = And
- k. PUD = Planned Unit Development type zoning classification
- l. MS = Mississippi Items

Items 1 and 2. The Chair called the meeting to order at 6:00 p.m. The Secretary took roll call and only planning commissioner Stokes was absent. Pledge of Allegiance was held and lead by the chair.

Item 3. Approval of minutes from the 6-26-23 meeting.

Motion to approve minutes as mailed – Mercer. 2nd – Egner. Vote: Motion passed, 6-0.

4. Old Business - none.

5. New Business.

- a) **Case No. 2108 SDFP:** A request for approval of a subdivision final plat named “Sage Creek, Phase 1,” located at approximately 5070 Goodman Road West in Horn Lake by Sage Creek Properties, LLC, developer and owner; and W.H. Porter Consultants, PLLC, engineering company; for land zoned as Planned Unit Development (PUD), consisting of 46.113 acres +/- and 32 lots. (Address is unofficial and unassigned.)

The planning director gave a PowerPoint presentation, also acting as the staff report, on the case. He suggested a motion for recommending approval of the request to the planning commission for them to consider with some conditions attached to it.

Henry Porter of W.H. Porter, spoke briefly about the request.

D.E. about the request. The Chair asked the planning director for more details about the planned unit development, PUD, that was approved last year. The director said he thought the latest Sage Creek PUD city-approval consisted of 275 single-family homes (down from the previous approval of 325 units due to wetlands considerations of the proposed development) and a minimum of 1800 square feet per unit heated space.

Someone asked who the builder would be.

Porter said he thought it would be Meridian Homes, but was unsure about that.

Someone asked if the detention pond would be large enough to handle the drainage for this phase of the development.

Mr. Porter said the proposed detention pond for Phase 1 was designed to be large enough to handle not just Phase 1's drainage, but other phases, as well.

The Chair called for any motions. **A motion was made to recommend approval of the final plat subdivision request with the conditions supplied by staff.** – Egner. 2nd – Ware. **Vote:** Motion to recommend approval to the board of aldermen, passed, 6-0. Conditions are listed below:

- a. Increase width of rear yard utility easements to 10 feet.
 - b. Clarify the when, where and by whom the subject of street lights will be installed in the subdivision.
 - c. Clarify the when, where and by whom of street signs in the subdivision.
 - d. Add section, township and range in the title block on all sheets.
 - e. Correct typo in the word "Planning" within the Planning Commission Certificate block on Sheet 4.
 - f. Eliminate the mayor attesting the signature of the Chancery Clerk on Sheet 4.
 - g. Add wording to the plat whereby recording the plat will effectively dedicate the roads to the public.
 - h. Add wording to the plat whereby erosion and sediment control shall meet City of Horn Lake standards during the construction of the subdivision.
- b) Case No. 2023-13 AI:** An aldermen initiative (AI) for a potential text amendment to the City of Horn Lake's Zoning Ordinance initiated during the aldermen meeting of June 20, 2023, regarding the relationship between medical cannabis dispensaries and schools and daycares within the jurisdiction. More specifically, is approved as conceived, the effect would be to make medical cannabis dispensaries easier to establish in the city and limit the locations where schools and daycares could be established via the city zoning ordinance and via the city zoning scheme. Potential text amendment would be to Article XII, "Use Chart," and possibly to Article V, Item T, "Medical Cannabis," of said city zoning ordinance.

The planning director gave a PowerPoint presentation on the case and explained the inter-relationship between schools and daycares and medical cannabis dispensaries via the State's and the City's medical cannabis law and ordinance, respectively. He also explained, based upon what was proposed, that existing daycares within the city operating with city-issued business licenses on land currently zoned C-3 or C-4 would become nonconforming land uses, that the zoning ordinance, by standard design, would make those instances more difficult to either expand, enlarge or be reestablished if those buildings housing those daycare facilities were damaged by more than 50% of the fair market value.

Discussion ensued upon the topic.

The Chair opened the floor for public comment.

Cheonshae Moore, currently attempting to open a daycare center at 1502 Goodman Road West in Horn Lake, spoke on the subject. She said the community needs more day care centers, that day care centers benefit children, families, and the community, that some women greatly need the services offered via day care centers, and that she desires that the existing day care centers should be grandfathered in if the proposed change was eventually enacted. She added they are receiving about 75 calls per day from individuals inquiring about daycare services in the city and had tallied 516 calls in the month of July about daycare services. She finished by saying that daycares often provide favorable child to teacher ratios for those being educated while in daycare.

More discussion ensued upon the topic.

Motion was made to recommend denial of the request to amend the zoning ordinance via the proposed text amendment. - Vidal. **2nd** - Egner. **Vote:** All commissioners present voted in support of the motion to recommend denial of the proposed text amendment to the board of aldermen.

6. Other Business.

a) Comprehensive plan update.

The planning director gave an update, stating the next public involvement/input meetings held the week of July 10-13 were decently attended with about 20-25 citizens attending the nights of the 10th and 13th. Stakeholders' meetings were held, as well, that week, specifically, about transportation issues, mobility issues, parks and recreational issues, and business and developers being invited to attend and participate in the city's planning process.

Staff had recently met electronically with the planning consultant, Orion Planning Group, and the proposed timetable was for the draft plan to first come to the Advisory Group in September, the Planning Commission in October, and then the Board of Aldermen in November and December.

7. Adjournment.

Chair – Called for a motion to adjourn. **Motion** – Vidal. **2nd** – McGan. **Vote:** Motion to adjourn the meeting at 7:12 p.m. passed, 6-0.

(**Scrivener's Note:** These minutes were prepared in first draft form by C. Bahr, Planning Director, from 8-1 to 8-2-2023. The second draft was completed at 1:30 p.m. on 8-14-2023.)