

Agenda items –

1. Call to Order -
2. Approval or Previous Meeting Minutes - from 10.25.21.
3. Introduction of newly appointed Planning Director – Chad Bahr, AICP
4. Old Business –
5. New Business –
  - a. Rezoning - None
  - b. Subdivisions –
    - i. Case # 2055SD – Application for a final subdivision plat approval for Lot 1, Fountains of Fairfield, at 4065 Goodman Road West.
    - ii. Case # 2057SD – Application for a final subdivision approval for 83 lots Bakers Estates, located southeast (SE) of the intersection of DeSoto Road and MS Highway 301.
  - c. Site Plan and Design Review – None
  - d. Variances - None
6. Conditional Uses –
  - a. Case # 2052CU – Application for conditional use for an indoor car show room, at 1909 Tappen Drive.
  - b. Case # 2054CU – Application for a conditional use for a restaurant drive-through, at 4065 Goodman Road West.
7. Adjournment –

---

Present:

1. City Planning Commissioners: Chad Engelke (Chair), George Dixon, Angie Little, Linda McGan, Jay Stapleton, Jimmy Stokes, and Andrew Yeager (electronically present via Zoom). Commissioner absent was Janice Vidal.
2. City Staff: Chad Bahr, AICP, Planning Dir.; Robert (Bob) Barker, FAICP, Interim Planning Director/Planning Consultant with Orion Planning and Design Group (electronically present via Zoom) and John Mark Owston, City Information Technology (IT).
3. Gallery (public attending): Ben Smith, IPD, LLC; Michael Rogers, Adams Homes; Lanier Hurdle, Premium Homes; Jon Reeves, Yazoo Development Properties; Donny and Jerry Chambliss, Chambliss Homes; Robbie Jones, Jones-Davis & Associates, Inc.; Bill Brown, HL Ventures, LLC – Walker, Brown and Brown, P.A., and Dylan Dempsey, Carlson Consulting Engineers, Inc.

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

- a. Chair = chairperson of the planning commission
- b. Plng Dir = city planning director
- c. RZ = rezoning or zoning amendment case
- d. CUP = conditional use permit
- e. Mtn = motion
- f. 2<sup>nd</sup> = second to a main or primary motion
- g. V = vote or result upon a made motion
- h. PC = city planning commission or commissioner
- i. DE = discussion ensued at some length upon the topic or subject indicated

## City of Horn Lake, MS, Planning Commission – Meeting Minutes for November 29, 2021

- j. & = and
- k. PUD = planned unit development type zoning classification
- l. MS = Mississippi

### Items –

1. Chair Engelke called the meeting to order at 7:00pm. He also asked Commissioner Stokes to lead in the Pledge of Alliance. Stokes led the auditorium in that action.
2. The Chair asked for a motion or any comments regarding the review and approval of the 10-25-2021.  
Mtn: Little made a motion to approve the minutes as delivered before them. 2<sup>nd</sup>: Dixon. V: Motion passed to approve the minutes, 6-0.
3. Chair announced/introduced the appointment by the City of the new planning director, Chad Bahr.

Mr. Bahr spoke to thank the Chair for the introduction and he said he was glad to be with Horn Lake and that he brought 27 years of experience in the planning and zoning world and had worked in other states such as Arizona, Iowa and Kansas, previously for two cities, but mostly with counties in these states.

He added that Mr. Barber would be presenting most of the items on the agenda because of Barber's familiarity with the items upon the agenda.

4. Old Business – None.
5. New Business –
  - a. Rezoning - None
  - b. Subdivisions –
    - i. Case # 2055SD – Application for a final subdivision plat approval for Lot 1, Fountains of Fairfield, at 4065 Goodman Road West.

The Chair asked for a presentation from Mr. Barber. Barber began by saying that the preliminary plat for this 1-lot subdivision had already been approved by the City and before them was this final plat. He said what is intended per the PUD zoning is a restaurant, specifically a Wendy's Restaurant.

He added the staff's recommendation was:

1. Approval shall be subject to engineering, public works, and fire comments.
2. After recommendation by the planning commission, the applicant shall proceed to the Board of Alderman for final review and action.
3. Upon approval by the mayor and Board, the applicant shall post appropriate bonding and enter into a development agreement prior to recording.

Chair asked for public comments from the applicant. Dylan Dempsey, Carlson Consulting Engineers, Inc., spoke briefly about the plat.

Commissioner Stapleton asked about water drainage to the west of the subject property. He expressed concerns about having sufficient water and drainage detention built into the west for this project. He said he thought there was a 36" storm sewer drain in this area and wondered if that would be sufficient.

Dempsey said there was adequate storm drainage already in place in this area.

## City of Horn Lake, MS, Planning Commission – Meeting Minutes for November 29, 2021

DE upon the subject. Barker said the engineer must verify water detention before a building permit can be pulled.

PC asked if the building design would come before the PC.

Barker: Yes. It would be a reviewable design by the planning commission because it would be used as a commercial building/land use.

Chair asked for any more comments or questions. Seeing none a motion was made by Commissioner Stokes for approval with the recommended conditions listed above by staff. 2<sup>nd</sup>: Little. V: The motion to approve with conditions was approved, 6-0.

- ii. Case # 2057SD – Application for a final subdivision approval for 83 lots Bakers Estates, located southeast (SE) of the intersection of DeSoto Road and MS Highway 301.

Chair asked for a staff presentation. Barber made a presentation saying the zoning had been approved some time back and the subject property currently has PUD zoning, but added there is also C-4 and R-20 zoning in the area. He continued that what is proposed is 83 lots for single-family residential development contained in about 60 acres of land. He said the preliminary plat was presented before the City last December (2020).

He spoke about any approval as being subject to standard conditions as contained in the Subdivision Ordinance:

- a. Required public improvements, platting, recording, bonding, approval of civil drawing and construction drawings.
- b. After recommendation of the planning commission, the applicant shall proceed to the Board of Aldermen for final action.
- c. Restrictive covenants have not been submitted and should be provided with the final plat. 1800-foot home minimums are required. Restrictive covenants to be recorded with plat.
- d. No home designs have been submitted. Homes must meet the residential design standards of the City of Horn Lake.
- e. No open space was proposed. A \$350 per lot fee in lieu of open space is required.
- f. Tree mitigation standards must be met.
- g. Any approval is subject to engineer's final review and infrastructure requirements
- h. Determine if fee is required. If required, payment should be made prior to recording.
- i. Compliance with erosion control permit prior to recording.

He added regarding item e. above that the applicant had paid to date 86% of the required open space fee.

Commissioner Stokes asked about restrictive covenants. Barber said they would be provided.

Barber said that in the staff report the case number was listed as #2056SD, but the correct number should be #2057SD.

## City of Horn Lake, MS, Planning Commission – Meeting Minutes for November 29, 2021

The Chair asked the applicant if they had any comments or items to present.

Mr. Ben Smith, IPD, LLC, presented. He was the applicant's engineer. He said this final plat equals what was contained at the preliminary plat review/approval stage. He added the developer intends to require a minimum of 1800 square feet for homes (heated areas) and that Mr. Reeves is the developer/applicant.

Mr. Jon Reeves spoke. He said he has three builders planned for this development: 1) Michael Rogers, Adams Homes, 2) Lanier Hurdle, Premium Homes, and 3) Donny and Jerry Chambliss, Chambliss Homes.

Reeves added a road tie-in is being completed with MS Highway 301 along the development's west side, that a tie-in would be completed with an existing sewer interceptor system and that water would be connected and supplied by the Walls Water Association. He continued that contractors would install water and fire hydrants and that bonding will be provided as required. He said he would be paying the final portion to the city via the planning staff that evening of the required fee in lieu of open space requirement.

Reeves also presented the restrictive covenants to the proposed subdivision to staff at that time. (Staff received them, totaling 15 pages as proposed.)

He added that he had spoken with the mayor in the past about the need for a new subdivision in Horn Lake with these type of larger platted lots.

PC: Asked whether this development would be like the Willow Point Subdivision or not. They inquired whether sidewalks and curbs would be installed.

Smith: Correct, these will be larger lots with all at least 20K square feet in area per lot. He added these lots would be fairly deep and that there is a market for this type of development in Horn Lake.

Commissioner Dixon stated the subdivision should have sidewalks installed by the developer and that the road should be wider than the 24' planned width.

Commissioner Little asked how far along the developer was in the development process.

Smith said they were looking for approval, bonding and then pulling building permits.

PC inquired how wide the main entrance would be on the west off of MS Highway 301.

Smith said the Mississippi Department of Transportation (MDOT) had approved a 30'-wide throat with curves/aprons. He said in the subdivision the roads would be 24' wide and on the east side would connect with the 20'-wide roads of the existing Holly Ridge Subdivision.

Mr. Lanier Hurdle, Premium Homes, spoke next. He said he plans to build nothing smaller than 2000 square feet homes. He brought two types of plans and distributed them to the PC. He said he intends to build quality and that at the low end the process would start at \$300k and the higher end ones would be about \$350k.

He added the road width would be 24', but then there would be some shoulder room on each side of the road for someone to walk when a car would go by. He said right now his biggest obstacle in his existing building projects located elsewhere in the area was getting materials. Materials are hard to get, period.

## City of Horn Lake, MS, Planning Commission – Meeting Minutes for November 29, 2021

The PC inquired about the location of garages with these planned builds.

Hurdle: Some would be forward, but would be “side-loaded.”

PC: They asked about plumbing utilities to the attics.

Hurdle: He said all would have some finishing upstairs.

The PC asked about the cost to install new sidewalks at 5’ of width.

Hurdle: He estimated about \$2000 per lot at current prices.

PC: They inquired about the number of entrances to the subdivision.

Hurdle: Two, 1) off of Highway 301 and 2) to the east connecting with Holly Ridge.

Mr. Mike Rogers, Adams Homes, spoke next. He said he had plans of 2169, 2265 and up to 3000 square feet he was prepared to build in the subdivision. He passed out plans, as well.

Chairman Engelke asked if any model homes would be built.

Rogers: He said he would like to, but in the current market things are selling so fast they might just sell too quickly.

The Chair asked for any additional thoughts or questions or comments.

Mr. Don Chambliss, got up to speak and said he has been building in the area for about 30 years.

The Chair called for any action.

Commissioner Stokes made a motion to recommend approval of the subdivision, to be known as Baker’s Estates, as proposed with 83 lots and the suggested conditions listed previously by staff, to the Mayor and Board of Alderman of this final plat. 2<sup>nd</sup>: by Yeager. V: All in favor except for Dixon, thus the motion to recommend approval passed by a 5-1 margin.

- c. Site Plan and Design Review – None
- d. Variances - None

### 6. Conditional Uses –

- a. Case # 2052CU – Application for conditional use for an indoor car show room, at 1909 Tappen Drive.

Chair asked if there was a staff presentation. Mr. Barber started a presentation. He said that the date in the staff report should be changed from 9.27.21 to 11.27.21. He said the current land use of the subject property is a diesel mechanic shop. He went through the staff comments as listed in the staff report. He said the desired land use, thus the need for the requested conditional use permit before them, was for an

## City of Horn Lake, MS, Planning Commission – Meeting Minutes for November 29, 2021

indoor auto sales showroom. He added the Horn Lake though only anticipates that land use as an outdoor auto sales land use and the latter use is restricted in establishment in Horn Lake per the zoning code. He wondered how applicable the CUP process would be to a new conducted indoors as opposed to outdoors.

The Chair asked if the applicant or representative was present. No one was present.

Commissioner Stokes made a motion to table the case until the next scheduled City Planning Commission meeting. 2<sup>nd</sup>: Yeager. V: The motion passed to table the item, 6-0.

- b. Case # 2054CU – Application for a conditional use for a restaurant drive-through, at 4065 Goodman Road West.

Mr. Barber presented this request and said the drive thru aspect of a restaurant required a CUP per the city zoning code/ordinance. He added that Zaxby's and McDonald's both have fairly recently been considered by the city for drive-through's.

The Chair asked if a time limit would be appropriate given the nature of the land uses involved.

Barber said he thought that CUP's often have time limits upon them that in this case a time limit attached with this particular company would be appropriate, so not a specific amount of time, but rather a condition that would be placed upon the developer of this property. Is this case that would be Wendy's Restaurants. He reminded the commission of the factors listed in the staff report (a-f) that are applicable to CUP's.

Dylan Dempsey, Carlson Consulting Engineers, Inc. spoke on behalf of the application stating it was a fairly straight forward request.

The PC inquired about the number of seats planned for inside the restaurant.

Dempsey stated 55.

Stapleton made a motion that the planning commission recommends approval of the request to the Board of Aldermen with the following conditions attached to it:

1. The case shall go to the Board of Aldermen for final approval, and
2. The CUP for a drive-through to service a restaurant, if approved, shall be valid only for the operator known as Wendy's Restaurants.

2<sup>nd</sup>: Little. V: Motion passed as stated, 6-0.

Though not listed on the agenda Chairperson Engelke suggested moving the PC meeting, now scheduled for December 27<sup>th</sup>, to be moved one week ahead and held on Monday, December 20<sup>th</sup>, but at the normal 6:00 pm starting time.

DE upon the topic. Barber said he thought that would be doable from a staff perspective. Bahr concurred.

Mtn: Engelke to move the next City Planning Commission meeting from December 27<sup>th</sup> to December 20<sup>th</sup> and leave the start time at 6:00 pm. Some discussion ensued (DE) upon the topic. 2<sup>nd</sup>: Dixon. V: Motion passed to change the date, 6-0.

## City of Horn Lake, MS, Planning Commission – Meeting Minutes for November 29, 2021

The Chair asked for any final comments.

Barber thanked the PC for working with them over the past several months. The PC echoed the thoughts and sentiments.

DE on the topic about requiring sidewalks in new subdivisions or not. Stapleton raised objections to doing this because of cost reasons. Dixon thought that the city should require sidewalks at the beginning and during the platting process.

### 7. Adjournment.

A motion was made by Stokes to adjourn. 2<sup>nd</sup>: Stapleton. V: Motion passed to adjourn at 7:00 pm, 6-0.

**Scribner Note:** One correction made on 12-21-2021 to this file based upon a passed motion from the 12-20-2021, Planning Commission meeting. That was to add that Commissioner Janice Vidal was not present at the 11-29-2021 meeting. (see page one of these minutes) (C. Bahr, 12-21-2021)