

D R A F T PLANNING COMMISSION MEETING MINUTES
May 18, 2020

1. 1. Call to Order
2. Roll Call and Pledge
3. Approval of Previous Meeting Minutes – 5.18.20
4. Old Business - None
5. New Business
 - a. Case #1951 –(Public Hearing) Conditional Use application by Bill Brown for the retail sale of fireworks at the following addresses:
 - i. 2302 Goodman Road
 - b. Case #1952 Nicole Place Section E Final Subdivision Approval
 - c. Case #1953 Bojangles Design Change Request (Color)
6. Adjourn

STATE OF MISSISSIPPI
COUNTY OF DESOTO
CITY OF HORN LAKE

Be it remembered that a City of Horn Lake Planning Commission meeting was held in the City Hall Court Room on Monday, May 18, 2020. The meeting was also conducted via conference call due to the current Covid-19 pandemic.

PRESENT ON SITE: Commissioner Danny Klein and staff Bob Barber
PRESENT VIA CONFERENCE CALL: Linda McGan, Jimmy Stokes, Janice Vidal, Andrew Yeager, Robert Kendall

OTHERS PRESENT VIA CONFERENCE CALL: Bill Brown and Jeff Carter of Carter Engineering

ABSENT: Larry Ray

The minutes from the April 27, 2020 meeting were reviewed. Commissioner Stokes made a motion to approve the minutes as submitted. Commissioner Kendall seconded the motion. The motion passed by unanimous vote.

New Business

1. Case #1951 –(Public Hearing) Conditional Use application by Bill Brown for the retail sale of fireworks at 2302 Goodman Road
-

Bob Barber introduced the application and presented the staff report with recommendations (attached). The Chairman opened the floor comments. Francis Miller was present and stated that he had talked with Chief Linville and the Mayor. Chief Linville stated there were minimal hazards associated with the use. The Mayor conformed that this is a revenue producing operation which was very important at the current time. He stated he highly recommended this be approved.

There being no further public comments, the Chairman closed the public hearing.

Commissioners comments involved clarifying the location of the site. After a brief discussion, Commissioner Stokes moved and Commissioner Vidal seconded that the applications be approved subject to the staff comments.

2. Case #1951 – Case #1952 Nicole Place Section E Final Subdivision Approval
-

Bob Barber introduced the application and presented the staff report with recommendations (attached). Bob Reiner came forward as developer and stated that he would be building 2000 square foot homes and fulfill all the conditions of the original master plan and implement all the staff and engineer's recommendations.

After a brief discussion, Commissioner Vidall recommended approval of the application subject to the items listed in the staff report. The motion was seconded by Commissioner Kendall and it carried.

3. Case #1953 Bojangles Design Change Request (Color)
-

Bob Barber introduced the application and presented the staff report with recommendations (attached). He stated that the change was minor but felt it needed to be presented.

After a brief discussion, Commissioner Stokes moved to approve the color change for Bojangles. Motion was seconded by Commissioner Vidall and it carried.

The Commission voted to adjourn.

The next meeting of the Commission is June 29, 2020.

Respectfully submitted,

Robert Barber, FAICP – Interim

CASE NO.: 1951
PROJECT: Super Sam's Fireworks
ADDRESS: 2302 Goodman Road
APPLICANT: Bill Brown
DATE: 5.15.20

INTRODUCTION:

The applicant is requesting Conditional Use approval to allow a Fireworks Tent to be located at the above locations.

BACKGROUND:

The subject property is located as illustrated on the attached map. These site has been used for fireworks sales for several years.

DISCUSSION:

Ordinance standards are as follows:

Article V. - General Provisions and Supplemental Zoning District Regulations

J. - Outside Display of Merchandise.

3. Firework Sales.

- a. Setup of tents may be accomplished no more than three (3) days prior to sales dates, as established by separate ordinance.*
- b. Removal of tents and clean up on the site must be accomplished no later than three (3) days after sale dates, as established by separate ordinance.*
- c. No permit shall be granted to a vendor engaged in the sale of fuel products (e.g. gasoline, kerosene, propane, etc).*
- d. December setup shall include seasonal decorations.*
- e. Vendors shall provide a printed notice of allowable "hours of use" and insert in each product package.*
- f. Parking spaces shall be provided in accordance with the requirements for retail uses and parking lots shall be asphalt or concrete. Limestone parking lots may be approved for a limited time (one year) in an area that is proposed to be developed in the near future. This must be approved by the governing authority.*
- g. Only one sign per establishment shall be permitted. Signs and banners must be presented to and approved by the office of planning and development at the time of conditional use application.*
- h. Fireworks tents shall be located on a vacant lot and only one tent per parcel will be allowed.*
- i. No sale of fireworks to minors under eighteen (18) years of age.*
- j. Tents must meet current adopted ICC building codes and current NFPA codes.*
- k. Applicant must apply and be approved for a conditional use.***

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- i. No sale of fireworks to minors under eighteen (18) years of age.*
- j. Tents must meet current adopted ICC building codes and current NFPA codes.*
- k. Applicant must apply and be approved for a conditional use.*

In order to be considered, applicants for a Conditional Use must address the following questions adequately:

- a) *Will this use substantially increase traffic hazards or congestion?*
 - Staff is of the opinion that traffic hazards will not increase.

- b) *Will this use substantially increase fire hazards?*
 - Staff is of the opinion that fire hazard will not increase if applicant complies with the Fire Department requirements and prohibits smoking in and around the tent.

- c) *Will this use adversely affect the character of the neighborhood?*
 - Staff is of the opinion that the character will not be adversely affected.

- d) *Will this use overtax public utilities or community facilities (including streets, schools, and public utilities)?*
 - Staff is of the opinion that the existing infrastructure will not be overtaxed.

STAFF COMMENTS:

1. If approved, the applicant shall proceed to the Board of Aldermen on May 19, 2020 for final approval.

2. If approved by the Board of Aldermen, the applicant shall apply for a Tent Permit with the Office of Planning and Development.

STAFF RECOMMENDATION:

Staff recommends approval for a period of five (5) years in keeping with other conditional uses approved for firework sales tents throughout the city, subject to staff comments.

PROPOSED MOTION:

FOR APPROVAL: I move to recommend approval to the Board of Aldermen the conditional use approval for American Fireworks to locate a Fireworks Sales Tent at the stated addresses subject to Staff Comments and the following conditions:

FOR DENIAL: I move to recommend denial to the Board of Aldermen the conditional use application for American Fireworks to locate a Fireworks Sales Tent at the stated addresses for the following reasons:



City of Horn Lake**Planning Commission Staff Report**

CASE NO.: 1952
PROJECT: Final Plat Approval, Nicole Place E
ADDRESS: South of Nail Road, west of Horn Lake Road
APPLICANT: Robert Reiner
DATE OF REPORT: 5.14.20
DATE OF MEETING: 5.18.20

BACKGROUND AND DISCUSSION:

Bob Reiner is requesting Final plat approval for Nicole Place Section E consisting of 70 lots, 33.6 acres.

The subject property is located west of Horn Lake Road, south of Nail Road and is the final section of the Nicole Place Planned Unit Development. The property is to be divided into 70 lots for the construction of single-family homes. The property is zoned Planned Unit Development and was originally approved in 2006.

A major feature of Nicole Place is an area of natural drainage held as common open space. This area is a substantial storm water area.

Utilities are in place or nearby and have been constructed to serve the previous sections of Nicole Place.

Conditions of the original PUD are listed on the subdivision plat page 1.

STAFF RECOMMENDATION:

1. Because this is the final section, engineer to review all aspects of the development's storm water management for sufficiency and compliance with standards.
2. Storm water area is to serve as the common are for the development. It must be included as a numbered lot.
3. Plans for improvement of the storm water area complying with the original PUD approval shall be provided and bonded prior to plat recording. This area is serve as a recreational amenity for the development.
4. Developer shall execute a development agreement covering all required improvements including any incomplete items from prior section (landscaping, common are amenities, etc.).
5. Homeowners Association shall be fully operational for the development to include a functioning Board of Directors, adopted by laws and dues collections.
6. Nail Road improvement including extension of sidewalk, brick wall and landscaping shall be provided across Nail Road Frontage and cross section included on the plat.
7. Other recommendations may be delivered at the time of the meeting.

City of Horn Lake

Planning Commission Staff Report

ENGINEER’S COMMENTS

The ditch in between section D and E is substantial. I think it is in the City’s best interest for the applicant to provide calculations to show that the open space provided is sufficient to carry the anticipated flows of the 25 and 100 yr. I think the calculation would show that the peak elevations would not impact the lots. Calculations would show a comparison of the elevations of the flows vs. contours.

It appears to me that there are a couple of drainage basins that flow from the east onto this site. I would request information on how this water would be intercepted and carried through the site.

OPTIONS FOR ACTION:

In the Case of Approval:

I move to recommend approval of the final plat of Section E, Nicole Place Subdivision subject to the staff report and the following conditions:

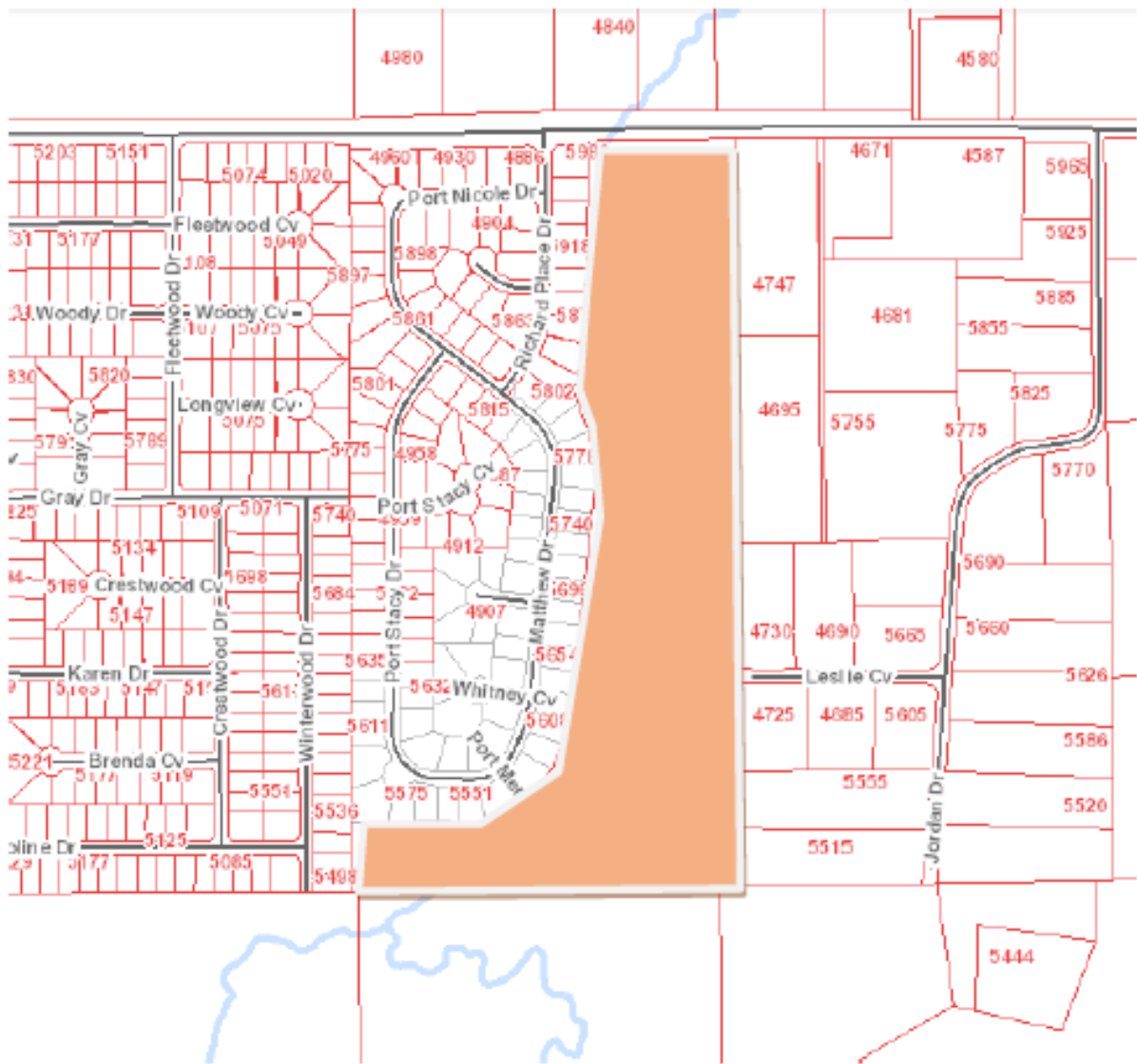
In the Case of Denial:

I move to deny the final plat of Section E, Nicole Place Subdivision for the following reasons:

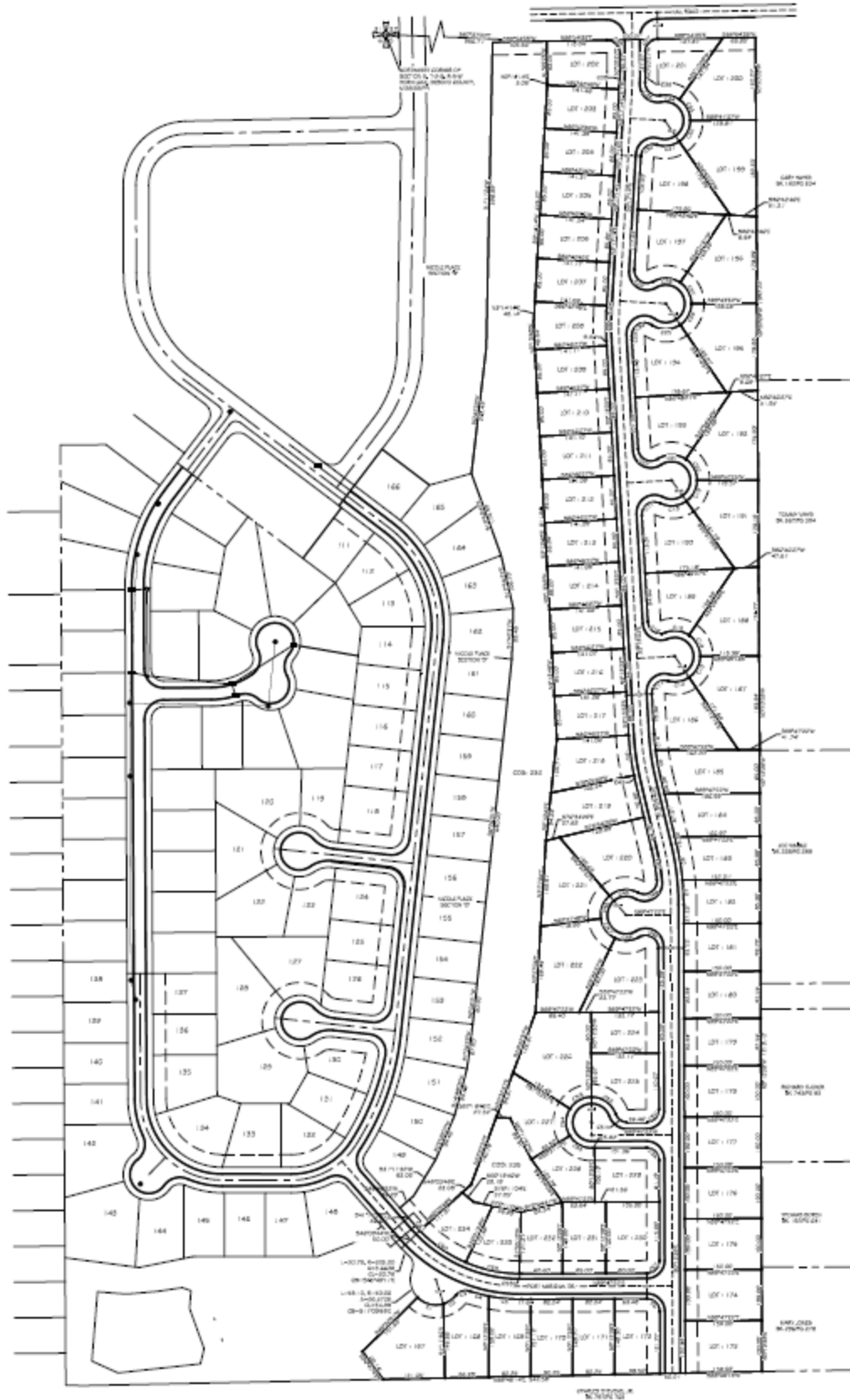


City of Horn Lake

Planning Commission Staff Report









Lot #	Area	Lot Area Table
174	60.0	60.0
175	60.0	60.0
176	60.0	60.0
177	60.0	60.0
178	60.0	60.0
179	60.0	60.0
180	60.0	60.0
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183	60.0	60.0
184	60.0	60.0
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249	60.0	60.0

Curve #	Length	Kappa	Data	Curve Direction	Curve Length
C1	34.60	50.00	62.40	80° 51' 02" W	321.16
C2	79.80	50.00	143.87	80° 51' 02" W	793.84
C3	30.00	25.00	45.42	27° 11' 33" W	293.84
C4	36.00	25.00	54.52	10° 52' 17" W	368.87
C5	23.00	25.00	34.44	88° 52' 49" W	234.82
C6	32.00	25.00	47.92	88° 52' 49" W	259.85
C7	29.00	25.00	43.87	17° 32' 00" W	229.85
C8	48.00	50.00	86.74	80° 51' 02" W	816.85
C9	72.00	50.00	129.12	80° 51' 02" W	1273.84
C10	52.00	25.00	78.24	27° 11' 33" W	628.84
C11	32.00	25.00	47.92	10° 52' 17" W	368.87
C12	48.00	25.00	71.88	88° 52' 49" W	563.85
C13	48.00	25.00	71.88	88° 52' 49" W	563.85
C14	48.00	25.00	71.88	17° 32' 00" W	458.85
C15	48.00	25.00	71.88	17° 32' 00" W	458.85
C16	48.00	25.00	71.88	80° 51' 02" W	458.85
C17	48.00	25.00	71.88	80° 51' 02" W	458.85
C18	48.00	25.00	71.88	80° 51' 02" W	458.85
C19	48.00	25.00	71.88	80° 51' 02" W	458.85
C20	48.00	25.00	71.88	80° 51' 02" W	458.85
C21	48.00	25.00	71.88	80° 51' 02" W	458.85
C22	48.00	25.00	71.88	80° 51' 02" W	458.85
C23	48.00	25.00	71.88	80° 51' 02" W	458.85
C24	48.00	25.00	71.88	80° 51' 02" W	458.85
C25	48.00	25.00	71.88	80° 51' 02" W	458.85
C26	48.00	25.00	71.88	80° 51' 02" W	458.85
C27	48.00	25.00	71.88	80° 51' 02" W	458.85
C28	48.00	25.00	71.88	80° 51' 02" W	458.85
C29	48.00	25.00	71.88	80° 51' 02" W	458.85
C30	48.00	25.00	71.88	80° 51' 02" W	458.85
C31	48.00	25.00	71.88	80° 51' 02" W	458.85
C32	48.00	25.00	71.88	80° 51' 02" W	458.85
C33	48.00	25.00	71.88	80° 51' 02" W	458.85
C34	48.00	25.00	71.88	80° 51' 02" W	458.85
C35	48.00	25.00	71.88	80° 51' 02" W	458.85
C36	48.00	25.00	71.88	80° 51' 02" W	458.85
C37	48.00	25.00	71.88	80° 51' 02" W	458.85
C38	48.00	25.00	71.88	80° 51' 02" W	458.85
C39	48.00	25.00	71.88	80° 51' 02" W	458.85
C40	48.00	25.00	71.88	80° 51' 02" W	458.85
C41	48.00	25.00	71.88	80° 51' 02" W	458.85
C42	48.00	25.00	71.88	80° 51' 02" W	458.85
C43	48.00	25.00	71.88	80° 51' 02" W	458.85
C44	48.00	25.00	71.88	80° 51' 02" W	458.85
C45	48.00	25.00	71.88	80° 51' 02" W	458.85
C46	48.00	25.00	71.88	80° 51' 02" W	458.85
C47	48.00	25.00	71.88	80° 51' 02" W	458.85
C48	48.00	25.00	71.88	80° 51' 02" W	458.85
C49	48.00	25.00	71.88	80° 51' 02" W	458.85
C50	48.00	25.00	71.88	80° 51' 02" W	458.85

SECTION 5, TOWNSHIP 2 SOUTH, RANGE 8
**PRELIMINARY PLAT OF
 SECTION "E"
 NICOLE PLACE
 P.U.D.**

SCALE: 1" = 100'
 FEBRUARY 2020

TOWN OF HORN LAKE, MS
 ZONING & LAND USE DEPARTMENT
 2015 SOUTH HORN LAKE
 HORN LAKE, MS 39037

DESIGNED BY: GARY R. HARRIS, INC.
 2015 SOUTH HORN LAKE
 HORN LAKE, MS 39037

DRAWN BY: GARY R. HARRIS, INC.
 2015 SOUTH HORN LAKE
 HORN LAKE, MS 39037

DATE: 02/11/20

COURT: 02/11/20

CASE NO.: 1953
PROJECT: Bojangles
ADDRESS: Goodman Road
APPLICANT: Bojangles
DATE: 5.15.20

Existing



Proposed

