

PLANNING COMMISSION MEETING
March 25, 2019

Meeting Called to Order
Roll Call and Pledge
New Business
Applications:

1. Case No. 1906 – Conditional Use Approval – 2080 Goodman Rd.
2. Case No. 1907 – Variance Approval – 6661 Hwy 51 N.
3. Case No. 1908 – Rezoning Approval – 6005 & 6007 Tulane Rd.

Old Business

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, March 25, 2019 at 6:00 PM, this being the time and place for said meeting.

PRESENT: Commissioners: Robert Kendall, Danny Klein, Sharon Magee, Amy Marshall,
Larry Ray, and Jimmy Stokes
Staff: Willie Davidson Jr. – Planning Director
ABSENT: Commissioners: Debbie Holden, and Janice Vidal

The minutes from the February 28, 2019 meeting were reviewed and Commissioner Klein made a motion to approve the minutes as submitted, seconded by Commissioner Holden and passed with a unanimous vote.

New Business

1. Case No. 1906 – Conditional Use Approval – 2080 Goodman Rd.

Staff introduced the application as a request for a conditional use for a Hand Carwash accessory facility. The subject property is located on the north side of Goodman Road. The property currently operates as a Gas Station and Retail use. The current zoning is C-4 Planned Commercial District.

Staff noted that the current zoning, C-4 Planned Commercial, does allow car washes as an accessory to gas stations or a stand-alone business through a conditional use permit. It was noted that the existing car wash at this location was legally nonconforming and due to being inoperable, was no longer legal nonconforming as of 2015. Staff informed the commission that the car wash would have to comply with the current ordinance and that would require a conditional use permit. Staff recommended approval for a 5 year conditional use permit.

Nicholas Powers, the applicant, was present to answer any questions from the Commission. Commissioner Magee asked if the car wash had been inspected. Staff informed Commissioner Magee that once all approvals are received, the applicant would have to receive a Use and Occupancy permit before operating.

Chairman Magee then opened the floor for any comments from the public.

Mr. Francis Miller stated that is was in favor of the car wash and any new businesses coming to the City of Horn Lake.

There being no further questions for Mr. Powers, Commissioner Stokes made a motion to recommend approval to the Board of Aldermen the Conditional Use Approval for a hand car wash service to be located at 2080 Goodman Road for a period of five (5) years. There being no additional conditions the motion was seconded by Commissioner Kendall. The motion passed by a unanimous vote in favor.

2. Case No. 1907 – Variance Approval – 6661 Hwy 51 N

Staff introduced the application as a request for a variance from the requirements of the zoning ordinance to allow a Wrecker Service to be located on a lot that is not zoned M-1 Light Industrial or M-2 Heavy Industrial.

The subject property is located on the west side of U.S. Highway 51 a distance of 1,635 feet, more or less, south of the intersection of U.S. Highway 51 and State Highway 302 (Goodman Road). The property currently has three (3) structures on site that have the following addresses.

Address	Structure Description
6641 U.S. Hwy 51	Single-Family Residential
6661 U.S. Hwy 51	Mechanical Shop
6671 U.S. Hwy 51	Mechanical Shop

Staff noted the variance was the result of the applicant having to abruptly move from their current location. Staff noted that the proposed site is suitable for the Wrecker Service and is in keeping with the surrounding character. Staff did inform the commission that rezoning the property was explored as an option. Staff recommended if the owner decided to purchase the lot, then he should subdivide it and rezone the western portion Industrial and keep the lot fronting Hwy 51 as commercial.

Mr. Eric Roberts, with AutoRescue, was present to answer any questions from the Commission. Mr. Roberts provided background about his business and his reasoning for the variance. Mr. Roberts informed the commission that he would comply with all regulations for a Wreck Service. Commissioner Magee asked if all three properties are under the same management. Mr. Roberts replied that all properties are under the same management. Commissioner Klein asked Mr. Robert if there would be an office on site. Mr. Roberts replied that the location would have an office within the existing building.

Following the discussion, Commissioner Ray made the motion to approve the variance request for Auto Rescue to allow a Wrecker Service to be located on a lot that is not zoned M-1 or M-2 with an address of 6661 U.S. Highway 51, subject to staff comments and the following conditions. There being no additional conditions from the Commission, the motion was seconded by Commissioner Marshall. The motion passed by a unanimous vote in favor.

3. Case No. 1908 – Rezoning Approval – 6005 & 6007 Tulane Rd.

Staff introduced the application as a request for approval of the rezoning of 6005 and 6007 Tulane Rd. from C-1 Neighborhood Commercial to C-4 Planned Commercial. The subject property is located at the North West corner of Nail Road and Tulane Road. The subject property is located in an area where the Future Land Use Plan classifies as commercial.

The applicant is proposing to rezone the property to allow the operation of a Liquor Store in a portion of the existing building. Per the City of Horn Lake Zoning Ordinance, Liquor Stores are allowed in the C-3 General Commercial District and C-4 Planned Commercial District. Staff explained that the existing building has been renovated to allow two businesses and the most recent operation was a Salon. Staff also noted that the rezoning does comply with the Future Land Use map for that area. Staff noted that if approval is recommended, the application shall proceed to the Board of Aldermen on April 16, 2019 for approval.

Mr. Adil Hanshali, applicant, Mr. William Seale and Mr. Larry Vaughn, representatives, was present to answer questions from the Commission. Mr. Seale provided background of the business and the reasoning for the rezoning. Mr. Seale informed the commission that he had checked all appropriate distances for alcohol sells near churches, daycares, schools and residential areas. Mr. Seale stated that the convenience store current sells beer and light wine and that the Alcohol Beverage Control (ABC) would verify all information before issuing a liquor license. Mr. Hanshali stated that he would comply with all regulations for the proposed zoning and all related ordinances.

The commission discussed the relation of schools and churches in the area. Mr. Seale said he had checked the distances of all the locations he knew of. Commissioner Klein expressed concern of the young children in the area and the possible additional traffic. Mr. Seal and Mr. Hanshali confirmed that they would work with the Planning Department to make any additional changes that are needed. Mr. Hanshali noted that exterior light had recently been converted to LED lighting for safety concerns.

Chairman Magee then opened the floor for any comments from the public.

Mr. Francis Miller stated that he was in favor of more businesses in the City of Horn Lake. Mr. Miller stated that this would be revenue for the city and provide good competition for our businesses, of this nature, in the area.

Following the discussion, Commissioner Klein made the motion to recommend approval to the Board of Aldermen the rezoning of 6005 and 6007 Tulane Rd., from C-1 Neighborhood Commercial to C-4 Planned Commercial on the basis that the proposed zoning complies with the Future Land Use Plan of the City's Comprehensive Plan. There being no additional conditions, the motion was seconded by Commissioner Kendall. The motion passed by a unanimous vote in favor.

All items on the agenda having been addressed and there being no items under Old Business or any further points of discussion Commissioner Ray made a motion to adjourn. Commissioner Klein seconded the motion. The motion passed by unanimous vote.

Respectfully typed and submitted,

Willie Davidson, Jr. – City of Horn Lake Planning Director