

DRAFT PLANNING COMMISSION MEETING MINUTES
August 30, 2021

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 August 30, 2021 at 6:00 PM, this being the time and place for said meeting. The following table reflects member attendance:

Member	Present	Absent
George Dixon	X	
Chad Engleke	X	
Andrew Yeager	X	
Angie Little	X	
Linda McGan	X	
Jay Stapleton	X	
Jimmy Stokes	X	
Janis Vidal	X	
Staffl	Present	
Robert Barber (Interim)	X (Zoom)	

The commission then took up the agenda as follows:

- 1) **Election of Officers for 2021 to 2025 Term**
 - a) Election of a Chairman
 - b) Election of a Vice-Chair
 - c) Election of Secretary
- 2) **Approval of Previous Meeting Minutes – 7.26.21.21**
- 3) **Old Business**
 - a) Rezoning Case #2039RZ Sage Creek Planned Unit Development
- 4) **New Business**
 - a) **Subdivisions**
 - i) Case #2027SDR – Rolling Green Revision of lot 33
 - ii) Case #2049SDR – Preferred Industrial Subdivision 1st Revision
 - iii) Case #2050SD – Willow Point Phase III Final
 - b) **Site Plan and Design Review**
 - i) Case#2047SP - Site Plan and Design Review Johnson Commercial Lot 2 Convenience Store (Nail and Horn Lake)
 - ii) Case#2047SP - Site Plan and Design Review – Lot 13, Center City Commercial Subdivision (Marco’s Pizza)
- 5) **Adjourn**

AGENDA ITEM 1

Commissioner Vidal moved that offers be elected for a two year term rather than four years. The motion was seconded by Commissioner Yeager and it carried.

The Commission took up the matter of election of officers and the following were elected:

- 1. Chad Engleke, Chairman
- 2. Jimmy Stokes, Vice Chair
- 3. Secretary – Linda McGan

AGENDA ITEM 2: Minutes for July 26, 2021 were approved with a correction of the meeting date. Commissioner Stokes made the motion to approve, and Commissioner Dixon seconded and the motion carried. Commissioner Vidal abstained.

AGENDA ITEM 3: Bob Barber introduced and presented the following case:

CASE NO.:	#2039RZ (Sage Creek PUD) (Updated Report)
PROJECT:	Rezoning from PUD to PUD (Consideration of Expired Previous Approval)
ZONE	Current Zoning is PUD (golf course)
ADDRESS:	North of Goodman, East of Horn Lake Road (Tax Parcel# 109830000 0000400, 0000407; 108930000 0000501
APPLICANT:	PFMT Holdings represented by W.H. Porter
DATE:	8.30.21

1. BACKGROUND AND DISCUSSION:

The Sage Creek Planned Unit Development proposes 328(+/-) residential lots (10,000 sf minimum) 109 acres, 6(+/-) acres of commercial development and 34(+/-) acres of common area. Total site size is 149(+/-) acres.

Site History

1. In 2002, the site was proposed for rezoning in DeSoto County as a Planned Unit Development associated with the former Elvis Ranch and known as "Circle G". This included land on the north and south side of Goodman Roads. The land associated with the current application (north of Goodman Road) was designated as a golf course.
2. In 2007, the land had been annexed by the City of Horn Lake. Application was made to revise the formerly designated golf course to a predominantly residential planned unit development that included a small commercial area. This proposal was approved by the Mayor and Board on August 7, 2007 under the following conditions:
 - a. 1800 minimum Home Sizes with two car garages, 75% masonry
 - b. Reduced street cross sections
 - c. Clause in covenants, that upon failure of the HOA, city has the right to assess a special tax for common area maintenance
 - d. Higher design quality of homes (Delta Bluffs designs as an example)
 - e. Sidewalks on two sides of all streets
 - f. Design detail for walking trails and Goodman Road frontage to include a rural style frontage fencing
 - g. Stub street on the northeast section of the propertyThe report from the 2007 approval is attached.
3. No construction occurred on the site and the zoning expired in 2009. The current application represents a request to renew the prior approval. The current Planned Unit Development Master Plan is attached.

2. STAFF COMMENTS AND RECOMENDATIONS:

1. Criteria for Rezoning is stated in the zoning code as follows:

B. - Rezoning/Amendments.

5. An applicant for amendment of the Official Zoning Map shall have the responsibility to demonstrate the appropriateness of the change based on the following criteria:

 - a. How the proposed amendment would conform to the Comprehensive Plan and its related elements, as provided under Section 17-1-9 of the Mississippi Code of 1972, As Amended.
 - b. Why the existing zone district classification of the property in question is inappropriate or improper.
 - c. What major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the Comprehensive Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Official Zoning Map appropriate.
 - d. Demonstrate the Public Need for the proposed zone district amendment.
2. The original conditions still appear to be applicable and are restated here:

- a. 1800 minimum Home Sizes with two car garages
 - b. Reduced street cross sections
 - c. Clause in covenants, that upon failure of the HOA, city has the right to assess a special tax for common area maintenance
 - d. Higher design quality of homes (Delta Bluffs designs as an example)
 - e. Sidewalks on two sides of all streets
 - f. Design detail for walking trails and Goodman Road frontage to include a rural style frontage fencing
 - g. Stub street on the northeast section of the property
3. Additional recommendations are as follows:
- a. Only the house plan in the lower left on Page 22 of the Master Plan is acceptable in terms of design. The remainder are recommended to be rejected due to low design quality, lack of porches, protruding garages, substandard roof pitches, recessed doors
 - i. **New home plans have been submitted that satisfactorily address this item.**
 - b. All features for which precedent imagery is provided shall be built in association with common space. Images are provided for playgrounds, benches, shelters, and trails, but there is no associated plan showing where these items will be built or how any are to be built. An acceptable common area plan shall be provided prior to final subdivision application.
 - i. **This item has been addressed.**
 - c. Tree mitigation shall be carried out in accordance with ordinance standards.
 - d. Sign regulations appear to allow for signage areas greater than the Zoning Code. The Zoning Code should control sign areas. However, the sign design standards of the master plan should be observed.
 - e. The Engineer has requested additional detail regarding stormwater management. This information has not yet been presented.
 - i. **This item has been addressed.**
 - f. Fence design standard should be provided to ensure aesthetically
4. The recommendation of the Planning commission must go before the Mayor and Board of Aldermen for final action.

3. PLANNING COMMISSION DISCUSSION:

The commission questioned the application regarding the home designs, drainage and the homeowners' association.

Home designs were presented by D.R Horton and Meridian Home Builders. Mr. Barber stated that in his opinion the Meridian homes were appropriate while the D.R. Horton Homes did not comply with the Horn Lake Design Standards. He presented the ordinance standards to the commission as follows: Single Family Architectural Compatibility

1. To ensure architectural compatibility with homes in the immediate vicinity of the building site, building design shall be in keeping with the design patterns and architectural features that exist in the immediate vicinity.
 - a. The immediate vicinity shall include an area within the same zoning district and a 500' radius of the building site.
 - b. Building design shall conform to the prevailing pattern and materials within the immediate vicinity. The following items shall be used to determine compatibility:
 - i. Roof pitch
 - ii. Roofing materials
 - iii. Exterior finishes and materials
 - iv. Garage orientation
 - v. Landscaping
 - vi. Color scheme
 - vii. Mailbox design and construction

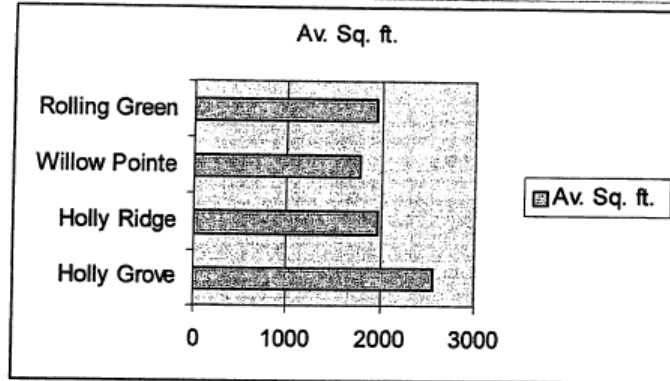
- viii. Driveway and walkway materials
 - ix. Porches, dormers, or other features
 - x. Building orientation
2. General Design Characteristics
- i. Parking on site should be visually subordinate to the residential character of the street.
 - ii. Garages, carports, outbuildings, etc., should not be 'street forward' and of materials and styles that blend with the existing structures and neighborhood.
 - iii. Maintain the average scale of one- and two-story buildings along the street.
 - iv. Maintain the similarity of building heights. The apparent height of the primary façade should not exceed thirty-five feet (35').
 - v. Use roof forms that are similar in scale and character to the neighborhood and to those used historically.
4. **PUBLIC COMMENT:** Francis J. Miller spoke to the commission stating that the staff recommendation should be followed.
5. **PLANNING COMMISSION ACTION:**
- The following motion was made by Commissioner Stapleton that the planning commission recommend approval to the Board of Aldermen the rezoning of the above-described property from the existing PUD golf course designation to Planned Unit Development as presented in the Sage Creek Master Plan, subject to the conditions presented based on the information presented, the applicant has met the burden of proof by demonstrating sufficient change and the neighborhood and public need for the rezoning. Further, that the home designs presented by the Meridian Group be permitted, while the home designs presented by the Horton group because they do not comply with the Horn Lake Design Standards. Motion Carried.

Attachments:

- 1. 2007 Staff Report
- 2. Sage Creek Master Plan

CITY OF HORN LAKE
AMENDMENT TO STARZ PUD
STAFF REPORT

DATE	June 25, 2007
APPLICANT	The Reaves Firm representing Reeves Williams, LLC
REQUEST	This 149.97 +/- acre parcel was previously part of the Starz Resort Planned Unit Development and included a golf course on this site. The applicant is requesting that it be amended to include residential and commercial uses with 21% common open space. It is located on the north side of Goodman Road, east of the Willow Point Subdivision.
COMMENTS	<p>Staff will begin at the start of the "text" book that is provided with the application. On Item I. B., the commissioners and Board of Aldermen should determine if they want the applicant to actually list the uses or just refer to the C4 uses as shown on the zoning regulations. Sometimes, uses can change through the years, so staff recommends listing the actual uses.</p> <p>Under Item II. Uses Permitted (H), staff recommends adding the protective clause, that upon failure of the property owners association, that the city has the right to assess a special tax in order to maintain the c.o.s. and any other responsibilities failed to be addressed by the said association.</p> <p>The overall density of the project meets the requirements of the comprehensive plan. R-10 lots for this area are suitable and a good fit. Staff disagrees with the design standards for the square footage proposed. Applicant proposed a total minimum of 1800 under roof and a minimum heated of 1400. This is to include two car garages and 75% masonry. After comparing the surrounding subdivisions the following statistics were found:</p>



Staff recommends that on the lots that are adjacent to the trailer park that if the applicant feels that it is necessary, that 1400 sq. ft. minimum be allowed. Based on the statistics above, staff recommends 1800 sq. ft. heated minimums on all other lots. Two car garages and masonry requirements should remain the same. The statistics above reflect heated space. The plan book also shows "typical" home plans. The commissioners and Board may ask to see something that has not been the standard for most of the Reeves-Williams Subdivisions in Horn Lake. Staff recommends looking at some of the design plans used in Delta Bluffs. All streets in the subdivision will be required to have sidewalks.

This subdivision has great potential for development with the walking/biking trails and shows good use of the land. The frontage that Reeves-Williams has started at Willow-Pointe should continue here. The lighting that was required at Willow Pointe has yet to be installed, but should go in when this development has begun their entry. Holophane lighting should be used to provide continuity along the Goodman Road corridor. See the Planning Director for contact information. Entry and frontage fencing should be provided as well. It does not have to be masonry. A dark cross buck or rural style board fence may suit this development better.

The transitional bufferyard described in the text is half of what the zoning ordinance requires. It would require a 35-foot strip of landscaping; however there is extensive green space provided by the Texas Gas

	<p>Pipeline easement. Therefore, staff only asks that the applicant agree to plant privacy hedge on the inside of the proposed plantings on the commercial side.</p> <p>The street cross-section is showing a standard 30 foot cross section, however the Planning Director and City Engineer recommend using less asphalt, by narrowing the street to twenty-four feet of asphalt plus curbs, with no on-street parking.</p> <p>The area in the center of the plan has 35 homes with one way in (Street M Sec. E). The Fire Dept. requires another exit, so this must be resolved.</p> <p>Another stub-out street should be planned on the northeast side of the property for future development and to provide another access through to Desoto Road.</p> <p>The City Engineer suggested that the developer and their engineers closely coordinate lot/street layout with the city and the Horn Lake Creek Basin Interceptor Sewer District regarding the location of the new Lateral 5 sewer.</p>
RECOMMENDATION	To approve if the applicant can provide the changes before going to the Board of Aldermen.

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APPROVED – Meridian Submission



NOT APPROVED – Horton Submission



AGENDA ITEM 4.a.i : Bob Barber introduced and presented the following case:

CASE NO.:	#SD2037
PROJECT:	Subdivision Revision of Rolling Green III
ZONE	A-R
ADDRESS:	Lot 33, Rolling Green III
APPLICANT:	Robbie Jones
DATE:	8.30.21

1. BACKGROUND:

The applicant is requesting to divide lot 33 of Rolling Green Part III into two lots of 1.5 acres each.

This request is involves the revision of an existing subdivision. If approved, the plat must be replated in its entirety as Rolling Green III First Revision. All interest property owners must agree to the revision or it must be approved by the Chancery Court.

Plat requirements listed in the ordinance are as follows:

- a) Location sketch map showing relationship of site to township, range, section and part of sections.
- b) North Arrow, graphic scale and date
- c) Acreage of land to be subdivided
- d) Contours at vertical intervals of not more than two feet
- e) Areas subject to periodic inundation (100 year flood elevation)
- f) Location of existing property lines, streets, buildings, water courses, zoning classifications, and other existing features within the area to be subdivided and similar information regarding existing conditions of adjacent land.
- g) Location of existing and proposed streets, alleys or access easements, including rights-of-way width, streets names.
- h) Proposed lot lines, lot numbers and lot layout
- i) Minimum building set-back lines
- j) Location of easements, width and purpose
- k) Proposed use of all land in the subdivision including any reserved areas
- l) Proposals for sewer and water service shown as a note on plat and any accompanying documentation from appropriate agencies
- m) Title under which the proposed subdivision is to be recorded, and the name and Mississippi registration number of the engineer, registered land surveyor, planner and subdivider platting
- n) Subdivider's proposal for construction of improvements.

2. STAFF COMMENTS AND RECOMMENDATIONS

- a. Any approval is subject to standard conditions of platting and recording.
- b. After recommendation of the planning commission, the applicant shall proceed to the Board of Aldermen for final action.

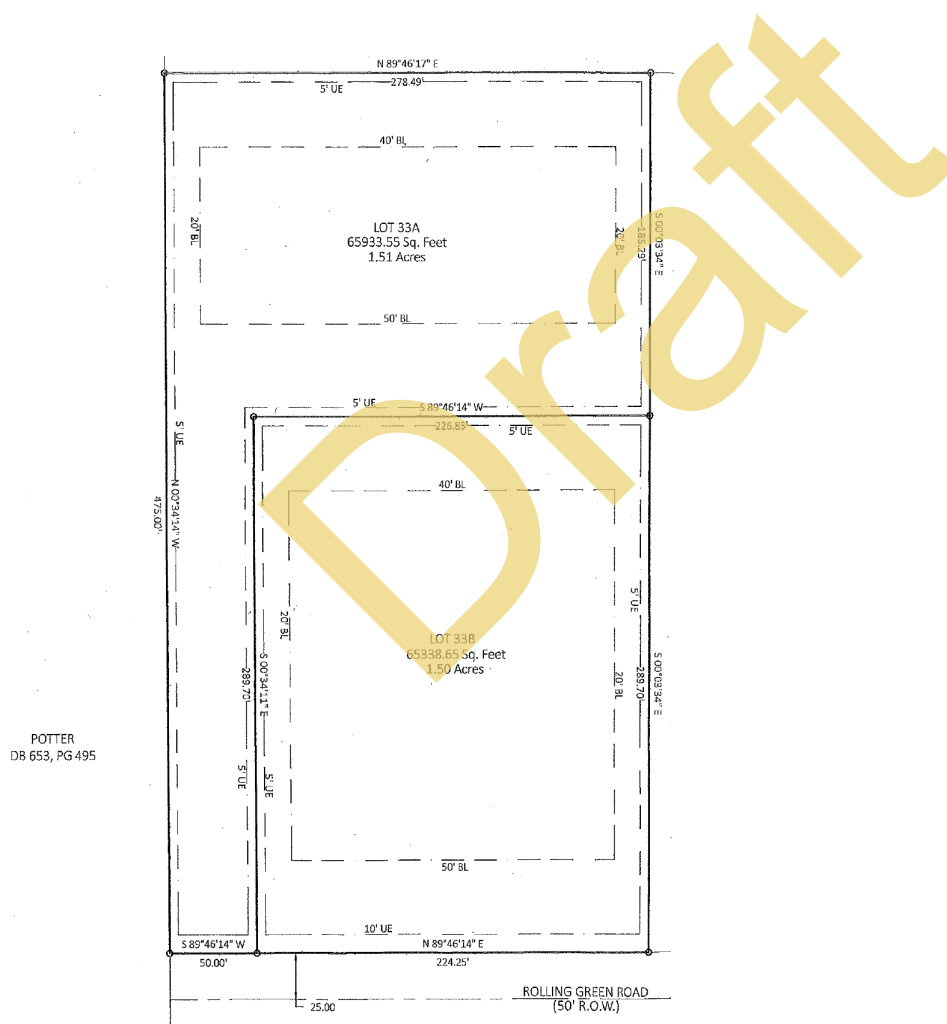
3. PLANNING COMMISSION DISCUSSION AND ACTION:

The planning commission generally discussed the revision and its location.

Motion was made by Commissioner Yeager to recommend to the Mayor and Board of Aldermen the approval of the above subdivision application subject to staff recommendations. Motion was seconded by Commissioner Vidal and it carried. Commissioner Dixon voted no.

Law governing Subdivision Amendments From Mississippi Code 17-1-23:

“(4) If the owner of any land which shall have been laid off, mapped or platted as a city, town or village, or addition thereto, or subdivision thereof, or other platted area, whether inside or outside a municipality, desires to alter or vacate such map or plat, or any part thereof, he may petition the board of supervisors of the county or the governing authorities of the municipality for relief in the premises, setting forth the particular circumstances of the case and giving an accurate description of the property, the map or plat of which is to be vacated or altered and the names of the persons to be adversely affected thereby or directly interested therein. However, before taking such action, the parties named shall be made aware of the action and must agree in writing to the vacation or alteration. Failure to gain approval from the parties named shall prohibit the board of supervisors or governing authorities from altering or vacating the map or plat, or any part thereof. Any alterations of a plat or map must be recorded in the appropriate location and a note shall be placed on the original plat denoting the altered or revised plat. No land shall be subdivided nor shall the map or plat of any land be altered or vacated in violation of any duly recorded covenant running with the land. Any municipality which shall approve such a vacation or alteration pursuant to this section shall be exempt from the sale of surplus real property provisions as set forth in Section 21-17-1.”



ROLLING GREEN PART III

PROTECTIVE COVENANTS:

1. These covenants are to run with the land and shall be binding on all persons and all parties claiming under them for a period of consecutive years from the date these covenants are recorded and, after which time, said covenants shall automatically be extended for successive periods of ten years unless an instrument signed by a majority of the then lot owners has been recorded agreeing to change said covenants in whole or in part.

2. No obnoxious or offensive activities shall be carried on upon any lot, nor shall any use be done thereon which may be or may become a nuisance or nuisance to the adjoining road. No structure of any kind shall be carried on upon, or lot or in any building on any lot. All lots and houses are to be for residential use only.

3. No lot shall be used or situated as a dumping ground for rubbish, T and refuse or other waste or trash shall be kept, except in sanitary containers. All incinerators or other equipment for the storage or disposal of such waste shall be kept in a clean and sanitary condition.

4. No dwelling, except for mobile homes, shall be permitted on any lot with a ground (facing) front view of the main structure exclusive of open porches and garages, less than 1200 square feet.

5. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, horses, and other pets may be kept, provided they are not kept, bred, or maintained for any commercial purposes. Caves or cattle may be kept on a lot in a limited number, but no cattle feed lot will be permitted. No dogs or goats are to be kept on any lot. Appropriate buildings may be built for these pets.

6. No vehicle of any kind shall be kept in the subdivision unless it displays a current license plate and correct registration stickers except for structures used for property maintenance only.

7. No sign of any kind shall be displayed to the public view on any lot except one professional sign on the lot from the surveyor's firm, one sign of not more than five square feet advertising the property for sale or lease, or signs used by a builder to advertise the property during construction and sales period.

8. Each mobile home owner shall install skirting on said mobile home within 90 days of its arrival on the lot. This skirting covers the area between the bottom of the mobile home and the ground.

9. Driveway covenants are the responsibility of the lot owner and not the responsibility of the Developer or Deeds County.

A RESIDENTIAL DEVELOPMENT CONTAINING 33.55 ACRES IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 1 SOUTH, RANGE 8 WEST, DEDECO COUNTY, MISSISSIPPI

APRIL 17, 1985

NOTHERN ASSOCIATES
CONSULTING ENGINEERS, INC.
P.O. Box 100, Horn Lake, MS 39040

OWNER'S CERTIFICATE:

I, ALVIN E. GILLESPIE, Owner of the property shown herein, hereby adopt this as my plan of subdivision and dedicate the rights-of-way of roads as shown on the plat of the subdivision to the public use forever, and reserve for the public utilities the utility easements shown on the plat. I certify that no taxes have become due and payable. This the 15th day of November, 1985.

ALVIN E. GILLESPIE

DEEDS COUNTY CLERK

NOTARY'S CERTIFICATE:

State of Mississippi
County of DeSoto

This day personally appeared before me, the undersigned authority in law in and for said county and state, ALVIN E. GILLESPIE, who acknowledged that he signed and delivered the foregoing plat for the purpose therein stated. Given under my hand and official seal of office the 15th day of November, 1985.

12-14-85
My commission exp.

CERTIFICATE OF SURVEY:

This is to certify that I have drawn the plat from a survey by myself and from deeds of record and that the plat represents the information with that of the survey and correct.

DEEDS COUNTY CLERK

APPROVED BY THE DEDECO COUNTY PLANNING COMMISSION on the 1st day of August, 1985.

APPROVED BY THE DEDECO COUNTY BOARD OF SUPERVISORS on the 7th day of August, 1985.

STATE OF MISSISSIPPI
COUNTY OF DEDECO

I hereby certify that the subdivision plat shown herein was filed for record in my office at 1:25 o'clock P.M., on the 17th day of April, 1985 and was immediately indexed upon the proper Index and duly recorded in Plat Book 118, Page 34-37.

DEEDS COUNTY CLERK

ROLLING GREEN PART III

DEEDS COUNTY CLERK

11-19-85

AGENDA ITEM 4.a.ii : Bob Barber introduced and presented the following case:

CASE NO.:	#2049SDR – Preferred Industrial Subdivision 1 st Revision
PROJECT:	Revise a lot 1 into 4 lots
ZONE	M-1 Light Industrial and C-1 Commercial
ADDRESS:	2204 Cole Road
APPLICANT:	IPD Engineering, Ben Smith P.E.
DATE:	8.30.21

4. BACKGROUND:

The applicant is requesting to divide Lot 12 of the Preferred Industrial Subdivision into 4 lots

This request involves the revision of an existing subdivision. If approved, the plat must be replatted in its entirety as Rolling Green III First Revision. All interest property owners must agree to the revision or it must be approved by the Chancery Court.

Plat requirements listed in the ordinance are as follows:

- o) Location sketch map showing relationship of site to township, range, section and part of sections.
- p) North Arrow, graphic scale and date
- q) Acreage of land to be subdivided
- r) Contours at vertical intervals of not more than two feet
- s) Areas subject to periodic inundation (100 year flood elevation)
- t) Location of existing property lines, streets, buildings, water courses, zoning classifications, and other existing features within the area to be subdivided and similar information regarding existing conditions of adjacent land.
- u) Location of existing and proposed streets, alleys or access easements, including rights-of-way width, streets names.
- v) Proposed lot lines, lot numbers and lot layout
- w) Minimum building set-back lines
- x) Location of easements, width and purpose
- y) Proposed use of all land in the subdivision including any reserved areas
- z) Proposals for sewer and water service shown as a note on plat and any accompanying documentation from appropriate agencies
- aa) Title under which the proposed subdivision is to be recorded, and the name and Mississippi registration number of the engineer, registered land surveyor, planner and subdivider platting
- bb) Subdivider's proposal for construction of improvements.

5. STAFF COMMENTS AND RECOMMENDATIONS

- a. Any approval is subject to standard conditions of platting and recording.
- b. After recommendation of the planning commission, the applicant shall proceed to the Board of Aldermen for final action.

6. PLANNING COMMISSION DISCUSSION and ACTION:

The planning commission briefly discussed the application.

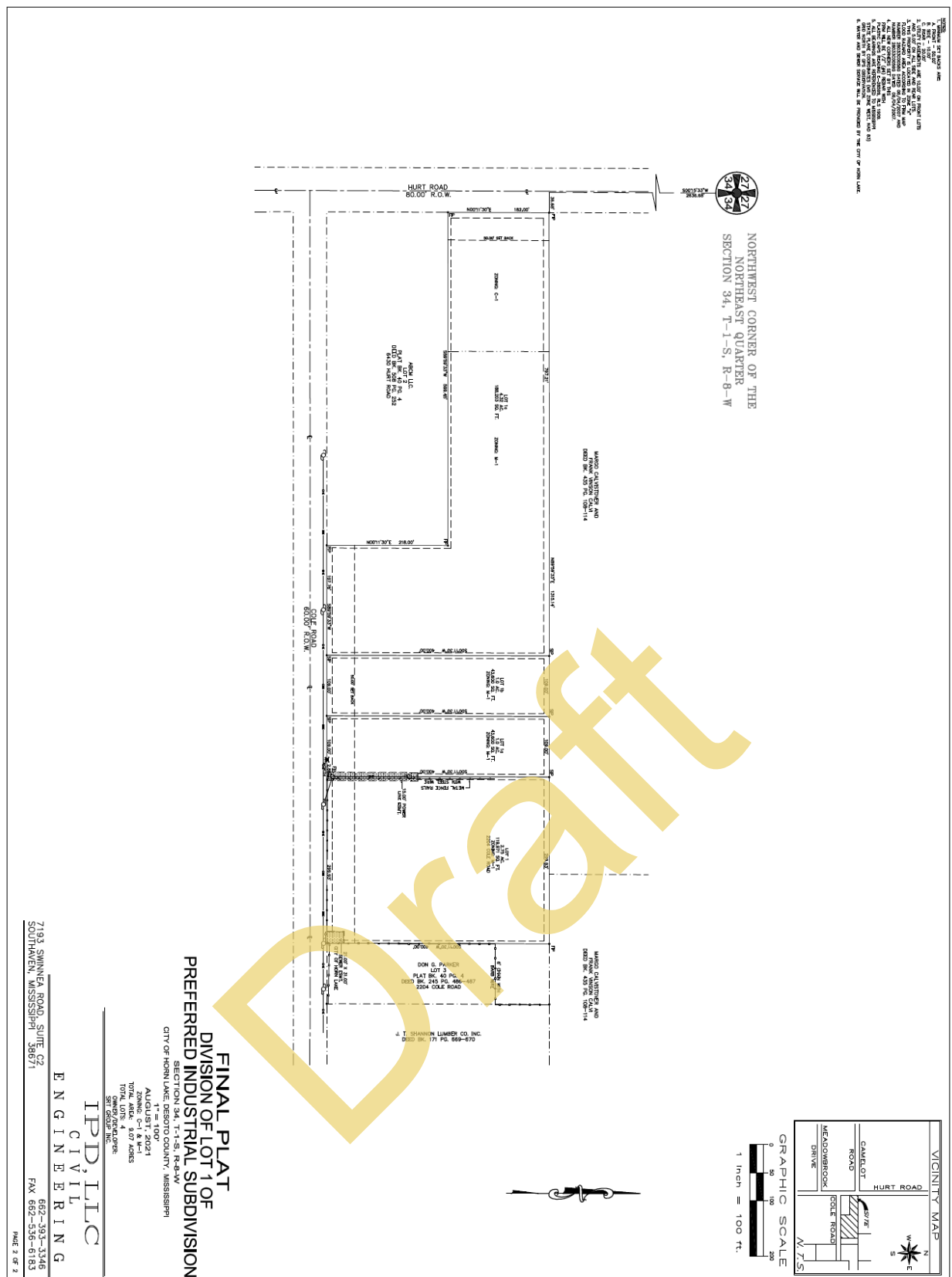
Motion was made by Commissioner Dixon and seconded by Commissioner Little to to recommend to the Mayor and Board of Aldermen the approval of the above subdivision application subject to staff recommendations.

Law governing Subdivision Amendments From Mississippi Code 17-1-23:

“(4) If the owner of any land which shall have been laid off, mapped or platted as a city, town or village, or addition thereto, or subdivision thereof, or other platted area, whether inside or outside a municipality, desires to alter or vacate such map or plat, or any part thereof, he may petition the board of supervisors of the county or the governing authorities of the municipality for relief in the premises, setting forth the particular circumstances of the case and giving an accurate description of the property, the map or plat of which is to be vacated or altered and the names of the persons to be adversely affected thereby or directly interested therein. However, before taking such action, the parties named shall be made aware of the action and must agree in writing to the vacation or alteration. Failure to gain approval from the parties named shall prohibit the board of supervisors or governing authorities from altering or vacating the map or plat, or any part thereof. Any alterations of a plat or map must be recorded in the appropriate location and a note shall be placed on the original plat denoting the altered or revised plat. No land shall be subdivided, nor shall the map or plat of any land be altered or vacated in violation of any duly recorded covenant running with the land. Any municipality which shall approve such a vacation or alteration pursuant to this section shall be exempt from the sale of surplus real property provisions as set forth in Section 21-17-1.”

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AGENDA ITEM 4.a.iii : Bob Barber introduced and presented the following case:

CASE NO.:	#2050SD – Willow Point
PROJECT:	Final Approval of Single-Family Subdivision
ZONE	Willow Point Planned Unit Development
ADDRESS:	East of Willow Point Drive
APPLICANT:	W.H. Porter
DATE:	8.30.21

1. BACKGROUND DISCUSSION:

- a. The Willow Point Planned Unit Development was approved in approximately 2005.
- b. The original approval contained a condition that a fee in lieu of open space of \$350 be assessed
- c. An HOA was established in Phases 1 and 2.
- d. Homes to meet the minimum of the previous sections.
- e. HOA status for the development is unclear.
- f. *Plat requirements listed in the ordinance are as follows:*
 - i. *location sketch map showing relationship of site to township, range, section and part of sections.*
 - ii. *North Arrow, graphic scale and date*
 - iii. *Acreage of land to be subdivided*
 - iv. *Contours at vertical intervals of not more than two feet*
 - v. *Areas subject to periodic inundation (100 year flood elevation)*
 - vi. *Location of existing property lines, streets, buildings, water courses, zoning classifications, and other existing features within the area to be subdivided and similar information regarding existing conditions of adjacent land.*
 - vii. *Location of existing and proposed streets, alleys or access easements, including rights-of-way width, streets names.*
 - viii. *Proposed lot lines, lot numbers and lot layout*
 - ix. *Minimum building set-back lines*
 - x. *Location of easements, width and purpose*
 - xi. *Proposed use of all land in the subdivision including any reserved areas*
 - xii. *Proposals for sewer and water service shown as a note on plat and any accompanying documentation from appropriate agencies*
 - xiii. *Title under which the proposed subdivision is to be recorded, and the name and Mississippi registration number of the engineer, registered land surveyor, planner and subdivider platting*
 - xiv. *Subdivider's proposal for construction of improvements.*

2. STAFF COMMENTS AND RECOMMENDATIONS:

- a. Any approval is subject to standard conditions contained in the Subdivision Ordinance (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.
- d. Any approval is subject to engineer's final review and infrastructure requirements
- e. Determine if fee is required. If required, payment should be made prior to recording.
- f. Restrictive covenants to be recorded with plat.
- g. Resolution of engineer comments on drainage.
- h. Compliance with erosion control permit prior to recording
- i. Final resolution of the Fee matter listed in item 1b

3. PLANNING COMMISSION DISCUSSION AND ACTION:

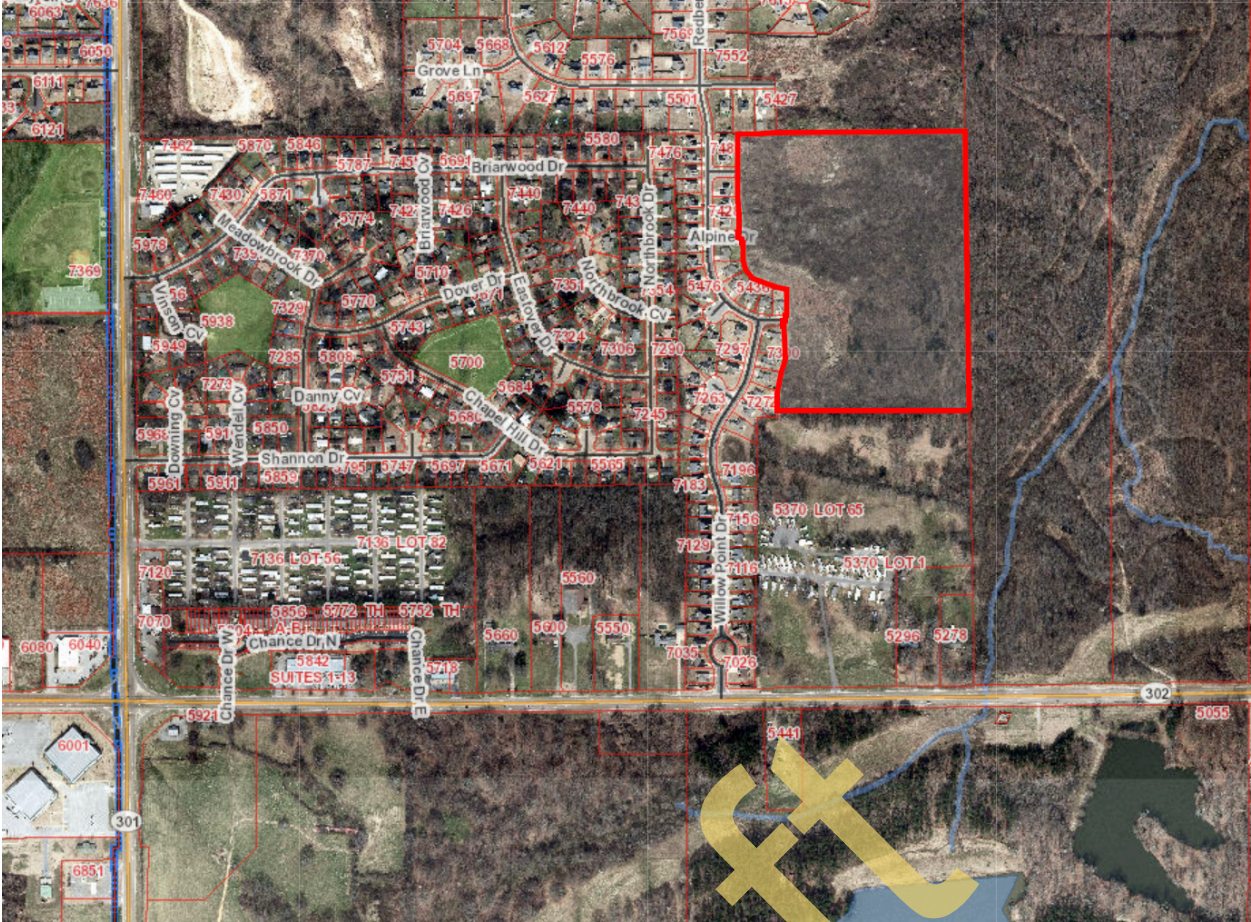
The planning commission discussed the arrangements for a homeowners association and the required fee pointed out in the staff report.

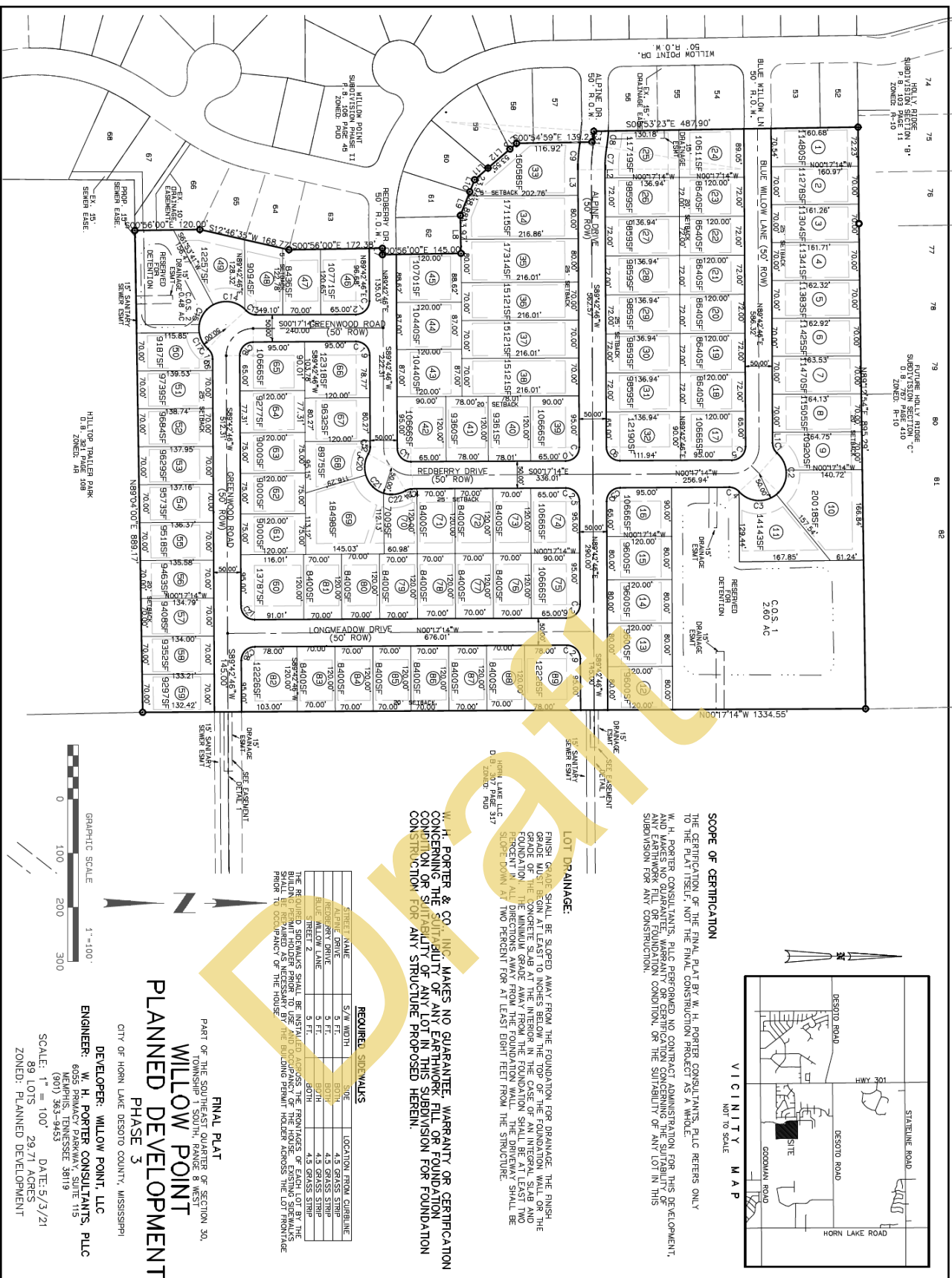
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Commissioner Dixon moved to recommend to the Mayor and Board of Aldermen the approval of the above subdivision application subject to staff recommendations and the following conditions:

1. Home Owners' Association be formed
2. Fee in lieu of open space be paid.

The motion was seconded by Commissioner Vidal and it carried.




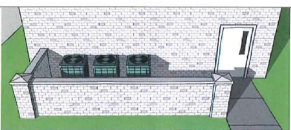


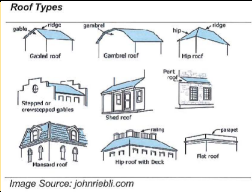
AGENDA ITEM 4.b.i : Bob Barber introduced and presented the following case:

CASE NO.:	2047SP Johnson SD Convenience Store
PROJECT:	Convenience Store and Retail Strip
ZONE	C-1
ADDRESS:	Lot 2 Johnson Commercial Subdivision, North east corner of Nail and Horn Lake Roads
APPLICANT:	Ben Smith, P.E.
DATE:	8.30.21

BACKGROUND AND COMMENTS:

1. Project proposes to build convenience store and retail strip on an 1.2 acre lot.
2. Zoning is C-1 adjacent to R-8 Buffer Type 25 required to east
3. The building is 14,560 square feet in size with a 242’ façade
4. Building elevations submitted do not appear to be for this site.
5. No plan was submitted for the gas canopy which is required.
6. Detail review is provided in the following table:

Site and Design Review Table		
E. - GENERAL REQUIREMENTS. All proposed buildings shall be designed in a manner that the building styles and building materials match those of the surrounding area of said proposed building, unless otherwise specified within Section E of Article XIII.		
1. Dumpster Enclosures		<div>Example of Dumpster Enclosure</div>  <div>Image Source: https://3dwarehouse.sketchup.com</div>
a.	All dumpsters shall be screened from sight by a fence or wall at least six inches (6") taller than the tallest point on the dumpster. In no case shall said wall or fence exceed eight feet (8') in height.	Not indicated. Illustration required.
b.	The fence shall be constructed of an opaque material made of brick, stucco, split face block, or similar material to that of the principal building.	Bufferyard 25 required. Does not comply
c.	Dumpsters shall be located in the rear yard behind the building they serve or otherwise in an inconspicuous place.	Dumpster to be relocated outside of buffer yard
d.	For industrial/distribution/warehouse buildings exceeding twenty-five thousand (25,000) square feet, no screening is required. However, the dumpsters shall be located in the rear yard behind the building they serve.	Not applicable
2. Mechanical Systems		<div>Example of HVAC Enclosure</div>  <div>Image Source: City of D'Iberville, Mississippi Zoning Ordinance</div>
a.	All ground mounted mechanical, HVAC, and like systems shall be set back a minimum of five (5) feet from a property line and screened from public street view (within 300 feet) by an opaque wall or fence of similar material to that of the principal building or landscaping.	Not indicated. Illustration required.
b.	All commercial and retail building roof mounted mechanical, HVAC, and like systems shall be screened from public street view (within 300 feet) on all sides.	Not indicated. Illustration Required.
3. Roof Requirements		

<div><div></div><div><div>Roof Types</div><div></div></div></div>	
Pitched Roofs	
.All one-story buildings less than ten-thousand (10,000) gross square feet must have a pitched roof (between 5:12 and 12:12) as much as possible. If a pitched roof is not possible, a combination of flat roof and pitched roof is required.	Not applicable
Provide a pitched roof on front and side of the building to screen view of any flat roof.	Not applicable
Arcades, drive under canopies, porches, and other features shall be created with a pitched roof.	Not applicable
Materials for pitched roofs shall be limited to architectural dimensional grade asphalt shingles, natural slate, natural terra cotta, natural wood shake, copper, or factory finished sheet metal.	Not applicable
b. Mansard Roofs	
i. Mansard roofs shall have a maximum pitch of 12:12 with a minimum twelve-foot (12') vertical surface length.	Not Applicable
c. Flat Roofs	
i. Flat roofs may be of any material that meets building codes.	Complies from image
ii. Exposed metal flashing shall be copper or factory finished sheet metal. If factory finished metal flashing is used, such as standing seam, the color must be subdued to blend with other materials or of a color to simulate weathered copper or bronze.	Complies from image
iii. All buildings with flat roofs should include parapet articulation on the front facade(s) of such building.	Insufficient articulation
iv. There shall be roof articulations/offsets at a minimum of one (1) per each one hundred twenty-five linear feet (125') of length by a change in the top line of the parapet.	Insufficient articulation
v. Additional articulation may occur at any lesser distance. If the front façade is less than one hundred twenty-five linear feet (125'), then a minimum of one (1) roof articulation must occur.	Not Applicable
d. Other - Drive under canopies for gasoline pumps may have flat roof with vertical or factory formed facing of finished sheet metal.	Not applicable
4. Accessory Buildings - All accessory buildings shall be constructed of the same material and be similarly designed as the principal building.	Not applicable
F. COMMERCIAL ZONING DISTRICTS.	
Building Design - Building design shall exhibit architectural control which seeks to be creative, and which best utilizes building lines, shapes, and angles to maximize architectural integrity.	This is a stock building plan
Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs), and pole-type building materials are not permitted as primary exterior building materials.	Not applicable
At least fifty (50) percent of all exterior wall finishes shall be comprised of any combination of at least two (2) of the following materials: i. Brick ii. Natural Stone iii. Glass iv. Stucco or stucco-like finishes v. Other comparable or superior material approved by the Planning Commission.	Brick and Hardy Board proposed on front – Complies EFIS finish proposed on side and rear - Does not comply
c. Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials that meet or exceed the quality of the primary exterior materials and shall be consistent with the building design.	Possible compliance

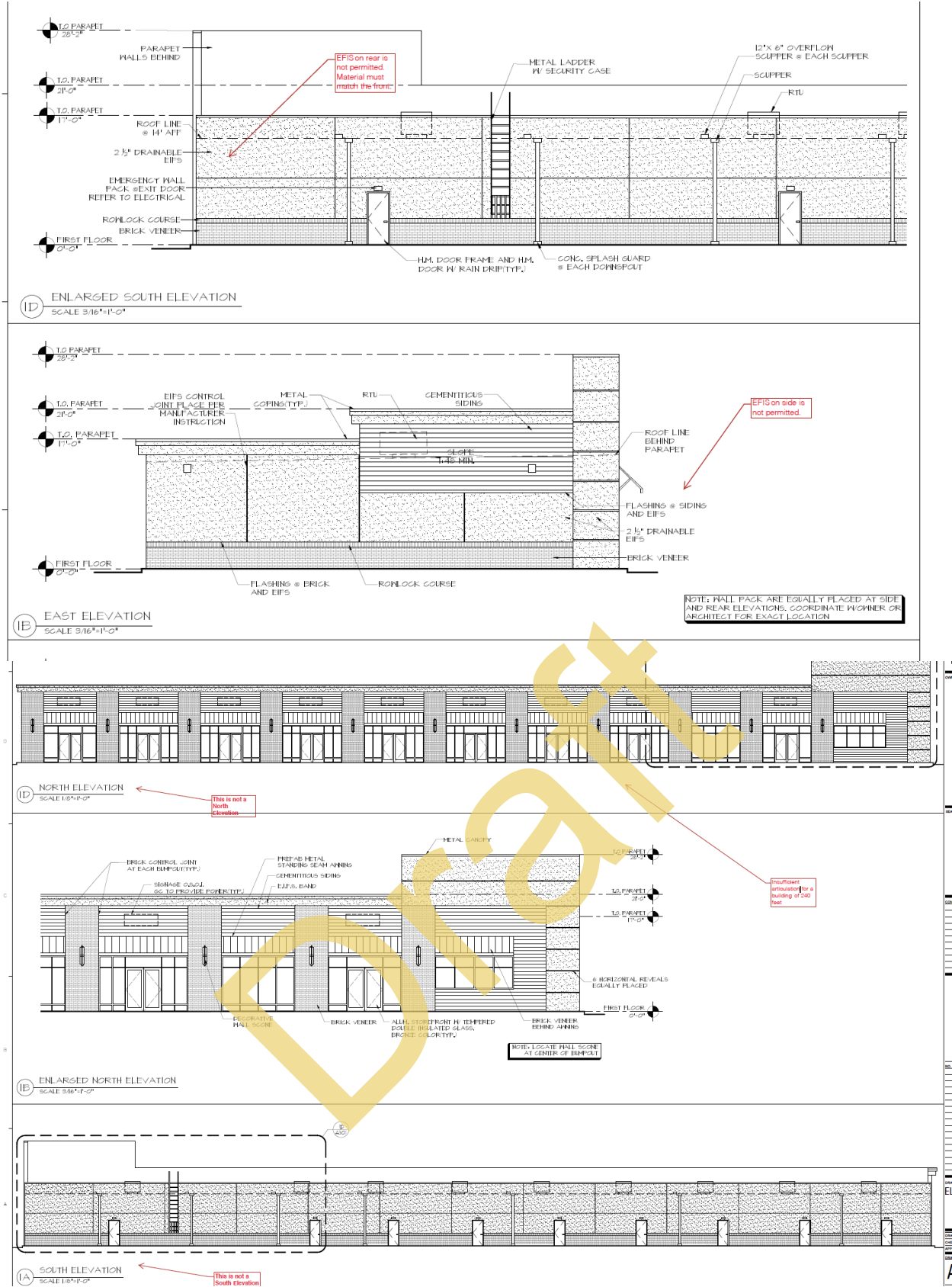
d. A minimum of twenty (20) percent of the façade facing the public right-of-way shall be glass.	Complies from image
e. In non-residential uses in residential districts, a minimum of thirty (30) percent of the façade facing the public right-of-way shall be glass.	Not applicable
f. Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building. The rear elevation of a building shall be exempt from this requirement provided the rear of the building is not visible from public view.	Does not comply.
EXTERIOR FINISH COLORS IN COMMERCIAL DISTRICTS.	
Building Façade Colors	
a. The main building color shall integrate harmoniously with accent colors and masonry material.	Color not submitted
b. Buildings shall consist of natural earth tones that are found in the Horn Lake/DeSoto County region. Natural earth tones shall include colors and shades of the following: red, orange, yellow, olive, tan, beige, taupe, brown, and gray.	Color not submitted
c. Other colors or combinations may be allowed by the Planning Commission.	Not applicable
d. Graphics, color schemes, and/or murals are not permitted on building exteriors except as may be permitted within an approved signage permit and otherwise consistent with the Sign Ordinances.	Colors not submitted. Compliance assumed
e. Electric, fluorescent, or neon colors are prohibited on all exterior surfaces.	Compliance assumed
Corporate Colors	
a. The use of corporate colors is permitted provided that such colors are not patterned so as to compete for visual attention (e.g. polka-dots, stripes).	Colors not submitted. Compliance assumed
b. The use of corporate colors shall not create an advertisement of the building itself.	Compliance assumed
c. Corporate colors shall not violate any other color limitations within this Ordinance.	Colors not submitted. Compliance assumed
<p>EXCEPTIONS.</p> <p>The Planning Commission may approve materials and designs that differ from those required within this ordinance provided the following criteria are achieved:</p> <div><div>a. The proposed building maintains the quality and value intended by this section.</div><div>b. The proposed building is compatible and in harmony with other structures designed by standards in this section within the district.</div><div>c. The design exceeds the intent of the ordinance.</div></div> <p>2. Any building is subject to denial that does not meet architectural standards as determined by the Planning Commission.</p> <p>VARIANCE.</p> <p>Any request for a variance in the requirements of this article shall be submitted in accordance with Article X § A Variances</p>	

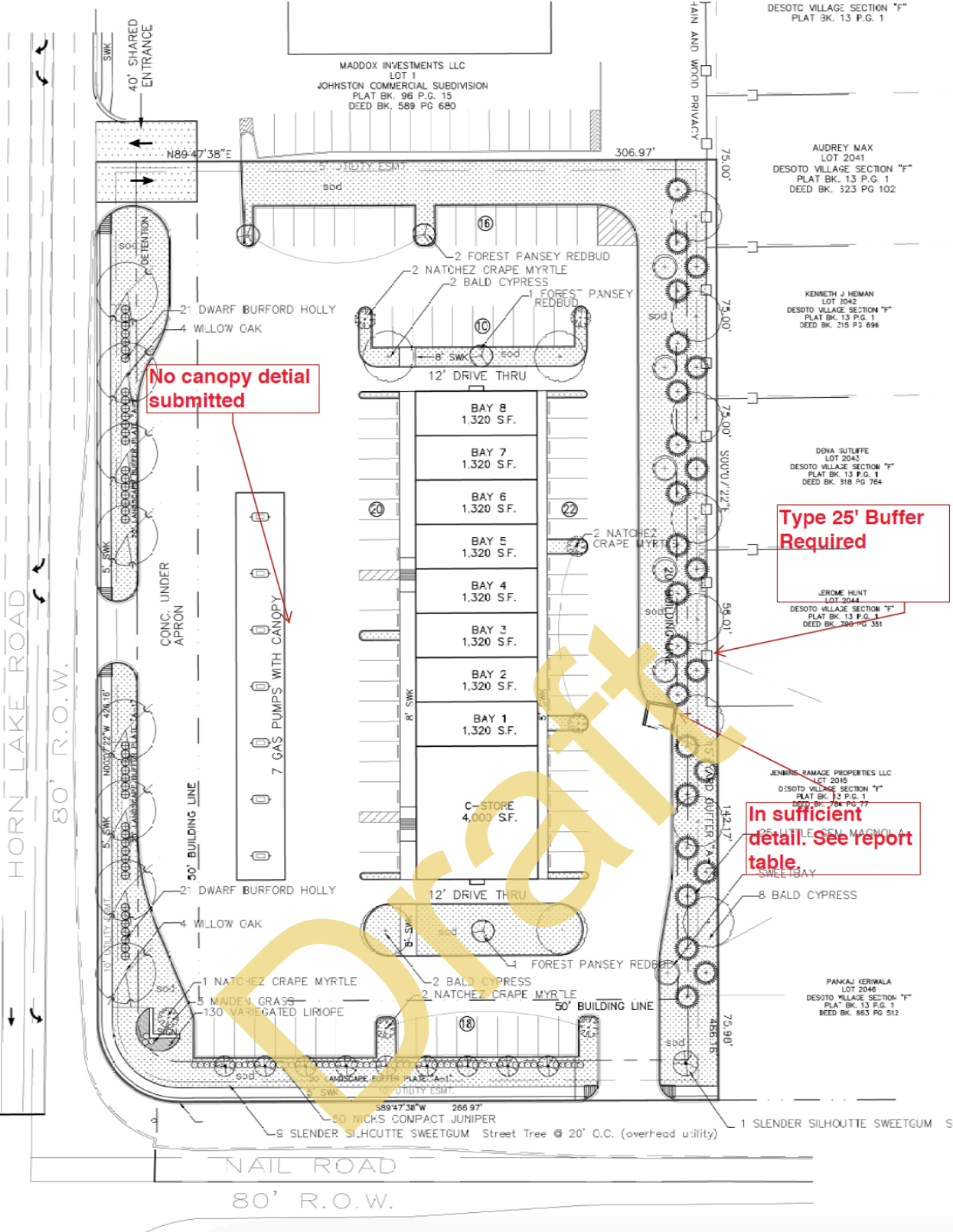
PLANNING COMMISSION DISCUSSION AND ACTION:

The planning discussed the application noting the many deficiencies in the review. After discussion, Commissioner Stoke moved to carry the matter over to the next meeting to allow the applicant to comply with the noted deficiencies. Motion was seconded by Commissioner Yeager. Motion carried with Commissioner Dixon voting against the motion.



Draft


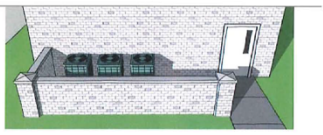
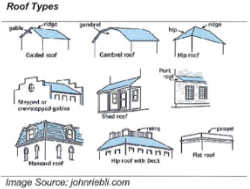




AGENDA ITEM 4.b.ii : Bob Barber introduced and presented the following case:

CASE NO.:	2048SP Marcos Pizza Design Review
PROJECT:	Marco’s Pizza
ZONE	C-4
ADDRESS:	Lot 13 Center City Subdivision
APPLICANT:	Ben Smith, P.E.
DATE:	8.30.21

- Background:
- 1. Project proposes to build an 1800 square foot building on an approximately 1.2-acre lot.
 - 2. No Landscape plan submitted
 - 3. Site is zoned C-4 and is adjacent to R-8. According to the ordinance, this requires a Buffer Type 30, however a narrower buffer is proposed to match adjacent properties.
 - 4. Detail review is provided in the following table:

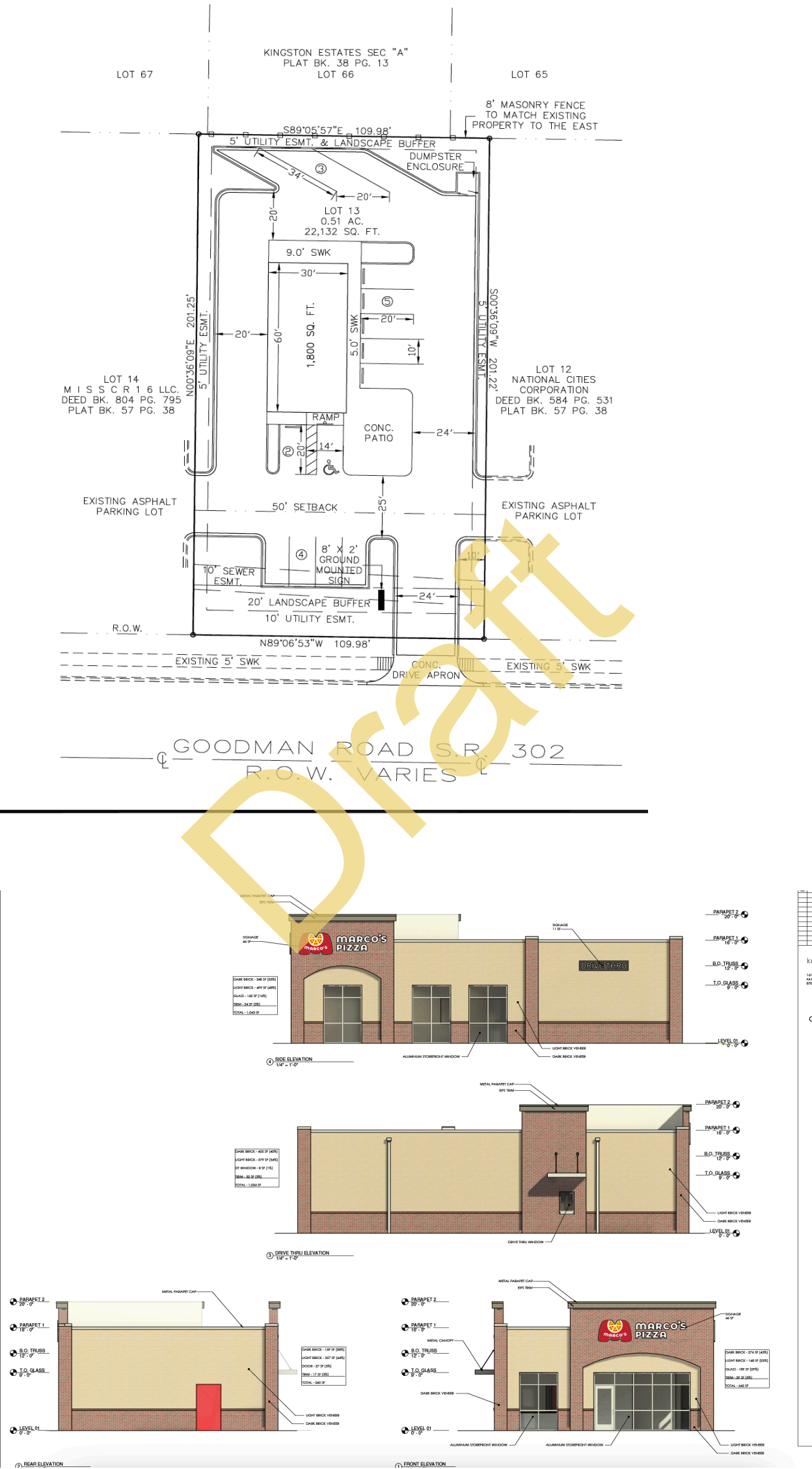
Site and Design Review Table		
E. - GENERAL REQUIREMENTS. All proposed buildings shall be designed in a manner that the building styles and building materials match those of the surrounding area of said proposed building, unless otherwise specified within Section E of Article XIII.		
1. Dumpster Enclosures	 <small>Image Source: https://3dwarehouse.sketchup.com</small>	
b. All dumpsters shall be screened from sight by a fence or wall at least six inches (6") taller than the tallest point on the dumpster. In no case shall said wall or fence exceed eight feet (8') in height.		Not indicated. Illustration required.
b. The fence shall be constructed of an opaque material made of brick, stucco, split face block, or similar material to that of the principal building.		Complies
c. Dumpsters shall be located in the rear yard behind the building they serve or otherwise in an inconspicuous place.		Complies
d. For industrial/distribution/warehouse buildings exceeding twenty-five thousand (25,000) square feet, no screening is required. However, the dumpsters shall be located in the rear yard behind the building they serve.		Not applicable
2. Mechanical Systems	 <small>Image Source: City of D'Iberville, Mississippi Zoning Ordinance</small>	
a. All ground mounted mechanical, HVAC, and like systems shall be set back a minimum of five (5) feet from a property line and screened from public street view (within 300 feet) by an opaque wall or fence of similar material to that of the principal building or landscaping.		Not indicated. Illustration required.
b. All commercial and retail building roof mounted mechanical, HVAC, and like systems shall be screened from public street view (within 300 feet) on all sides.		Not indicated.
3. Roof Requirements	 <small>Image Source: johnriabli.com</small>	
Pitched Roofs		

.All one-story buildings less than ten-thousand (10,000) gross square feet must have a pitched roof (between 5:12 and 12:12) as much as possible. If a pitched roof is not possible, a combination of flat roof and pitched roof is required.	See Plan
Provide a pitched roof on front and side of the building to screen view of any flat roof.	Not applicable
Arcades, drive under canopies, porches, and other features shall be created with a pitched roof.	Not applicable
Materials for pitched roofs shall be limited to architectural dimensional grade asphalt shingles, natural slate, natural terra cotta, natural wood shake, copper, or factory finished sheet metal.	Not applicable
b. Mansard Roofs	
i. Mansard roofs shall have a maximum pitch of 12:12 with a minimum twelve-foot (12') vertical surface length.	Not Applicable
c. Flat Roofs	
i. Flat roofs may be of any material that meets building codes.	Complies
ii. Exposed metal flashing shall be copper or factory finished sheet metal. If factory finished metal flashing is used, such as standing seam, the color must be subdued to blend with other materials or of a color to simulate weathered copper or bronze.	Complies
iii. All buildings with flat roofs should include parapet articulation on the front facade(s) of such building.	Complies
iv. There shall be roof articulations/offsets at a minimum of one (1) per each one hundred twenty-five linear feet (125') of length by a change in the top line of the parapet.	Complies
v. Additional articulation may occur at any lesser distance. If the front façade is less than one hundred twenty-five linear feet (125'), then a minimum of one (1) roof articulation must occur.	Complies
d. Other - Drive under canopies for gasoline pumps may have flat roof with vertical or factory formed facing of finished sheet metal.	Not applicable
4. Accessory Buildings - All accessory buildings shall be constructed of the same material and be similarly designed as the principal building.	Not applicable
F. COMMERCIAL ZONING DISTRICTS.	
Building Design - Building design shall exhibit architectural control which seeks to be creative, and which best utilizes building lines, shapes, and angles to maximize architectural integrity.	Complies from image
Unadorned pre-stressed upright concrete panels, unfinished concrete block, galvanized or unfinished steel, galvalum or unfinished aluminum buildings (wall or roofs), and pole-type building materials are not permitted as primary exterior building materials.	Not applicable
At least fifty (50) percent of all exterior wall finishes shall be comprised of any combination of at least two (2) of the following materials: i. Brick ii. Natural Stone iii. Glass iv. Stucco or stucco-like finishes v. Other comparable or superior material approved by the Planning Commission.	Complies
c. Accent materials shall be used for cornices, sills, bases, lintels, banding, and decorative accent trims. Accent materials shall consist of materials that meet or exceed the quality of the primary exterior materials and shall be consistent with the building design.	Complies
d. A minimum of twenty (20) percent of the façade facing the public right-of-way shall be glass.	Complies
e. In non-residential uses in residential districts, a minimum of thirty (30) percent of the façade facing the public right-of-way shall be glass.	Not applicable

f. Any new building shall be constructed so that all exterior sides shall be surfaced equivalent to the front of the building. The rear elevation of a building shall be exempt from this requirement provided the rear of the building is not visible from public view.	Complies
EXTERIOR FINISH COLORS IN COMMERCIAL DISTRICTS.	
Building Façade Colors	
f. The main building color shall integrate harmoniously with accent colors and masonry material.	Complies from image
g. Buildings shall consist of natural earth tones that are found in the Horn Lake/DeSoto County region.	Complies from image
h. Natural earth tones shall include colors and shades of the following: red, orange, yellow, olive, tan, beige, taupe, brown, and gray.	Complies from image
i. Other colors or combinations may be allowed by the Planning Commission.	Not applicable
j. Graphics, color schemes, and/or murals are not permitted on building exteriors except as may be permitted within an approved signage permit and otherwise consistent with the Sign Ordinances.	Complies from image
k. Electric, fluorescent, or neon colors are prohibited on all exterior surfaces.	Complies from image
Corporate Colors	
d. The use of corporate colors is permitted provided that such colors are not patterned so as to compete for visual attention (e.g. polka dots, stripes).	Complies from image
e. The use of corporate colors shall not create an advertisement of the building itself.	Complies from image
f. Corporate colors shall not violate any other color limitations within this Ordinance.	Complies from image
EXCEPTIONS. The Planning Commission may approve materials and designs that differ from those required within this ordinance provided the following criteria are achieved: <div><div>a. The proposed building maintains the quality and value intended by this section.</div><div>b. The proposed building is compatible and in harmony with other structures designed by standards in this section within the district.</div><div>c. The design exceeds the intent of the ordinance.</div></div> <div>2. Any building is subject to denial that does not meet architectural standards as determined by the Planning Commission.</div> VARIANCE. Any request for a variance in the requirements of this article shall be submitted in accordance with Article X § A Variances	

PLANNING COMMISSION DISCUSSION AND ACTION:

The planning commission discussed the application generally noting substantial compliance with the site and design standards. After discussion, Commissioner Stakes moved to approve the application and Commissioner Dixon seconded the motion. Motion carried unanimously.





ADJOURNMENT

There being no further business, the meeting was adjourned,

S/ Respectfully Submitted,
Robert Barber, Interim Planning Director