

City of Horn Lake, MS, Planning Commission – Meeting Minutes for January 31, 2022

Agenda items –

1. Call to Order -
2. Roll Call and Pledge of Allegiance -
3. Approval or Previous Meeting Minutes - from 12.20.21.
4. Old Business –
 - a) Case # 2062 – Request by Julia Wooten for a conditional use (CU) for an indoor auto showroom land use located at 1909 Tappan Drive.
 - b) Case # 2059 – Request by Carlson Consulting, Inc. for a site plan, design and landscape review (SPDR = site plan & design review) for a restaurant with a drive-through at 6965 Penny Lane, aka Wendy’s.
5. New Business –
 - a) Case No. 2063: Request by H.L. Ventures, LLC, for a conditional use (CU) for a car wash land use on Fountain Lane (address to be assigned) in the Fountains at Fairfield Meadows PUD, Section J, Lot 1. (The property is directed west of 6965 Penny Lane.)
 - b) Case No. 2067: Request by Huntington Industrial Properties, developer; The Reaves Firm, Inc., engineer, for a 3-lot commercial/light industrial subdivision final plat (SDFP) called the I-55 Horn Lake Distribution Center, consisting of approximately 43 acres located south of Pain Road and east of Hurt Road in Horn Lake.
 - c) Case No. 2068: Request by Huntington Industrial Properties, developer; The Reaves Firm, Inc., engineer, for a site plan and design review (SPDR) of Lot 2 of the I-55 Horn Lake Distribution Center, consisting of approximately 15.5 acres +/- located south of Pain Road and east of Hurt Road in Horn Lake.
 - d) Case No. 2069: Request by Huntington Industrial Properties, developer; The Reaves Firm, Inc., engineer, for a site plan and design review (SPDR) of Lot 3 of the I-55 Horn Lake Distribution Center, consisting of approximately 17.3 acres +/- located south of Pain Road and east of Hurt Road in Horn Lake.
 - e) Case No. 2070: Request by Metro Construction, developer; ETI Corporation, engineer/designer; on land owned by Cheonshae Moore, for a one-lot commercial subdivision sketch plat (SDSketch) at 2036 Goodman Road West in Horn Lake. (No formal name yet for this potential subdivision.)
6. Other Business.
 - a) Report from planning commissioner training held in Oxford, MS, on 1-20-2022.
7. Adjourn.

Present:

1. City Planning Commissioners: Chad Engelke (Chair), Angie Little, Jimmy Stokes, Janice Vidal, and Andrew Yeager. Commissioners absent were George Dixon, Linda McGan and Jay Stapleton.
2. City Staff: Chad Bahr, AICP, Planning Dir. and John Mark Owston, City Information Technology (IT, contractual).
3. Gallery (public attending): Francis J. Miller, citizen, from 7180 Benji Ave.; Stuart Helo, Olson Land Partners from 3344 Westervelt Ave., Baton Rouge, LA; Brandon Hebron, Atlas Technical Consultants, from 8440 Jefferson Highway, Baton Rouge, LA; Chris Ferrari, Tidal Wash, from 14481 Old Hammel

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Highway, Baton Rouge, LA; Rick Olson, owner of Tidal Wave Car Washes, from 4300 Legendary Drive, Suite 234, Destin, FL; Bill Brown, HL Ventures, LLC, from PO Box 276, Hernando, MS; Melissa Aguilera, of ETI Corporation, from 1755 Lynnfield Road, Memphis, TN; Dean Carlson, Carlson Consulting Engineering, from 7068 LedgeStone Commons, Bartlett, TN; Dylan Dempsey, also with Carlson Consulting Engineers; Al Uphank, Wendy's franchisee and developer, from Grand Rapids, MI; Ken Brown, with Design Plus, Inc. via Zoom; Jim Schempert, the Reaves Firm, from 6800 Poplar Avenue, Memphis, TN; David McDaniel, Huntington Industrial Partners, from 1150 North Moore Court, Atlanta, GA; and William Egner, 7497 Jennifer Drive, citizen.

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. 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 = city 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 –

1. Chair Engelke called the meeting to order at 6:00pm.
2. The Chair led the group in the Pledge of Allegiance. He asked for the roll call. Little called the roll. All were present except for Commissioners Dixon, McGan and Stapleton.
3. The Chair asked for consideration of the Minutes from the 12-20-2021 Planning Commission meeting. No changes were discussed.
Mtn: Stokes made a motion to approve the minutes as submitted by staff. 2nd: Yeager. Vote: Motion passed to approve the minutes, 4-0.
4. Old Business. **4a)** Chair brought up consideration of agenda item 4a), aka Case No. 2062, for the conditional use request for an indoor car lot on 1909 Tappan Drive. He added that staff had indicated that the signage posting requirement for that case as required by the application process had not been met, and therefore the PC would not be able to hear the case that evening.

The planning director (plng dir.) confirmed that staff had been notified by the applicant recently and that the sign posting requirement had not been met.

The Chair asked for a motion to continue the case to the February 28th PC meeting date. A motion was made by Little and a second was made by Stokes to continue the case until February 28th's planning commission meeting/hearing date. Motion passed, 4-0.

4b) Chair asked the plng. dir. for the power point presentation about case no. 2059, a site plan and design review (SPDR) request for a Wendy's Restaurant to be located at 6965 Penny Lane.

The planning director gave the power point presentation of the case with the following items touched upon:

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Architectural Design Standards:

1. No dumpsters shown on site plan, thus lacking.
2. Flat roof proposed, but not allowed.
3. Exterior building material of fiber cement board proposed, but not allowed by name in design standards.
4. He mentioned originally that either not labeled correctly or such that the required north side façade would have to be at least 20% glass, but it was shown as 8-9%. Since that earlier review, the applicant had submitted a color rendering of the facades (included in monthly PC packets) and the update showed the 20% standard being met so this was no longer an issue.

Site Plan Standards:

1. He stated that if approved, a site plan approval was good for one-year.
2. He stated clarification was needed regarding the issue of Average Daily Traffic (ADT) or a Traffic Impact Analysis (TIA).
3. The off-street-loading issue, where it has not been shown on the site plan had been addressed by the city's board of aldermen at their 12-21-21 meeting when they considered the final plat phase of this development project. Since the deliveries would be taking place during closed hours of the store, per the applicant's request for an exception from the standard, this was granted by the aldermen during that meeting.

Landscaping:

1. The plng. dir. stated the Wendy's team did an excellent job with landscaping, meeting all landscaping standards of the city.

With all of that, the plng. dir. suggested the following motion, recommending approval of the request:

- a. Stipulate whether fiber cement board is acceptable as a building material for both the dumpster screening material and principal building,
- b. Stipulate whether a flat roof or non-flat roof is acceptable,
- c. Clarify to city staff's satisfaction the planning issue of Average Daily Traffic (ADT) and Traffic Impact Analysis (TIA) of the proposed land use.

Chair asked for any questions of staff. Seeing none he asked for a presentation by the applicant.

Mr. Dean Carlson with Carlson Consulting Engineers, presented and introduced Dylan Dempsey, also with Carlson Consulting Engineers; Al Uphank, the Wendy's franchisee and developer, and Ken Brown, with Design Plus, Inc. as the architect, via electronic Zoom.

Before doing the presentation, Mr. Carlson passed out newly supplied color elevation renderings of a Wendy's Restaurant in the Memphis area, some other local restaurants where fiber cement board was used as an exterior material, an actual piece of fiber cement board and an updated site plan rendering. These were handed to staff whereby they were distributed to the planning commissioners.

He addressed the items brought up by staff. Specifically, he said the ADT and TIA issues were discussed during the conditional use case for the drive-through phase of the development, and thus addressed at a prior time by the city.

The Chair asked for any questions. Seeing none he asked for a motion. A motion was made by Commissioner Stokes of the following:

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“After review of application Case No. 2059 SPDR, a request for the review of a proposed site, design and landscape plan for a restaurant proposed at 6965 Penny Lane in Horn Lake for a Wendy’s Restaurant, consisting of one acre with PUD zoning, the Horn Lake Planning Commission approves of the request with the following conditions attached to it:

- a. the planning commission finds acceptable the use of the proposed fiber cement board as an exterior building material to be used for the main building and the dumpster screening,
- b. the planning commission finds acceptable the flat roof design as proposed in the applicant’s submitted site plans, and
- c. the planning commission is satisfied with the planning issue of Average Daily Traffic (ADT) and Traffic Impact Analysis (TIA), as it was considered during previous phases of the development project.”

The motion was seconded by Commissioner Little. Chair asked for a vote. The motion passed, 4-0.

5. New Business –

- a) Case No. 2063: Request by H.L. Ventures, LLC, for a conditional use (CU) for a car wash land use on Fountain Lane (address to be assigned) in the Fountains at Fairfield Meadows PUD, Section J, Lot 1. (The property is directly west of 6965 Penny Lane.)

The Chair asked staff for a power point presentation. The plng. dir. gave a power point presentation and mentioned the following items. He spoke about the items from the city’s zoning ordinance from Article X, Applications, Item C, which was specific to conditional uses. He referenced the six (6) factors, lettered a-f from the zoning ordinance, and those would be used in the analysis of CU and rezoning type cases. He said the presentation would revolve around those factors.

- a. Substantially increase traffic hazards or congestion. He said nothing was provided by the applicant here, but added he imagined the land use would not be great generator of vehicular traffic, which would be a positive feature. He said it is a positive feature that the sole access point would be from Fountain Lane and not Goodman Road West, where the latter is a much busier road.
- b. Substantially increase fire hazards. He said the applicant has claimed the use would not increase fire hazards. Staff said it is a positive feature that the applicant has stated they would build the facility to current 2018 IBC standards and that the land use itself involves the use of water, a normal extinguisher of fires.
- c. Adversely affect the character of the neighborhood. He said the applicant has supplied that the facility will be off of Fountain Lane, be fully staffed and be built to city design standards or beyond. Planning staff said it was a positive feature of all of those points and that commercial land uses are already present in the vicinity to the west, north and east of the subject property. He added residential development is located south of the proposed use, but there is Fountain Lane to separate the two land uses.
- d. Adversely affect the general welfare of the City. He said the applicant has said the use would be supplied and served by both public water and sewer services and that 80% of the water used would be reused after reclaiming the used water. Staff agreed the water reclaiming was a positive feature of the use.

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Staff said that during the processing of the case various people would ask staff what was on the January planning commission agenda and he would list the various cases, but invariably there would be a “grumbling” about the request for another car wash within Horn Lake. He said this lead staff to research the issue a bit more. He said there were currently six (6) licensed car washes in town and either two or three (2 or 3) unlicensed, either operating or not operating.

He added that this lead him to reach out to Mississippi State University (MSU), through their extension program and later then their agricultural economics department for a population threshold analysis of this land use. What their research revealed was that Horn Lake likely had a population to support five (5) car washes. He added the fear here was that another car wash in town could close new or old or one or several existing case washes, thereby creating abandoned properties built for a singular purpose with no known date where these properties would be redeveloped into something else.

e. Overtax public utilities or community facilities. Staff this was not specifically addressed by the applicant, but added that it was a positive feature that 80% of the water used in the car washed would be reclaimed for reuse and that the use itself would not overtax public facilities such as the school district.

f. Be in conflict with the Comprehensive Plan. Bahr added that he desired for the *Comprehensive Plan*, though now 19 years old, to still be utilized where applicable. He said it still was the main land use policy document that the city has. He listed the following items from said *Plan*:

“1. Future Land Use. Plan calls for commercial land uses in this part of town, thus this is met with what is proposed.

2. General Economy. The Plan is not particular useful here with anything specific for the land use in question except for Goal 1 from page 8 in the Land Use Goals/Objectives portion of the Plan. It says there, “Promote the development of an appropriate mix of land uses that is responsive to market preferences, as well as the community’s economic development objectives.” The market oversaturation question is a useful and necessary thought to consider.

3. Transportation. Goal 2 of the transportation portion of the Plan, page 18 is supported with the way the land use is designed with access coming from a local road such as Fountain Road and not from Goodman Road W which is an arterial type of road.

4. Community Facilities. Nothing specific in support or against the proposed land use from this section of the Plan. The use doesn’t really affect community facilities say where a new residential subdivision would affect the public schools or create a new demand upon police and fire services provided in the community.”

Staff added that items 1,3 and 4 seemed to be met with the proposal, but based upon the analysis provided by MSA there was support that adding another car wash to the city’s car wash inventory could be excessive leading to issues previously mentioned. With that, the director made the following recommendation:

Staff recommends denial of the request for a car wash proposed to be located in the Fountains at Fairfield Meadows PUD, Section J, Lot 1 along Fountain Lane, consisting of 1.15-acre of land that is zoned PUD. This is based upon the following reasoning or basis:

- a. Non-conformance with the City’s Comprehensive Plan, specifically Goal 1 from page 8 in the Land Use Goals/Objectives portion of the Plan where it says, “Promote the development of an appropriate mix of land uses that is responsive to market preferences, as well as the

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community’s economic development objectives.” Market oversaturation of the car wash land use with at least six other establishments within the city currently appears to be oversaturation and thus, inconsistent with this part of the *Plan*. Remember, there are other facilities in town, as well, but since they are unlicensed it is unknown at this time whether there are still under operation or not.

Staff also did supply two motions to the PC, depending their view of the request before them. They were:

Motion 1: After review of application Case No. 2063 CU, a request for a car wash proposed to be located in the Fountains at Fairfield Meadows PUD, Section J, Lot 1 along Fountain Lane, consisting of 1.15-acre of land that is zoned PUD, the Horn Lake Planning Commission **recommends approval** of the request to the City’s Board of Aldermen with the following conditions attached to it:

- a. If approved, the applicant/developer/owner shall proceed to the next steps in the city development entitlement process, including platting and site plan and design review.
- b. The hours of operation shall be from 8:00 a.m. to 8:00 p.m., Sunday through Saturday.
- c. All federal, state, county and city requirements shall be met in the development and operation of the facility.

Motion 2: After review of application Case No. 2063 CU, a request for a car wash proposed to be located in the Fountains at Fairfield Meadows PUD, Section J, Lot 1 along Fountain Lane, consisting of 1.15-acre of land that is zoned PUD, the Horn Lake Planning Commission **recommends denial** of the request to the City’s Board of Aldermen upon the following basis:

- a. Non-conformance with the City’s Comprehensive Plan, specifically Goal 1 from page 8 in the Land Use Goals/Objectives portion of the Plan where it says, “Promote the development of an appropriate mix of land uses that is responsive to market preferences, as well as the community’s economic development objectives.” Market oversaturation of the car wash land use with at least six other establishments within the city currently is market oversaturation and thus, inconsistent with this part of the *Plan*.

Staff asked for any questions. The Chair asked if any of the commissioners had any questions or comments.

Commissioner Little stated a clarification on the number of car wash places or units within Horn Lake. She stated the city contains two (2) corporate, six (6) self-service, three (3) detailing, four (4) gas stations with single-automatic car washes, and one (1) mobile detailer for a total of 16 car wash entities. She added one gas station in no longer a gas station and the other is closed so there are 14 active car washes in town.

The Chair asked for a presentation from the applicant/developer. Bill Brown, with HL Ventures, LLC, land owner, spoke. He stated when they envisioned development for this area of Horn Lake they wanted to do high quality for land uses, design, landscaping, the works. He said he was involved in the development of the Aldi site, which is near this site and a part of the overall subdivision where the car wash would be located, the Fountains at Fairfield Meadows, including the development of the fountains located there.

He also spoke about the following points:

1. He stated the MSU threshold analysis was flawed because it was too broad or not specific enough.
2. He said the Tidal Wave Car Wash would be a superior design and would deliver a superior product for that land use.

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3. He stated there really is one or two competitors, one of them being the Century Automated Car Wash, and that is located a few miles east of the subject property.
4. He said staff believed five (5) of the six (6) factors for consideration were met from the *Plan*.
5. In the end, he said this automated car wash would add value to the city and would meet the needs of a growing population because the design would meet and exceed city standards.

Rick Olson, owner of the Tidal Wave Auto Spa, spoke next. He made several points consisting of the following:

1. The Tidal Wave Auto Spa company was started in 2004.
2. It is a pioneer in automated/express car wash facilities around the country.
3. There are currently 91 car washes operating in the U.S. under the Tidal Wave name.
4. There are 26 under construction, currently.
5. There are 120 under various permitting processes, currently.
6. The goal is to have 1500-2000 car washes up and operating in the next 7-8 years.
7. They are expanding across Georgia, Alabama, Florida, Mississippi, Louisiana, New York state, and into the West coast of the U.S.
8. He added that they are in all climates of the U.S. – warm weather, cold weather, arid areas, etc.
9. He said they are different because they have partnered with a chemist to perfect chemicals, including their soap used in their washes.
10. He said they have patents pending for their mechanical applicators used in their car washes.
11. They have monthly plans available starting at \$9.99 up to \$34.99 per month for as many washes a customer would like.
12. He said the average numbers of washes per customer per month is 3.4.
13. Their car wash model is a national leader in technology and innovation.
14. They use a 133' length to have redundant systems, meaning if one system goes down the customer can be assured of a quality wash every time.
15. They would be open 8:00 a.m. to 9:00 p.m. seven (7) days per week and fully staffed.
16. During the Covid-19 peak, automated car wash use increased.
17. He said their research has shown a population of 44k people they would have 10k members, ages 25-65 over the next 2-3 years to use the car wash.
18. At an 11-minute radius from the location, 63k people of the same age bracket would be available to use the location.
19. At a 15-minute drive to the location, a population of 103k would be available to use the facility.
20. He added they look at population growth, demographics, etc. when siting new facilities.
21. He said they are the 6th largest car wash operator in America today.
22. He said as a standard practice 100% of their proceeds are donated to local charities on the 3rd Thursday of each month from each location.
23. They also donate vouchers to local non-profits for free car washes.
24. He ended by stating they are not a typical car wash in many ways.

The Chair asked where else in the Memphis metropolitan area would they be opening.

Olson said they have multiple spots in the metro area opening.

The Chair asked about other car washes of the same company. He said he had been looking at the Internet during the presentation. He said the company's web site didn't show any operating in the Memphis-metro area.

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Olson stated they have several in the negotiating phase and they intend to build several in the metropolitan area.

Little asked about happens to the 20% of water used, but not reclaimed.

Mr. Ferrari of Tidal Wash addressed the question. He said they would have four underground tanks, three large interceptors and those would accumulate, oil, sand, dirt, grit, grease and then those are periodically removed. He added that 80% of the water is reclaimed and thus, reused again. He said a small solid waste (trash) stream is generated from the building.

Mr. Olson stated the soap is biodegradable.

Ferrari added that several cities also require pre and post wash testing of the water and they do that when required. Phosphates and other levels are tested for and all have passed at these other locations.

Little asked if there would be backflow prevention valves.

Mr. Olson said these would be a part of their design.

The Chair asked for any public input upon the request.

Francis J. Miller spoke. He complimented the PC for asking for public input and that he was a resident of Horn Lake for 13 years, but he had no specific comment upon the request.

Seeing no other public comments, the Chair closed the public hearing. He asked for a motion.

Commissioner Stokes stated that a lot of citizens do not want another car wash in town. He said he has heard that clearly and consistently. He said the presentation for very good and it looked like it would be a quality facility, but for 28,000 citizens another car wash, and then perhaps others from down the road should it or others fail, the use can't be converted into another use so that something to keep in mind.

Mr. Stokes made the following motion: After review of application Case No. 2063 CU, a request for a car wash proposed to be located in the Fountains at Fairfield Meadows PUD, Section J, Lot 1 along Fountain Lane, consisting of 1.15-acre of land that is zoned PUD, the Horn Lake Planning Commission **recommends denial** of the request to the City's Board of Aldermen upon the following basis:

a. Non-conformance with the City's Comprehensive Plan, specifically Goal 1 from page 8 in the Land Use Goals/Objectives portion of the Plan where it says, "Promote the development of an appropriate mix of land uses that is responsive to market preferences, as well as the community's economic development objectives." Market oversaturation of the car wash land use with at least six other establishments within the city currently is market oversaturation and thus, inconsistent with this part of the *Plan*."

Commissioner Vidal made a second to the motion. Chair called for the vote:

Yeager: No, Stokes: Yes, Little: Yes, Vidal: Yes. The Chair stated the motion to recommend denial of the request to the board passed by a 3-1 margin with three absent. The planning director stated the request would be placed upon the aldermen's February 15th, 2022, agenda for consideration.

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The Chair went to item **5b** on the agenda: Case No. 2067: Request by Huntington Industrial Properties, developer; The Reaves Firm, Inc., engineer, for a 3-lot commercial/light industrial subdivision final plat (SDFP) called the I-55 Horn Lake Distribution Center, consisting of approximately 43 acres located south of Pain Road and east of Hurt Road in Horn Lake.

Chair asked for a staff presentation. The planning director passed out an updated plat drawing from the applicant before giving a power point highlighting the following items:

He pointed out that the city subdivision regulations state the following regarding the final plat process - The final plat shall not be recorded until:

- (1) All required improvements have been completed and inspected by the city, and a final resolution authorizing acceptance of the improvements as been acted upon by the mayor and board of aldermen; or
- (2) A performance surety for the entire cost (i.e., full letter of credit) of required improvements has been posted.

Back to the plat at hand he stated: 1. Proposed Area: 42.6 acres. 2. Proposed # of Lots: 3, 3. No 100-year flood plain at play. 4. A new public road is proposed (Logistics Avenue). 5. Water – Horn Lake Water Association. 6. Sewer – City of Horn Lake. 7. Zoning: C-1, C-3 & M-1.

He added:

1. That all signatures, certificates and seals will be required before the plat can be recorded.
2. The maximum cul-de-sac length is 500', but the proposed is at 1150'. He said based upon a comment from Greg Russell, one of the city's subdivision review engineers, from a letter dated 1-12-2022, Greg suggested to **lengthen** the cul-de-sac to eliminate the future potential private road maintenance dispute as it is currently designed. This would be because both Lots 2 and 3 would access a private road before using the public road (proposed name of Logistics Avenue) and time has shown that these situations can create maintenance disputes. He said staff support the lengthening of the public road and changing the orientation of the cul-de-sac from the north to the south.
3. He spoke briefly about utility easements.
4. He said the absence of a street name has been provided by the developer and it has been reviewed by the DeSoto County GIS Department for naming duplicity and the "Logistics Avenue" is an acceptable name.
5. He spoke about the small gap of Lot 3 north of the new road and that city staff is recommending its elimination.
6. He also said there were 16 other items not discussed in the presentation from the 1-12-22 letter from Mr. Russell. These have been forwarded to the developer and they are ok with meeting these various items.

So, staff made the following recommendation: An approval recommendation to the board of aldermen of Case No. 2067 SDFP for the requested subdivision final plat of the I-55 Horn Lake Distribution Center, a 3-lot commercial and light industrial plat, consisting of 43 acres +/-, with the following conditions or changes attached to it:

- a. All required signatures, certificates and seals shall be provided on final plat signature page(s).

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- b. All required bonding/performance surety for improvements shall be supplied and public improvements shall be installed per City Code Chapter 34, "Subdivisions," Article IV, "Required Minimum Improvements," Sections 34-86 and 34-87, respectively.
- c. Eliminate gap north of the proposed public road by widening the road right-of-way (ROW) to the north property line of Lot 3 and add a plat note stating the centerline will no longer be in the center of the road ROW.
- d. Extend the public road easterly approximately 300-350 feet and change the "bulb" of the cul-de-sac from the north to the south, thus making the public road longer in length.
- e. Meet, change and update all other items from the 1-12-2022, dated letter from Greg Russell of the Neel-Schaffer Engineering firm except for the third item, which deals with off-street parking, which will be addressed during the review of the Site Plan and Design Review Cases, No's. 2068 and 2069, respectively.

The Chair asked for any questions of staff by the PC.

Commissioner Yeager asked about the need for a traffic study for this subdivision plat.

Bahr stated that was more of the site plan and design review cases that were to follow that evening, cases 2068 and 2069, for the development of Lots 2 and 3 of this subdivision.

Yeager said other developments such as XPO, Walmart, etc. had considered traffic. So, he believed a traffic study or additional turn lanes on Hurt should be required. Discussion ensued on the matter. The plng. dir. said that from his understanding that the city's engineering firm, Neel-Schaffer, discussed the issue at length and in the end it was not an added change or requirement to do either a traffic study or require additional turn lanes upon Hurt Road.

The Chair asked for input from the applicant.

Jim Schumpert, of the Reaves Firm, spoke. He said he was ok with the conditions from staff upon the plat.

DE upon the traffic issue between Mr. Schumpert and the PC.

David McDaniels, Huntington Industrial Partners, spoke about the traffic creation issue. He said that the tenants are unknown at this time and the one building would be designed for three (3) tenants and the other for one tenant, but studies they have seen from across the country and then considering the ITE Trip Generation Manuals so on the high end for traffic about one truck entering/exiting every five (5) minutes and on the low end about one truck entering/exiting every fifteen (15) minutes. He said they would be happy to do a traffic study, but the building on Nail Road is over one million square feet in size and these are smaller, even when considering both.

Seeing no other questions or comments the Chair asked for a motion. Little made the following motion:

After review of application Case No. 2067 SDFP, a request for a 3-lot commercial and light industrial subdivision final plat called the I-55 Horn Lake Distribution Center, consisting of 43 acres +/-, the Horn Lake Planning Commission recommends approval of the request to the Board of Aldermen with the following conditions attached to it:

- a. All required signatures, certificates and seals shall be provided on final plat signature page(s).

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- b. All required bonding/performance surety for improvements shall be supplied and public improvements shall be installed per City Code Chapter 34, “Subdivisions,” Article IV, “Required Minimum Improvements,” Sections 34-86 and 34-87, respectively.
- c. Meet, change and update all other items from the 1-12-2022, dated letter from Greg Russell of the Neel-Schaffer Engineering firm except for the third item, which deals with off-street parking which will be addressed during the review of the Site Plan and Design Review Cases, No’s. 2068 and 2069, respectively.

Chair asked for a second. Yeager asked if a traffic study to be included. Little included that:

- d. Conduct a traffic study.

Yeager made a second to the motion.

Chair asked for the vote. The motion passed, 4-0.

Chair asked for the next case on the agenda. That was this case:

5c) Case No. 2068: Request by Huntington Industrial Properties, developer; The Reaves Firm, Inc., engineer, for a site plan and design review (SPDR) of Lot 2 of the I-55 Horn Lake Distribution Center, consisting of approximately 15.5 acres +/- located south of Pain Road and east of Hurt Road in Horn Lake.

The plng. dir. started the presentation would be divided into three parts: 1) architectural design standards, 2) site plan and 3) landscaping review. He made the following points:

1. The standard calls for a trash dumpster to be shown and one wasn’t shown.
2. The standard calls for a roof/façade that faces a public road to have a parapet articulation every 125’ on length and this was absent for the center portion of the north façade.
3. Is fiber concrete tilt walls with reveals an acceptable exterior building material?
4. 20% of the north façade is required to have glass as an exterior material, but the design comes in at 0-2%. Staff is fine with the current design, but it is not staff’s call, that would be up to the planning commission.
5. He said originally, the submittals did not contain any tree mitigation information, but the application did submit a tree mitigation worksheet on 1-27-2022, and the staff is currently reviewing that.
6. Per the city engineer’s input, the outflow of Pond #2 needs to be furnished for review.
7. Is the average daily traffic (ADT) known? This appears to have been met with the added condition to have the developer conduct a traffic study on the previous case, Case No. 2067 for the final plat of the I-55 Horn Lake Distribution Center.
8. The standard calls for 264 off-street parking spaces and 195 are supplied/proposed. Planning staff believes this is a bit high. Information supplied by the applicant to planning staff and then planning staff conducting research about warehouse developments in Memphis and Olive Branch show parking standards working/functioning with a lower standard, say a 1 space per 2,500 square feet of gross lease space. The standard for Horn Lake is 1/1000sq’. Staff would support a lower standard.
9. He said Streetscape Type A is applicable to the north side of this Lot 2. This requires large trees, smaller shrubs and evergreens to be planted in a formula. He said the proposed is for more than the required number of large trees, but no smaller shrubs or evergreens. Is this acceptable? Staff is supportive of the current proposal.

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10. The standard calls for a minimum size of 200 square feet for parking lot landscaped islands, but the proposal is not met with areas of about 145 square feet is size for these areas. Staff supports meeting the 200 square feet minimum.

He added that if a site plan is reviewed and approved, then its approval is good for one-year, but there is the ability to ask for a time extension.

He made the following recommendation: Approval of the requested site, design and landscape plan for Lot 2 of the I-55 Horn Lake Distribution Center with an address of 2325 Logistics Avenue for a warehouse land use, consisting of 15.5 acres on land that is zoned M-1 with the following conditions or changes attached:

- a. Add a dumpster to the plans for review by staff,
- b. Add parapet articulation every 125 feet of linear length to the north façade,
- c. Increase the amount of glass as a building material for the north façade,
- d. Perform on required tree survey prior to elimination of any trees,
- e. Address, clarify and meet all items from the 1-12-2022, letter from the city engineering firm, Neel-Schaffer, specifically, Greg Russell, including numbers about drainage ponds, allowing for the planning commission to determine final off-street parking requirement,
- f. Increase the parking lot landscaping requirement to provide each island/peninsula with at least 200 square feet of landscaped area per the ordinance.

Chair asked for questions. Commissioner Vidal asked about the city's off-street parking standard. Bahr said for warehouse land uses is it 1 space per 1,000 square feet of gross leasable area. She wondered if 1 per 1,200 square feet might work. Staff thought that might work, but could still be a bit too high. He said staff is comfortable with the 1 per 2,500 standard. He said city engineering staff thought the 1 per 1,000 rate was o.k. Further DE on the topic.

Yeager asked about some other parking standards. Staff said the large warehouse on Nail Road it appears the city approved the 1/1,000 square feet standard, but the actual build out is less than that. He said the site plan there appears to show an area of expandability, if needed, to get to the 1/1,000 standard.

The Chair asked their applicant if they had any comments. Mr. Schumpert came forward. He said in the vicinity for warehouse development other jurisdictions are using a 1 space per 250 square feet for office area and then a 1 space per 2,500 of their gross leasable warehouse area/use.

Vidal asked about the dumpster if there was a standard for a minimum size. Staff said there was not a standard for a minimum, but that it be shown for review upon a site plan. Schumpert said it was likely an omission, but they would include it in revisions. Stokes asked about where the dumpster would be placed. DE upon that. Stokes about a location standard. Bahr said the standard was for it to be placed behind or at the rear of the building.

Commissioner Yeager asked where these processes go from here. The plng. dir. said the final plats go to the aldermen for final review and consideration, but site plan and design review typically ends with the planning commissions review unless there is a point or points of disagreement between the PC and an applicant. In those instances, the applicant can effectively appeal the PC's action to the board of aldermen for further consideration.

Chair asked for a motion. Little made the following motion:

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After review of application Case No. 2068 SPDR, a request for the review of a proposed site, design and landscape plan for a warehouse proposed at 2325 Logistics Avenue in Horn Lake, consisting of 15.5 acres +/- with M-1 zoning, located on Lot 2 of the I-55 Horn Lake Distribution Center Subdivision, the Horn Lake Planning Commission approves of the request with the following conditions attached to it:

- a. Add a dumpster to the plans for review by staff,
- b. Add parapet articulation every 125 feet of linear length to the north façade,
- c. Tree mitigation process shall be agreeable between the staff and the applicant,
- d. Address, clarify and meet all items from the 1-12-2022, letter from the city engineering firm, Neel-Schaffer, specifically, Greg Russell, including numbers about drainage ponds,
- e. Abide by the planning commission's determination for the north side landscaping (planting) schedule,
- f. Increase the parking lot landscaping requirement to provide each island/peninsula with at least 200 square feet of landscaped area per the ordinance.
- g. Perform traffic study for Hurt Road.
- h. Set the off-street parking standard at 1 space per 250 square feet for office area/use and 1 space per 2,500 square feet for warehouse area/use.

Chair asked for a second. Stokes made the second to the motion of approval with conditions. The motion passed, 4-0.

The next agenda item was **5d**), Case No. 2069: Request by Huntington Industrial Properties, developer; The Reaves Firm, Inc., engineer, for a site plan and design review (SPDR) of Lot 3 of the I-55 Horn Lake Distribution Center, consisting of approximately 17.3 acres +/- located south of Pain Road and east of Hurt Road in Horn Lake.

The plng. dir. gave the power point presentation, citing the following items:

1. The standard calls for a trash dumpster to be shown and one wasn't shown.
2. The standard calls for a roof/façade that faces a public road to have a parapet articulation every 125' on length and this was absent for the center portion of the south façade.
3. Is fiber concrete tilt walls with reveals an acceptable exterior building material?
4. 20% of the south façade is required to have glass as an exterior material, but the design comes in at 0-2%. Staff is fine with the current design, but it is not staff's call, that would be up to the planning commission.
5. He said originally the submittals did not contain any tree mitigation information, but the application did submit a tree mitigation worksheet on 1-27-2022, and the staff is currently reviewing that.
6. Per the city engineer's input, the outflow of Pond #3 needs to be furnished for review.
7. Is the average daily traffic (ADT) known? This appears to have been met with the added condition to have the developer conduct a traffic study on the previous case, Case No. 2067 for the final plat of the I-55 Horn Lake Distribution Center.
8. The standard calls for 240 off-street parking spaces and 147 are supplied/proposed. Planning staff believed this is a bit high. Information supplied by the applicant to planning staff and then planning staff conducting research about warehouse developments in Memphis and Olive Branch show parking standards working/functioning with a lower standard, say a 1 space per 2,500 square feet of gross lease space. The standard for Horn Lake is 1/1000sq'. Staff would support a lower standard.

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9. He said Streetscape Type A is applicable to the south side of this Lot 3. This requires large trees, smaller shrubs and evergreens to be planted in a formula. He said the proposed is for more than the required number of large trees, but no smaller shrubs or evergreens. Is this acceptable? Staff is supportive of the current proposal.
10. The standard calls for a minimum size of 200 square feet for parking lot landscaped islands, but the proposal is not areas of about 151 square feet is size for these areas. Staff supports meeting the 200 square feet minimum.

Again, he said site plans, if approved, are good for one-year of time. He suggested the following motion:

Staff recommends approval of the requested site, design and landscape plan for Lot 3 of the I-55 Horn Lake Distribution Center with an address of 2250 Logistics Avenue for a warehouse land use, consisting of 17.3 acres on land that is zoned M-1 with the following conditions or changes attached:

- a. Add the dumpster to the plans for review by staff,
- b. Add parapet articulation every 125 feet of linear length to the center portion of the south façade,
- c. Go with the 0-2% proposed amount of glass for the south façade as a building material,
- d. Tree mitigation process shall be agreeable between the staff and the applicant,
- e. Address, clarify and meet all items from the 1-12-2022, letter from the city engineering firm, Neel-Schaffer, specifically, Greg Russell, including separate outflow numbers for the #3 drainage pond, allowing for the planning commission to determine the final off-street parking requirement,
- f. Abide by the planning commission's determination for the south side landscaping (planting schedule), and
- g. Increase the parking lot landscaping requirement to provide each island/peninsula with at least 200 square feet of landscaped area per the ordinance.

Chair called for any comments either from PC or the applicant. Seeing none, he called for a motion. Little made the following motion:

After review of application Case No. 2069 SPDR, a request for the review of a proposed site, design and landscape plan for a warehouse proposed at 2250 Logistics Avenue in Horn Lake, consisting of 17.3 acres +/- with M-1 zoning, located on Lot 3 of the I-55 Horn Lake Distribution Center Subdivision, the Horn Lake Planning Commission approves of the request with the following conditions attached to it:

- a. Add a dumpster to the plans for review by staff,
- b. Add parapet articulation every 125 feet of linear length to the center portion of the south façade,
- c. Tree mitigation shall be agreed upon by staff and the applicant,
- d. Address, clarify and meet all items from the 1-12-2022, letter from the city engineering firm, Neel-Schaffer, specifically, Greg Russell, including separate outflow numbers for pond #3 drainage pond,
- e. Abide the planning commission's determination for the south side landscaping (planting) schedule,
- f. Increase the parking lot landscaping requirement to provide each island/peninsula with at least 200 square feet of landscaped area per the ordinance,
- g. Perform traffic study for Hurt Road, and
- h. Set the off-street parking standard at one (1) space per 250 square feet of office area/use and one (1) space per 2,500 square feet of warehouse area/use.

A second was made by Commissioner Vidal. Motion passed, 4-0.

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Agenda item 5e) was considered next. Case No. 2070: Request by Metro Construction, developer; ETI Corporation, engineer/designer; on land owned by Cheonshae Moore, for a one-lot commercial subdivision sketch plat (SDSketch) at 2036 Goodman Road West in Horn Lake. (No formal name yet for this potential subdivision.)

Chair announced the case and asked if staff had a presentation.

The plng. dir. presented the power point making the following comments:

1. He explained the reasoning behind the concept of a subdivision sketch plat and referred to the city's subdivision regulations for the purpose behind the process.
2. He said the sketch plat proposal was to combine two parcels and a portion of a third parcel into one (1) lot and it would total 1.01 acres, the property was entirely located within the 100-year flood plain and this is known by both the owner and their engineering company, no new public road is proposed, the property would be served by the Horn Lake Water association for both water and sewer service and the current zoning was C-4. The proposed use would be for a day care center.
3. He pointed out from the power point presentation the building location on the site, the play area behind the building, the detention area also to be located behind building, the southwest access point, the parking lot and an ingress/egress easement to be located along the entire east part of the subject sketch plat area spanning from the south to the north edge of the property.
4. He said it appeared that all required easements are met.
5. He added it appeared the proposed sketch plat, both in form and location, provides a satisfactory and desirable building site for the intended land use, keeping in step with Section 34-60 of the Subdivision Regulations.
6. He asked for clarity about the proposed east side ingress/egress easement. Would it have a separate entrance point? Would the access be from the parking lot and then turn to the north? Is there a second entrance to the property now? Would access come from the adjacent property located to the east of the subject property?
7. It was his understanding from speaking with the land owner there is great need for an additional daycare facility within the community.
8. The entire property is located within the 100-year flood plain, but the owner is aware of that and that development would have to be elevated two-feet above the base flood elevation (BFE).
9. A name is needed for the development. Please provide one.
10. Sidewalks will need to be planned for and installed per the subdivision regulations.

With that, staff made the recommendation of approval of the requested subdivision sketch plat of the one lot, 1.10-acre area for the commercial development of a daycare center at 2036 Goodman Road West with the following conditions or changes attached:

- a. Applicant/owner/developer shall proceed with the filing of the final plat application and all required documents associated with that.
- b. Applicant/owner/developer shall develop a name for this subdivision for reference and clarity reasons.

The Chair asked for any question of staff. Seeing none, he asked if the applicant was present.

Melissa Aguilera, the owner's engineer and designer, of ETI Corporation came forward. She said she is representing the owner and is a resident of DeSoto County.

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She said the proposal is to consolidate three properties into one for the establishment of a day-care center and it would be complete with a parking area, activity area and detention area for property drainage control. She said the east side easement is for access purposes and that would serve the five-acre property located north of the subject property should future development occur.

Chair asked for input. Commissioner Yeager asked for clarification from the slide in the power point.

Aguilera said the building is to located mostly in the center with the activity or play area to be located north of the building. She added the building would be 6,000 square feet and the BFE is 263 feet and the regulatory elevation to build to for the lowest habitable floor would be 265 feet. She said they are aware access approval would come from the Mississippi Department of Transportation (MDOT) and they have contingency designs should MDOT only approve of one entrance point and not two curb-cuts/access points to the property.

Lastly, she said the lot numbers listed on the sketch plat are derivations from the County parcel ID numbers.

Chair asked for any comments from the PC.

Commissioner Yeager said two of the three parcel numbers were missing a zero as listed in the staff report.

DE ensured on the matter. Staff agreed there was a zero missing in two of the three parcel ID numbers as listed on page one of the staff report. He would correct that.

The Chair asked for a motion. Commissioner Vidal made the following motion:

After review of application Case No. 2070 SD Sketch Plat, the one lot, 1.10-acre area for the commercial development of a daycare center with C-4 zoning at 2036 Goodman Road West, the Horn Lake Planning Commission approves of the request with the following conditions attached to it:

- a. Applicant/owner/developer shall proceed with the filing of the final plat application and all required documents associated with that.
- b. Applicant/owner/developer shall develop a name for this subdivision for reference and clarity reasons.

Commissioner Stokes made a second to the motion. Motion passed, 4-0.

The plng. dir. brought up the issue of a property owner opening a business on Goodman Road of whether the city would allow bars for security purposes on the inside of the main entrance door. He said he had checked with Chief Linville and the fire code doesn't not allow for that upon windows nor does it allow for the installation of sliding metal gates, but it does allow for security bars to be placed on the inside of the main entrance door, but the city's design standards are tacit (silent) on the matter.

DE on the matter, but it was determined the company or individual desiring this design to make a more formal request for consideration by the planning commission. That way the party desiring that could supply diagrams and/or drawings showing the PC what that party had specifically in mind. This would be a better way to consider the matter and vote upon it. The planning director said he would contact the individual and inform them of the PC's preference.

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6. Other Business. a. Report from the planning commissioner training held in Oxford, MS on 1-20-2022. This was not taken up by the PC due to the length of the meeting.
7. Adjournment. A motion was made by Vidal to adjourn. 2nd: Stokes. V: Motion passed to adjourn at approximately 8:53 p.m., 4-0.

Prepared by C. Bahr, Plng. Dir., on 2-1 and 2-2022, and completed in unapproved form by him at 7:57 p.m. on 2-2-2022. Draft updated on 2-4-2022 at 2:18 p.m. One correction made 2-28-2022 at 9:23 p.m. based upon an approved motion by the Planning Commission.