



**DESOTO COUNTY PLANNING COMMISSION
ORDER OF ITEMS
APRIL 28, 2016
6:30 p.m.**

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes – March 31st, 2016

PUBLIC HEARING

Rezoning

Robertson Farms (745) - Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to R-20 identified as Parcel #2-06-5-21-00-0-00018-00, located on the south side of Jones Road and west of Hwy 305 in Section 21, Township 2, Range 6 and is zoned Agricultural (A-R) (District 5)

Applicant: James T. Robertson

Subdivision

Grays Creek Subdivision (2nd Revision) - Application is for major subdivision revision identified as parcel3-07-08-33-01-0-000042-00 located on the west side of Getwell Road, South of Slocum Road 33, Township 3, Range 7 and is zoned Agricultural (A) (District 5)

Applicant: Grays Creek Development – J.F. Lauderdale

The Desoto County Planning Commission met at 6:30 p.m. on Thursday, April 28, 2016, in the Board Room of the County Administration Building in Hernando, Mississippi. The following Commission members were present: Randy Jones, Julius Cowan, Theodore Dorsey, Joan Robertson, Jeanne Shannon, Greg Ryan, Floyd Fiveash, Steve Reeves, David Arnett, John Arnold, Tom Hunt and Wade Carter. Staff members present included Bennie Hopkins, Austin Cardosi, Ashley Hendricks, and Robert Quimby, Board Attorney.

Planning Commission Chairman Ms. Shannon called the meeting to order and asked whether any member of the Commissioners recommended changes to the Minutes dated March 31, 2016. No changes were suggested. Mr. Ryan made a Motion to approve the minutes as presented. Mr. Hunt seconded the Motion. The Motion passed with a unanimous vote.

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Ms. Shannon recused herself from this item.

Mr. Ryan made a Motion to open a Public Hearing in regards to the Robertson Farms rezoning. Mr. Jones seconded the Motion. The Motion passed with a unanimous vote.

Mr. Hopkins presented the Robertson Farms application for approval of rezoning of property from Agricultural-Residential (A-R) to R-20. Mr. Sean Green was present to present the application.

Mr. Fiveash asked if the only access point to the property is through Creekside Subdivision. Mr. Hopkins stated that there is a stub out from the subdivision, an access easement from Jones Road, and a potential access point through a recently rezoned development off of Dunn Lane to the north the proposed site.

Mr. Carter asked when the Fire Marshall's office reviews the plans and gives approval. Mr. Hopkins stated the Fire Marshall's office reviews the development when it is submitted for Preliminary Subdivision approval.

Mr. Sean Green came forward to present the application. He stated that he is asking to rezone the property to R-20. He stated there is access through Creekside subdivision, an easement from Jones Road, and he has spoken with Mr. Mike Bailey and made arrangements to be able access the proposed site through Mr. Bailey's development to the north. Mr. Green stated some lots will be R-20, but he will also have R-30 and 1 acre lots in his development. He stated

the minimum square footage of homes would be 2500 sqf to be comparable to Creekside subdivision.

Mr. Carter asked what the change in the neighborhood is that would support a rezoning of property. Mr. Green stated there is a shortage of lots, and he would like to develop the property to be comparable to the other subdivisions in the area. He stated the location is neat I-269. He then stated there have been several other R-30 subdivisions approved in the area.

Mr. Carter asked the applicant if he is aware that R-20 subdivisions require sidewalks. Mr. Green stated he was aware of this requirement.

Mr. Fiveash asked which of the two lakes on the property he plans to maintain. Mr. Green stated his goal is to maintain the larger lake.

Mr. Fiveash asked if Jones Road is a section line road. Mr. Cardosi confirmed Jones Road is a section line road and part of the Starlanding Corridor.

Mr. Carter asked if there is anyone for or against this application.

John Engberg – 8708 Shallow Creek Dr – came forward and had the following concerns:

- Safety due to increase traffic
- Decreased property value
- Drainage during and post construction, he stated the culvert on Shallow Creek Drive already fills with water when it rains
- Erosion issues
- Where the treatment plant will be for the proposed development
- Does not feel there is a need for R-20 zoned property in this area

Brian Lee – 8805 Jones Road – came forward and had the following concerns:

- Increased traffic
- Notification process
- R-20 zoned property is not needed in this area

Mr. Cardosi explained the notification process.

John Sporup – 8861 Jones Road – came forward with the following concerns:

- Sizes of lots
- Size of homes
- Not consistent with lot and homes sizes of property on Jones Road
- Concerned with accessibility
- Feels should be accessed from Craft Road
- Construction traffic
- Traffic onto Hwy 305 from Jones Road

Michael Jones – 8485 Dunn Lane – came forward with the following concerns:

- Jones road is not passable
- Mr. Bailey does not own the proposed development site to the north yet

- Increased traffic on to Dunn Lane
- Damage to trees on his property
- School cannot handle any more students

Jonathon Looney – 8677 Shallow Creek Dr. – came forward with the following concerns:

- Access through Creekside Subdivision and not being a part of the subdivision
- Traffic safety
- Construction traffic
- Needs better access route

Susan Lee – 8805 Jones Road – came forward, presented pictures and had the following concerns:

- Width of Jones Road
- Traffic safety

Mr. Cardosi explained the access from Jones Road is only an easement and the applicant would have to get deeded Right of Way to improve it.

Brian Smith – 8570 Jones Road – came forward and stated he feels it should be zoned R-30 to be in line with other subdivisions in the area.

Jack Russell – 8572 Shallow Creek – came forward and stated he is concerned with drainage in the area.

Mr. Green stated Hwy 305 at Jones Road is dangerous and would only use Jones Road as an emergency access for the proposed subdivision. He then stated Mr. Bailey is in the process of closing on the property to the north. He stated there is sewer and water available in Creekside Subdivision and has already been approved to tap into both for his development. He stated he doesn't feel there will be a big difference in traffic between R-20 and R-30 development, and access will be through Creekside and the development to the north.

Mr. Ryan asked approximately how many lots will be in the proposed development. Mr. Green stated approximately 30 lots.

Mr. Ryan asked if the applicant's intentions will change if Mr. Bailey doesn't close on his development. Mr. Green stated it would not.

Mr. Quimby asked if the applicant is saying the change in the neighborhood is based on increased building in the area, request for lots and desire for homes in the Lewisburg Schools. Mr. Green confirmed that is what he is basing his request for rezoning on.

Mr. Carter asked if the sewer from his proposed development will go to an existing sewage lagoon in Creekside Subdivision. Mr. Green confirmed that he has spoken with the sewage company for Creekside and they confirmed there is capacity for his development on the existing sewage lagoon in Creekside.

Mr. Carter asked how construction traffic will access the proposed development. Mr. Green stated that construction traffic would access the proposed development from Jones Road.

Mr. Carter asked if the only access for the proposed development will be through Creekside Subdivision. Mr. Green stated access would be through Creekside and emergency access only from Jones Road that will be gated. Mr. Brian Lee stated he does not think the fire department will want take fire trucks down a dirt road to access the development. Mr. Carter stated he is concerned with the ingress/egress for the development. Mr. Ryan stated ingress/egress will be discussed when the development comes back before the Planning Commission for preliminary subdivision approval. Mr. Quimby agreed with Mr. Ryan.

Mr. Ryan stated the Planning Commission is here tonight to determine whether there has been a change in the neighborhood to warrant a rezoning. He then stated he feels there has been a change to warrant the rezoning.

Mr. Quimby advised if approved there will be public notice for the preliminary subdivision.

Mrs. Robertson asked if Mr. Bailey's property was rezoned to R-30. Mr. Hopkins confirmed that it was rezoned to R-30 and will still need to come back for preliminary subdivision approval.

Mr. Fiveash asked if there are any more R-20 zoned developments in the area. Mr. Hopkins stated there are not any R-20 developments within a mile of the proposed site. Mr. Ryan stated he feels this request fits in the I-269 Corridor place types.

Mr. Carter stated there are post construction run-off rules that will address drainage in the proposed site.

Mr. Ryan made a Motion to approve Robertson Farms application for rezoning of property from Agricultural-Residential (A-R) to R-20 due to change in neighborhood, complies with the I-269 Corridor Plan, development in the area and a public need. Mr. Reeves seconded the Motion. The Motion carried in a 10-1 roll call vote.

Ms. Robertson made a Motion to close the public hearing. Mr. Carter seconded the Motion. The Motion passed by a unanimous vote.

Subdivision

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Applicant: Grays Creek Development – J.F. Lauderdale**

Mr. Hopkins presented the Grays Creek Subdivision, 2nd Revision for major subdivision revision. Mr. Hopkins stated the applicant is requesting to move the property line between lots 42 and 43.

Mr. Ryan asked if it is just moving one property line. Mr. Hopkins confirmed the request is to only move one property line.

There was discussion of who will be required to sign the plat and was determined the Board of Supervisors will determine who the affected parties are that will need to sign the plat.

Mr. Ryan made a Motion to approve Grays Creek Subdivision, 2nd Revision for major subdivision revision to move the property line between lots 42 and 43. Ms. Robertson seconded the Motion. The Motion passed by a unanimous vote.