



**City of Hernando, Mississippi
Office of Planning**

PLANNING COMMISSION

JANUARY 11, 2022, MINUTES

The Planning Commission met in a regular session on January 11, 2022, at 6:00 p.m. at City Hall Board Room, 475 W Commerce Street. The following Commissioners were present: Commissioner Ashworth, Commissioner Thorn, Commissioner Clark, Commissioner Jordan, Commissioner Carter, Commissioner Skeen, and Commissioner Hawkins. The following staff members were also present Kristen Duggan and BJ Page.

Commissioner Carter called the meeting to order at 6:04 p.m. and Commissioner Jordan gave the invocation followed by roll being called.

Commissioner Carter asked if everyone had reviewed the December 14, 2021, minutes. Commissioner Skeen made a motion to approve the minutes as written and Commissioner Hawkins seconded the motion. The motion passed unanimously.

Mr. Page began the meeting by announcing the public Hearings for the following transportation projects that were being submitted by the city:

- A. Asphalt overlay project on McIngvale Road, from I-269 north to Pleasant Hill Road.
- B. Nesbit Road sidewalk improvement project.

He explained that the Planning commission did not need to take any action regarding these items. It was strictly open for public comment.

Commissioner Carter asked if there was anyone present that wished to speak on either of these items. There was no one.

Chairman Carter announced the following item:

- Item 1: PL-1570** – Request for a Design Review Variance to waive the requirement for providing grass or other ground cover around the site, allowing the site to remain as dirt and crushed concrete as identified

on the submitted site plan for Delta Industries, located at 3262 Industrial Drive, a 10.0-acre tract on the east side of Industrial Drive, south of Vaiden Drive, west of McCracken Road, and east of Mount Pleasant Road Extended, in Section 19, Township 3 South, Range 7 West, currently zoned "M-2," Heavy Industrial. – Thomas Anderson representing Delta Industries, the owner of the property. **Application Withdrawn by Applicant.**

Commissioner Carter stated that the agenda shows that this application has been withdrawn by the applicant and will not need any action taken by the commission.

Chairman Carter announced the following item:

- Item 2:** **PL-1580** – Request to Rezone a 10.70-acre tract of land located on the south side of Green "T" Road east of U.S. Highway 51 and west of Interstate 55, in Section 1, Township 3 South, Range 8 West, from the "R-12," Single Family Residential District (Medium Density) to the "C-2," Highway Commercial District, J. Byron Houston with Houston Engineering, P.L.L.C., representing Creative Constructions, L.L.C., the property-owner. **Request to Table to next Meeting by Applicant.**

Commissioner Carter stated that the applicant has requested to be table this item until the February 8, 2022, meeting.

Commissioner Skeen made a motion to table this item until February 8, 2022. Commissioner Thorn seconded the motion. The motion passed unanimously.

Chairman Carter announced the following item:

- Item 3:** **PL-1581** – Request to Amend Preliminary Plat Approval, Crossroads North Subdivision, from 70 residential lots and 2 common open space lots to 48 residential lots, 6 commercial lots, and 1 common open space lot on 34.86 acres located on the southeast corner of U.S. Highway 51 and Green "T" Road in Section 1, Township 3 South, Range 8 West. The property is currently zoned in the "R-12," Single-Family Residential District (Medium Density) and the "C-2," Highway Commercial District, – J. Byron Houston with Houston Engineering, P.L.L.C., representing Creative Constructions, L.L.C., the property-owner. **Request to Table to next Meeting by Applicant.**

Commissioner Carter stated that the applicant has requested to be table this item until the February 8, 2022, meeting.

Commissioner Skeen made a motion to table this item until February 8, 2022. Commissioner Thorn seconded the motion. The motion passed unanimously.

Chairman Carter announced the following item:

Item 4: **PL-1582** – Request for Preliminary Plat Approval for the Oak Grove Minor Lots Subdivision, 7 lots, 20.03 acres located on the north side of West Oak Grove Road, west of Scott Road, and east of Oak Crossing Drive, in Section 15, Township 3 South, Range 8 West. The property is currently zoned in the “A,” Agricultural District – Nick Kreunen, with Civil-Link, on behalf of Mike Bailey, the property-owner.

Mr. Page presented the application to the commission. He explained that even though this is an agriculturally zoned subdivision all subdivision requirements still exist, including installation of water, sewer, road improvements, etc. These requirements can only be waived by the Board of Aldermen.

Commissioner Jordan stated that it looks as though there is a lot of information missing from the preliminary plat.

Commissioner Thorn said he was concerned with the access easement shown. Mr. Page stated that easements are common practice but also added that staff comment #4 states that if any further development occurs then all streets/access would have to be brought up to city standards. Commissioner Thorn then asked what material would be required for the easement. Mr. Page stated that all driveways are required to be paved surfaces so the easement would need to be paved. Thorn stated that he feels this should be a city street instead of an access.

Commissioner Jordan added that agrees and feels that the easement is being used as a way to get out of sidewalk and curb and gutter requirements. He also added that there is no common area shown for the cluster mailbox to be constructed. He feels the plat is insufficient. Mr. Page explained that the commission has the authority to table the application and ask the applicant to address the concerns.

Commissioner Carter stated that hearing form the applicant would give some clarity to these concerns however the applicant is not present. Commissioner Skeen agreed that the applicant should be present to address some of the questions that the commission has.

Commissioner Carter asked if there was anyone present to speak for or against the application. There was no one.

Commissioner Jordan made a motion to table the application until February 8, 2022, to allow for the applicant to be present to answer the questions that the commission has. Commissioner Clark seconded the motion. The motion passed unanimously.

Chairman Carter announced the following item:

Item 5: **PL-1583** – Request for Final Plat Approval for Lot 7 of Phase 4 of Lee’s Summit PUD, 1 lot, 1.67 acres located on the east side of McIngvale Road, south of East Commerce Street and north of Monteith Avenue, in Section 17, Township 3 South, Range 7 West. The property is currently zoned “PUD,” Planned Unit Development District – Leroy Ratliff with Century Car Wash Express, on behalf of Mark Anglin, the property-owner.

Mr. Page presented the application to the commission. He explained that the plat meets the preliminary development plan that was approved for Lees Summit PUD.

The commission had no questions for Mr. Page or the applicant, Mr. Matt Wolfe.

Commissioner Carter asked if there was anyone present to speak for or against the application. There was no one.

Commissioner Thorn made a motion to grant Final Plat Approval for Lee’s Summit PUD – Phase 4, Lot 7, 1.67 acres, located on the east side of McIngvale Road, south of East Commerce Street and north of Monteith Avenue, in Section 17, Township 3 South, Range 7 West, based upon a finding that the submitted final plat generally conforms to the requirements of the City’s codes and ordinances, subject to the following conditions:

1. Revise the plat as follows:
 - A. Revise the setbacks shown on the lot to Front Yard = 35 feet, Side Yard = 0 feet, and Rear Yard = 20 feet.
 - B. Show on the plat the location of all survey descriptions.
 - C. Add Mortgage Certificate, if relevant.
 - D. Revise the Owner’s and Mortgagee’s Certificates to state “...and dedicate the right-of-way for the roads and utility easements as shown on the plat of the Subdivision to the City of Hernando, Mississippi, for the public use forever.”
 - E. Revise the plat to reflect 10’ wide utility easements on the front and rear property lines and 5’ wide utility easements on the side property lines. Revise in the notes on the face of the plat that there are 10’ wide utility easements on the front and rear property lines.
2. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
3. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
4. The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, gas mains and service, curb and gutter for all streets, and gravel or soil cement base for the streets and one (1) layer of blacktop, 1½" thick, before the plat of the subdivision is recorded, including one-half of the right-of-way of McIngvale Road. A performance guarantee must be filed for the remainder of the improvements in an amount set by the City Engineer. This includes another 1½" of blacktop making a total of three (3") of blacktop surface and

sidewalks. Prior to recording the final plat, all public improvements shall be installed, completed, and accepted by the City of Hernando.

5. The Developer shall enter into a Development Contract with the City of Hernando for the installation of all required Public Improvements. This is in accordance with Article VI Required Minimum Improvements, §B. Procedures for Posting or Release of Bonds of the City of Hernando's Land Subdivision Ordinance.
6. Streetlights shall be installed at the developer's expense. Streetlight plans shall be submitted to the Office of Planning for City Engineer and Planning Director approval.
7. All utilities and services (electric, telephone, cable, etc.) are to be installed underground. The water service lines shall be installed with tracing wire at the top.
8. Following Plat Approval, the Developer shall submit two (2) complete sets of construction plans for review and approval to the Office of Planning.
9. Prior to recording the final plat, the Developer shall submit for approval a schedule of Lot Numbers and associated street addresses to the Office of Planning. Corner lots shall include potential addresses for both streets.
10. Prior to submitting the plat for recording, the applicant shall coordinate with the Post Office the centralized delivery location of the mailboxes.

Commissioner Jordan seconded the motion. The motion passed unanimously.

Chairman Carter announced the following item:

Item 6: **PL-1584** – Request for Final Plat Approval for Compel Church Hernando Campus Subdivision, 1 lot, 31.83 acres located on the west side of McIngvale Road, north of Dilworth Lane, and south of Cedar Grove Parkway in Section 7, Township 3 South, Range 7 West. The property is currently zoned in the "R-12," Single-Family Residential District (Medium Density) – Mark Naylor, with NCSG, Inc., on behalf of Compel Church, the property-owner.

Mr. Page presented the application to the commission.

Commissioner Skeen asked why they would subdivide. Mr. Page explained that the ordinance requires a platted lot before a building permit can be issued.

Commissioner Carter asked if there was anyone present to speak for or against the application. There was no one.

Commissioner Jordan made a to grant Final Plat Approval for Compel Church Hernando Campus Subdivision, 31.83 acres, located on the west side of McIngvale Road, north of Dilworth Lane, and south of Cedar Grove Parkway in Section 7, Township 3 South, Range 7 West, based upon a finding that the submitted final plat generally conforms to the requirements of the City's codes and ordinances, subject to the following conditions:

1. Revise the plat as follows:

- A. Revise the setbacks shown on the lot to Front Yard = 30 feet, Side Yard = 12 feet, and Rear Yard = 25 feet.
 - B. Add Mortgage Certificate, if relevant.
 - C. Revise the Owner's and Mortgagee's Certificates to state "...and dedicate the right-of-way for the roads and utility easements as shown on the plat of the Subdivision to the City of Hernando, Mississippi, for the public use forever."
2. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
 3. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
 4. The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, gas mains and service, curb and gutter for all streets, and gravel or soil cement base for the streets and one (1) layer of blacktop, 1½" thick, before the plat of the subdivision is recorded, including one-half the right-of-way of McIngvale Road and Dilworth Lane to the extent those roads border the subdivision. A performance guarantee must be filed for the remainder of the improvements in an amount set by the City Engineer. This includes another 1½" of blacktop making a total of three (3") of blacktop surface and sidewalks. Prior to recording the final plat, all public improvements shall be installed, completed, and accepted by the City of Hernando.
 5. The Developer shall enter into a Development Contract with the City of Hernando for the installation of all required Public Improvements. This is in accordance with Article VI Required Minimum Improvements, §B. Procedures for Posting or Release of Bonds of the City of Hernando's Land Subdivision Ordinance.
 6. Streetlights shall be installed at the developer's expense. Streetlight plans shall be submitted to the Office of Planning for City Engineer and Planning Director approval.
 7. All utilities and services (electric, telephone, cable, etc.) are to be installed underground. The water service lines shall be installed with tracing wire at the top.
 8. Following Plat Approval, the Developer shall submit two (2) complete sets of construction plans for review and approval to the Office of Planning.
 9. Prior to recording the final plat, the Developer shall submit for approval a schedule of Lot Numbers and associated street addresses to the Office of Planning. Corner lots shall include potential addresses for both streets.
 10. Prior to submitting the plat for recording, the applicant shall coordinate with the Post Office the centralized delivery location of the mailboxes.

Commissioner Hawkins seconded the motion. The motion passed unanimously.

There being no further business to come before the Commission, A motion was made and seconded to adjourn the meeting. the motion passed unanimously. The meeting adjourned at 7:14 p.m.