



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

**PLANNING COMMISSION**

**May 10, 2022, MINUTES**

The Planning Commission met in a regular session on May 10, 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 Hawkins, Commissioner Skeen, and Commissioner Brumbelow. The following staff members were also present Steven Pittman, City Attorney, Kristen Duggan, Austin Cardosi, and BJ Page.

Commissioner Hawkins stepped in as acting chairman.

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

Commissioner Hawkins asked if everyone had reviewed the April 12, 2022, minutes. Commissioner Brumbelow made a motion to approve the minutes as written and Commissioner Ashworth seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

- Item 1: 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., property-owner.

Mr. Page presented the application to the commission.

Mr. Byron Houston is present to represent the application. He explained that they are working with MDOT on a traffic study which is almost complete.

Commissioner Skeen stated that he was under the impression that Mr. Patel was proposing a walkway, but the plans show something different.

Mr. Houston said that it changed after the meeting with MDOT because it would be problematic.

Commissioner Thorn noted that the only way to enter the residential subdivision was through the commercial area. Mr. Houston added that it is possible to enter through the neighboring residential subdivision as well. He added that the commercial area near the entrance is not the main commercial area.

Commissioner Jordan asked what would be located in the common open space. Mr. Houston answered that the Common open space would consist of a gazebo, detention pond and the cluster mailboxes.

Commissioner Thorn stated that he is concerned that the entrance will create a bottleneck with 80-90 cars a day coming in and out of the one entrance. Mr. Houston stated that they are adhering to all MDOT suggestions and requirements.

Commissioner Skeen stated that it was originally suggested by the planner to separate the residential and commercial areas and that has not been done. He is concerned with the lack of change.

Mr. Ron Patel, developer, came forward and stated that the Green T entrance will separate all of the commercial traffic from the residential. He added that there will also be a 6-foot brick wall separating the uses.

Commissioner Thorn said he does not feel that access to the commercial area is an asset to the residential property.

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

Commissioner Clark made a Motion to grant approval of an amendment to the Crossroads North Subdivision Preliminary Plat, a 55-lot subdivision (48 residential lots, 6 commercial lots, and 1 common open space lot), consisting of 34.86 acres, located north of the existing Crossroads Subdivision on the southeast corner of U.S. Highway 51 and Green "T" Road, based upon a finding that the submitted plat generally conforms to the requirements of the

City's codes and ordinances, subject to the following conditions With the removal of 1h and 1j:

1. Submit a revised preliminary plat to the Planning staff for review and approval prior to the submission of any final plat for this property, addressing the following revisions:
  - A. Revise the submitted plat amendment to reflect the correct preliminary plat format to include all of the information for the residential portion of the development.
  - B. Add a Mortgagee's Certificate, if applicable.
  - 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."
  - D. Revise the building setback line on Lots 4, 5, and 6 of the commercial lots to reflect the correct front yard setback for those lots along Green "Tee" Road.
  - E. Revise the numbering of the commercial lots to be consecutive with the residential lots (i.e., Lots 1 - 6 of the commercial lots to Lots 50 - 55).
  - F. Correct the label on Lot 5 of the commercial lots.
  - G. Reflect right-of-way widths in the residential portion of the subdivision.
  - ~~H. Convert the northern-most north/south street to a cul-de-sac, thereby eliminating its interconnection to the northern-most east/west street.~~
  - I. Revise the 30' wide "buffer" identified along the southern boundary of the commercial lots to read "30' landscape buffer and non-access easement."
  - ~~J. Extend the 68' wide right-of-way for the northern-most east/west street to its interconnection with the southern-most east/west street.~~
  - K. Identify cross-access easements to provide for internal traffic movement between the commercial lots, and joint access points.
  - L. Revise the notes on the plat to incorporate the setback requirements for the residential portion of the development
  - M. Revise the plat to reflect the location of the cluster mailbox site proposed to serve this development, along with a proposal for construction conforming to the amendment to the City's Subdivision Regulations recently adopted by the Board of Aldermen.
2. The restrictive covenants shall be submitted to the Planning Staff for review and approval prior to the submission of any final plat for this property. The submitted covenants shall match the covenants that were recorded with Phases 1 and 2 of Crossroads Subdivision. If more restrictive amendments are requested by the developer, they shall be reviewed and approved by Planning staff. If the proposed changes are less restrictive than what is currently required by the previous phases of Crossroads Subdivision, those changes shall be approved by the Planning Commission. The submitted covenants shall include:
  - A. The minimum finished, heated floor area requirements and architectural provisions for the residential portion of this development.
  - B. Requirements concerning the maintenance of the cluster mailbox site and how that cost will be shared between the property-owners.

- C. A provision that no amendments may be made to the restrictive covenants and recorded unless such amendments have previously been approved by the City of Hernando Planning Commission.
  - D. A provision that none of the residential lots may be further subdivided in the future.
3. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
  4. All landscaping in all common open space areas, natural areas, buffer areas, streetscape areas, medians, islands, and the entrance signage areas and such other associated improvements shall be installed/constructed prior to the issuance of any building permit within the development. Street trees may be bonded insuring their installation prior to the final inspection and occupancy of the residence upon each lot.
  5. Following Preliminary Plat Approval, but prior to the initiation of construction of public improvements, the Developer shall submit two (2) complete sets of construction plans for review and approval to the Office of Planning
  6. 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, including ½ the right-of-way of Green "Tee" Road to the extent that road borders the development, and such improvements to U.S. Highway 51, as determined by the City Engineer, to the extent it borders the development before the plat of the subdivision is recorded. 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.
  7. Prior to the beginning of utility and improvement construction, 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.
  8. Sidewalks shall be installed on both sides of all streets, except for U.S. Highway 51 and Green "Tee" Road where sidewalks will only be required on that side of the road bordering the development.
  9. Finished floor elevations shall be listed for each lot.
  10. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
  11. 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.
  12. 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.
  13. 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.

Commissioner Jordan seconded the motion. The motion passed with the following vote: Commissioner Clark “Yay,” Commissioner Thorn “Nay,” Commissioner Jordan “Yay,” Commissioner Brumbelow “Yay,” Commissioner Ashworth “Yay,” and Commissioner Skeen “Nay.”

Chairman Hawkins announced the following item:

**Item 2:**       **PL-1605** – Request for Approval of an Amendment to the Text of the Lees Summit Planned Unit Development Project Text. More specifically to add “Self-Storage/Mini Warehouse” to the list of uses permitted in the Lees Summit PUD – Greg Russell, with Neel Schaffer Engineering, representing Summit Park, L.L.C., the owner of the property.

Mr. Page presented the application to the commission. They had no questions for Mr. Page.

He then introduced Mr. Greg Russell as being present to represent the application.

Mr. Russell explained that there is a church on one side of this property with a 30-foot no disturb buffer. This property will only be visible from Monteith Avenue. It will not be seen from McIngvale Road.

Mr. Chad Fisher also came forward and stated that there is a need for more storage in Hernando. The one across the street is full and with the number of houses being built and people moving into the city, it causes a demand for this in the area.

Commissioner Jordan asked if there is any change to the area other than the demand. Mr. Fisher stated that the original PUD had apartments which have been removed since the original approval. Also, the addition of Wal Mart and Toyota are big changes to the area.

Commissioner Jordan stated that he is concerned with making this exception after so many people have purchased in this development without the knowledge of this type of establishment.

Mr. Fisher stated that the plan was amended to add the church without knowledge. He added that this plan has historically been amended.

Commissioner Skeen what zoning district allows this use other than an M-1 zoning district. Mr. Page stated that C-2 allows as a conditional use.

Mr. Fisher stated that that their two best options are a storage facility or a hotel/motel/motor lodge. He added that he feels this is a better option. People would not want a motel by their homes.

Mr. Russell stated that the population growth has largely created a need for more storage facilities in the area, The addition of the car dealership is a much more intrusive use than this.

Commissioner Hawkins asked if there was anyone present to speak for or against this application.

Mr. Larry Dell Bellflower came forward. He stated that he was part of the original group that discussed the approval of the original Lees Summit PUD. He is concerned that if this is approved will it maintained the standards put in place for the original approval.

Mr. Steven Cabbage stated that he purchased in this development for the quiet neighborhood. Speaking as a local business owner and a resident he doesn't feel this is beneficial for the area. He does not want this to be like Horn Lake. He does not feel this will add value to Hernando or Lees Summit. These are high value homes, and he is concerned about the property values. He added that this type of development should be in a commercial area, not a residential area.

Tyler Mullins stated that the intermingling of the commercial and residential traffic is already an issue. He asked the commission to maintain the integrity of the residential area that they invested in.

Beth Ross stated that as a resident and alderperson for Ward 5 she was against the existing mini storage as well as this proposed mini storage. She feels there are other locations in which this could be located. She asked that the commission please consider the residents of the area when making this decision.

Mr. Greg Russell stated that this property is not in the middle of a residential subdivision. It is separated from the residential are by Monteith Ave. This is a commercial area. There are allowed uses for this property which are much more intrusive than a storage unit.

Commissioner Jordan made a motion to recommend DENIAL of an Amendment to the Project Text of the Lees Summit Planned Unit Development to add "Self-Storage/Mini-Warehouse" to the list of permitted uses within the "C-4" designated areas of the PUD. Commissioner Brumbelow seconded the motion. The motion passed with the following vote: Commissioner Clark "Nay," Commissioner Thorn "Yay," Commissioner Jordan "Yay," Commissioner Brumbelow "Yay," Commissioner Ashworth "Yay," and Commissioner Skeen "Yay."

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 7:04 p.m.