

**City of Hernando, Mississippi**

**Office of Planning**

**PLANNING COMMISSION**

**October 11, 2022, MINUTES**

The Planning Commission met in a regular session on October 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 Max, Commissioner Hawkins, Commissioner Skeen, and Commissioner Brumbelow. Commissioner Clark and Commissioner Jordan were not present. The following staff members were also present Josie Gilder, representing the City Attorney, Kristen Duggan, and Austin Cardosi.

Commissioner Hawkins called the meeting to order at 6:02 p.m. and Commissioner Ashworth gave the invocation followed by roll being called.

Commissioner Hawkins asked if everyone had reviewed the September 13, 2022, minutes. Commissioner Brumbelow made a motion to approve the minutes as written and Commissioner Skeen seconded the motion. The motion passed unanimously.

Commissioner Hawkins explained that Item 3, Mini Storage Conditional Use, would be moved to the second item on the agenda since it relates to Item 1.

Chairman Hawkins announced the following item:

**Item 1: - PL-1664 – Highway 51 Mini Storage Variance –** Request for a variance of the maximum lot size for a mini storage in the C2 district.The subject property is located on the east side of Highway 51, north of Memphis Street in Section 21, Township 3, Range 8 and is zoned C2. – Jason Canada, representing Highway 51 Mini-Storage, LLC.

Mr. Cardosi presented the application to the commission.

Mr. Jason Canada came forward to represent the application along with Mr. John Gilbraith, architect, and John Fowler, contractor. They explained the project and the need for the variance.

There was a brief discussion between the commissioners and the applicants regarding buffers between the properties.

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

Tammy and Steve Shaneyfield came forward and expressed concern regarding drainage and lighting. Mr. Fowler explained that the drainage review would be done by the city. Their was some further discussion between the commission and the applicants.

Commissioner Skeen made a motion to **approve** a Zoning Variance requested by Jason Canada, representing Highway 51 Mini-Storage LLC to the maximum lot size of a ministorage in the C2 district, as reflected upon the documents in the application, on property located The subject property is located on the east side of U.S. Highway 51, north of the Illinois Central Railroad overpass, and south of North Parkway, in Section 12, Township 3 South, Range 8 West. based upon the following findings:

1. *That the special conditions and circumstances that exist are peculiar to the land, structures, or buildings involved, and are not generally applicable to other lands, structures, or buildings in the same district.*
2. *That the literal enforcement of the provisions of these standards would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance*
3. *That the special conditions and circumstances do not result from the actions of the applicant and are not based upon economic considerations.*
4. *That granting the variance requested would not confer on the applicant any special privilege that is otherwise denied by this Ordinance to other lands, structures or buildings in the same district.*

Commissioner Ashworth seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**Item 2: PL-1666** – **Highway 51 Mini Storage Conditional Use `**Request to allow a Mini-Storage in the C2 zoning district.The subject property is located on the east side of Highway 51, north of Memphis Street in Section 21, Township 3, Range 8 and is zoned C2. Jason Canada, representing Highway 51 Mini-Storage, LLC.

Mr. Cardosi presented to application to the commission.

Mr. Jason Canada came forward to represent the application along with Mr. John Gilbraith, architect, and John Fowler, contractor. They explained the project and the need for the conditional use.

There was a brief discussion between the applicants and the commission regarding the building being used as part of the brick wall.

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

The commission then had a brief discussion regarding the engineering of the project.

Commissioner Thorn made a motion move to approve the application by Jason Canada, representing Highway 51 Mini-Storage, LLC requesting a conditional use for a mini-storage in the C2 District, based on the documents submitted and based on the following: The subject property is located on the east side of Highway 51, north of Memphis Street in Section 21, Township 3, Range 8 and is zoned C2

1. The proposed WILL NOT substantially increase traffic hazards or congestion.
2. The proposed use WILL NOT substantially increase fire hazards.
3. The proposed use WILL NOT adversely affect the character of the neighborhood.
4. The proposed use WILL NOT adversely affect the general welfare of the City.
5. The proposed use WILL NOT overtax public utilities or community facilities.
6. The proposed use of the property WILL conform to the recommendations of the City's General Development Plan.

Conditional use granted for 2 years, will expire October 11 2024 with the agreement that the building will serve as the fence within the opaque barrier.

Commissioner Skeen seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**Item 3: PL-1665 – Dollar General –** Request in for a variance of the minimum number of parking spaces, portion of required buffer yard, and the maximum allowable square footage. The property is located at the corner of Dilworth and McIngvale 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. Patrick Reeves, representing Blackburn Construction

Mr. Cardosi presented the application to the commission

Mr. John McCarty came forward to represent the application and explain the reason for the requests. There was a very brief discussion between the commissioners and Mr. McCarty.

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

Mr. John Pounders, Mr. Ryan Kilgore, Ms. Karen Love, Ms. Mary Alice Ledbetter, and Keith Fulcher all came forward expressing their concern with these requests. The concerns ranged from traffic to the visibility of the dumpsters and building if the screening is reduced or removed.

Commissioner Brumbelow made motion to **deny** the zoning variance(s) requested Patrick Reeves, of Blackburn Construction, as reflected upon the documents in the application, on property located located at the corner of Dilworth and McIngvale 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 on the following:

1. *That the special conditions and circumstances that exist are NOT peculiar to the land, structures, or buildings involved, and are generally applicable to other lands, structures, or buildings in the same district.*
2. *That the literal enforcement of the provisions of these standards would NOT deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of this Ordinance would confer a special privilege on the applicant.*
3. *That the special conditions and circumstances DO result from the actions of the applicant and are not based upon economic considerations*.
4. *That granting the variance requested WOULD confer on the applicant any special privilege that is otherwise denied by this Ordinance to other lands, structures, or buildings in the same district.*

Commissioner Max seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**Item 4: PL-1668 – Dunning PUD Final Plat** Request for final plat approval of 3 lots on 1.53 acres The subject properties are located on the south side of E. Valley Street, east of Northview Street and west of Northern Street, in Section 13 and 18, Township 3 South, Range 7 and 8 West, Greg Smith of Mendrop Engineering Resources, representing Mr. Butch Davis, owner of the property.

Mr. Cardosi presented the application to the commission.

He then explained that the applicant has requested to table the application until November 8, 2022.

Commissioner Skeen made a motion to table the application until November 8, 2022.

Commissioner Max seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**Item 5: PL-1669 – Lambert Subdivision – Second Revision.** Request to amend the lot line of an existing subdivision.

Mr. Cardosi presented the application to the commission

Mr. Jeremy Williams was present to represent the application. There were no questions from the commission.

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

Commissioner Skeen made Motion to grant the revision request by Andy Richardson of R&H Engineering, representing the property owners, to revise the existing plat of Lambert Subdivision. The lots are located on the south side of Holly Springs Road, west of Lambert Drive in Section 20, Township 3, Range 7

1. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
2. Grading, drainage, and engineering construction plans shall be submitted to the Office of Planning for review and approval by the City Engineer and Public Works Director, if applicable.
3. Sidewalks shall be installed on the both sides of all streets, if applicable.
4. Surrounding properties that are within 100 ft. shall be outlined with ownership records given.
5. Federal Emergency Management Agency (FEMA) designated floodplain and flood elevations shall be illustrated on the plat.
6. Prior to recording the final plat, all Public Improvements shall be installed, completed, and accepted by the City of Hernando.
7. Prior to recording the final plat, the Developer shall include all required certificates and execute those that are applicable to him and his assigns.

Commissioner Thorn seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**Item 6: PL-1670 – Compel Church Design Review variance –** Request to allow a metal façade on the western elevation of the Church, to account for a future expansion. The subject property is located on the west side of McIngvale, north of Dilworth Lane at 1835 McIngvale Road, in section 7, township 3, range 7. Marc Naylor, representing NCSG, contractor for Compel Church.

Mr. Cardosi presented the application to the commission

Mr. Joseph Lemley and Mr. Patrick Conrad were present to represent the application.

There was a brief discussion between the commission and the applicants regarding this request with Mr. Cardosi explaining that a variance runs with the land.

The applicants stated that this variance request was due to financial reasons for the church.

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

Ms. Karen Love, Mr. Ryan Kilgore, and Ms. Mary Alice Ledbetter all came forward against the application expressing concerns that the metal will be permanent on the building.

Mr. Lee Sharp came forward as a neighbor and church member voicing his support.

Mr. Lemley came forward once again to address some of the neighbors’ concerns.

Commissioner Brumbelow made a motion to table the application until November 8, 2022.

Commissioner Skeen 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 7:57 p.m.