

**City of Hernando, Mississippi**

**Office of Planning**

**PLANNING COMMISSION**

**January 10, 2023, MINUTES**

The Planning Commission met in a regular session on January 10, 2023, 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 Max, Commissioner Jordan, Commissioner Hawkins, Commissioner Skeen, and Commissioner Safley. 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 6:03 p.m. and Commissioner Thorn gave the invocation followed by roll being called.

Commissioner Hawkins asked if everyone had reviewed the December 13, 2022, minutes. Commissioner Clark made a motion to approve the minutes as written. Commissioner Jordan seconded the motion.

Commissioner Hawkins announced that the following cases have been requested to be withdrawn by the applicant:

**PL-1688 Nesbit Industrial Conditional Use Request –** Request for a conditional use to request for gravel parking to be allowed in the rear 1211 Nesbit Drive. The subject property is located on the south side of Nesbit Road, in Section 25, Township 2, Range 8 and is zoned M-1. Greg Smith, representing the owner of the property.

Chairman Hawkins announced the following item:

**PL**-**1690 Caffey 2 Lot Rezoning** – Request to rezone .33 acres from R-10 to R-6. The subject property is located on the west side of Caffey Street, north of Southern Street in Section 13, Township 3, Range 8. Ross Smith, owner of the property

Mr. Cardosi presented the application to the commission. The commission had no questions for Mr. Cardosi.

Mr. Joe Lauderdale came forward to represent the application. Mr. Lauderdale explained the lots to the commission and explained the changes in the area.

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

Commissioner Clark made a motion to recommend **APPROVAL** of a rezoning request by Mr. Ross Smith, owner of the property, is requesting to rezone .33 acres from R-10 to R-6. The subject property is identified as parcel 308613004 0010900, and is located on the west side of Caffey Street, north of Southern Street in Section 13, Township 3, Range 8. , based upon the following findings:

1. The proposed amendment generally conforms to the General Development Plan and does not substantially deviate from the intended goals.

2. The existing zoning district classification of the property in question is inappropriate or improper.

3. Major economic, physical, or social changes have occurred in the vicinity of the property in question that were not anticipated by the General Development Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate.

Commissioner Jordan seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**PL-1691** – **Caffey R-6 Final Plat** – Request to subdivide 2 lots on .33 acres. The subject property is located on the west side of Caffey Street, north of Southern Street in Section 13, Township 3, Range 8. Ross Smith, owner of the property

Mr. Cardosi presented to application to the commission. The commission had no questions for Mr. Cardosi.

Mr. Joe Lauderdale came forward to represent the application. The commission had no questions for the applicant.

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

Commissioner Jordan made to **APPROVE** Final Plat approval to Mr. Ross Smith, owner of the property, is requesting to subdivide a .33-acre parcel into two lots. The subject property is identified as parcel 308613004 0010900, and is located on the west side of Caffey Street, north of Southern Street in Section 13, Township 3, Range 8., based upon a finding that the submitted plat generally conforms to the requirements of the City’s codes and ordinances, subject to the following standard conditions:

1. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
2. 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. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
3. The developer shall install drainage pipe, erosion control material, on-site sanitary sewer 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 one-half the right-of-way of Caffey Street, 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.
4. Sidewalks shall be installed on the east side of Caffey Street to the extent that the road borders the subdivision.
5. Any private improvements proposed shall meet City standards and specifications.
6. 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.
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.

Commissioner Safley seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**PL-1693 – Delta Landing PUD** – Request to revise the PUD text on 251 acres. The subject property is located on the west side of McIngvale Road, south of Pleasant Hill in Section 31, Township 2, Range 7. Bob Dalhoff, representing the owner of the property.

Mr. Cardosi presented the application to the commission. The commission had no questions for Mr. Cardosi.

Mr. Bob Dalhoff came forward to represent the application. He explained that this is a premier site and the developer has donated 10 acres to the YMCA for them to construct a facility. He went on to state that the original approval was granted in 2007 and the area has changed drastically in the past 15 years with the opening of I-269.

Mr. Dalhoff went on to explain the changes from the original plan. He discussed the donation of the 10 acres for the YMCA and the donation of land for the pedestrian and greenway connections.

Commissioner Thorn asked what the square footages are for the homes. Mr. Dalhoff stated that the square footages would be as follows:

R-6 lots– 1600 square feet minimum

R-7 lots– 1800 square feet minimum

R-12 lots- 2000 square feet minimum

Commissioner Jordan stated a concern with the majority of the lots being R-6 lots with the smaller square footage homes. After some discussion Mr. Dalhoff asked if the commission would be more comfortable if they raised the square footage to the following:

R-6 lots– 1800 square feet minimum

R-7 lots– 2000 square feet minimum

R-12 lots- 2200 square feet minimum

The commission agreed that they would prefer the added square footage.

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

Mr. Dan Bearden came forward. He stated that he doesn’t feel that this development matches the existing developments in the area. He also mentioned traffic and property values being a concern. He suggested a detailed traffic study be done. Also, Bethlehem cemetery was mentioned, and the question was asked how the cemetery will be addressed.

Destiny McMillan, Jimmy Helms, Timothy Avery, Hayward Savage, Sherry Galloway, and Troy Hyder all came forward voicing their concerns with traffic and the connection from this development and Fronie Drive. The cemetery was also mentioned as a concern.

Mr. Jeff Hobbs also came forward and addressed the same concerns. He also asked the question about the original approval of this development. He asked Mr. Cardosi to explain that the original approval is still valid and can be constructed with or without this approval tonight. Mr. Cardosi explained the revision request to the public.

Mr. Nick Kruenen came forward as the engineer on this project. He explained that a traffic study was done but it did not include the connector streets because they aren’t necessary for the project. They are only proposed for the city request of connectivity.

Commissioner Max made a motion to **TABLE** the application until February 14, 2023, to allow time for a traffic study that includes McIngvale Road and school traffic as well as more information of the cemetery. Commissioner Thorn seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**PL-1694 – Sloan Trezevant Final Plat 1st Revision –** Request to revise the Sloan Trezevant plat, 2 lots on 1.78 acres. The subject property is located on the north side of Commerce Street, west of Sloan’s Way in Section 18, Township 3, Range 7. Andy Richardson, representing the owner of the property

Mr. Cardosi presented the application to the commission. The commission had no questions for Mr. Cardosi.

Mr. Andy Richardson came forward to represent the application. The commission had no questions for the applicant.

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

Commissioner Clark made a motion to **GRANT** Final Plat approval for Green T Lake Subdivision, 1 lot on 2.38 acres, located on the south side of Palmer Drive, east of Country Club Drive, in Section 06, Township 3, Range 07, grant Final Plat approval to Andy Richardson of R&H Engineering, representing the owner of the property, is requesting Final Plat approval for Sloan Trezevant Phase 1, Revision to Lot 1., located North side of Commerce, west of the Sloan’s Way, in Section 18, Township 3 South, Range 7 West based upon a finding that the submitted plat generally conforms to the requirements of the City’s codes and ordinances, subject to the following standard conditions:

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.
3. The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and water 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, or any phase 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.
4. Sidewalks shall be installed on both sides of all streets.
5. 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.
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.
8. Following Final Plat Approval by the Board of Aldermen, the Developer shall submit two (2) complete sets of construction plans for review and approval to the Office of Planning.
9. Following Final Plat Approval by the Board of Aldermen and prior to the beginning of 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.
10. Prior to Construction Plan approval, the Developer shall obtain a Large Area Grading Permit from the Mississippi Department of Environmental Quality (MDEQ) and submit a copy to the Office of Planning, if applicable.

Commissioner Max seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**PL-1695 – McIngvale Square PUD Revision** – request to revise the PUD text of the McIngvale Square PUD. The subject property is located on the west side of McIngvale Road, north of Byhalia Road in Section 6, Township 3, Range 7 Jon Stevenson, owner of the property

Mr. Cardosi presented the application to the commission. The commission had no questions for Mr. Cardosi.

Mr. Jon Stevenson came forward to represent the application. The commission had no questions for the applicant.

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

Commissioner Jordan made a motion to recommend **APPROVAL** to the Board of Aldermen of a rezoning requested by Doug Thornton, AERC, LLC representing John Stevenson with McIngvale Square, LLC, owner of the property, Zoning Map Amendment/Preliminary Development Plan Approval of 4.0 acres – Revision to the Hernando Hills "PUD," Planned Unit Development District-McIngvale Square. Located on the West side of McIngvale Road and North of Byhalia Road, in Section 6, Township 3, Range 7, based upon the following findings:

1. How the proposed amendment would conform to the General Development Plan.
2. Why the existing zoning district classification of the property in question is inappropriate or improper.
3. That major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the General Development Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate.

Commissioner Clark seconded the motion. The motion passed unanimously.

Chairman Hawkins announced the following item:

**PL-1696 Joy Health PUD Revision** – Request to revise the PUD text for the Joy Health PUD. The subject property is located on the north side of Holly Springs Road, east of McIngvale Road, in Section 17, Township 3, Range 7 McIntosh Architecture, representing the owner of the property

Mr. Cardosi presented the application to the commission. The commission had no questions for Mr. Cardosi.

Mr. Bill Baker came forward to represent the application. He explained that the dealership wants to move some of the inventory to this location and use it for a service center.

Commissioner Safley asked how many additional parking spaces this would add and what the use for the additional spaces would be. Mr. Baker stated that there would be approximately 240 added spaces and this would be overflow for the inventory as well as a service center for vehicles waiting for service.

Commissioner Jordan asked if there would be wrecker coming and going from this location. Mr. Baker stated they would be dropping off vehicles behind a fence for service. Commissioner Safley then asked if the houses in the rear would be able to see what is behind the fence. Mr. Baker stated they would not. The area would be fully enclosed.

There was then discussion regarding the type of fencing that would be installed. The commission suggested an ornamental wrought iron fence with landscaping.

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

Ms. Andi Lehman came forward. She asked if the existing PUD zoning requirements would remain the same for the additional 3+ acres of this lot. She was assured that it would remain a medical office use. She then stated that she hopes that the fence and building are done nicely.

Commissioner Skeen made a motion to recommend **APPROVAL** to the Board of Aldermen of a rezoning requested by McIntosh Architecture, representing the owner of the property for a Zoning Map Amendment/Preliminary Development Plan Approval – Revision to the Joy Health PUD – Request from Toyota, located on the north side of Holly Springs Road, east of McIngvale Road, in Section 17, Township 3, Range 7 based upon the following findings:

1. The proposal conforms to the general development plan’s recommendation of PUD designation.
2. The existing zoning district’s PUD regulations are inappropriate.
3. Major economic, physical, or social changes have occurred in the vicinity of the property in question that were not anticipated by the General Development Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate.

With the additional requirement of an ornamental wrought iron fence with sufficient landscaping filling in the sight lines.

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

Mr. Cardosi informed the commission that there would be a Public Hearing regarding the Comprehensive Plan on Thursday, February 16, 2023, at 6:00 p.m.

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 8:42 p.m.