

**City of Hernando, Mississippi**

**Office of Planning**

**PLANNING COMMISSION**

**APRIL 9, 2024, MINUTES**

The Planning Commission met in a regular session on April 9, 2024, 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 Skeen, and Commissioner Safley. The following staff members were also present Kristen Duggan, and Austin Cardosi.

Commissioner Jordan, Vice Chairman, called the meeting to order at 6:00 p.m. and Commissioner Safley gave the invocation followed by roll being called.

Commissioner Jordan asked if everyone had reviewed the March 12, 2024, minutes. Commissioner Skeen made a motion to approve the minutes as written. Commissioner Clark seconded the motion. The motion passed unanimously with Commissioner Max abstaining from the vote.

Chairman Jordan announced the following items:

**PL-1792 – 2587 Jaxon Dr. Variance Request –** Request for a fence variance to encroach into the front yard setback. The subject property is located on the south of Jaxon Dr, West side of Honeysuckle Ln, more specifically 2587 Jaxon Dr, Hunter Johnston, owner.

Commissioner Hawkins announced that the applicant has requested to table this item until the May 14, 2024, meeting.

Commissioner Skeen made the motion to table the application until May 14, 2024. Commissioner Thorn seconded the motion. The motion passed unanimously.

Chairman Jordan announced the following items:

**PL-1800 - 460 Byhalia Road –** Request for a rezoning of 6.50 acres from R-6 to Office. The subject property is located east of Interstate 55, north side of Byhalia Road, in Section 7, Township 3, Range 7, RSS Properties, owner represented by Joe Lauderdale.

Mr. Cardosi presented the application to the commission.

Mr. Robert Seymour came forward to represent the application. The commission had no questions for Mr. Seymour.

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

Ms. Michelle Nelson came forward and was concerned with the water runoff from the blue line creek that runs through the property. She also asked what would be done with the foliage and tree cover. It acts as a sound buffer for the traffic on the Interstate.

Mr. Seymour stated that all engineering issues would be addressed by Joe Lauderdale. Mr. Cardosi added that all engineering and drainage plans would be submitted at the preliminary plat phase. This is only a question of land use.

Commissioner Max made a motion recommend **APPROVAL** of a rezoning request by Joe Lauderdale, representing the owner of the property, 6.5 acres of three parcels of land from “R-6” Residential to “O” Office District The subject property is located east of Interstate 55, north side of Byhalia Road, in Section 7, Township 3, Range 7, RSS Properties, based upon the following findings:

1. The proposed amendment conforms to the General Development Plan.

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

3. That 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 Skeen seconded the motion. The motion passed unanimously.

Chairman Jordan announced the following items:

**PL-1802 – Joy Health PUD Amendment –** Request for a rezoning and preliminary development plan approval to amend the existing PUD for the Joy Health Rezoning The subject property is located on the north side of Holly Springs Road, east of McIngvale Road, in Section 17, Township 3, Range 7

Mr. Cardosi presented the application to the commission.

Ms. Susan Stout came forward to represent the application. She stated that the soccer community is very prevalent in the area and there are no indoor facilities in Hernando. The proposed facility would only be open from 9 am to 9 pm and would be by appointment only. There is a large buffer proposed to conceal any noise from the adjacent properties.

This will be a 40,000 square foot building with a maximum of sixty players plus coaches and 120 spectators. There will be 114 parking spaces.

The structural build and wind load of this project will allow it to be a possible safe room that could house up to 7500 people.

Commissioner Safley asked about the possible light pollution. Ms. Stout stated that the photometric plan would be provided to the city, and it will meet all lighting requirements.

Commissioner Thorn asked if there were any concerns about there being only one entrance. Mr. Cardosi stated that there will be a fire lane required. Commissioner Safley asked about improvements to Holly Springs Road. Mr. Cardosi then added that there will be a lane and half also required. He then said that as development occurs more of the road will be improved.

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

Mr. Nick Harris came forward. He stated that he has three girls that play soccer and they have nowhere to train in the area. To find an indoor facility they have to leave Hernando.

Commissioner Thorn made a motion to recommend **APPROVAL** to the Board of Aldermen of a rezoning requested by Susan Stout , representing the owner of the property for a Zoning Map Amendment/Preliminary Development Plan Approval – Revision to the Joy Health PUD 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.

Commissioner Clark seconded the motion. The motion passed unanimously.

Chairman Jordan announced the following items:

**PL-1803 - Ironwood PUD –** Request for a rezoning and preliminary development plan approval for a PUD. The subject property is located on the north side of Green T Rd E, west side of McIngvale Rd, in Section 31 and 32, Township 2, Range 7. MST Development, owner’

Mr. Cardosi presented the application to the commission.

Mr. TJ Cates came forward to represent the application. He explained that this would be a walkable development. There is a plan for a Marriot hotels, upscale restaurant, and upscale retail. There will be no residential in the development. He then stated that they have had meetings with the neighbors to discuss these plans.

Commissioner Max asked what type of restaurants are planned. Mr. Cates stated that there will be upscale dining offered right off I-69.

Commissioner Max then asked if there has been a traffic study done in the area. Mr. Cardosi stated that MDOT is currently conducting one now at Green T And Hwy 51.

Commissioner Max then asked about the height of the hotel and number of rooms. Mr. Scott Guidry came forward and stated that since this is right off the interstate, they are requesting 6 stories. There would be a total of one hundred rooms.

Commissioner Thorn asked if there was any feedback from the neighbors. Mr. Cates said there was not.

Commissioner Skeen then stated that the current list of permitted uses includes cannabis related uses. Commissioner Thorn asked if they would oppose those uses being removed. Mr. Cates stated that they would not oppose the removal of those uses.

Commissioner Max said that his main concern is a traffic study. A traffic study would show what improvements need to be made to Green T Rd to accommodate this development. He then said that improvements should be made prior to approval.

Mr. David Bray came forward a stated that a traffic impact statement prior to Board of Alderman meeting can be done. Typically, hotels do not generate much peak hour traffic.

Commissioner Safley asked how mobile food vendors would fit into the development. Mr. Guidry stated that they may bring in a food truck occasionally. Mr. Cardosi suggested that this could be moved to conditional use for further review.

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

Commissioner Clark made a motion to recommend **APPROVAL** to the Board of Aldermen of an application by MST Development, owner of the property for a Zoning Map Amendment/Preliminary Development Plan Approval – Ironwood PUD. The subject property is located on the north side of Green T Rd E, west side of McIngvale Rd, in Section 31 and 32, Township 2, Range 7 based upon the following findings:

1. The proposed amendment would conform to the General Development Plan.
2. The existing zoning district classification of the property in question is inappropriate or improper.
3. 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.

As well as the submittal of a traffic impact statement, removal of permitted uses numbers 22-25, “cannabis uses”, and move permitted use number 33, “food trucks” to the conditional use list.

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

Chairman Jordan announced the following items:

**PL-1804 – Comfort Inn Height Variance –** Request for a variance to the allowable building height. The subject property is located east of McIngvale Rd, north of Creekside Blvd, more specifically 2320 McIngvale Rd, in Section 17, Township 3, Range 7.

Commissioner Skeen recused himself and left the room.

Mr. Cardosi presented the application to the commission.

Chintu Patel came forward to represent this application.

Commissioner Jordan asked what the height is without the parapet and the branding tower. Mr. Cardosi stated that it would be44-45 feet without the parapet and branding tower addition.

Commissioner Thorn asked if this could be reduced by five feet. Mr. Patel stated that it would require franchise approval. He then asked if they could reduce to fifty-eight feet. Mr. Patel said he would discuss it with the franchise.

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

Commissioner Thorn made a motion to **APPROVE** a Zoning Height Variance requested by Chintu Patel, agent of the property, to allow variance to the allowable building height to be fifty-eight feet, rather than the allowed 35 feet, contingent on franchise approval. The subject property is located east of McIngvale Rd, north of Creekside Blvd, more specifically 2320 McIngvale Rd, in Section 17, Township 3, Range 7, 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 Safley seconded the motion. The motion passed unanimously.

Commissioner Skeen returned to the board room.

Chairman Jordan announced the following items:

**PL-1805 – Request for Final Plat Approval, Creekside Subdivision, Phase 2 1** Lots, 2.63 acres, located on the north side of Creekside Boulevard, east of McIngvale Road in Section 17, Township 3 South, Range 7 West. The property is currently zoned in the “C-2,” Highway Commercial District. – Robbie Jones, with Jones Davis, representing Mark Anglin, the property-owner.

Mr. Cardosi presented the application to the commission. There were no questions from the commission.

Mr. Robbie Jones came forward to represent the application. The commission had no questions for Mr. Jones

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

Commissioner Max made a motion to **APPROVE** Final Plat approval to Creekside Commercial Subdivision, 1 Lots, 2.63 total acres located on the north side of Creekside Boulevard, east of McIngvale Road, north of East Commerce Street, in Section 17, 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 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, 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 Creekside Boulevard to the extent that the road borders this development. 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 north side of Creekside Boulevard to the extent that the road borders the subdivision.
5. Prior to the beginning of utility and improvement construction, the Developer shall enter 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. 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.
9. Prior to submitting the plat for recording, the applicant shall coordinate with the Post Office the centralized delivery location of the mailboxes.

Commissioner Skeen seconded the motion. The motion passed unanimously.

Chairman Jordan announced the following items:

**PL-1806 – Request for Final Plat Approval, Hernando Hills Phase 2, First Revision,** Reclassification of a Common Open Space Parcel, recently voted to sell by The City of Hernando.The Subject property is listed as Parcel # 307307070 0006000 located on the east side of Green T Blvd, north of Byhalia Road

Mr. Cardosi presented the application to the commission. This is a request by the City of Hernando to revise park land to a 1-acre buildable lot.

Commissioner Skeen stated they may need a drainage easement at the pond. MR. Cardosi said they would look into that.

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

Commissioner Clark made a motion to recommend **APPROVAL** of Final plat for Hernando Hills Phase 2 First Revision by The City of Hernando, subject to staff conditions. The Subject property is listed as Parcel # 307307070 0006000 located on the east side of Green T Blvd, north of Byhalia Road

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 meeting was adjourned at 7:45 p.m.