

Agenda for the Meeting

1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Previous Meeting Minutes from 9-30-2024**
4. **Old Business** - None
5. **New Business**
 - a) Case Number 2024-169 is a request to approve a final plat to subdivide Parcel Number 108929000 0000107, land zoned C-4, consisting of approximately 1.32 acres, into two lots, by McCarty Granberry Engineering.
 - b) Case Number 2024-165 is a request to rezone Parcel Number 208306000 0001200, address 5100 Highway 301 North, from A-R to C-4, by applicant Jeff Goff.
 - c) Case Number 2024-139 is a site plan review for a new building at the Hamilton Apartments at 4375 Highway 51 North, on land consisting of 32.67 acres, in the Turman Farms Planned Unit Development, constructed by Rozier Construction Company.
 - d) Case Number 2024-109 is a request for a variance for the height of a fence at 5525 Farnell Drive, on land consisting of 0.22 acres, under R-10 zoning, by the landowner, Odette Blancas Cruz.
 - e) Case Number 2024-168 is a site plan review for a new convenience store with fuel pumps in the Sunrise Subdivision at Hurt Road and Nail Road, on land consisting of 2.36 acres, under M-1 zoning, being developed by Amin Meghani, IPD Engineering LLC., engineer.
 - f) Case Number 2024-045 is a rezoning request to amend the PUD for the proposed Sage Creek residential development, at parcel 108930000 0000400, parcel 108930000 0000407, and parcel 108929000 0000501, by developer PFMT Holdings, LLC, and engineer WH Porter Consultants, PLLC.
6. **Other Business** – None
7. **Adjournment.**

Start of the Items/Cases Portion of the Minutes –

Planning Commissioners present – Chad Engelke (Chair), Kirby Carter, Clara Kirkley, Janice Vidal, and Chigger White. **Absent** – Calvin Freeman, Jimmy Stokes, and Jessie Ware.

City Staff – Andrew Hockensmith, Planning Director; Jonathan Ryan, IT Systems Engineer II

Attendees –Chance Walker, Jonathan Collier, Austin Wilson, Odette Blancas Cruz, Jeff Goff, Paul Frazier and Ryan Vargo.

Items 1 and 2. The Chair called the meeting to order at 6:00 p.m. The Secretary called roll with all planning commissioners present except for commissioners Freeman, Stokes and Ware. The Pledge of Allegiance was led by the Chair and recited by those in attendance.

Item 3. Approval of minutes from the 9-30-24 Planning Commission meeting.

Motion - approve minutes – Carter. **2nd** – White. **Vote:** Motion passed, 3-0 with one abstention (Vidal).

4. Old Business – None

5. New Business.

- a) Case Number 2024-169 is a request to approve a final plat to subdivide Parcel Number 108929000 0000107, land zoned C-4, consisting of approximately 1.32 acres, into two lots, by McCarty Granberry Engineering.

The Chairman announced Case Number 2024-169 to be heard and asked if the applicant was present. Seeing that the applicant was present, Director Hockensmith proceeded with the staff presentation. The site is shown to be in the C-4 zone as well as the surrounding properties. There is no existing plat for the site, so the presented proposed plat would accomplish that. The proposed plat will split the lot with a singular line through the middle, with the intention of the East side containing a single building for a restaurant, and the West side being available for future commercial development. Additionally, the West side will leave room for an existing driveway to allow continued access for the homeowner to the North. Director Hockensmith presented the Plat Requirements from the Subdivision Design Standards of the City of Horn Lake Code of Ordinances and found that the proposed plat does not conflict with any of the requirements. Planning staff conclude that this subdivision of a single parcel into two parcels does not conflict with any of the subdivision regulations and agrees that this proposal will be highly beneficial in allowing the developer to build on the eastern lot without having to worry about the existing driveway on the western lot.

The director concluded his presentation, and the Chairman asked for the applicant to come forward. Jonathan Collier of McCarty Granberry Engineering came to the podium to represent the applicant. Commissioner Kirkley inquired about what will go on the eastern parcel, and Mr. Collier responded that a Chipotle restaurant is slated to be built there. Commissioner Carter asked if there will be an entrance from Goodman Road. Mr. Collier stated that the only entrance will be on the North side of the property along the same road where Whataburger has its entrance. Seeing no further questions from the Planning Commission, the Chairman called for a motion.

Motion – Carter. 2nd - White. Vote Passed, 4-0

*After the motion for the plat passed, Austin Wilson came to the podium to request a special meeting of the Planning Commission to review the proposed site plan for the Chipotle restaurant, stating possible dates for the meeting to be November 7th-11th. Commissioners Engelke and Vidal stated that they will not be available until the next scheduled meeting, but Commissioners Kirkley, Carter, and White expressed that they might be available. It was decided that the absent Planning Commissioners would have to be consulted to decide whether a special Planning Commission meeting would be possible.

- b)** Case Number 2024-165 is a request to rezone Parcel Number 208306000 0001200, address 5100 Highway 301 North, from A-R to C-4, by applicant Jeff Goff.

The Chairman announced Case Number 2024-165 to be heard and called upon the Planning staff to begin the presentation for the case. Director Hockensmith presented the details of the case, beginning with the current zoning and existing layout of the property. The zoning for the current parcel is A-R, as well as the surrounding parcels. The property is at the southwest boundary of Horn Lake city limits at Church Road and Highway 301. When looking at the growth of the city, there seems to be a dense concentration of commercial properties along Goodman Road West and Highway 51 North, as well as the eastern side of Horn Lake along Interstate Boulevard. This location at Church Road and Highway 301 North is at an intersection designed similar in nature to the other major intersections in the city that have commercial zoning. It would make sense for this intersection to also contain commercial zoning to serve the residents in the area. Therefore, planning staff agree that this rezoning from residential to commercial is an appropriate land use for the long-term growth of the city.

Upon completion of the staff presentation, the Chairman asked if any of the Planning Commissioners had any questions. No questions were asked of the director, so the applicants, Bill Sexton and Jeff Goff, came to the podium. Commissioner Kirkley asked what they plan to put on the lot if the rezoning is approved. Mr. Goff responded that the plan is to build a convenience store with additional bays for retail businesses. There were no more questions for the applicant.

Motion – White: After review of Case Number 2024-165, the Planning Commission recommends APPROVAL of the request to rezone Parcel Number 208306000 0001200, at address 5100 Highway 301 North, from A-R to C-4, by applicant Jeff Goff.

2nd – Carter. Vote Passed, 3-0 (Kirkley abstaining)

- c) Case Number 2024-139 is a site plan review for a new building at the Hamilton Apartments at 4375 Highway 51 North, on land consisting of 32.67 acres, in the Turman Farms Planned Unit Development, constructed by Rozier Construction Company.

The Chairman announced Case Number 2024-109 to be heard and asked if the applicant was present. Seeing no one present to represent the applicant, discussion ensued about tabling the case until the next meeting when the applicant could appear.

Motion – Vidal: Motion to TABLE Case Number 2024-139 until the next Planning Commission Meeting.

2nd – Carter. Vote Passed, 4-0

- d) Case Number 2024-109 is a request for a variance for the height of a fence at 5525 Farnell Drive, on land consisting of 0.22 acres, under R-10 zoning, by the landowner, Odette Blancas Cruz.

The Chairman announced Case Number 2024-109 to be heard and called upon the Planning staff to begin the presentation for the case. Director Hockensmith presented the details of the case, beginning with the current zoning and existing layout of the property. The property currently has 8-foot-tall fences on both sides of the backyard and a 6-foot-tall fence on the rear of the yard. The proposed variance would allow for the 6-foot rear fence to be replaced to match the 8-foot fences on the sides of the back yards. This would provide privacy for the owner due to the slope of her backyard. Director Hockensmith went over the requirements for variances section of the ordinance and provided the owner's responses to the Planning Commission.

Upon completion of the staff presentation, the Chairman asked for the applicant to come forward. Odette Blancas Cruz came forward to answer questions from the Planning Commission. Commissioner Carter asked if Ms. Cruz has children to which she responded that she has five children and wants them to have privacy in their own backyard.

Motion – Kirkley: After review of Case Number 2024-109 a request for a variance for the height of a fence at 5525 Farnell Drive, on land consisting of 0.22 acres, under R-10 zoning, by the landowner, Odette Blancas Cruz, the Planning Commission APPROVES the fence height variance.

2nd – Vidal. Vote Passed, 4-0

- e) Case Number 2024-168 is a site plan review for a new convenience store with fuel pumps in the Sunrise Subdivision at Hurt Road and Nail Road, on land consisting of 2.36 acres, under M-1 zoning, being developed by Amin Meghani, IPD Engineering LLC., engineer.

The Chairman announced Case Number 2024-168 to be heard and called upon the Planning staff to begin the presentation for the case. Director Hockensmith presented the details of the case, beginning with the current zoning and existing layout of the property. The zoning on the west side of the property is M-1 and the newly expanded portion of the property to the east is zoned PUD. The Director went over the requirements for building permits as well as the design and architectural standards for new development. The proposed site plan shows a convenience store with gas pumps on the eastern portion of the property with green space covering the western side of the property. One entrance from Hurt Road will lead to the rear of the convenience store, and two entrances will come from Nail Road, leading to the gas pumps. Landscaping is provided around the perimeter of the property as well as surrounding the convenience store. The elevations for the building will be of materials that match the requirements of architectural standards in color and material. The exterior of the building consists of a brick, natural stone and glass, conforming to the requirements in the M-1 zone. The M-1 architectural standards specify a minimum of 20% glass on the façade of the building, and the elevations conform with the regulations of the ordinance. Director Hockensmith concluded the staff presentation by saying that the site plan for a proposed convenience store with gas pumps does not conflict with the architectural standards set forth in the City of Horn Lake Code of Ordinances.

Upon completion of the staff presentation, the Chairman asked if any of the Planning Commissioners had any questions for the Director. Commissioner White asked if the Desoto County School Board has been consulted about this development. Director Hockensmith said that they had not been contacted and that the city ordinances do not require the input of the school to decide on the site plan. The issue of beer sales was brought up regarding proximity to the school. Chance Walker, representing the applicant, came forward and explained that the building will be located more than 400 feet from the school, which would allow beer to be sold there. Commissioner Carter expressed concern about the traffic flow near the school and the intersection of Hurt Road and Nail Road. She wanted the developer to consider having one entrance and exit rather than ingress/egress on both streets. Chance Walker agreed to consider the traffic patterns around the site.

Motion – White: After review of Case Number 2024-168, a site plan review for a convenience store with fuel pumps in the Sunrise Subdivision at Hurt Road and Nail Road, on land consisting of 2.36 acres, under M-1 zoning, being developed by Amin Meghani, IPD Engineering LLC., engineer, the Planning Commission APPROVES the presented site plan.

2nd – Carter. Vote Passed, 3-1

f) Case Number 2024-045 is a rezoning request to amend the PUD for the proposed Sage Creek residential development, at parcel 108930000 0000400, parcel 108930000

0000407, and parcel 108929000 0000501, by developer PFMT Holdings, LLC, and engineer WH Porter Consultants, PLLC.

The Chairman announced Case Number 2024-045 to be heard asked for Director Hockensmith to begin the staff presentation. Hockensmith began the presentation by explaining that the site has previously been zoned as Planned Unit Development (PUD), but nothing has been developed on the land. The applicant wishes to submit an updated set of plans and have this submittal approved as the new PUD. All contents of the PUD components are in a bound booklet submitted by the developer and distributed to the Planning Commission for review. The primary land use will be 278 lots for single-family homes paired with common open space that will include walking trails. The three parcels zoned as PUD are surrounded by A-R, R-10 and another PUD (Willow Point). Planning staff did not find anything in the PUD proposal that would conflict with city regulations. Planning staff see this as a high-quality proposal that is more beneficial to residents than many previous designs that were approved. No part of the property is within the floodway, 100-year flood zone, or the 500-year flood zone. Proper drainage has been accounted for with a designated stream buffer and designated detention areas. Additionally, street widths are designed in accordance with the International Fire Code recommendations. With that, Director Hockensmith concluded the staff presentation and opened the floor for questions from the Planning Commission.

Commissioner Engelke asked what changes have been made that differ from previous submissions, and discussion ensued about previous submissions that have been made for this project. Commissioner Engelke asked if the applicants would come forward to answer questions about the project. Paul Frasier, Porter Consultants, said that the reason for this submission is to reduce the minimum size of a home to 1,475 square feet in the PUD and explained that many of the homes would be larger than 1,475 square feet. Commissioner Vidal added that this issue has been debated for years and that the city does not want to end up with a development with a bunch of small houses. Commissioner Carter asked about the price difference on homes at the current minimum size (1,800 sqft) and the proposed 1,475 sqft. Ryan Vargo, DR Horton, explained how the COVID pandemic made housing prices unaffordable for many Americans and that they are trying to build houses that people in the area can afford. Commissioner Engelke stated that in his experience in real estate, 1,400 sqft homes tend to go as rentals and that tends to devalue the surrounding homes. Vargo responds that they are open to hearing what mitigation methods that the Planning Commission would suggest to prevent this from happening. Commissioner Engelke suggests that covenants can be put in place that make it more difficult for homes to turn into rentals. Vargo explains that any long- or short-term rentals have to be approved by the homeowner's association, and that smaller homes are selling

well next door in the Willow Point neighborhood. Commissioner Vidal asked how many of the homes will be at the proposed minimum of 1,475 sqft. Vargo, using Willow Point as a model, says that approximately 21% would be at the minimum size. Commissioner Engelke reminded everyone that regardless of the Planning Commission's recommendation, the Board of Aldermen will have final approval, but adds that large homes are less likely to turn into rentals than small homes. Mr. Vargo explains that the plans call for trails and a playground to help build the community, and that bigger houses in the area nearby are sitting on the market and not selling. Commissioner Carter added that she has known people who have left Horn Lake because they could not afford a new home.

Motion – Carter: After review of Case Number 2024-045, a rezoning request to amend the PUD for the proposed Sage Creek residential development, the Planning Commission recommends APPROVAL of the submitted request.

2nd – White. Vote Passed, 4-0

6. Other Business – None

7. Adjournment.

Chair – Called for a motion to adjourn.

Motion – White: Adjourn the meeting at 7:10 p.m. **2nd – Carter. Vote:** Motion passed, **4-0.**