

## Agenda for the Meeting

1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Previous Meeting Minutes from 7-29-2024**
4. **Old Business** - None
5. **New Business**
  - a) Case Number 2024-113 is a site plan review for an ice machine next to the gas station located at 2901 Goodman Road West, on land consisting of 0.77 acres, under C-4 zoning, being developed by Paul Brar, Tiger Ice, Inc.
  - b) Case Number 2024-115 is a site plan review for an ATM next to the Murphy Oil gas station located at 2411 Goodman Road West, on land consisting of 0.60 acres, under C-4 zoning, being developed by Powerhouse Retail Services, LLC.
  - c) Case Number 2024-117 is a request to approve a final plat to subdivide the parcel at 4055 Edwin Road, Lot 16 of Rolling Green Subdivision Part II, land zoned AR, consisting of approximately 3.61 acres, into two lots, by IPD Engineering and Surveying.
6. **Other Business** – None
7. **Adjournment.**

## Start of the Items/Cases Portion of the Minutes –

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

**City Staff** – Andrew Hockensmith, Planning Director; Jonathan Ryan, City Information Technology (IT); and Billy Simco, Assistant Planning Director

**Attendees** –Chance Walker, Paul Brar, and residents from Rolling Hills Subdivision

**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 Kirkley and White. The Pledge of Allegiance was led by the Chair and recited by those in attendance.

**Item 3.** Approval of minutes from the 7-29-24 Planning Commission meeting.

**Motion** - approve minutes – Stokes. **2<sup>nd</sup>** – Ware. **Vote:** Motion passed, 5-0.

**4. Old Business** – None

**5. New Business.**

**a)** Case Number 2024-113 is a site plan review for an ice machine next to the gas station located at 2901 Goodman Road West, on land consisting of 0.77 acres, under C-4 zoning, being developed by Paul Brar, Tiger Ice, Inc.

The Chairman announced Case Number 2024-113 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 current site plan shows the location of the gas station building and pumps, with distances measured to the property lines. The proposed site plan will add a Twice the Ice machine to the Southwest of the gas station building. The placement of the ice machine is shown to meet the rear and side setback requirements for C-4 zoning. Director Hockensmith noted that the setbacks discussed will only apply if this ice vending machine is to be considered a building. If this ice vending machine is not considered to be a building, then the ice vending machine may exist past the yard requirement anywhere up to the right-of-way line, and the setback requirements will not be applicable. The City of Horn Lake Code of Ordinances defines a building as: Any structure having a roof supported by columns or walls built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind, but not including any vehicle, trailer (with or without wheels) nor any movable device, such as furniture, machinery or equipment.

Paul Brar, Tiger Ice, Inc., came to the podium to answer questions from the Planning Commissioners. Commissioner Ware asked if the ice machine would need to be constructed on the site, and Mr. Brar explained that the ice machine is preassembled and delivered on a truck and placed on site. Commissioner Carter asked about lighting in the area, noting that there is not much light where the ice machine will go. Mr. Brar said that there will be lights on all sides of the ice machine and the area will be very well lit.

**Motion – Carter:** After review of Case Number 2024-113, a site plan review for an ice machine on the property of the gas station located at 2901 Goodman Road West, on land consisting of 0.77 acres, under C-4 – Commercial zoning, being developed by Paul Brar, Tiger Ice, Inc., the Planning Commission APPROVES the presented site plan.

**2<sup>nd</sup> - Ware. Vote Passed, 5-0**

- b) Case Number 2024-115 is a site plan review for an ATM next to the Murphy Oil gas station located at 2411 Goodman Road West, on land consisting of 0.60 acres, under C-4 zoning, being developed by Powerhouse Retail Services, LLC.

The Chairman announced Case Number 2024-115 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 current site plan shows the location of the gas station pumps and the existing ATM. The proposed site plan will replace the current ATM with a new one at the same location. A new design will be used for the ATM which will include a lighted overhang. Director Hockensmith noted that the ATM will be approximately 35 feet from the Goodman Road West right-of-way line, even though the front yard requirement is 50 feet. This setback requirement of 50 feet is only applicable if the ATM is considered a building. If the ATM is not considered to be a building, then the ATM may exist past the yard requirement anywhere up to the right of way line.

Upon completion of the staff presentation, the Chairman asked if any of the Planning Commissioners had any questions. Some discussion ensued to clarify whether there will be a barrier separating the line for the ATM from cars at the gas pumps, but there will only be a painted line to mark where the ATM is. After clarification, the Chairman asked for the applicant to come forward. The applicant was not able to attend the meeting but was given an opportunity to remotely join via Microsoft Teams. However, the applicant was not present on the Teams call.

**Motion – Stokes:** After review of Case Number 2024-115, a site plan review for an ATM on the property of the gas station located at 2901 Goodman Road West, on land consisting of 0.60 acres, under C-4 zoning, being developed by Powerhouse Retail Services, LLC., the Planning Commission APPROVES the presented site plan.

**2<sup>nd</sup> – Ware. Vote Passed, 5-0**

- c) Case Number 2024-117 is a request to approve a final plat to subdivide the parcel at 4055 Edwin Road, Lot 16 of Rolling Green Subdivision Part II, land zoned AR, consisting of approximately 3.61 acres, into two lots, by IPD Engineering and Surveying.

Director Hockensmith presented the details of the case to the Planning Commission including the purpose of the request and the requirements to approve a final plat. The property is in the Rolling Green Subdivision Part II and is zoned A-R. Properties to the North, West, and South are zoned A-R and the properties to the East are zoned R-8. The property is currently named Lot 16, but the applicant would like to split the lot in half to

form Lot 16 and Lot 16A. The depth of each lot will be 340.84 feet at the shared border between Lot 16 and Lot 16A. The width of the lots will be 215.15 feet. Lot 16 will contain 18.0 acres and Lot 16A will contain 1.81 acres. All required setbacks are listed on the plat and the structures drawn on the plat comply with those setback requirements. Each proposed lot contains over 1 acre which is the minimum acreage requirement for the A-R zone. The Subdivision Design Standards of the City of Horn Lake Code of Ordinances specify easement dimensions, and the plat does not conflict with any of these requirements. Planning staff concluded that this subdivision of a single parcel into two parcels does not conflict with any of the subdivision regulations and agrees that this proposal is a reasonable subdivision of the parcel.

Upon completion of the staff presentation, the Chairman asked if any of the Planning Commissioners had any questions for the planning staff. Commissioner Ware asked if there were any covenants that would prohibit this change. Director Hockensmith noted that there were no covenants that were able to be located, but that the applicant might have more information on the topic. Chance Walker, IPD Engineering, representing the applicant came forward to the podium. Commissioner Engelke expressed concern that the owner of the property was not present to which Mr. Walker explained that he has represented various owners in similar situations to this without issue. Commissioner Engelke said that it would be better if the landowner were present because of the negative effects that could result from splitting a up lots within a neighborhood.

Although approvals for final plats are not public meetings, several members from the public wished to make statements about the case. The Planning Commission voted to approve a few people from the public to come speak at the podium. Bill Watson Previously owned the property and wanted to subdivide it. He was told to get signatures from all surrounding residents to approve the split but was not able to get everyone's approval, so it failed. Ronald Newsome stated that the whole subdivision was originally part of Walls and that he wanted to put a trailer on the property but was not allowed to. Newsome continued that if this subdivision were allowed, then the whole neighborhood would want to subdivide their lots as well. David Ross stated that the trailer currently present on the lot needs to go away and that the lot should not be divided. The Chairman called an end to the public comment session. Commissioner Ware commented that he would like to see more research done before the Planning Commission approves a subdivision like this.

**Motion – Vidal:** After review of Case Number 2024-117, the Planning Commission recommends DENIAL of the request for a final plat to subdivide the parcel at 4055 Edwin Road, Lot 16 of Rolling Green Subdivision Part II, land zoned A-R, consisting of approximately 3.61 acres, into two lots, by IPD Engineering and Surveying.

**2<sup>nd</sup>** – Carter. **Vote** Passed (for recommending denial), 5-0

**6. Other Business** – None

**7. Adjournment.**

**Chair** – Called for a motion to adjourn.

**Motion – Stokes:** Adjourn the meeting at 6:53 p.m. **2<sup>nd</sup>** – Ware. **Vote:** Motion passed, **5-0.**