

**MINUTES FOR THE CITY OF OLIVE BRANCH PLANNING COMMISSION  
REGULAR MEETING MARCH 14, 2023**

The Olive Branch Planning Commission meeting was held on Tuesday, March 14, 2023, in the Municipal Court Room located, at 6900 Highland Street, at 6:00 p.m.

**CALL TO ORDER**

The meeting was called to order by Mr. Dorr, Chairman of Planning Commission, at 6:00 p.m.

**ROLL CALL**

Pat Dorr, Donny Singh, Steve Stratton, Jim Schumpert, and Diane Senger were present and a quorum was established. Dion Jones and Kimberly Remak were absent. Jason Gambone, Director, Venard Asongayi, Assistant Director, Brad Thomas, Associate Planner, and Heather James, Planning Technician were present from the Planning and Development Department. Andy Swims, Director, was present from the Engineering Department.

**APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 14, 2023**

Mr. Dorr asked if anyone had any questions, comments or motions regarding the minutes of the February 14, 2023. **Ms. Senger made a motion to approve the minutes as presented. Mr. Schumpert made the second and the motion was approved as follows:**

<b>Pat Dorr</b>	<b>Yes</b>	<b>Steve Stratton</b>	<b>Yes</b>	<b>Donny Singh</b>	<b>Yes</b>	<b>Dion Jones</b>	<b>Absent</b>
<b>Jim Schumpert</b>	<b>Yes</b>	<b>Kimberly Remak</b>	<b>Absent</b>	<b>Diane Senger</b>	<b>Yes</b>		

**CONSENT AGENDA**

Mr. Dorr stated some items had been placed on the “Consent Agenda” that were considered routine and non-controversial in nature, so as not to necessarily warrant a full staff presentation and board discussion.

Mr. Dorr announced Consent Agenda Item Number 1.

1. Application for a Final Plat for the Dauson 1 Lot Subdivision submitted by Douglas and Marie Dauson, property owners. The request is to create a single lot subdivision of 0.434+/- acres. The subject property is zoned R-2, Single Family Residential District, and is located on the west side of Blocker St, south of McClendon Circle N, known as 6307 Blocker St. (File #SD23-0006).

**EXECUTIVE SUMMARY:** The applicants, Doug and Marie Dauson, the property owners, requests approval of a final plat for the Dauson 1 Lot subdivision. The subject property is ±0.43 acres and contains a single-family structure and accessory shed. The subdivision will create one lot. The plat meets the regulatory zoning and lot requirements. All utility extensions shall be the responsibility of the developer. The requirement of 5’ wide sidewalks along Blocker St. shall be waived. Staff recommends approval of the final plat subject to multiple conditions.

**STAFF RECOMMENDATION:** Staff recommends that the Planning Commission approve the final plat and recommend same to the Board of Aldermen, subject to the following:

1. The requirement for the property owner to construct a 5’ wide sidewalk along the western side of Blocker St. is waived.
2. All lot improvements shall be the responsibility of the developer and not the responsibility of the City of Olive Branch.
3. Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) shall be installed underground.
4. Future development on the lot shall comply with the applicable requirements of the City’s various land development regulations.

5. Minor edits are applicable to the Final Plat as required by City regulations and deemed necessary by City staff.
6. The final plat must be recorded before a building permit may be issued for any development on the proposed lot.

Mr. Dorr announced Consent Agenda Item Number 2 and noted that there was a request from the applicant to table this until the April 11, 2023 Planning Commission meeting.

2. Application for a Plat Revision for the 2<sup>nd</sup> Revision Jeremiah AME Church 2 lot Subdivision, submitted by Mike Davis, The Reaves Firm, on behalf of SF Pleasant Hill LLC, property owner. The request is to vacate the access easement to the cemetery on Lot 2 across the northern portion of Lot 1. The 0.533+/- acre property is zoned C-2, Highway Commercial District, and is located at the southeast corner of Pleasant Hill Rd and Goodman Rd, known as 6980 Pleasant Hill Rd. (File #SD23-0008). *(Applicant requests item to be tabled to the April 11, 2023 Planning Commission meeting).*

**EXECUTIVE SUMMARY:** Mike Davis, The Reaves Firm, on behalf of SF Pleasant Hill LLC, property owner, request a revision to an existing plat for 2nd Revision Jeremiah AME Church 2 lot Subdivision, which was recorded on August 10, 2017. In a separate application for the Board of (Zoning) Adjustment meeting on March 9, 2023, a request was made regarding a variance for a 26' encroachment into the 50' front yard setback on the subject property. Additionally, the applicant has not received the required signatures for the plat revision from the property owner to the east of the subject property. In a letter to Staff, the applicant requested that the subject application be tabled to the Planning Commission meeting on April 11, 2023 in order to obtain all required signatures for the plat revision and to await the outcome of the variance setback request submitted to the Board of (Zoning) Adjustment. **STAFF RECOMMENDATION:** Table the plat revision application (#SD23-0008) to the April 11, 2023 Board of (Zoning) Adjustment to allow the applicant to complete all the necessary requirements for the subject application to be heard.

Mr. Dorr asked if anyone would like a full presentation of any of the consent items and there was no one. **Ms. Senger made a motion to approve the recommended motions for Consent items 1 and 2, subject to all staff conditions. Mr. Stratton made the second and the items were approved as follows:**

Pat Dorr	Yes	Steve Stratton	Yes	Donny Singh	Yes	Dion Jones	Absent
Jim Schumpert	Yes	Kimberly Remak	Absent	Diane Senger	Yes		

**OLD BUSINESS**

**NEW BUSINESS**

**Mr. Schumpert recused himself at 6:03pm.**

1. Application for a Final Plat for the Bridges of Camp Creek Phase 2, submitted by Mike Davis, The Reaves Firm, on behalf of Gil Ryan, GMR Camp Creek II LLC, property owner. The request is to create 8 commercial lots from 12.455 +/- acres. The subject property is zoned C-4, Planned Commercial District and is located along the north side of Hwy 302, east of Craft-Goodman Frontage Rd, west of Pigeon Roost Rd and south of Camp Creek Blvd. (File #SD23-0005).

Mr. Dorr announced New Business number 1 and asked for the staff report. Mr. Gambone advised there was a change to Condition number 1 since delivery of the reports to the Commissioners and he would advise in the presentation. He shared the following: **EXECUTIVE SUMMARY:** Rezoning approval for The Bridges of Camp Creek and review and approval of its first platting phase, which included 3 commercial lots, occurred in 2019. After a period of dormancy, project construction commenced in 2021. With the first (west) bridge over Camp Creek installed, 3-lot Phase 1-A was recorded on September 14, 2022. A 4<sup>th</sup> lot was approved as Phase 1-B on August 16, 2022 and recorded January 20, 2023.

With construction of the east bridge over Camp Creek underway, the Board of Aldermen granted conditional Preliminary Plat approval for the second phase of The Bridges of Camp Creek on November 15, 2022. With approval of this application for Final Plat and upon its recordation, an additional 8 commercial lots will be created and building permits can be issued for vertical development. Phase 1 is depicted below in yellow and Phase 2 (current application) in red. East bridge construction is complete. **RECOMMENDATION:** Approve and recommend that the Board of Aldermen approve the Final Plat for The Bridges at Camp Creek Phase 2 to subdivide 12.455+/- acres into 8 commercial lots, one common open space and right-of-way subject to the following conditions:

1. Applicant to provide a Letter of Credit (LOC) in an amount sufficient to cover the cost of a traffic signal as a condition of Final Plat recordation. Applicant to provide City with traffic signal design prior to the issuance of a Certificate of Occupancy (CO) for development on the 7th lot and install the signal prior to the issuance of a CO for development on the 10<sup>th</sup> lot, or as may be required earlier by the City Engineer based on: 1) exceeding the development threshold at which traffic generated by the development exceeds the vehicular volume warrants for the installation of a traffic signal: 2) safety concerns; or 3) internal traffic congestion.
2. To the extent they are yet to be addressed, conditions associated with the Preliminary Plat as stated in the November 15, 2022 Board Order remain in effect.
3. Revise the Final Plat to label the “common open spaces” correctly as to how they were recorded in Phases 1A & 1B; these are not “lots”.

This completed the staff report. He further advised that Andy Swims was available to answer any questions the Commissioners had for the Engineering Department. Mr. Dorr asked the Commissioners if there were any questions for staff and there were none. Mr. Dorr asked if there was anyone present to represent the application and recognized Mike Davis, The Reaves Firm, 6800 Poplar Ave, Memphis, TN 38138. He stated that they agreed with the change in the conditions. Mr. Dorr asked if there were any questions for this applicant and there were none. Mr. Dorr asked if there were any questions for Mr. Swims and there were none. Mr. Dorr if there was anyone else present in favor of the application and there was no one. Mr. Dorr asked if there was anyone present to speak in opposition of this application and there was no one. Mr. Dorr closed the item for discussion among commissioners. **Mr. Singh made a motion to approve and recommend that the Board of Aldermen approve the Final Plat for The Bridges at Camp Creek Phase 2 to subdivide 12.455+/- acres into 8 commercial lots, one common open space and right-of-way subject to the following conditions:**

1. **Applicant to provide a Letter of Credit (LOC) in an amount sufficient to cover the cost of a traffic signal as a condition of Final Plat recordation. Applicant to provide City with traffic signal design prior to the issuance of a Certificate of Occupancy (CO) for development on the 7th lot and install the signal prior to the issuance of a CO for development on the 10<sup>th</sup> lot, or as may be required earlier by the City Engineer based on: 1) exceeding the development threshold at which traffic generated by the development exceeds the vehicular volume warrants for the installation of a traffic signal: 2) safety concerns; or 3) internal traffic congestion.**
2. **To the extent they are yet to be addressed, conditions associated with the Preliminary Plat as stated in the November 15, 2022 Board Order remain in effect.**
3. **Revise the Final Plat to label the “common open spaces” correctly as to how they were recorded in Phases 1A & 1B; these are not “lots”.**

**Mr. Stratton made the second and the motion was approved as follows:**

<b>Pat Dorr</b>	<b>Yes</b>	<b>Steve Stratton</b>	<b>Yes</b>	<b>Donny Singh</b>	<b>Yes</b>	<b>Dion Jones</b>	<b>Absent</b>
<b>Jim Schumpert</b>	<b>Yes</b>	<b>Kimberly Remak</b>	<b>Absent</b>	<b>Diane Senger</b>	<b>Yes</b>		

**Mr. Schumpert returned at 6:18pm.**

2. Application for a Preliminary Plat for the Townhouses of Cedar Bluff Phase 2, submitted by William Kissell, W.H. Porter Consultants on behalf of Astoria Development LLC, property owner. The request is to subdivide 6.93+/- acres into 34 residential lots and 3 Common Open Spaces.

The subject property is zoned PUD, Planned Unit Development, and is located on the north end of Chatelet Dr and south of Hwy 78. (File #SD23-0007).

Mr. Dorr announced New Business number 2 and asked for the staff report. Mr. Gambone shared the following: **EXECUTIVE SUMMARY:** The Preserve at Cedar Bluff Planned Development (PD) was approved in 2020. This application, which is seeking Preliminary Plat approval for The Townhouses of The Preserve at Cedar Bluff Phase 2, represents one of four overall development phases. It proposes to subdivide 6.93+/- acres into 34 townhouse lots and common open spaces within the part of the project that is gated and served by private streets. Pursuant to Preliminary Plat approval and following the installation of roads and utilities and upon approval and recordation of a Final Plat, this subdivision will allow the construction of seven 4-unit and two 3-unit townhouse buildings. Unlike a lot for a single family home where there are required side yard setbacks, the property lines in a townhouse development may run within a shared common building wall separating the individual dwelling units. The Final Plat for The Townhouses of The Preserve at Cedar Bluff Phase 1 was approved in 2022 and recently recorded. **RECOMMENDED MOTION:** Approve the Preliminary Plat for The Townhouses of The Preserve at Cedar Bluff Subdivision, Phase 2, subject to the following conditions:

1. Improvements to be the responsibility of the developer and not the responsibility of Olive Branch.
2. Grading, drainage, and civil construction plans to be approved by the City Engineer.
3. The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, sidewalks, curb and gutter for all streets, and gravel or soil cement base, and asphalt for all streets, with the thickness and layering to be determined by the City Engineer. A performance guarantee, in an amount set by the City Engineer, must be filed prior to recording the plat to insure the installation of all of the public improvements (i.e. utilities in this case) prior to issuance of any building permit for any lot on the property.
4. Street identification and traffic control signs and devices to be installed by the developer to City specifications.
5. All utilities and services (electric, telephone, cable, etc.) to be installed underground. The water service lines shall be installed with tracing wire at the top.
6. On the Final Plat application, match the "NOTES" section that was used for the final plat for THE TOWNHOUSES OF THE PRESERVE AT CEDAR BLUFF PHASE 1 with regard to the private streets and easements. On Phase 2, the common open spaces should be lettered/numbered as E-71, F-72, and G-73. Notes need to dedicate each of the common open spaces to THE TOWNHOUSES OF THE PRESERVE AT CEDAR BLUFF HOMEOWNERS ASSOCIATION (HOA), state their purpose (e.g. open space, landscape buffer, stormwater conveyance, etc.) and include language that THE TOWNHOUSES AT THE PRESERVE AT CEDAR BLUFF HOA SHALL BE RESPONSIBLE FOR MAINTENANCE.

This concluded the staff report. Mr. Dorr asked the Commissioners if there were any questions for staff and there were none. Mr. Dorr asked if there was anyone present to represent the application and recognized Billy Gordy, WH Porter Consultants LLC, 6055 Primacy Pkwy, Ste 115, Memphis, TN 38119. He had nothing to add to the report. Mr. Dorr asked if there were any questions for this applicant and there were none. Mr. Dorr if there was anyone else present in favor of the application and there was no one. Mr. Dorr asked if there was anyone present to speak in opposition of this application and there was no one. Mr. Dorr closed the item for discussion among commissioners. **Mr. Stratton made a motion to approve the Preliminary Plat for The Townhouses of The Preserve at Cedar Bluff Subdivision, Phase 2, subject to the following conditions:**

1. **Improvements to be the responsibility of the developer and not the responsibility of Olive Branch.**
2. **Grading, drainage, and civil construction plans to be approved by the City Engineer.**
3. **The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, sidewalks, curb and gutter for all streets, and gravel or soil cement base, and asphalt for all streets, with the thickness and layering to be determined by the City Engineer. A performance guarantee, in an amount set by the City Engineer, must be filed prior to recording the plat to insure the installation of all of the public improvements (i.e. utilities in this case) prior to issuance of any building permit for any lot on the property.**
4. **Street identification and traffic control signs and devices to be installed by the developer**

to City specifications.

5. All utilities and services (electric, telephone, cable, etc.) to be installed underground. The water service lines shall be installed with tracing wire at the top.
6. On the Final Plat application, match the “NOTES” section that was used for the final plat for THE TOWNHOUSES OF THE PRESERVE AT CEDAR BLUFF PHASE 1 with regard to the private streets and easements. On Phase 2, the common open spaces should be lettered/numbered as E-71, F-72, and G-73. Notes need to dedicate each of the common open spaces to THE TOWNHOUSES OF THE PRESERVE AT CEDAR BLUFF HOMEOWNERS ASSOCIATION (HOA), state their purpose (e.g. open space, landscape buffer, stormwater conveyance, etc.) and include language that THE TOWNHOUSES AT THE PRESERVE AT CEDAR BLUFF HOA SHALL BE RESPONSIBLE FOR MAINTENANCE.

Mr. Singh made the second and the motion was approved as follows:

Pat Dorr	Yes	Steve Stratton	Yes	Donny Singh	Yes	Dion Jones	Absent
Jim Schumpert	Yes	Kimberly Remak	Absent	Diane Senger	Yes		

## OTHER BUSINESS

1. Presentation of Zoning Ordinance Amendments Framework

Mr. Dorr announced Other Business Item Number 1 and asked for the staff report. Mr. Asongayi passed out an outline of the Project he’s been working on: Zoning Ordinance Revision and Creation of the City’s Unified Land Development Code. The purpose of this is to implement the goals, policies and objectives of the Comprehensive Plan 2040 related to various land use provisions and the creation of the City’s Unified Land Development Code. This will be completed under two tasks to be completed in two phases. Mr. Asongayi stated that the annexed areas all have their original Zoning Districts as assigned in the county and they will remain that way until a new Zoning Code is approved. This new plan unifies all previously annexed areas into current zoning districts. The new Code will include Zoning Code, Subdivision Regulations, Design Review Standards and Flood Plain Ordinance all in one place. He stated that the current Zoning Code will be pared down to remove the repetition from the zoning districts. There will be a Use Table that would include all Permitted and Conditional Uses together. You would be able to search a specific use and see all the different districts it would be available in and whether it was permitted by right or required a Conditional Use Permit. This would remove a bulk of pages that repeated the uses for each Zoning District. This process also involves analyzing all the different zoning districts in the County Code and comparing the requirements, (lot sizes, building setbacks, etc) and then merging or creating new districts within City Code to ensure that the previously annexed areas are not going to be turned into “nonconforming” properties because of this change. Currently, we are focusing on Task 1, which should be completed by August 31, 2023.

Mr. Dorr asked what the process would look like to get this approved. Mr. Asongayi advised there would be public hearings for both the Planning Commission and the Board of Aldermen. This would occur in two phases: one for the code itself, and one for the updated zoning map. Mr. Schumpert asked if the Subdivision Regulations and Design Review be absorbed into the new plan and Mr. Asongayi confirmed that they would be.

Mr. Singh stated that he was looking forward to reviewing the updated version. Mr. Asongayi said at the end of each Planning Commission meeting, he would like a block of time carved out for discussion of updates to the plan in order to meet the August deadline. He’s looking to have input from the Commissioners received between April and June and wants to provide drafts to the Commissioners for review by June or July.

Mr. Singh asked if they would still continue to move forward with existing Planned Development until this is approved. Mr. Asongayi advised yes, if developers want to move forward they can. The proposed Unified Code will save developers and staff alike time and money.

This concluded the presentation and discussion regarding the Zoning Code changes.

## ADJOURNMENT

**Ms. Senger made a motion to adjourn the meeting at 7:05 pm. Mr. Schumpert made the second and the motion was approved as follows:**

<b>Pat Dorr</b>	<b>Yes</b>	<b>Steve Stratton</b>	<b>Yes</b>	<b>Donny Singh</b>	<b>Yes</b>	<b>Dion Jones</b>	<b>Absent</b>
<b>Jim Schumpert</b>	<b>Yes</b>	<b>Kimberly Remak</b>	<b>Absent</b>	<b>Diane Senger</b>	<b>Yes</b>		