

**MINUTES FOR THE CITY OF OLIVE BRANCH PLANNING COMMISSION
REGULAR MEETING JUNE 13, 2023**

The Olive Branch Planning Commission meeting was held on Tuesday, June 13, 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, Kimberly Remak, Dion Jones and Diane Senger were present and a quorum was established. Jim Schumpert and Steve Stratton were absent. Jason Gambone, Director, Venard Asongayi, Assistant Director, Brad Thomas, Associate Planner, Jeremiah McCroskey, 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 MAY 9, 2023

Mr. Dorr asked if anyone had any questions, comments or motions regarding the minutes of the May 9, 2023. **Mrs. Remak made a motion to approve the minutes as presented. Ms. Senger made the second and the motion was approved as follows:**

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

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. Stratton arrived at 6:02pm during the reading of the Consent Agenda items

Mr. Dorr announced Consent Agenda Item Number 1.

1. Application for a Final Plat for Frenn Haven 1 Lot Minor Subdivision, submitted by Ronald & Elizabeth Frenn, property owner. The request is to record a single lot of 1.84+/- acres. The subject property is zoned A-R, Agricultural-Residential District and is located on the southeast corner of College Rd and Dawkins Farm Dr, known as 8285 College Rd. (File # SD23-0020).

EXECUTIVE SUMMARY: Property owners, Richard and Elizabeth Frenn requests to plat 1 Lot from an existing un-platted 1.82 +/- acre piece of property located on College Rd. No new streets are necessary to provide access to the proposed lot. Any necessary improvements shall be the responsibility of the developer. Sidewalks, curb and gutter are not required in the A-R, Agricultural Residential Zoning district. The plat meets requirements of the Zoning Ordinance. Staff recommends approval subject to various conditions pertaining to infrastructure and clerical edits on the plat.

RECOMMENDED MOTION: Approve the final plat of Frenn Haven 1 Lot Minor Subdivision and recommend same to the Board of Mayor and Aldermen subject to the following conditions:

1. Lot improvements shall be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Future development on the lot shall comply with the applicable requirements of the City's various land development regulations.
3. Add a plat note that driveway shall be paved.
4. Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) shall be installed underground.
5. Minor edits are applicable to the Final Plat as required by City regulations and deemed

necessary by City staff.

Mr. Dorr announced Consent Agenda Item Number 2.

2. Application for a 1st Plat Revision to combine Lots 203 and 204 of Robinson Crossing Subdivision Section C (Phase III - Area 3) submitted by James & Candra Scott, property owners. The request is to combine the 2 lots into one residential lot of 1.06+/- acres. The subject property is zoned PUD, Planned Unit Development, and is located on the west side of Parish Row, north of Bolivar Trail S, known as 4689 & 4673 Parish Row. (File # SD23-0023).

EXECUTIVE SUMMARY: The request is to combine two vacant platted lots, each approximately ½ acre in size, for the purpose of building a single family home on a larger property within the Robinson Crossing Subdivision. There are no issues related to the request and it is recommended for approval.

RECOMMENDED MOTION: Approve the application and recommend that the Board of Aldermen approve the 1st Revision to combine Lots 203 and 204 of Robinson Crossing Subdivision Section C (Phase III - Area 3) subject to the following conditions:

1. Improvements to be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Rename Final Plat to, "First Revision Robinson Crossing Subdivision Section C Phase III - Area 3 to combine Lots 203 and 204..."
3. Name new lot either Lot 203 or 204.
4. The existing lot line (and easements) that are proposed to be abandoned should be shown with a lighter line weight. There should be a heavier line weight used to draw an arrow to them and note the lot line is abandoned and the adjacent easements vacated upon recordation of this plat.
5. Add a plat note that combined lot remains subject to the Restrictive Covenants recorded in WT Book 901, Page 284.
6. Final Plat subject to review of the City Engineer and minor edits.

Mr. Dorr announced Consent Agenda Item Number 3

3. Application for a Final Plat for the 1st Addition to the 1st Revision of the Bob Johnston Commercial Subdivision, submitted by Robbie Jones, Jones-Davis & Associates on behalf of property owner Robert Johnston, Jr. The request is to create a single commercial lot of ±1.07 acres. The subject property is zoned C-4, Planned Commercial District, and is located on the north side of Goodman, west of Davidson Rd. (File #SD23-0024)

EXECUTIVE SUMMARY: Robbie Jones, Jones-Davis & Associates, on behalf of property owner Robert Johnston, Jr. requests approval of a final plat for the 1st Addition to the 1st Revision of the Bob Johnston Commercial Subdivision. The subject property is ±0.43 acres. The plat meets the regulatory zoning and lot requirements. All utility extensions shall be the responsibility of the developer. Cross-access easements are to be shown on the plat. The requirement of 5' wide sidewalks along Goodman Rd. 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 northern portion of Goodman Rd shall be waived.
2. All applicable cross-access easements along the proposed western and eastern lot lines shall be noted on the plat.
3. All lot improvements shall be the responsibility of the developer and not the responsibility of the City of Olive Branch.
4. Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) shall be installed underground.

5. Future development on the lot shall comply with the applicable requirements of the City's various land development regulations.
6. Minor edits are applicable to the Final Plat as required by City regulations and deemed necessary by City staff.
7. The final plat must be recorded before a building permit may be issued for any development on the proposed lot.

Mr. Dorr asked if anyone would like a full presentation of any of the consent items and there was no one. **Mr. Jones made a motion to approve the recommended motions for Consent items 1 through 3, subject to all staff conditions. Mrs. Remak made the second and the items were approved as follows:**

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

OLD BUSINESS

1. Application to Vacate Lot 1 of the Santo's 1 Lot subdivision , submitted by Marcus Killibrew, IPD, on behalf of Marvin Santos, property owner. The ±9.45 acre subject property is zoned A-R, Agricultural-Residential District and is located on the south side of Stateline Rd, east of Joy Lynn Cv. (File #SD23-0017) **(Tabled to this date at the meeting on May 9, 2023)**

Mr. Dorr announced Old Business Item number 1 and asked for the staff report. Mr. Thomas shared the following: **EXECUTIVE SUMMARY:** Property owner, Marvin Santos, requests to vacate the plat for the Santos 1 Lot subdivision. The purpose of the plat vacation is for Lot 1 of the Santos 1 Lot subdivision to be absorbed into Lot 2 of the McNamara Place subdivision. If approved, the plat vacation would revert Lot 1 to an unplatted parcel of land. The land absorption would occur under a separate but associated plat revision application (#SD23-0018), and is contingent on the approval of the subject application by the Board of Aldermen. The subject property is in the A-R, Agriculture Residential zoning district. Staff recommends approval subject to various conditions. **RECOMMENDED MOTION:** Approve the application and recommend that the Board of Aldermen approve the request to vacate Lot 1 of the Santos 1 Lot subdivision.

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 Ben Smith, IPD, 2700 Stonebrook, Nesbit, MS 38651. He had nothing to add to the report. Mr. Dorr asked if there were any questions for the applicant and there were none. Mr. Dorr asked if there was anyone else to speak for this 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. **Ms. Senger made a motion to approve the application and recommend that the Board of Aldermen approve the request to vacate Lot 1 of the Santos 1 Lot subdivision. Mr. Stratton made the second and the motion was approved as follows:**

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

2. Application for a Plat Revision for Lot 2 of the McNamara Place subdivision, submitted by Marcus Killibrew, IPD, on behalf of Marvin Santos, property owner. The request is to combine Lot 1 of the Santos 1 Lot Subdivision into Lot 2 of the McNamara Place subdivision for a new Lot 2 of 12.81+/- acres. The subject property is zoned A-R, Agricultural-Residential District and is located on the south side of Stateline Rd, east of Joy Lynn Cv. (File # SD23-0018) **(Tabled to this date at the meeting on May 9, 2023)**

Mr. Dorr announced Old Business Item number 2 and asked for the staff report. Mr. Thomas shared the following: **EXECUTIVE SUMMARY:** Property owner, Marvin Santos, requests to absorb the former Lot 1 of the Santos 1 Lot Subdivision into Lot 2 of the McNamara Place subdivision for single family residential development. Both areas of land are located in the A-R, Agriculture Residential zoning district. The plat meets zoning and subdivision regulations. Staff recommends approval

subject to various conditions, including a requirement that the Final Plat be recorded prior to a Certificate of Occupancy being issued for the home currently under construction of the property.

STAFF RECOMMENDATION: Staff recommends approval of the plat revision for Lot 2 of the McNamara Place subdivision subject to the following conditions:

1. Future developments on the lots shall comply with the applicable requirements of the City's various land development regulations.
2. Minor edits are applicable to the Final Plat as required by City regulations and deemed necessary by City staff.
3. Lot improvements shall be the responsibility of the developer and not the responsibility of the City of Olive Branch.
4. Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) shall be installed underground. All lot improvements shall be the responsibility of the developer and not the responsibility of the City of Olive Branch.
5. The final plat must be recorded before a Certificate of Occupancy may be issued for the home currently under construction on the property.

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 Ben Smith, IPD, 2700 Stonebrook, Nesbit, MS 38651. He had nothing to add to the report. Mr. Dorr asked if there were any questions for the applicant and there were none. Mr. Dorr asked if there was anyone else to speak for this 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. **Mrs. Remak made a motion to approve the plat revision for Lot 2 of the McNamara Place subdivision and recommend same to the Mayor and Board of Aldermen, subject to the following conditions:**

1. **Future developments on the lots shall comply with the applicable requirements of the City's various land development regulations.**
2. **Minor edits are applicable to the Final Plat as required by City regulations and deemed necessary by City staff.**
3. **Lot improvements shall be the responsibility of the developer and not the responsibility of the City of Olive Branch.**
4. **Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) shall be installed underground. All lot improvements shall be the responsibility of the developer and not the responsibility of the City of Olive Branch.**
5. **The final plat must be recorded before a Certificate of Occupancy may be issued for the home currently under construction on the property.**

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

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

3. Application for a Final Plat for Old River Farm Subdivision, Phase 1, submitted by Nick Kreunen, Civil-Link, on behalf of Mark Matthews, Jon Mark, LLC, property owner. The request is to divide 29.70+/- acres into 32 residential lots and 2 common open spaces. The subject property is zoned R-3, Planned Residential District, and is located on the north side of College Rd, just west of Hwy 305. (File #SD23-0019). **(Tabled to this date at the meeting on May 9, 2023)**

Mr. Dorr announced Old Business Item number 3 and asked for the staff report. Mr. Thomas shared the following: **EXECUTIVE SUMMARY:** Nick Kreunen, Civil-Link, on behalf of Mark Matthews, Jon Mark, LLC, property owner, requests approval of a Final Plat for Phase 1 of Old River Farm single-family subdivision which contains 32 residential lots and 2 common open space on ±29.70 acres. The

preliminary plat, which contained Phases 1 and 2 of the subdivision, was approved by the Board of Aldermen at their meeting on October 18, 2022. In order to request approval of a final plat by the Planning Commission and subsequently the Board of Aldermen, all subdivision infrastructure plans must be submitted and approved by City Engineering, and all minimum subdivision improvements must be installed. The final plat application was originally submitted to be heard at the May 9, 2023 Planning Commission meeting, but was tabled due the state of the development not being ready for final plat approval. The Engineering Department has since inspected the subdivision improvements and determined that it is still unqualified for final plat approval. **STAFF RECOMMENDATION:** Staff recommends that the application be tabled until such time that the applicant has installed minimum subdivision improvements. **Ms. Senger made a motion to table until such time that the applicant has installed minimum subdivision improvements. Mr. Stratton made the second and the motion to table was approved as follows:**

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

NEW BUSINESS

1. Application for a Preliminary Plat for Kent 3 Lot Minor Subdivision, submitted by James Kent, property owner. The request is to divide 19.79+/- acres into 3 residential lots. The subject property is zoned A-R, Agricultural-Residential District and is located on the north side of College Rd between Belmor Place and Mitchell Grove Lane, known as 8730 College Rd. (File SD23-0021).

Mr. Dorr announced New Business Item number 1 and asked for the staff report. Mr. McCroskey shared the following: **EXECUTIVE SUMMARY:** The applicant, James Kent requests approval of the preliminary plat with intended use to subdivide this unplatted parcel into 3 lots. Proposed Lot 1 is improved with an existing home and the intended subdivision would create two more buildable lots. There is a proposed 40ft. wide access easement across Lot 3 (utilizing the existing driveway) to provide access to Lots 1 & 2. The existing home is not served by central sewer, however it is available. Any future extension of utility lines to service a development on any lot shall, once the City has extended its utilities, be the responsibility of the property owner. There is a proposed utility easement running alongside the cross access easement. The preliminary plat meets requirements of the Zoning Ordinance and complies with the Subdivision Regulations. Staff recommends approval subject to multiple conditions. **RECOMMENDED MOTION:** Approve the Preliminary Plat and recommend that the Board of Aldermen render a decision on the Preliminary Plat at its June 20, 2023 meeting for the "Kent 3 Lot Minor Subdivision," to divide 19.79+/- acres into 3 residential lots subject to the following conditions:

1. Lot improvements shall be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Future developments on the lots shall comply with the applicable requirements of the City's various land development regulations.
3. Unless otherwise specified, the property owner shall install all extended all utilities and services (electric, telephone, cable, etc.) underground to the Lots once the City expands its utility services to the subject properties.
4. On final plat submittal add a plat note that driveways on all lots shall be paved.
5. On final plat submittal, add a plat note stating, "The 40' wide Ingress/Egress easement is recorded in favor of Lots 1, 2 & 3. The owners of Lots 1, 2 & 3 shall be responsible for driveway widening paving and maintenance."
6. The final plat must be recorded before a building permit may be issued for any development on the proposed lots.

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 Joey Brower, Skeen Engineering, 83 Crocket Loop, Hernando, MS 38632. He

wanted to clarify if these were recommendations or requirements. It was advised that these are recommendations and that the Mayor and Board of Aldermen will have the final say at the final plat stage. Mr. Dorr asked if there were any questions for the applicant and there were none. Mr. Dorr asked if there was anyone else to speak for this 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. **Ms. Senger made a motion to approve the Preliminary Plat and recommend that the Board of Aldermen approve the Preliminary Plat at its June 20, 2023 meeting for the "Kent 3 Lot Minor Subdivision," to divide 19.79+/- acres into 3 residential lots subject to the following conditions:**

1. Lot improvements shall be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Future developments on the lots shall comply with the applicable requirements of the City's various land development regulations.
3. Unless otherwise specified, the property owner shall install all extended all utilities and services (electric, telephone, cable, etc.) underground to the Lots once the City expands its utility services to the subject properties.
4. On final plat submittal add a plat note that driveways on all lots shall be paved.
5. On final plat submittal, add a plat note stating, "The 40' wide Ingress/Egress easement is recorded in favor of Lots 1, 2 & 3. The owners of Lots 1, 2 & 3 shall be responsible for driveway widening paving and maintenance."
6. The final plat must be recorded before a building permit may be issued for any development on the proposed lots.

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

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

2. Application for a Final Plat for Sherard Meadow Subdivision, submitted by Leon & Anita Sherard, property owner. The request is to subdivide 9.17+/- acres into 2 residential lots. The subject property is zoned A-R, Agricultural-Residential District and is located on the east side of Malone Rd N and north of Nail Rd E, known as 6200 Malone Rd. (File # SD23-0022).

Mr. Dorr announced New Business Item number 2 and asked for the staff report. Mr. Gambone shared the following: **BACKGROUND / EXECUTIVE SUMMARY:** The subject property is a 9.17+/- acre unplatted parcel located on the east side of Malone Rd., approximately 600 ft. north of Nail Road. Tax records indicate the property is improved with a 3058 sq. ft. home built in 1974 and accessory buildings. The existing home will remain on Lot 1 and the application to subdivide the parcel into two lots is a requisite step for the future development of a second home on proposed Lot 2. Both lots exceed the minimum dimensional requirements of the A-R zoning district and there are utilities in the area. The pertinent issue with regard to considering recommended approval of the application is the need for an emergency access easement connecting Lindsey Ann Drive to Malone Road. **RECOMMENDED MOTION:** Approve the application and recommend that the Board of Aldermen approve the Final Plat for the Sherard Meadow Subdivision to subdivide 9.17+/- acres into 2 residential lots subject to the following conditions:

1. Improvements to be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Include a 20 ft. wide Emergency Access Easement connecting Lindsey Ann Dr. to Malone Rd. and add a plat note stating that: THE 20 FOOT WIDE EASEMENT CONNECTING THE RIGHTS-OF-WAY OF LINDSEY ANN DRIVE AND MALONE ROAD IS DEDICATED TO THE CITY OF OLIVE BRANCH, MS FOR THE PURPOSE OF PROVIDING EMERGENCY ACCESS TO SOUTH MANOR ESTATES SECTIONS F, G, AND H IN THE EVENT (AND FOR THE TIME PERIOD) MORGAN DRIVE WAS NOT ACCESSIBLE TO NAIL ROAD. AT ITS DISCRETION, THE CITY OF OLIVE BRANCH MAY MAKE IMPROVEMENTS TO THE EASEMENT AREA, SUCH AS PERVIOUS CONCRETE PAVERS OR GRAVEL TO STABILZE IT FOR

EMERGENCY VEHICULAR USE AND RESTRICT ITS NON-EMERGENCY USAGE WITH A GATE. THE LOT OWNER SHALL BE RESPONSIBLE FOR ROUTINE GRASS MOWING AND GENERAL MAINTENANCE OF THE EASEMENT AND IT SHALL NOT BE OBSTRUCTED WITH BUILDINGS, FENCES, TREES, OR OTHER LANDSCAPE FEATURES IMPEDING ITS EMERGENCY USAGE.

3. Add a plat note that any further subdivision of Lot 2 shall require a right-of-way extension of Lindsey Ann Drive to Malone Road.
4. Add a plat note that all utilities and service lines (electric, telephone, cable, etc.) to be underground.
5. Add a plat note that Lot 2 shall connect to sanitary sewer.
6. Add a plat note that a new driveway for Lot 2 shall be paved.
7. Correct setbacks to 50 ft. front and rear and 15 ft. side.
8. Final Plat subject to review of the City Engineer and minor edits.

This concluded the staff report. Mr. Dorr asked the Commissioners if there were any questions for staff. Mr. Jones asked in the case of emergency situation, who determines that emergency. Mr. Gambone advised he would assume the fire chief would make that call. Mr. Jones asked if this would be accessible by only emergency vehicles, or would it be secondary access to public traffic. Mr. Gambone advised it would be the latter. Mr. Dorr asked if there was anyone present to represent the application and recognized Anita Sherard, 6200 Malone Rd, Olive Branch, MS 38654. She stated they have owned this property since 1971 and this is the first time they've heard anything about the easement. She stated there are too many little subdivisions that only have one access to them. They have been trying, but have been unable to sell the property because no one wants to buy it and not develop it. Mr. Dorr asked if there were any questions for the applicant and there were none. Mr. Dorr asked if there was anyone else to speak for this 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 application (removing condition number 2) and recommend that the Board of Aldermen approve the Final Plat for the Sherard Meadow Subdivision to subdivide 9.17+/- acres into 2 residential lots subject to the following remaining conditions:**

1. **Improvements to be the responsibility of the developer and not the responsibility of the City of Olive Branch.**
2. **Add a plat note that any further subdivision of Lot 2 shall require a right-of-way extension of Lindsey Ann Drive to Malone Road.**
3. **Add a plat note that all utilities and service lines (electric, telephone, cable, etc.) to be underground.**
4. **Add a plat note that Lot 2 shall connect to sanitary sewer.**
5. **Add a plat note that a new driveway for Lot 2 shall be paved.**
6. **Correct setbacks to 50 ft. front and rear and 15 ft. side.**
7. **Final Plat subject to review of the City Engineer and minor edits.**

Mrs. Remak stated that these homes have had only 1 access point since 1996 and asked if there had ever been an instance of needing an additional access point before now. It was advised that as far as we know, there hasn't been. **Mrs. Remak made the second to approve without the second condition and the motion to approve was made as follows:**

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

Mr. Gambone advised the city attorney is looking into this matter and that staff is required to send this forward because of the state fire code.

3. Application for a Final Plat of the Comcast Property Subdivision, submitted by Doug Baker, ETI Corporation, on behalf of David Erwin, Comcast, property owner. The request is to divide 2.37+/- acres into 2 commercial lots. The subject property is zoned C-2, Highway Commercial District and is located on the west side of Hwy 178, just south of Pigeon Roost Park Blvd, known as 9797 Hwy 178. (File# SD23-0026)

Mr. Dorr announced New Business Item number 2 and asked for the staff report. Mr. Gambone shared the following: **EXECUTIVE SUMMARY:** The subject property proposed for a two-lot subdivision is a 2.3718+/- acre un-platted parcel located on the southwest side of Hwy 178, just south of the Park at Pigeon Roost commercial and single family subdivisions. The property is currently improved with several small buildings and a communications tower. It is the intent of property owner Comcast to market Lot 1 for prospective redevelopment, while maintaining ownership of Lot 2 which contains the communication facilities. The Final Plat depicts a 24' wide access easement running along over an existing paved driveway across Lot 1 to reach Lot 2. Subject to utility easements being included on the plat drawing and other minor comments, the application is recommended for approval. **RECOMMENDED MOTION:** Approve the application and recommend that the Board of Aldermen approve the Final Plat for the Comcast Property Subdivision to divide 2.37+/- acres into 2 commercial lots subject to the following conditions:

1. Improvements to be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Remove depictions of buildings, antenna, driveways, and other improvements from the Final Plat drawing.
3. C-2 zoning has 50' front, 20' rear, and no side yard setback, with the exception of that portion of the north property line abutting The Park at Pigeon Roost single family subdivision. Along this area of the property line, a minimum side yard setback of 5' and a 30' wide buffer yard shall be required for redevelopment of Lots 1 and/or 2. The Final Plat needs to reflect this information.
4. Future applications for development or redevelopment of Lots 1 and/or 2 shall comply with the requirements of the City's Zoning Code, Design Review Ordinance, and Subdivision regulations. Curb and gutter and sidewalk requirements to be determined by the City Engineer.
5. Any existing or planned underground utilities running through Lot 1 to serve Lot 2 need to be placed in utility easements depicted on the Final Plat.
6. Assuming there is an intent to keep the overhead electric line across Lot 1 in place to serve the communications facility on Lot 2, this needs to be noted on the Final Plat. Otherwise, future applications for development or redevelopment of Lots 1 and/or 2 will require burial of all utilities and services (electric, telephone, cable, etc.).
7. Final Plat subject to review of the City Engineer and minor edits.

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 Doug Baker, ETI Corporation, 1755 Lynnfield Rd, Memphis, TN 38119. He stated he had no problems with the conditions. Mr. Dorr asked if there were any questions for the applicant and there were none. Mr. Dorr asked if there was anyone else to speak for this 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. Jones made a motion to Approve the application and recommend that the Board of Aldermen approve the Final Plat for the Comcast Property Subdivision to divide 2.37+/- acres into 2 commercial lots subject to the following conditions:**

1. **Improvements to be the responsibility of the developer and not the responsibility of the City of Olive Branch.**
2. **Remove depictions of buildings, antenna, driveways, and other improvements from the Final Plat drawing.**
3. **C-2 zoning has 50' front, 20' rear, and no side yard setback, with the exception of that portion of the north property line abutting The Park at Pigeon Roost single family subdivision. Along this area of the property line, a minimum side yard setback of 5' and a 30' wide buffer yard shall be required for redevelopment of Lots 1 and/or 2. The Final Plat needs to reflect this information.**
4. **Future applications for development or redevelopment of Lots 1 and/or 2 shall comply with the requirements of the City's Zoning Code, Design Review Ordinance, and Subdivision regulations. Curb and gutter and sidewalk requirements to be determined by the City Engineer.**
5. **Any existing or planned underground utilities running through Lot 1 to serve Lot 2 need to be placed in utility easements depicted on the Final Plat.**
6. **Assuming there is an intent to keep the overhead electric line across Lot 1 in place to**

serve the communications facility on Lot 2, this needs to be noted on the Final Plat. Otherwise, future applications for development or redevelopment of Lots 1 and/or 2 will require burial of all utilities and services (electric, telephone, cable, etc.).

7. Final Plat subject to review of the City Engineer and minor edits.

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

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

4. Application for a Final Plat of the John and Helen Wiseman Family Subdivision and Revision to Lot 8 of the Wisewoods Subdivision Section B, submitted by Robbie Jones, Jones-Davis & Associates on behalf of property owner Bonnie Wiseman. The request is to create a single residential lot of 4.37+/- acres. The subject property is zoned both A-R, Agricultural-Residential and R-2, Single-Family District, and is located on the west side of Hacks Cross Rd, just south of Wiseman Dr.

Mr. Dorr announced New Business Item number 2 and asked for the staff report. Mr. Gambone shared the following: **EXECUTIVE SUMMARY:** On October 19, 2021, the Board of Aldermen approved a Final Subdivision Plat to subdivide this 4.37+/- acre subject property into 3 lots. That project, which would have required the extension of Wiseman Drive southward, has been abandoned by the applicant and the Final Plat of the 3 lot subdivision was not recorded. Instead, this new application proposes a one lot subdivision. Since the single lot has frontage on a public right-of-way (*i.e. Wiseman Drive*) and one home can be served by a driveway, road and utility improvements in a new public right-of-way are no longer required. There are some minor issues related to the request and it is recommended for approval subject to conditions. **RECOMMENDED MOTION:** Approve the application and recommend that the Board of Aldermen approve the Final Plat of the John and Helen Wiseman Family Subdivision and Revision to Lot 8 of the Wisewoods Subdivision Section B to create a single residential lot of 4.37+/- acres subject to the following conditions:

1. Improvements to be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Applicant advised that at the discretion of the DeSoto County Chancery Clerk, the subdivision may need to either be renamed to Wisewoods (e.g. Section "C"); or, that portion of Lot 8 that is being extracted from Wisewoods Subdivision Section "B" may need to be vacated through separate action of the Board of Aldermen.
3. Plat needs to show existing detention pond outline and any part of the existing 20' wide drainage easement that is located on subdivision the property. A site visit revealed the detention pond is not being maintained and presuming it is serving as detention for Wisewoods Section B, it is recommended that a plat note be added dedicating to that subdivision for maintenance purposes.
4. Add Plat note that the driveway for Lot 1 shall be paved.
5. Applicant advised to file for a rezoning to ensure the lot is not split zoned. The 0.28+/- acres zoned R-2 should be rezoned to the A-R, Single Family Residential District.
6. Final Plat subject to review of the City Engineer and minor edits.

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 Robbie Jones, Jones-Davis & Associates, 8849 Hamilton Rd, Southaven, MS 38671 and owner Bonnie Wiseman, 6375 Hacks Cross Rd, Olive Branch, MS 38654. Mr. Jones advised there were no issues with the conditions. Mr. Dorr asked if there were any questions for the applicant and there were none. Mr. Dorr asked if there was anyone else to speak for this 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. Jones made a motion to approve the application and recommend that the Board of Aldermen approve the Final Plat of the John and Helen Wiseman Family Subdivision and Revision to Lot 8 of the Wisewoods Subdivision Section B to create a single residential lot of 4.37+/- acres subject to the following conditions:**

1. Improvements to be the responsibility of the developer and not the responsibility of the City of Olive Branch.
2. Applicant advised that at the discretion of the DeSoto County Chancery Clerk, the subdivision may need to either be renamed to Wisewoods (e.g. Section "C"); or, that portion of Lot 8 that is being extracted from Wisewoods Subdivision Section "B" may need to be vacated through separate action of the Board of Aldermen.
3. Plat needs to show existing detention pond outline and any part of the existing 20' wide drainage easement that is located on subdivision the property. A site visit revealed the detention pond is not being maintained and presuming it is serving as detention for Wisewoods Section B, it is recommended that a plat note be added dedicating to that subdivision for maintenance purposes.
4. Add Plat note that the driveway for Lot 1 shall be paved.
5. Applicant advised to file for a rezoning to ensure the lot is not split zoned. The 0.28+/- acres zoned R-2 should be rezoned to the A-R, Single Family Residential District.
6. Final Plat subject to review of the City Engineer and minor edits.

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

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

OTHER BUSINESS

1. Zoning update discussion

Mr. Asongayi advised that the draft of the zoning ordinance is complete, but he is waiting for the City Attorney to review and give notes. He is likewise working with Aldermen Hamilton, Earhart, and Collins on the updates. Once the comments are received, he will try to get this to the Planning Commission and listed Board Members by the end of next week. The July meeting will be the time for the Planning Commission to provide feedback on what they've reviewed and the vote would be scheduled for August.

ADJOURNMENT

Ms. Senger made a motion to adjourn the meeting at 6:59pm. Mr. Jones made the second and the motion was approved as follows:

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