

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 8th DAY OF APRIL, 2021 AT 9:00 A.M. AT THE
MADISON COUNTY COMPLEX BUILDING**

BE IT REMEMBERED that a meeting of the Madison County Planning and Zoning Commission was duly called, held and conducted on Thursday, the 8th day of April, 2021, at 9:00 a.m. in the Madison County Complex Building.

Present: Larry Miller
 Walter McKay
 Dr. Keith Rouser
 Bill Billingsley
 Rev. Henry Brown
 Scott Weeks, Planning and Zoning Administrator

The meeting was opened with prayer by Commissioner Brown, and all present participated in pledging allegiance to our flag, led by Chairman Rouser.

There first came on for consideration the minutes of the March 11, 2021, meeting of the Commission. Upon motion by Commissioner Billingsley, seconded by Commissioner Miller, with all voting “aye,” motion to approve the March 11, 2021 minutes passed.

There next came on for consideration, the need to open a public hearing for the Commission to hear and consider certain items. Upon motion by Commissioner Miller to open the public hearing, seconded by Commissioner Billingsley, with all voting “aye,” the motion to open the public hearing passed.

There next came on for consideration the Application of Soil Masters, LLC, for Special Exception on a Conditional Use for a Mining Operation. Dawn Street appeared on behalf of the Applicant, and David Kennedy appeared as owner of the property. Ms. Street advised that property subject to the application is on Highway 16 East of Canton on property zoned as R-2 Residential in Supervisor District 4. Commissioner McKay and Administrator Weeks reminded the Applicant of requirements for keeping the roadway clean, hauling only during daylight hours only, no Sunday hauling, dust control, construction entrance, and a flagman, if needed. Mr. Kennedy advised that the construction entrance would be on the far west side of the property where there is already an established driveway. Upon motion by Commissioner Billingsley to approve the Application of Soil Masters, LLC, for Special Exception on a Conditional Use for Mining Operation, seconded by Commissioner Miller, with all voting “aye,” the motion to approve the Application of Soil Masters, LLC, for Special Exception on a Conditional Use for a Mining Operation was approved.

There next came on for consideration the Petition of Mipitou Corporation to rezone +/- 125.4 acres from R-3 to R-1A, and +/-35.0 acres from R-3 to Special Use/Conditional Use property

east of Gus Green Road, and southwest of New Castle Subdivision. Walter Wilson appeared on behalf of the Petitioner, and gave a brief recitation of previous appearances regarding rezoning of this tract of property. Mr. Wilson advised that the current petition is to rezone 125.4 acres to R1-A with 30,500 sq.ft. single family lots, and 35.0 acres to Special Use, age-restricted to 55 years old and up, with a density of one building per acre, and a maximum of 35 structures. Each building in the Special Use area will be 5-6,000 sq.ft. per building with 2-4 residences per building. Petitioner submitted a January 19, 2021, summary demand analysis for medium density single family residential lots in the New Castle Subdivision market area from Integra Realty Resources, list of adjacent property owners to be notified of the re-zoning (with certified return cards), showing data March 2, 2021, Resolution from the Madison Board of Alderman in support of the re-zoning, a Master Development Plan, and a Surrounding Environment Plan.

Mr. Wilson advised that the only construction access to the site would be off of Gus Green Road, and that Petitioner would post bond for repair to Gus Green Road. Commissioner McKay questioned whether the City of Madison would be providing any services to the property, and the Mr. Wilson responded that all of the services would be provided by Madison County.

Jim Ingram, President of the Grey Castle Lake Homeowner's Association, appeared in opposition to the Petition, and presented a letter stating opposition to any future traffic from the subject property going through New Castle and Grey Stone, and requesting that any such traffic be confined to Gus Green and/or Robinson Springs roads. Such letter is attached hereto as **Exhibit 1**, and made a part of these minutes. Mr. Ingram also questioned whether any of the traffic would go through Annandale, and Mr. Wilson advised that it would not. Mr. Ingram also expressed concern that the initial 65 lots in the proposed development would go through New Castle. Mr. Wilson advised that Petitioner would be building in phases of 10-20 homes at one time, there should never be more than 20 homes to prompt any traffic going North through the proposed development, and the logical traffic would eventually flow south to Robinson Springs Road, or west to Gus Green Road. Mr. Ingram expressed concern that no one had met with New Castle or Grey Castle Lake Homeowners Association. He also expressed concern that the traffic studies used by Petitioners compared subdivisions with sidewalks, and that neither New Castle, nor Grey Castle Lake have sidewalks, and that the increased traffic would pose a safety issue.

Mr. Wilson responded that New Castle and Grey Castle Lake were not adjoining properties, and therefore were not legally required to be given notice, and again addressed the safety/traffic concern with the plan to phase in 10-20 lots at a time with minimal added traffic, and that traffic would eventually, and naturally flow to Gus Green and/or Robinson Springs roads, adding that the construction entrance would be off Gus Green Road.

Jonathan Kyzer of Grey Castle Lake Homeowners Association also appeared in opposition, and stated that construction traffic was currently using the roads of New Castle and Grey Castle Lake. Mr. Wilson advised that was true because there is currently no road at all to access the subject property, and there would have to be some initial traffic through the subdivision, but would be curtailed by the immediate construction entrance on Gus Green Road. Mr. Wilson suggested a gate be put on the northeast portion of the property to restrict access to New Castle and Grey Castle Lake.

Mack Porter also appeared and questioned the weight limit of the bridge on Gus Green Road, and a blind spot at the intersection of Gus Green and Robinson Springs Road. Zoning Administrator Weeks advised that he would reach out to the County Engineer on those issues.

Upon motion by Commissioner Billingsley to approve the Petition of Mipitou Corporation to rezone +/-125.4 acres from R-3 to R-1A, and +/-35.0 acres from R-3 to Special Use/Conditional Use property east of Gus Green Road, and southwest of New Castle Subdivision with conditions that Petitioner provide a gate between the subject property and New Castle Subdivision until such time as homes are constructed, and homeowners can access the property via electronic gate, and subject to the conditions set forth in the Resolution by the Board of Alderman of the City of Madison Mississippi Supporting Mipitou Corporation's Request to Rezone Property in Madison County and For Related Purposes attached hereto as **Exhibit 2**, and made a part of these minutes, seconded by Commissioner McKay, with all voting "aye," the motion to approve the Petition of Mipitou Corporation to rezone +/-125.4 acres from R-3 to R-1A, and +/-35.0 acres from R-3 to Special Use/Conditional Use property east of Gus Green Road, and southwest of New Castle Subdivision with conditions that Petitioner provide a gate between the subject property and New Castle Subdivision until such time as homes are constructed, and homeowners can access the property via electronic gate, and subject to the conditions set forth in the Resolution by the Board of Alderman of the City of Madison Mississippi Supporting Mipitou Corporation's Request to Rezone Property in Madison County and For Related Purposes was approved.

There next came on for consideration the Application for Variance to setbacks for Lexington Drive Building A & B. Daniel Wooldridge, architect for the project, appeared on behalf of the Applicant. Mr. Wooldridge presented a plan, and letter requesting a variance on the front of the property from a 15' to a 9' greenspace area, which, when combined with the street right of way for Lexington Drive, would allow for a green space of 18'. John Taylor appeared on behalf of his mother, who owns the property to the rear of, and adjacent to the property subject to the variance. Mr. Taylor's concern was whether the variance would affect his mother's property. Mr. Wooldridge advised that the subject buildings were subject to a rear setback requirement, and that the surface water would not go onto the adjacent property. Upon motion by Commissioner Miller to approve the Application for Variance to setbacks for Lexington Drive Building A & B from 15' to 8', seconded by Commissioner McKay, with all voting "aye," the motion to approve the Application for Variance to setbacks for Lexington Drive Building A & B was approved.

There next came on for consideration to close the public hearing for certain matters. Upon motion by Commissioner McKay, seconded by Commissioner Miller, with all voting "aye," the motion to close the public hearing passed.

There next came on for discussion, the setting of the May, 2021 meeting. May 20th, 2021, was suggested. Upon motion by Commissioner McKay, seconded by Commissioner Billingsley, with all voting "aye," motion to set the May, 2021 meeting for May 20th, 2021 passed.

With there being no further business, the April 8, 2021, meeting of the Madison County Planning and Zoning Commission was adjourned.

Date

Dr. Keith Rouser, Chairman