

**MINUTES OF THE MEETING OF THE MADISON COUNTY
PLANNING AND ZONING COMMISSION HELD AND CONDUCTED ON
THURSDAY, THE 8th DAY OF JUNE, 2023 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 June, 2023, at 9:00 a.m. in the Madison County Complex Building.

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

Not Present: Larry Miller
Walter McKay

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 May 4, 2023, meeting of the Commission. Upon motion by Commissioner Brown, seconded by Commissioner Billingsley with all voting "aye," motion to approve the May 4, 2023, minutes passed.

There next came on for consideration, the need to open the meeting for public hearing of certain matters. Upon motion by Commissioner Brown to open the meeting for public hearing of certain matters, seconded by Commissioner Billingsley, with all voting "aye," the public hearing was so opened.

There next came on for consideration the Application of Joe Wall for a Conditional Use for an Exempt Mining Operation. The property subject to the application is on Sulphur Springs Road, is zoned A-1 Agricultural District, and is in Supervisor District 5. Joe Wall appeared as the Applicant. Commissioner Brown inquired as to exactly where the proposed mine would be located, and Mr. Wall advised that it is approximately $\frac{1}{2}$ to $\frac{3}{4}$ of a mile off of Highway 43. Commissioner Billingsley inquired as to where the access to the property would be, and Mr. Wall advised that his entry and exit would be on top of a hill with clear and unobstructed view for his drivers entering and exiting traffic. Chairman Rouser inquired as to hours of operation, and Mr. Wall advised that he would only be operating Monday through Friday. Attorney Clark advised the Commission that the standard approval conditions on mining operations are no Sunday hauling, daylight hours only, and a flagman if needed. Administrator Weeks added that there should be a construction entrance to prevent mud from being strewn into the roadway, that the permit was good for one (1) year, and if an extension was needed, Mr. Wall would have to come back for that extension. Mr. Wall agreed. Upon motion by Commissioner Billingsley to approve the Application of Joe Wall for a Conditional Use for an Exempt Mining Operation, seconded by

Commissioner Brown, with all voting “aye,” the motion to approve the Application of Joe Wall for a Conditional Use for an Exempt Mining Operation, was approved.

There next came on for consideration the Application of the Entergy Mississippi, LLC, for a Conditional Use for Public/Quasi-Public Facility Utility (Substation) with Site Plan. The property subject to the application is located at 511 Mannsdale Road, is zoned R-1 Residential Estate District, and is in Supervisor District 4. Cliff Herring appeared on behalf of the Applicant. Attorney Clark advised the Commission that the Mannsdale-Livingston Historic Preservation District had approved the Application at its meeting on June 6, 2023, and that a copy of such approval is to be attached to these minutes as **Exhibit “A.”** Upon motion by Commissioner Billingsley to approve the Application of the Entergy Mississippi, LLC, for a Conditional Use for Public/Quasi-Public Facility Utility (Substation) with Site Plan, seconded by Commissioner Brown, with all voting “aye,” the motion to approve the Application of the Entergy Mississippi, LLC, for a Conditional Use for Public/Quasi-Public Facility Utility (Substation) with Site Plan, was approved.

There next came on for consideration, the Application of SR-1 Technologies, LLC for Re-Zoning of +/- 2.85 acres currently zoned as A-1 Agricultural District to SU-1 with Site Plan. The property subject to the application is on the East side of Highway 51 and South of Davis Crossing Road, and is in Supervisor District 5. Chad Wages and Tamu Green appeared on behalf of the Applicant. Mr. Wages advised that the Applicant was seeking the Re-Zoning from A-1 to SU-1 in order to accommodate a planned STEM school. Commissioner Billingsley inquired as to whether this would be a permanent location for the STEM school, and Mr. Green advised that it is.

James L. Brown appeared, and advised that he was not necessarily opposed, but did have some questions. His first question was why the entire portion of the property is to be re-zoned, instead of a small portion right on the highway. Mr. Wages responded that there is a Master Plan over time to be more than one building on site. But, right now, Mr. Green, in cooperation with the Department of Education and the Charter School System, has a kindergarten through third grade, but will be adding a grade each year. Mr. Wages further stated that they did not want to come back for additional acreage as the school expands, and that the North half of the property is currently in row crop, and would be more easily developed at this time. Mr. Wages further stated that the South half of the property currently has a mining operation on site, so the Applicant wishes to use that mining operation on their site, and continue to use it as a source of revenue.

Mr. Brown then questioned as to why the Master Plan was not included on the agenda if they wish to develop the property. Mr. Wages responded that they are still in the process of developing the Master Plan, and did not want to paint a picture that may change, and wanted to make sure they would be able to get the re-zoning approved first.. Attorney Clark clarified that the current re-zoning is only the first step, and that the Applicant would have to come back to the Commission for approval of any site plan, or Master Plan.

Mr. Brown then questioned as to whether this would be a day-use facility, or a boarding facility. Mr. Green advised that the STEM school is not a boarding facility. He advised that this STEM school is the first one of its kind approved in the State of Mississippi, and would be a

college preparatory and STEM Academy. He stated that "STEM" stands for Science, Technology, Engineering, and Mathematics, and will have an outdoor learning component.

Mr. Brown then questioned as to what the outdoor learning component would entail, and how much property that would require. Mr. Green responded that the school would include an agricultural learning component, and include organic farming, and other agricultural items.

Mr. Brown then questioned as to what crops were being grown. Mr. Green stated that they are not currently growing anything on the subject property.

Mr. Brown then questioned as to why they would put the mobile classrooms are on a higher section of the property, but permanent classrooms on a lower section of land. Mr. Wages explained that what Mr. Brown was looking at was a "first generation plan," and that after evaluation, they do plan to build the facility on the higher property. Mr. Wages further clarified that the current location of the proposed mobile classrooms was on top of a previously mined portion of the property, and the "good dirt" had been removed. As such, placing permanent structures there would require a vast amount of excavation, and fill dirt.

Mr. Brown then questioned as to whether, after two (2) years, the Applicant would have to come back and ask for extension for the mobile classrooms if the permanent structures are not in place. Attorney Clark and Administrator Weeks confirmed that the Applicant would have to do so.

Mr. Brown then questioned as to how many students the initial sewer plan would accommodate. Mr. Wages stated that the initial sewer plan will be an on-site treatment plant and spray field to accommodate approximately 150 students. He clarified that the permanent sewer plan would be to install a pump station to connect to the CMU sewer which is approximately 2.5 miles away. Mr. Brown stated that that was a long way to go, and acquire a lot of right of way.

Mr. Brown then questioned as to how many acres the spray field would be. Mr. Wages stated that they are working with design on that now, but such is not complete. He further stated that the Applicant wanted to ensure that they would be able to get the property re-zoned first.

Mr. Brown then questioned as to whether the mobile classrooms would have a sprinkler system, and whether there would be a fire hydrant on site. Mr. Wages confirmed that there would be a fire hydrant on site, but that a sprinkler system in the mobile classrooms would not be required.

Mr. Brown then stated that he wanted to note his objection to the re-zoning based on the whole +/-175 acres being re-zoned. And, that he wanted these questions answered ahead of time.

Upon motion by Commissioner Billingsley to approve the Application of SR-1 Technologies, LLC for Re-Zoning of +/- 2.85 acres currently zoned as A-1 Agricultural District to SU-1 with Site Plan, seconded by Commissioner Brown, with all voting "aye," the motion to approve the Application of SR-1 Technologies, LLC for Re-Zoning of +/- 2.85 acres currently zoned as A-1 Agricultural District to SU-1 with Site Plan, was approved.

There next came on for consideration, the need to close the public hearing. Upon motion by Commissioner Billingsley to close the public hearing, seconded by Commissioner Brown, with all voting "aye," the public hearing was so closed.

There next came on for consideration, the Site Plan for Clark Beverage Group. The property subject to the Application is on Madison County Parkway in the Madison County Megasite, is zoned I-2 Heavy Industrial District, and is in Supervisor District 4. Chad Wages appeared on behalf of the Applicant. Mr. Wages stated that, as part of his submittal, he had obtained approval from the County Engineer as to grading, drainage, and detention on the project. Upon motion by Commissioner Billingsley to approve the Site Plan for Clark Beverage Group, seconded by Commissioner Brown, with all voting "aye," the motion to approve the Site Plan for Clark Beverage Group, was approved.

There next came on for consideration, the Site Plan for Stribling Market. The property subject to the Application is on Stribling Road, and Bellevue Drive (near entrance to Lake Caroline), is currently zoned as Planned Unit Development ("PUD") over C-2 Highway Commercial District, and is in Supervisor District 4. Attorney Clark advised the Commission that the representative for Stribling Market had indicated that he was not coming, and that there was no reason for him to appear. Attorney Clark advised the Commission that that was not correct, and a representative must appear to submit the Application.

Jeff Portwood, Executive Director of Lake Caroline Owners Association, Inc. appeared on behalf of the Board of Directors, and its Membership. Mr. Portwood stated that LCI/Mark Jordan is a friend of Lake Caroline Owners Association and has had a hand in the success of Lake Caroline as a whole. Mr. Portwood stated that they would love to have a convenience store in the area, but are just concerned with the location. Mr. Portwood distributed a written statement to the Commission, and such statement is attached to these minutes as **Exhibit "B."** Mr. Portwood then read the statement for the Commission's benefit. In particular, Mr. Portwood questioned exactly where the project was to be located, and stated that it was there understanding that the site is approximately 100 yards from the main entrance, and could possibly be part of the neighboring property which is currently zoned A-1. Mr. Portwood stated that they were not sure, but that it could extend over to Mr. Olive's property, and if so, questioned as to when was such property zoned commercial. Mr. Portwood further questioned as to whether there has been a traffic study during peak traffic hours.

Attorney Clark then presented an email chain regarding concerns raised by Lake Caroline resident, Ted Fortenberry, Administrator Weeks, and County Engineer, Tim Bryan regarding traffic concerns, ingress/egress, and detention calculations. Such email chain is attached hereto as **Exhibit "C."**

Mr. Portwood then clarified his earlier statement that the Applicant did not feel like he needed to be present, and stated that he believed the Applicant thought that a closed session did not require him to be present, and that the application would simply pass since the zoning was appropriate for the use.

Prior to any action on the application, Don McGraw, Esq. appeared on behalf of the Applicant. Mr. McGraw presented the Site Plan and the conceptual drawing. Mr. McGraw stated that the subject property is currently zoned as C-2, and pointed out the details listed on the Site Plan as to setbacks, parking, ingress/egress, and other matters on the Site Plan. Mr. McGraw addressed the concerns of the location, traffic flow, and whether the entirety of the site was on other property. Mr. McGraw confirmed that the map and fence line shows that the entirety of the property is owned by Lake Caroline, Inc. Commissioner Billingsley inquired as to whether a traffic study had been conducted, or would be conducted. Mr. McGraw stated that he did not know whether one had been conducted, or was planned to be conducted. Administrator Weeks clarified that the County Engineer had opined that a traffic study may be necessary for this project.

Upon motion by Commissioner Billingsley to approve the Site Plan for Stribling Market, conditioned upon review and approval by the County Engineer as to detention calculations, traffic study, if needed, and any other modifications that the County Engineer may suggest or require, seconded by Commissioner Brown, with all voting "aye," the motion to approve the Site Plan for Stribling Market, conditioned upon review and approval by the County Engineer as to detention calculations, traffic study, if needed, and any other modifications that the County Engineer may suggest or require, was approved.

There next came on for discussion, the setting of the July, 2023 meeting. July 13th, 2023, was suggested. Upon motion by Commissioner Brown, seconded by Commissioner Billingsley, with all voting "aye," the motion to set the July, 2023 meeting for July 13, 2023, passed.

With there being no further business, the June 8, 2023, meeting of the Madison County Planning and Zoning Commission was adjourned.

7-13-23
Date


Dr. Keith Rouser, Chairman

June 7, 2023

To: Scott Weeks, Planning and Zoning Administrator

From: Rita McGuffie, MLHPD

Re: Entergy Substation on Highway 463

Dear Mr. Weeks:

At the request of the County, the Mannsdale Livingston Heritage Preservation District held their meeting on June 6, 2023, at 6pm at the Chapel of the Cross in Madison, Mississippi instead of the regularly scheduled second Monday of the month.

Findings:

Entergy presented a proposal for a substation to be built in 2024 on property leased from Madison County School District and included a letter from said school district stating that it had no objection to a substation being located on this property.

Entergy showed that they would preserve and augment landscaping in the buffer area along Highway 463 so that the substation would be screened from view.

The proposal showed a 100 foot buffer along the neighboring properties.

Entergy is planning to host a community wide informational meeting in July so that residents and businesses within the District can have a forum in which to ask any questions.

Entergy stated that during the construction phase they would arrange for truck traffic that they generate be confined to lower congestion times, i.e., school drop off and pick up times and use other traffic calming measures.

Recommendation:

The MLHPD Commission voted unanimously to approve the substation as presented.

Sincerely,

Rita McGuffie, Chairman





Lake Caroline Owners Association, Inc.
667 Bellevue Drive • Madison, MS 39110

June 8, 2023

RE: Site Plan for Proposed Stribling Market, Agenda Item #8

Dear Madison County Planning Commission Staff and Directors:

Lake Caroline Owners Association (LCOA) Board of Directors on behalf of its membership would like to express the following concerns regarding the above referenced project.

- **Location** – The location is too close to LCOA's main entryway causing increased traffic flow issues for our residents exiting and entering our community. With approximately 2,000 existing property owners and another 1,000 lots approved under the master plan, many thousands of vehicles use this entryway onto Stribling Road each day. Safe and efficient unimpeded travel to and from the community is vitally important to our residents. Additionally, the aesthetic appearance, hours of operation, and entry onto Caroline Boulevard.
- **Traffic** – It is well known and documented that our residents have tolerated vehicular traffic flow challenges entering Stribling Road during peak hours of travel for many years. If approving this project without resolving the current traffic flow challenges that exist, it will further exacerbate this issue. This includes large delivery trucks and hours of operation.
- **Public Safety** – The increase in stop and go traffic along with a potential for backed-up traffic, could create a hazardous situation for travelers from within LCOA's community as well as other communities along Stribling Drive.

Additionally, we request that the following questions be addressed:

- Where exactly is this project to be located?
- Has there been or will there be a traffic study conducted during peak hours to determine the impact of the proposed project on traffic flow and public safety?

Phone: (601) 898-1370
Fax: (601) 898-1234

Website: www.lakecarolinems.com
Email: jeff@lakecaolinems.com



We thank you for your time and the opportunity to present our concerns and hope you will carefully weigh these important factors when making your decision and casting your vote.

Kindest Regards,



Jeff Portwood
Executive Director

Cc: LCOA Board of Directors
Cc: LCOA Membership

Re: Stribling Market P&Z Request

Scott Weeks <Scott.Weeks@madison-co.com>
Tue 6/6/2023 1:16 PM
To: Timothy Bryan <timothy.bryan@madison-co.com>
Here is Mark Jordans number, I would contact him.
601-940-8111

From: Timothy Bryan <timothy.bryan@madison-co.com>
Sent: Tuesday, June 6, 2023 11:50 AM
To: Scott Weeks <Scott.Weeks@madison-co.com>
Subject: RE: Stribling Market P&Z Request

How long as that right turn lane off of Stribling? It cuts off with no eastern end shown.
Need detention calculations
Im going to run a few quick numbers but might require a traffic impact study for this

From: Scott Weeks <Scott.Weeks@madison-co.com>
Sent: Tuesday, June 6, 2023 9:35 AM
To: Timothy Bryan <timothy.bryan@madison-co.com>
Subject: Fw: Stribling Market P&Z Request

From: Scott Weeks <Scott.Weeks@madison-co.com>
Sent: Tuesday, June 6, 2023 9:34 AM
To: Ted.Fortenberry@wibt.com <Ted.Fortenberry@wibt.com>
Subject: Fw: Stribling Market P&Z Request

Ted,

I will pass this on to the Planning Commission, I will also forward to the county engineer for his input on what is best to accommodate traffic.

Scott Weeks

From: Ted Fortenberry <Ted.Fortenberry@wibt.com>
Sent: Monday, June 5, 2023 3:01 PM
To: Scott Weeks <Scott.Weeks@madison-co.com>
Subject: Stribling Market P&Z Request

CAUTION! External Content. Please use caution when opening attachments and links. Do not provide your username and password if requested.

Scott,

I submitted this in the website form and wanted to send you the request directly. Would you please pass this information to the P&Z board members?

I live in Lake Caroline and I am writing regarding the proposed Stribling Market on the upcoming P&Z meeting agenda. The traffic on Stribling Road, especially during school season, is significant. Exiting from Lake Caroline turning left onto Stribling Road can take a long, long time. There will be even more congestion with this new store. Would you please consider requiring the developer to construct a deceleration lane going west on Stribling Road starting before the store entrance and continuing to Caroline Blvd? Would you also require the developer to construct a left turn center lane going east on Stribling Road starting before Caroline Blvd and going to the store entrance? In a perfect world, it would be nice to have a traffic signal at Stribling and Caroline Blvd. If that is not an option, please add the turn lanes. Thanks for your time and consideration.

Please let me know if you have questions. Thank you for your help.

Ted



Ted Fortenberry
Regional Vice President & General Manager
715 S. Jefferson St. Jackson, MS 39201
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