



Planning Commission Meeting Minutes

To: Mayor & Board of Aldermen

Planning Commission Meeting Date: 29 September 2025

Planning Commission Meeting Agenda

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Approval of Previous Meeting Minutes
 - a) August 28, 2025
4. Old Business -- None
5. New Business
 - a) Case Number 2025-121: Rezoning from A-R to A-R and R-10 at 4560 Nail Road West
 - b) Case Number 2025-123: Variance from Setback Regulation on Pinoak Acres Plat Revision
 - c) Case Number 2025-122: Pinoak Acres Plat Revision to Move Property Line
 - d) Case Number 2025-107: Conditional Use Permit Request for Machine Shop at 1949 Tappan Drive
 - e) Case Number 2025-124: Text Amendment on Gravel Driveway Renewal Regulation
 - f) Case Number 2025-125: Text Amendment to the Zoning Ordinance by Establishing a Moratorium on Gas Stations, Car Washes, Liquor Stores, and Vape Stores
 - g) Case Number 2025-126: Text Amendment to Revise the Rental Property Licensing Act
6. Other Business – None
7. Adjournment

-- Start of the Items/Cases Portion of the Minutes --

Planning Commissioners Present – Lakita Fox (Ward 1), Calvin Freeman (Ward 3), Kirby Carter (Ward 4), Morris Taylor (Ward 5), Mark Crawford (Ward 6), Chad Engelke (At Large), and Janice Vidal (Mayor)

Planning Commissioners Absent – Jesse Ware (Ward 2)

City Staff – Andrew Hockensmith, Planning Director; Billy Simco, Assistant Planning Director; Jonathan Ryan, IT Systems Engineer II

Items 1 and 2. The Chairman called the meeting to order at 6:00 p.m. All Planning Commissioners were present except Commissioner Ware. The Pledge of Allegiance was led by Chad Engelke.

3. Approval of previous Planning Commission Meeting Minutes

Motion – Carter: Approve the minutes from Planning Commission Meetings from August 25, 2025.

2nd – Freeman

Vote Passed, 6-0

4. Old Business – None

5. New Business

- a. Case Number 2025-121: a request for the rezoning of the property at 4560 Nail Road from all A-R to a mix of A-R and R-10 to match appropriately with an anticipated plat application by the same applicant at a later time.

The Chairman announced Case Number 2025-121 to be heard and called upon the Planning Director to begin the staff presentation. Director Hockensmith presented the details of the case, beginning with an aerial view of the property, surrounding properties, and the zoning designations of the area. The parcel wishing to be rezoned is listed as 4560 Nail Road West. There is currently a single-family residential structure on this lot. This entire parcel is currently zoned A-R. The applicant wishes to change this zoning to a mix of A-R and R-10 to build new homes on the R-10 part of the property. The applicant will submit a plan for the subdivision in the future.

Director Hockensmith presented the requirements for review of any zoning request in the City of Horn Lake as well as the applicant's responses to the criteria listed in the Code of Ordinances for review. The staff report concurred with the applicant's statements relating to the suitability of the rezoning request. Furthermore, the proposed land use map from the 2003 comprehensive plan shows that this parcel was intended to be listed as low density residential. While the proposed request would deviate from the 2003 proposed land use map, it would only be for part of the current parcel and would still create a smooth transition of the same zones. This proposal does not ignore the intent of the comprehensive plan and the housing density being proposed fits with the character of the growth directly to the east of the property. In conclusion, based on the criteria required for review, planning staff does not see any strong reason to reject this rezoning request.

Upon completion of the staff presentation, Chairman Engelke asked the director if the rezoning will allow smaller houses. Hockensmith: They're planning on having houses that fit both zones. Engelke: does this fit with the comprehensive plan? Hockensmith: yes, the comprehensive plan supports increased housing density in this area. Commissioner Vidal: are they prepared to address the flooding issues that have been brought up before? Hockensmith: a development here gives us the opportunity to address these flooding issues that would otherwise not be fixed. Chairman Engelke welcomed the applicant, Chance Walker to come up to speak to the Planning Commission. Chance Walker: We've addressed the flooding issues in the plans and included a park within the neighborhood. Those plans will be submitted with the subdivision drawings in a future application. Chairman Engelke opened the floor for any public comments. Seeing no input from the public, the public hearing was closed.

Motion – Freeman: After review of Case Number 2025-121, the Planning Commission recommends approval of the request by Ben Smith of IPD LLC for a rezoning of the property at 4560 Nail Road from A-R to A-R and R-10 as shown in the drawing presented in the staff report for this case.

2nd – Fox

Vote Passes, 5-1

- b. Case Number 2025-123: a request for a side yard setback variance for Lot 18 within the Pinoak Acres subdivision.

The Chairman announced Case Number 2025-123 to be heard and called upon the Planning Director to begin the staff presentation. Director Hockensmith explained that the variance is required because the detached garage at 5515 Jordan Drive (Lot 18) currently encroaches upon the shared property line with 5555 Jordan Drive (Lot 19). Under the proposed plat revision (Case Number 2025-122), the garage would be located 5.5 feet from the adjusted side property line, whereas the minimum side yard setback required by ordinance is 20 feet. Approval of this variance would permit the garage to remain within the reduced setback and allow consideration of the associated plat revision (Case Number 2025-122). The aerial view and zoning of both lots show the position of the garage on the current property line and that the area is zoned A-R with PUD to the West. The proposed property line adjustment places the detached garage at 5515 Jordan Drive entirely within Lot 18. The garage is located 5.5 feet from the adjusted property line and within the 20-foot side setback requirement. Director Hockensmith detailed what is required of the Planning Commission when considering approval of a variance as well as the applicant's statements regarding the situation. Upon review of the same criteria that the Planning Commission must review, including the existing location of the garage, the agreement of the Lot 19 property owner, and the unique circumstances of this property, Planning Staff finds that the criteria for a side yard setback variance are met. Therefore, Planning Staff recommends approval of the variance to allow the garage to remain within the reduced setback and to facilitate consideration of the associated plat revision (Case Number 2025-122).

Upon completion of the staff presentation, Chairman Engelke opened the floor for questions for the director from the Planning Commission. Commissioner Freeman: This garage was built before the property was annexed by the City of Horn Lake right? Hockensmith: yes. At this time, the applicants, Monica and Phillip Hall, came forward to address the Planning Commission. Mr Hall explained that the garage was built prior to his family owning the house and was unaware that the garage was on the property line until he began the process of selling the house. The house was built some time during the 1980s and the garage was built in 1992. Mr. Hall expressed gratitude to his neighbor for allowing him the land necessary to get the garage onto his property. Chairman Engelke opened the floor for any public comments. Seeing no input from the public, the public hearing was closed.

Motion – Carter: After review of Case Number 2025-123, the Planning Commission recommends approval of a variance to allow the garage at 5515 Jordan Drive to be located 5.5 feet from the proposed property line, within the required 20-foot side yard setback.

2nd – Vidal

Vote Passes, 6-0

- c. Case Number 2025-122: a request from applicants Monica and Phillip Hall to approve a plat revision within the Pinoak Acres subdivision to adjust the shared property line between Lot 18 & Lot 19 (5515 & 5555 Jordan Drive).

The Chairman announced Case Number 2025-122 to be heard and called upon the Planning Director to begin the staff presentation. Director Hockensmith explained that since the variance for a reduced side setback for the garage at 5515 Jordan Drive was approved (Case Number 2025-123), now the plat revision to move the property line can be considered by the Planning Commission. Director Hockensmith explained that under the proposed plat revision, the garage would be located 5.5 feet from the adjusted side property line, whereas the minimum side yard setback required by ordinance is 20 feet. The aerial view and zoning of both lots show the position of the garage on the current property line and that the area is zoned A-R with PUD to the West. The proposed property line adjustment places the detached garage at 5515 Jordan Drive entirely within Lot 18. The garage is located 5.5 feet from the adjusted property line and within the 20-foot side setback requirement. Hockensmith detailed the Subdivision Design Standards sections of the ordinance as they relate to the proposed plat revision. The section pertaining to easements was emphasized to show that the new property line would provide the required space for utility easements and would not affect any major surface drainage courses on either lot. No comments were made regarding the other sections of the Subdivision Design Standard. In conclusion, based on the criteria that the Planning Department and Planning Commission must consider, and with the support of the Lot 19 property owner for the proposed property line adjustment, Planning Staff recommends approval of the plat revision for Lots 18 and 19 within the Pinoak Acres subdivision.

Upon completion of the staff presentation, Chairman Engelke opened the floor for questions for the director from the Planning Commission. Commissioner Freeman: will this plat revision be recorded with the county? Hockensmith: yes, this will follow the plat recording process that we do with the county and it will eventually be shown on the Desoto County GIS map. Freeman: ok, I just want to make sure that they know the taxes will be different after the line is moved.

Motion – Carter: After review of Case Number 2025-115, the Planning Commission approves the request for the plat revision of Pinoak Acres Subdivision on Lot 18 (Parcel Number 208305010 0001800) & Lot 19 Parcel Number (208305010 0001900) by Monica and Phillip Hall.

2nd – Crawford

Vote Passes, 6-0

- d. Case Number 2025-107: a request by Ivory Kinard, representing F-29 Tactical LLC, at 1949 Tappan Drive, for a Conditional Use Permit for a Machine Shop.

The Chairman announced Case Number 2025-107 to be heard and called upon the Planning Director to begin the staff presentation. Director Hockensmith explained that the proposed uses

include laser engraving, gun-smithing, gun sales/manufacturing, and merchandise sales. The use as a Machine Shop in the C-3 zone comes attached to Footnote #9: Machine shop and sheet metal shop with no more than 5 employees and no objectionable noise or other conditions detectable from surrounding properties. The aerial view and zoning of the property were displayed, showing that the business is in the C-3 zone as well as the parcel to the east. Other surrounding parcels are in the C-4 zone. The applicant does not intend to change the exterior of the property and will conduct all activities relating to the business within the existing structure.

Director Hockensmith detailed the review process required of the Planning Commission for all conditional use permit requests as well as the required statements provided by the applicant. In reviewing the applicant's responses to the criteria mentioned in the ordinance, there does not appear to be anything within this proposal that would conflict with the referenced criteria. There is no expectation that this would increase traffic or cause congestion, increase the risk of fire, adversely affect the character of the neighborhood, adversely affect the city, overuse any utilities, or be in conflict with the comprehensive plan, as a parking business is a common use in many cities. Director Hockensmith concluded the staff presentation

Upon completion of the staff presentation, Chairman Engelke opened the floor for questions for the director from the Planning Commission. Seeing no questions for the director, Chairman Engelke invited the applicant, Ivory Kinard, to come before the Planning Commission. Commissioner Carter: could you elaborate on what your business will be doing? Kinard: I use laser engravers to make etchings in cups and key chains as well as firearm accessories. The engravers do not make more noise than a standard computer fan and the room will be vented to the outside. Chairman Engelke opened the floor for any public comments. Seeing no input from the public, the public hearing was closed.

Motion – Carter: After review of Case Number 2025-107, the Planning Commission recommends approval of a conditional use permit for a “machine shop,” at 1949 Tappan Drive in the C-3 zone, for a period of 5 years, upon the condition set forth in Footnote #9: Machine shop and sheet metal shop with no more than five (5) employees and no objectionable noise or other conditions detectable from surrounding properties.

2nd – Fox

Vote Passes, 6-0

e. Case Number 2025-124: a Text Amendment on Gravel Driveway Renewal Regulation.

The Chairman announced Case Number 2025-124 to be heard and called upon the Planning Director to begin the staff presentation. Director Hockensmith explained the details of the current gravel driveway ordinance that was adopted in 2006. The ordinance required all new driveways to be composed of solid material such as concrete or asphalt, and existing gravel driveways would be allowed to continue to exist with a permit to be renewed by the landowner yearly. If a year goes by without a renewed permit, the driveway becomes noncompliant with the ordinance and

cannot be paid for retroactively. Upon inspection of the gravel permit records, it has been the case that multiple applicants have paid for multiple years in advance. In an effort for clarity and better record keeping, the city attorney advised that this ordinance be amended to reflect the intent of the ordinance. Hockensmith displayed the current text of the ordinance under *Section H. – Grading, Surfacing and Maintenance*. The revised text would replace letter b. with “*The permit shall be renewed by September 30th each year, whereas the renewal payment shall consist of one single payment in the exact amount that renews the permit for no more than one year, thus meaning that the city shall not accept any renewal payment to cover multiple years.*” The director concluded the staff presentation.

Upon completion of the staff presentation, Chairman Engelke opened the floor for questions for the director from the Planning Commission. Commissioner Freeman: would they be notified if they do not know before the due date next year? Hockensmith: we will post in the newspaper as we are required to do for any changes to the ordinance, and we will respect what has currently been paid, but not accept any more multi-year payments. The onus is on the applicant to come in to renew the permit yearly. Chairman Engelke: let the ones that paid multiple years know that they need to do one year at a time when they come to renew next time. Chairman Engelke opened the floor for any public comments. Seeing no input from the public, the public hearing was closed.

Motion – Carter: After review of Case Number 2025-124, the Planning Commission recommends approval of a text amendment to the Code of Ordinances to revise Appendix A (Zoning), Article VII (Off-Street Parking and Loading), H. (Grading, Surfacing, and Maintenance), 2. b. to read “The permit shall be renewed by September 30th each year, whereas the renewal payment shall consist of one single payment in the exact amount that renews the permit for no more than one year, thus meaning that the city shall not not accept any renewal payment to cover multiple years.”.

2nd – Crawford

Vote Passes, 6-0

- f. Case Number 2025-125: a text amendment to the zoning ordinance by establishing a moratorium on gas stations, car washes, liquor stores, and vape stores.

The Chairman announced Case Number 2025-125 to be heard and called upon the Planning Director to begin the staff presentation. Director Hockensmith stated that on August 19, 2025, the Board of Aldermen approved a motion to initiate a moratorium on the approval of any proposed gas pumps, liquor stores, car washes, and retail of vaping products. As the moratorium would technically be an amendment to the Zoning Ordinance, the Planning Commission must consider this proposal and give its recommendation to the Board of Aldermen before they can officially make a motion to implement it. Hockensmith read the proposed ordinance text stating the parameters of the moratorium.

Upon completion of the staff presentation, Chairman Engelke opened the floor for questions from the Planning Commission. Commissioner Carter: does this apply to existing buildings where new

businesses apply? Hockensmith: Yes. Chairman Engelke opened the floor for any public comments. Seeing no input from the public, the public hearing was closed.

Motion – Vidal: After review of Case Number 2025-125, the Planning Commission recommends approval of a text amendment to the Zoning Ordinance establishing a moratorium on the approval of any proposed gas pumps, liquor stores, car washes, and retail of vaping products until a study of these aforementioned land uses, by a third party, analyzing the appropriate concentration and distribution of these uses, has been completed and delivered to the city for review.

2nd – Carter

Vote Passes, 6-0

g. Case Number 2025-126: a Text Amendment to revise the Rental Property Licensing Act

The Chairman announced Case Number 2025-126 to be heard and called upon the Planning Director to begin the staff presentation. Director Hockensmith explained the details of the current Rental Property Licensing Act (RPLA). Improvements are needed in order to decrease any chances of possible future litigation against the city, as well as improving efficiency, effectiveness, and fairness of the RPLA. Hockensmith presented the full text of the RPLA as it stands today as well as the proposed revisions in a different section of the staff report. Hockensmith concluded the staff presentation by going over each proposed change and noting that the attorney for the city had not given her feedback on the proposed changes at the time of the meeting.

Upon completion of the staff presentation, Chairman Engelke opened the floor for questions for the director from the Planning Commission. Commissioner Freeman: When can a rental house be shut down for not paying their license, and what happens when the house is a nuisance to the public? Hockensmith: All nuisance complaints go through the police department. RPLA is designed to go after derelict owners of rental properties. Chairman Engelke: how do the property owners know to renew their rental license? Hockensmith: they renew their rental license every year when they renew their business license. Commissioner Vidal: the fee proposed of \$100 for a 3 apartment house? Hockensmith: yes, this would actually increase the fee for apartments and lower fees for houses. With these changes to the RPLA, we are more concerned with not discriminating based on housing type. Commissioner Crawford: if we do not have a list of tenants, how do we know how many people are living there? Discussion ensued regarding various rental situations. Commissioner Carter: short-term rental properties being excluded might introduce misues of the RPLA. Hockensmith: short-term rentals are currently unregulated.

Chairman Engelke opened the floor for any public comments. Larry Mckinney: how do group homes fall into this? Hockensmith: group homes are in the zoning ordinance use chart as a business and are exempt from RPLA. Seeing no further input from the public, the public hearing was closed. Commissioner Carter: group homes are being abused by people operating unregistered group homes for the elderly and infirm. Hockensmith: we can only go off of what applicants tell us when they come in to fill out an application. Commissioner Carter: can you go investigate

them? Hockensmith: we just have the resources to review the permits that are presented to us in the planning department. Commissioner Vidal: code enforcement reports on my grass but why can't they investigate them? Hockensmith: we are trying to not discriminate against anyone or violate anybody's rights. These are good questions and they should be taken into consideration when the board makes a motion on the revisions to the RPLA.

Motion – Freeman: After review of Case Number 2025-126, the Planning Commission recommends approval of a text amendment to the Code of Ordinances to revise the Rental Property Licensing Act as typed in the staff report presented to the Planning Commission for Case Number 2025-126.

2nd – Carter

Vote Passes, 6-0

6. Other Business – None

7. Adjournment

Chair – Called for a motion to adjourn

Motion – Carter: adjourn the meeting at 7:23 p.m.

2nd – Fox

Vote Passed, 6-0