

City of Hattiesburg, MS

*200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401*



Meeting Agenda - Final

Tuesday, December 8, 2015

5:00 PM

Council Chambers

City Council

I. Call to Order**II. Call to Prayer and Pledge of Allegiance****III. Agenda Order****IV. Approval of Minutes**

for the November 2, 3, 16, 17 and 30, 2015, City Council meetings.

V. PRESENTATION AGENDA**VI. POLICY AGENDA**

- VI.-1** [2015-2312](#) ADOPT ordinance filed by Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University to rename the public street presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway. The Planning Commission recommended to APPROVE on November 12, 2015.

Attachments:

[November PC Minutes \(DRAFT\)](#)

[Image Sheet - WCU street name](#)

[Staff Summary - WCU - \(Street Renaming\)](#)

[Applicant Summary - WCU Street Renaming](#)

[Ordinances - William Carey Parkway street renaming](#)

[executed Ordinances - William Carey Parkway street renaming ORD#3174](#)

- VI.-2** [2015-2314](#) Adopt an Ordinance for the petition filed by Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification for a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District. The Hattiesburg Planning Commission recommended to APPROVE on November 12, 2015

Attachments: [November PC Minutes \(DRAFT\)](#)
[Image Sheet - 3203 Hardy St](#)
[Staff Summary - 3203 Hardy St \(Rezoning & Alley Closure\)](#)
[Applicant Summary - 3203 Hardy St](#)
[Site Plan - 3203 Hardy St](#)
[Ordinance - 3203 Hardy St zoning](#)
[executed Ordinance - 3203 Hardy St zoning ORD#3175](#)

- VI.-3** [2015-2313](#) ADOPT ordinances filed by Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005 (3203 Hardy Street). The Planning Commission recommended to APPROVE on November 12, 2015.

Attachments: [November PC Minutes \(DRAFT\)](#)
[Image Sheet - 3203 Hardy St](#)
[Staff Summary - 3203 Hardy St \(Rezoning & Alley Closure\)](#)
[Site Plan - 3203 Hardy St](#)
[Utility Recap - 3203 Hardy St](#)
[Ordinance 3203 Hardy St - Vacate Alley](#)
[executed Ordinance 3203 Hardy St - Vacate Alley ORD#3176](#)

- VI.-4** [2015-2311](#) APPROVE or DENY the petition filed by Thomas Adams and James Morgan, T L Wallace Construction, Applicants, on behalf of Yvonne Guess, Owner, as required in the Flood Damage Prevention Ordinance No. 3165, as amended, to request a variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2). Hattiesburg Planning Commission recommended to APPROVE on November 12, 2015.

Attachments: [November PC Minutes \(DRAFT\)](#)
 [Image Sheet - 457 Buschman St](#)
 [Staff Summary - 457 Buschman \(Variance\)](#)
 [Applicant Summary - 457 Buschman St](#)
 [Flood Ord - ARTICLE 6](#)

- VI.-5** [2015-2299](#) APPROVE or DENY a petition filed by Marion Hughes, Applicant, on behalf of Wayside Holy Temple Church, requesting a Use Permit Upon Review for a "Parking Lot", Section 52.03 of the Land Development Code of a certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906, Ward 2) zoned R-1A (Single-Family Residential) . The Planning Commission voted to APPROVE on November 12, 2015.

Attachments: [November PC Minutes \(DRAFT\)](#)
 [Image Sheet - 805 Short Katie St](#)
 [Staff Summary - 805 Short Katie - Wayside Holy Temple Church \(Parking Lot - I](#)
 [Applicant Summary - 805 Short Katie 1](#)
 [Site Plan - 805 Short Katie](#)

- VI.-6** [2015-2315](#) APPROVE or DENY the petition has been filed by Alton Clingan, Jr., Clingan & Associates, Applicant, on behalf of, Ronnie Pittman, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, to request a variance from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).

..Summary
6553 US Hwy 49 - Height Variance

Attachments: [November PC Minutes \(DRAFT\)](#)
 [Image Sheet - 6553 Hwy 49 2](#)
 [Staff Summary - 6553 Hwy 49 - \(Variance - height\)](#)
 [Applicant Summary - 6553 Hwy 49-CC](#)
 [Site Plan - 6553 Hwy 49](#)

- VI.-7** [2015-2307](#) APPROVE or DENY the preliminary plat for Vintage Springs Subdivision Phase II, filed by Cliff Norman, Owner, for certain properties located on South Founders Way (Parcel 2-041L-33-001.10, PPIN 41844, Ward 5). The Planning Commission recommended to APPROVE on November 12, 2015.

Attachments: [November PC Minutes \(DRAFT\)](#)
 [Applicant Summary - South Founders Way \(Subdivision\)](#)
 [Site Plan - South Founders Way \(Subdivision\)](#)

- VI.-8** [2015-2308](#) APPROVE or DENY the preliminary plat filed by Blair Schooff, Strata Solar, Applicant, on behalf of Joseph F. Tatum Jr., Owner, to subdivide certain properties located along Bonhomie Road (Parcel 041F-28-001.00, PPIN 6974, Parcel 041N-33-001.00, PPIN 7020, Ward 5). The Planning Commission recommended to APPROVE on November 12, 2015.

Attachments: [November PC Minutes \(DRAFT\)](#)
 [Applicant Summary - Strata Solar \(subdivision\)](#)
 [Site Plan - Strata Solar \(subdivision\)](#)

- VI.-9** [2015-370](#) Adopt Resolutions condemning the following properties as unclean and a menace to the health and safety of the community.

Attachments: [1. Adopt Reso MEMO 12-8-15](#)
 [2. 700 Walnut St. Resolution](#)
 [3. 702 Walnut St. Resolution](#)
 [executed 2. 700 Walnut St. Resolution RES#2015-139](#)
 [executed 3. 702 Walnut St. Resolution RES#2015-140](#)

- VI.-10** [2015-2324](#) Approve or Deny to adopt Resolutions for nunc pro tunc orders; correcting the minutes for August 20, 2013, and September 3, 2013, to include exhibit documents for the Hattiesburg Clinic Midtown Tax Increment Financing (TIF)Project, that were not submitted for inclusion in the minutes.

Attachments: [8-20-13 nunc pro tunc](#)
 [9-3-13 nunc pro tunc](#)
 [notice of hearing 9-3-13](#)
 [8-23-13 proof of publication](#)
 [legal Description](#)
 [executed 8-20-13 nunc pro tunc RES#2015-141](#)
 [executed 9-3-13 nunc pro tunc RES#2015-142](#)

- VI.-11** [2015-2319](#) Adopt Resolution (I) rescinding the Bond Resolution adopted on September 16, 2014, as described and defined hereinbelow; and (II) re-authorizing and re-directing the issuance of (A) Taxable Tax Increment Limited Obligation Bonds, Series 2015A (The Ridge at Turtle Creek Project), of the City of Hattiesburg, Mississippi, in the principal amount of not to exceed One Million Two Hundred Twenty Five Thousand Dollars (\$1,225,000.00) (The 2015A Bonds) to raise money for the purpose of paying the costs of the Turtle Creek Infrastructure Improvements(as hereinafter defined)funding the 2015A Bonds Reserve Fund, and paying costs of issuance for the 2015A Bonds; and for related purposes; and (B) Taxable Tax Increment Limited Obligation Bonds, Series 2015B(Midtown Market Project), of the City of Hattiesburg, Mississippi, in the principal amount of not to exceed Two Hundred Twenty Five Thousand Dollars(\$225,000.00) (The 2015B Bonds) to raise money for the purpose of paying the costs of the Midtown Market Infrastructure Improvements (as hereinafter defined), funding the 2015B Bonds Reserve Fund, and paying costs of issuance for the 2015B Bonds; and for related purposes.

Attachments: [Hattiesburg MS TIF \(Turtle Creek Sr. A & Midtown Sr. B\) \(2015\)\(065133\) - Bond](#)
[Revised_Hattiesburg MS TIF \(Turtle Creek Sr. A & Midtown Sr. B\) \(2015\)\(065133\)](#)
[executed Revised_Hattiesburg MS TIF \(Turtle Creek Sr. A & Midtown Sr. B\) \(2015\)\(065133\)](#)

- VI.-12** [2015-2317](#) Adopt a Resolution authorizing and directing the issuance of Taxable Tax Increment Limited Obligation Bonds, Series 2015(Hattiesburg Clinic Midtown District Project), of the City of Hattiesburg, Mississippi(The City), in the principal amount of Eight Hundred Forty-Five Thousand Dollars(\$845,000.00) to raise money for the purpose of paying costs of the infrastructure improvements(as hereinafter defined), and paying costs of issuance; and for related purposes.

Attachments: [Resolution to Issue Bonds, Hattiesburg Clinic Midtown TIF](#)
[executed Resolution to Issue Bonds, Hattiesburg Clinic Midtown TIF RES#2015-145](#)

- VI.-13** [2015-2322](#) Adopt Resolution approving the sale and award of Taxable Tax Increment Limited Obligation Bonds, Series 2015 (Hattiesburg Clinic Midtown District Project), of the City of Hattiesburg, Mississippi (The City), in the principal amount of Eight Hundred Forty-Five Thousand Dollars (\$845,000.00) to raise money for the purpose of paying the costs of infrastructure improvements (as hereinafter defined), and paying costs of issuance; and for related purposes.

Attachments: [2015 Resolution- sale and awarding bond 845,000.00](#)
[executed 2015 Resolution- sale and awarding bond 845,000.00 RES#2015-145](#)

- VI.-14** [2015-2318](#) Adopt a Resolution authorizing and ratifying the signing of and distribution of preliminary official statement for the sale of a Taxable Tax Increment Limited Obligation Bonds, Series 2015A (The Ridge At Turtle Creek Project), of the City of Hattiesburg, Mississippi, in the principal amount of not to exceed One Million Two Hundred Twenty Five Thousand Dollars(\$1,225,000.00) (The 2015A Bonds), and (B) Taxable Tax Increment Limited Obligation Bonds, Series 2015B (Midtown Market Project), of the City of Hattiesburg, Mississippi, in the amount not to exceed Two Hundred Twenty Five Thousand Dollars (\$225,000.00)(The 2015B Bonds; authorizing and approving the form of and execution of a continuing disclosure certificate; and authorizing and approving the form of and execution of the 2015A bonds bond purchase agreement and the 2015B bonds bond purchase agreement for the sale of the 2015A Bonds and the 2015B bonds, respectfully.

Attachments: [Hattiesburg MS TIF \(Turtle Creek Sr. A & Midtown Sr. B\) \(2015\)\(065133\) - POS](#)
[Hattiesburg, MS TAXABLE TIF \(2015 Sr. A&B\)\(065133\) - POS.008 \(adopted 12](#)
[Hattiesburg MS TIF \(Turtle Creek Sr. A & Midtown Sr. B\) \(2015\)\(065133\) - 2015](#)
[Hattiesburg MS TIF \(Turtle Creek Sr. A & Midtown Sr. B\) \(2015\)\(065133\) - 2015](#)
[executed Hattiesburg MS TIF \(Turtle Creek Sr. A & Midtown Sr. B\) \(2015\)\(0651](#)

- VI.-15** [2015-368](#) Adopt a Resolution authorizing Requisition No. 30 from the Project Fund Construction Account in connection with that certain loan agreement, dated as of March 29, 2012, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: [Bond Requisition No. 30](#)
[executed Bond Requisition No. 30 RES#2015-147](#)

- VI.-16** [2015-369](#) Adopt a Resolution authorizing Requisition No. 40 from the Project Fund Construction Account in connection with certain loan agreement, dated as of December 19, 2013, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: [2013 Bond Resolution No. 40](#)
[executed 2013 Bond Resolution No. 40 RES#2015-148](#)

- VI.-17** [2015-2294](#) Authorize Mayor to execute Summary Change Order No. 1 with B.W. Sullivan Building Contractor, Inc. for an additional helical pier to be installed due to the relocation of one of the proposed helical piers. Relocation of the original proposed helical pier was due to unforeseen existing condition of concrete stairs extending below the existing finish grade and conflicting with the original helical pier location. Adjust contract amount by \$3,200.00 from \$175,600.00 to \$178,800.00.

Attachments: [Change Order #1, Jackie Dole Foundation Repair](#)
[executed Change Order #1, Jackie Dole Foundation Repair](#)

- VI.-18** [2015-2320](#) Authorize Mayor to execute and modify agreement between the City of Hattiesburg and The University of Southern Mississippi's School of Social Work to extend the current contract through August 15, 2016; adding an additional \$67,804.20 to the existing contract to continue the ongoing Health Access E3 Initiative for Hattiesburg and Forrest County.

Attachments: [E3- Modification](#)
[Memo-Valarie Arnold](#)
[executed E3- Modification](#)

- VI.-19** [2015-2289](#) Authorize Mayor to execute Authorization Letter to Mississippi Power Company to provide, install, and maintain lighting at various locations within the City of Hattiesburg and approve monthly cost of \$ 119.10.

Attachments: [Street Light Authorization Letter](#)
[executed Street Light Authorization Letter](#)

- VI.-20** [2015-2291](#) Approve Final Acceptance of comSWIP Project Filter #6 James Street Water Treatment Plant; and Authorize Publication of the Notice of Final Settlement of contract of said project.

Attachments: [Filter #6 James St. closeout documents](#)
[Notice of Final Settlement](#)
[executed Notice of Final Settlement](#)

- VI.-21** [2015-2305](#) Approve a Subrecipient Agreement with Habitat for Humanity for Basic Rehabilitation and/or Emergency Repairs for eligible City residents and Authorize the Mayor to execute the Agreement in triplicate. {Entitlement CDBG}

Attachments: [Habitat Basic Rehabilitation and - or Emergency Repair Program](#)
[executed Habitat Basic Rehabilitation and - or Emergency Repair Program](#)

- VI.-22** [2015-2303](#) Approve a Subrecipient Agreement with Community Connections, Inc. for Basic Rehabilitation and/or Emergency Repairs for eligible City residents and Authorize the Mayor to execute in triplicate. {Entitlement CDBG}

Attachments: [Community Connections Basic Rehabilitation and - or Emergency Repair Progr](#)
[executed Community Connections Basic Rehabilitation and - or Emergency Rep](#)

- VI.-23** [2015-2292](#) Approve and authorize Mayor to execute multiple originals of Budget Modification No. 5 of the Mississippi Development Authority Grant R-103-205-02-KED to HCL Leverage Lenders to extend the term of the grant to December 20, 2016.

Attachments: [MDA Modification #5](#)
[executed MDA Modification #5](#)

- VI.-24** [2015-2287](#) Approve and authorize Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Repair Grant Award to Willie Woullard of 1501 Cedar Street in an amount not to exceed \$10,000 according to the Housing Rehabilitation and Housing Programs Manual Section VIII (E). {Entitlement}

Attachments: [COHCDD Contractor & W. Woullard Agreement 11.19.15](#)
[Grant Agreement -W. Woullard \(\\$10-\) 11.19.15](#)
[executed COHCDD Contractor & W. Woullard Agreement 11.19.15](#)
[executed Grant Agreement -W. Woullard \(\\$10-\) 11.19.15](#)

- VI.-25** [2015-2288](#) Approve and authorize Mayor to execute in triplicate a Contractor and Owner Agreement and a Housing Repair Grant Award to Mary Hibbler of 607 Dabbs Street in an amount not to exceed \$10,000 according to the Housing Rehabilitation and Housing Programs Manual Section VIII (E). {Entitlement}

Attachments: [COHCDD Contractor & M. Hibbler Agreement 11.19.15](#)
[Grant Agreement - M. Hibbler \(\\$10-\) 11.19.15](#)
[executed COHCDD Contractor & M. Hibbler Agreement 11.19.15](#)
[executed Grant Agreement - M. Hibbler \(\\$10-\) 11.19.15](#)

- VI.-26** [2015-2328](#) Approve or Deny changes to wages and salaries proposed in accordance with ordinance 3154 Section III-H, in the attached documents.

Attachments: [Redondo-Fire](#)
[McGinty-Police](#)
[Harper-Police](#)
[Herrin- Police Officer](#)
[Daniels- Police Officer](#)
[Varnado- Police Officer](#)
[Smith- Police Officer](#)
[Overall Spread Sheet- Wagaes& Salaries](#)

- VI.-27** [2015-2329](#) Authorize the Mayor to execute Tax Abatement Agreement between Hattiesburg Farm, LLC, Forrest County and the City of Hattiesburg to provide ad valorem tax exemptions to Hattiesburg Farm, LLC on a certain parcel of land in the City of Hattiesburg (identified in Exhibit A); tax abatement agreement will take effect once the facility is completed and begins operations.

Attachments: [Tax Abatement Agreement](#)
[Tax Agreement Exhibit A](#)
[executed Tax Abatement Agreement](#)

VII. ROUTINE AGENDA

- VII.-1** [2015-2316](#) Approve the purchase of software from PowderDMS, Inc for the Hattiesburg Police Department as the required software for the Commission of Accreditation of Law Enforcement Agencies or CALEA in the amount of \$14,524.00 as a sole source purchase as provided for in Section 31-7-13(viii), based on information in the attached letter and memorandum.

Attachments: [PowerDMS-](#)

- VII.-2** [2015-2321](#) Acknowledge receipt of monthly budget report for the month of November 2015, on permanent file in the City Clerk's Office.

Attachments: [REV15.1115](#)
[EXP15.1115](#)

- VII.-3** [2015-2300](#) Acknowledge receipt of the unadvertised bid purchase docket for the period of November 1, 2015 through November 25, 2015 as provided for in section 37-1-13(b) of the Mississippi Code 1972.

Attachments: [Quotes for the period of- 11-1-15 thru 11-25-15](#)

- VII.-4** [2015-2304](#) Acknowledge bids received November 19, 2015 for the 2015 Water Improvements Project, and accept the bid from DNA Underground, LLC in the amount of \$ 545,510.00 as the lowest and best bid; Authorize Mayor to execute contract documents upon preparation.

Attachments: [Bid Recommendation Letter](#)
 [Bid Tabulation](#)

- VII.-5** [2015-2309](#) Approve the sale of grave spaces, per attached memo.

Attachments: [Grave Receipts-12-8-15](#)
 [Grave Deeds-12-8-15](#)
 [executed Grave Deeds-12-8-15](#)

- VII.-6** [2015-2295](#) Approve claims docket for the period ending November 30, 2015

Attachments: [DOCKET 15.11-30](#)

**MINUTES OF THE
SPECIAL MEETING OF THE
HATTIESBURG PLANNING COMMISSION
November 12, 2015**

The Hattiesburg Planning Commission did meet in a special called session on November 12, 2015 at 1:05 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Joseph White, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Joseph White, Chairman
Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners Absent: Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Russell Archer, Historic Planner

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:05 P.M.

INVOCATION

Chairman White gave the invocation.

AGENDA REVIEW

There came the matter of the November 2015 Agenda. A request was made by staff to hear petitions E & F to accommodate the applicant’s attendance at a funeral. A request was made by Chairman White for a motion to Approve the November 2015 Agenda with changes. A motion was made to approve by Commissioner Thompson and seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the October 7, 2015 Minutes. A request was made by Chairman White for a motion to Approve the October 2015 Minutes. A motion was made by Commissioner Thompson to approve the minutes and seconded by Commissioner Wilson.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell, Building Official, previously provided a report to the commission of monthly and YTD Permit information for October in the Commissioner’s packets.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission of the approval of the following items heard at the previous Planning Commission: Text amendments to the LDC & Comprehensive Plan related to “solar Farm”; “Solar Farm” Use Permit for property along Bonhomie Road; J Ed Turner zoning designation; 304 E. 2nd Street rezoning; and 2101 Hardy Street side setback variance.

CHAIRMAN’S REPORT

There came the matter of the Chairman’s Report. There was none.

PUBLIC HEARING

Chairman White declared the Public Hearing open at 1:25 P.M. and read the rules and procedures of the hearing.

There came the matter of Item E (Rezoning), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification for a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and

area surrounding the petitioned property. The motion was seconded by Commissioner Courts.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item F (Vacate Alley), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to APPROVE the application. The motion was seconded by Commissioner Martin.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item A (Street Renaming), Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to rename the public street presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

	Name	Address	City/State
<u>Presented by:</u>	Barbara Hamilton	498 Tuscan Ave.	Hattiesburg, MS
<u>Proponents:</u>	Irving Drake	211 Dossett Ave.	Hattiesburg, MS
	- Timberton Park Neighborhood Association		
	LaQuitta Jones	447 Helveston Road	Hattiesburg, MS
	- Park Pines Apartments		

Bob Blevins	498 Tuscan Ave	Hattiesburg, MS
- William Carey University		
James Wallace	723 Bowling St.	Hattiesburg, MS
- Holy Place Worship Center		

<u>Opponents:</u>	Ericka Miller	1302 Penton St	Hattiesburg, MS
	Monica Miller	1302 Penton St	Hattiesburg, MS

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: Jessie Wilson

Commissioners Abstaining: None

There came the matter of Item B (Variance), John & Krista Eye, Owners, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 5, Section 89.03 which states that parking facilities and driveways for residential commercial and industrial uses shall have an all-weather hard surface, and instead allow a limestone surface driveway except for a 10 foot long hard surface portion beginning at the intersection of the public right-of-way on the property located at 123 J. Ed Turner Drive (Parcel 052B-03-004.002, PPIN 30696, Ward 1).

Owners requested to withdraw the item at this time.

There came the matter of Item C (Variance), Thomas Adams and James Morgan, T L Wallace Construction, Applicants, on behalf of Yvonne Guess, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Flood Damage Prevention Ordinance No. 3165, as amended, of the City of Hattiesburg, Mississippi, to request a variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	James Morgan	12871 Paradise Ln.	Biloxi, MS
	- T L Wallace Construction		

<u>Proponents:</u>	Fareed Uqdah	457 Buschman St	Hattiesburg, MS
	Lauren Poche	7389 Florida Ave	Baton Rouge, LA
	- Historic Preservation Specialist, AECOM		

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Wilson made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item D (Use Permit), Marion Hughes, Applicant, on behalf of Wayside Holy Temple Church, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a Use Permit Upon Review for a “Parking Lot” as provided in Article 5, Section 52.03 of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, for certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	Marion Hughs	,	Hattiesburg, MS
	-	Representative, Wayside Holy Temple Church	

Proponents: None

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application because there is a need to reinforce Hattiesburg’s Quality of life, preserve neighborhood identity, and boost community pride. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item G (Variance), Alton Clingan, Jr., Clingan & Associates, Applicant, on behalf of, Ronnie Pittman, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a

five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Minal Patel	1004 Top St.	Flowood,, MS
	- Representative & Client of Mr. Clingan		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

BUSINESS MEETING

A preliminary plat review for the lot subdivision at a certain property located on South Founders Way subdivide (Parcel 2-041L-33-001.10, PPIN 41844, Ward 5) by Cliff Norman, Owner. Commissioner Conville made a motion to approve the plat and Commissioner Horton seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

A preliminary plat review for the lot subdivision at a certain property located along Bonhomie Road (Parcel 041F-28-001.00, PPIN 6974, Parcel 041N-33-001.00, PPIN 7020, Ward 5) by Blair Schooff, Strata Solar, Applicant, on behalf of Joseph F. Tatum Jr., Owner r. Commissioner Wilson made a motion to approve the plat and Commissioner Cinville seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There being no further business, Commissioner Thompson made a motion to adjourn. The motion was seconded by Commissioner Martin. The meeting was adjourned at 3:21 P.M.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.

SUBJECT PARCEL:

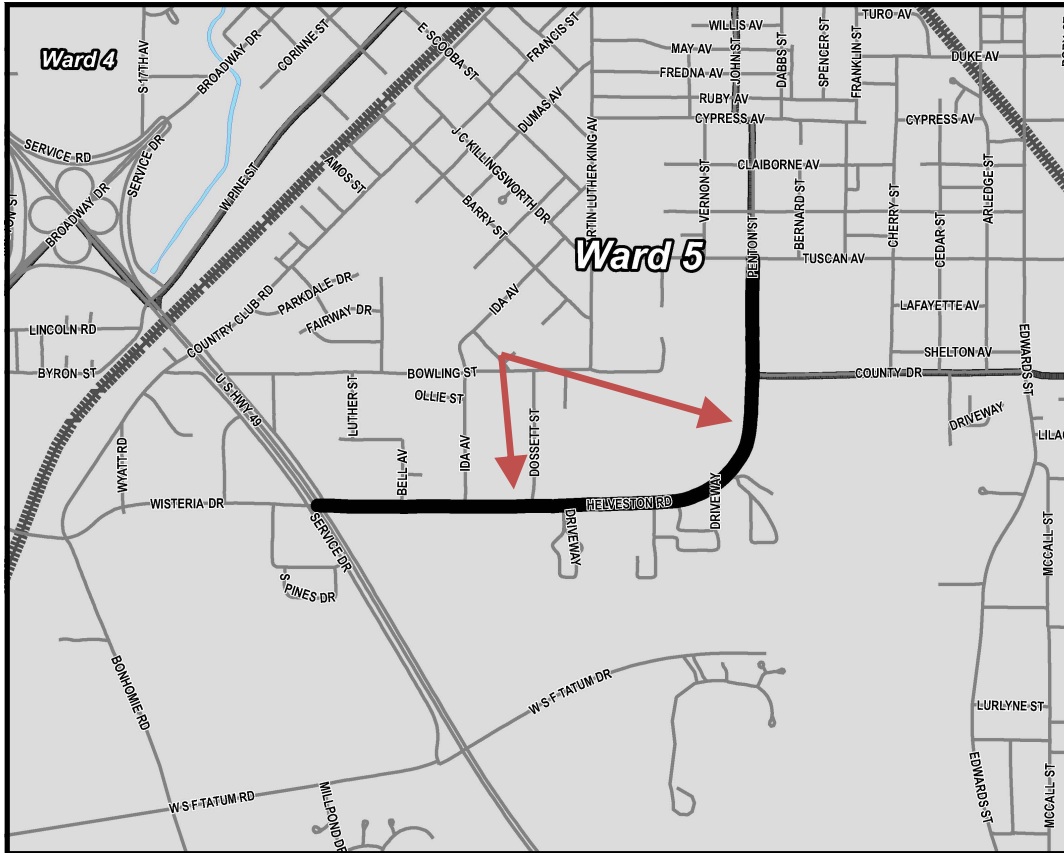
Section of Helveston Rd. & Penton St.

Barbara Hamilton, on behalf of William Carey University,

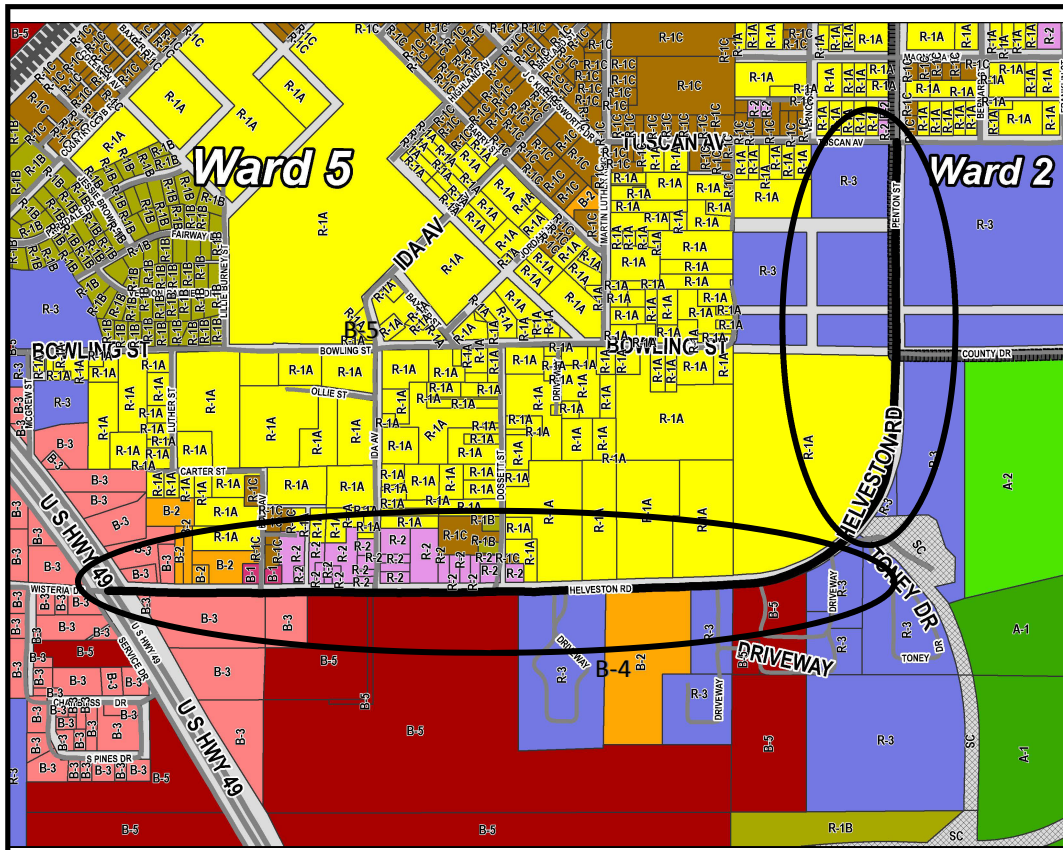
The applicant requests to consider an application to rename the public street (beginning at the intersection of U.S. Hwy 49 and ending at the intersection of Tuscan Ave., Ward 2 & 5) to William Carey Parkway.



Vicinity Map—Ward 5



Zoning Map—mixed



SURROUNDING AREA

Northern Direction: University use



Southern Direction: Various residential and business uses.



Eastern Direction: University use



Western Direction: Various residential and business uses.





**Planning Commission
Case Fact Sheet**

Names of Petitioner: Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University

Address of Property: - **Tax Parcels/Ward:** - **PPIN:** - **Ward:** 2 & 5

Request: **Street Renaming**

Purpose of Request: To consider an application to **rename the public streets** presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

Applicant Summary: * See Attached *

Present Adjacent Zoning: R-1A Single-Family Residential District, R-2 Two-Family Residential District, R-3 Multi-Family Residential District, B-1 Professional Business District, B-2 Neighborhood Business District, B-3 Community Business District, B-5 Regional Business District.

Most Nearly Bounded By (streets): This location is presently known as Helveston Road and Penton Street, beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue.

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case, as of November 4, 2015.

Letters have not been received from all utility companies and city departments but will be presented at the Planning Commission Meeting on November 12.

Comments:

William Carey University has held four public meetings with area residents in regards to this proposed name change. Copies of sign in sheets have been provided.

William Carey University has pledged to assist, with the aid of the US Postal office, area residents with the process of changing addresses.

Options:

Recommend approval or denial of the request to **rename the public streets** presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

Street or Alley Renaming Information *(3 pages)*

1. Current name of street/alley to be named or re-named:
Helveston Road from US Hwy 49 to County Dr.; Penton Street from County Dr. to Tuscan Avenue
2. Proposed name of street/alley to be named or re-named:
William Carey Parkway
3. Describe the portion of the street/alley to be renamed (use street intersections, from and to):
From Helveston Road at US HWY 49 to County Drive; Penton Street from County Drive
to Tuscan Avenue
4. Provide a list of the Parcel Identification Numbers PINs for each property adjacent to the existing street.
See attached form.
5. Describe existing land use of properties and number of residents affected by renaming the street/alley

Type of Land Use of adjacent development	Number of properties adjacent to the existing street	Number of property owners adjacent to the existing street	Number of residents affected by the change of address	
Businesses	8			
Residences	19			
Apartments	5/R-3;11/R-2; 3/R-1A			
Churches/Schools	2			
Other				

Any additional Information: This name change will enhance the visibility of the university and assist individuals trying to locate Carey as well as providing an upgraded address for residents of Helveston Road. GPS will be revised and thus the Parkway will be easily located.

5. Describe the effect the proposed change will have on existing development and the transportation system within the affected area.
Property owners were notified by certificated mail on September 18, 2015. The University will provide assistance to residents in filling out postal forms related to the address change. There is a six-month period to complete this process. University representatives have met with a neighborhood association and conducted

- If yes, provide reference numbers and dates: _____

- A7

Addresses of Parcels adjacent to Helveston Road.*

<u>Address</u>	<u>Zoning</u>	<u>Parcel</u>	<u>PPIN</u>	<u>Owner</u>
101 HELVESTON ROAD	B-3	2-038L-21-025.00	38637	ORKIN EXTERMINATING COMPANY
122 HELVESTON ROAD	B-2	2-038L-21-021.00	27288	BELL LUCILLE BROWN
200 HELVESTON ROAD	B-1	2-038K-21-102.00	27442	THOMPkins JOHN D JR
204 HELVESTON ROAD	R-2	2-038K-21-099.00	27346	THOMPkins FLORA J
206 HELVESTON ROAD	R-2	2-038K-21-103.00	27347	THOMPkins FLORA J
206 HELVESTON ROAD		2-038K-21-082.00	27441	THOMPkins JOHN D JR
212 HELVESTON ROAD	R-2	2-038K-21-097.00	33398	BASKIN JEANNITA
308 HELVESTON ROAD	R-2	2-038K-21-063.00	27394	HARRELL JIMMIE & ROSE MARY
314 HELVESTON ROAD	R-2	2-038K-21-062.00	27397	DANCY ROBERT & MARTHA
315 HELVESTON ROAD	R-2	2-038K-21-061.00	27436	HOWZE LORAIN BOONE
320 HELVESTON ROAD	R-2	2-038K-21-060.00	27398	HOWARD JERRY L & CARRIE G
322 HELVESTON ROAD	R-2	2-038K-21-059.00	27443	STATE OF MISSISSIPPI
414 HELVESTON ROAD	B-2	2-038L-21-023.00	27285	ORKIN EXTERMINATION COMPANY INC
414 HELVESTON ROAD	B-2	2-038L-21-024.00	31884	ORKIN EXTERMINATING COMPANY INC
418 HELVESTON ROAD	B-2	2-038L-21-022.00	27287	BELL LUCILLE BROWN
428 HELVESTON ROAD	B-1	2-038L-21-020.00	27289	EATMAN ERVIN & MARY
447 HELVESTON ROAD	R-3	2-038K-21-106.02	35964	HATTIESBURG PARTNERS LP
500 Helveston Rd	R-1A	2-038K-21-009.00	27423	SOUTH CENTRAL CONF-SEVENTH DAY
516 HELVESTON ROAD	R-2	2-038K-21-083.00	27352	HATTIESBURG CHURCH OF GOD IN CHR
518 HELVESTON ROAD	R-2	2-038K-21-096.00	27357	WATSON PERCY W
520 HELVESTON ROAD	R-2	2-038K-21-095.00	27358	WILLIAM CAREY UNIVERSITY
531 HELVESTON ROAD	B-2	2-038K-21-106.04	37735	THE DEWEY STREET CHURCH OF CHRIS
HELVESTON ROAD	R-1A	2-038K-21-008.00	27434	MT OLIVE CEMETERY
HELVESTON ROAD	R-1A	2-038K-21-007.00	27435	LAND MANAGEMENT LTD
HELVESTON ROAD	R-3	2-038J-22-006.00	34672	SE 98/99 LLC
HELVESTON ROAD	R-3	2-038J-22-007.00	34673	SE 98/99 LLC
HELVESTON ROAD	R-3	2-038K-21-106.01	35961	PINE HAVEN ESTATES II LLC
HELVESTON ROAD	R-3	2-038J-22-008.01	35962	PINE HAVEN HEIGHTS II LLC

*WCU is the sole property owner along the section of Penton Street.

Addresses were used by WCU to mail information directly to each property owner's address. *See Sample Letter.*

Data provided by the City of Hattiesburg.

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Pro

For delivery information visit our website at www.usps.com

OFFICIAL US

Postage \$

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees \$

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Postmark
Here

1. Article Addressed to:

CT Corporation System
645 Lakeland East Drive, St 101
Flowood, MS 39232

2. Article Number
(Transfer from service label)

7012 3050 0000 1016 6918

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?
If YES, enter delivery address below: ☐ Yes ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-02-M-1f

CT Corporation System
645 Lakeland East Drive, St 101
Flowood, MS 39232

Dear neighbor,

I am writing this letter as a courtesy to let you know that William Carey University is requesting a name change for Helveston Road. We propose that the street name be changed to "William Carey Parkway." I feel that this would be a positive change for us and for the residents who live on Helveston. We have talked with many of the residents along Helveston, have held informational meetings at the apartment complexes, have made contact with Ephesus Seventh Day Adventist Church and have met with the neighborhood association. All of the response that we have received is positive and supportive of the change.

If the change is made the post office will continue to deliver mail to the old Helveston address for six months, giving you ample time to make the name change with all of your correspondents. We will also provide individuals to help the residents make the address change so they will not miss any mail during the process.

I hope you will join us in the very positive change for our community.

God bless,



Tommy King
President

TK/cg

Sample Letter



TIMBERTON PARK NEIGHBORHOOD ASSOCIATION

SPECIAL CALL MEETING

JULY 30, 2015 | AT 6:30 P.M.

LILLIE BURNEY MULTI PURPOSE CENTER

AGENDA

PRAY

RE-DISTRICTING FOR THE CITY OF HATTIESBURG

AJOIN

PRESIDENT

IRBY DRAKE, VICE PRESIDENT

Timberton Park Neighborhood Association Meeting

July 30, 2015 at 6:30 p.m.

Lillie Burney Multi Purpose Center

Hardy E Thorne, Jr.

Heroy Shelton
-Vermell Jackson
Vermester Bester
Wiley Drake & VP
Ervin Eatman
James Wally

Paul Gupento
Barry Shaw
Paul Smith
Russell Thomas

Kelly Cooper

Dean Paul
R Hamilton

Park Pines Apartments
Meeting in the Community Room
Monday, August 3, 2015 at 5:15 p.m.

Marnae Hayes
Lyn Hamill
Kimberly Hampton
Latesha Webb
Annie Davis
Quendisha Smith
Keosha Smith
Lanone Wright
Karibbean Gamble
Deann Pace



Experience the
pleasures of . . .



PARK PINES APARTMENTS

447 Helveston Road
Hattiesburg, MS 39401
(601) 545-1124 Phone
(601) 545-9226 Fax

Park Pines Apartments
Meeting in the Community Room
Monday, August 3, 2015 at 5:15 p.m.

Brenda McWilliam

Winter Lopez

Barbara Hamilton

Also in attendance:

Laquetta T. Jones, Property manager

*National Night Out Against
Crime*

*Tuesday, August 4,
2015*

Community Block Party

*@Antioch Missionary Baptist Church 1100 John
Street*

*Church Parking
Lot*

*"America's Night
Out"*

Own Your Neighborhood

POLICE-COMMUNITY PARTNERSHIPS

***Join us as we Create and Strengthen Relationships with our
Police Department***

**Hosted By: The Men's Ministry of Antioch Baptist Church,
New Testament Baptist Church, Freedom COGIC, Dabbs
Street Committee**

Park Haven Estates
Meeting in the Community Room
Thursday, August 6, 2015 at 5:15 p.m.

Hizie Harris
Mary Brown
Dean Pace
Barbara Hamilton

a London/mgr/present

Pine Haven Estates

You are invited to attend a

Meeting in the Community Room

**Thursday, August 6, 2015
5:15 p.m.**

Representatives from William Carey University
will discuss the renaming of Helveston Road.

ORDINANCE NUMBER _____
OF THE
CITY OF HATTIESBURG, MISSISSIPPI

**AN ORDINANCE RE-NAMING HELVESTON ROAD (BEGINNING AT THE
INTERSECTION OF US HIGHWAY 49 AND ENDING AT THE INTERSECTION OF
COUNTY DRIVE) AND RE-NAMING PENTON STREET
(BEGINNING AT THE INTERSECTION OF COUNTY DRIVE AND ENDING AT THE
INTERSECTION OF TUSCAN AVENUE)
TO BE RE-NAMED WILLIAM CAREY PARKWAY
IN THE CITY OF HATTIESBURG, MISSISSIPPI**

WHEREAS, that Helevston Road, presently beginning at the intersection of US Highway 49 running easterly and northerly to its intersection with County Drive, as now located, and Penton Street, presently beginning at the intersection of County Drive running northerly to its intersection with Tuscan Avenue as now located, are both public streets located in the City of Hattiesburg, Forrest County, Mississippi; and

WHEREAS, all of the owners of property adjacent to this portion of property have consented to the naming of this portion of a street, subject to the waiting period of thirty (30) days from the date of publication of this ordinance; and

WHEREAS, the Mayor and City Council do now find, determine and adjudge that it would be in the best interest of the City of Hattiesburg, that both said Helevston Road and Penton Street be re-named William Carey Parkway.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF
THE CITY OF HATTIESBURG, MISSISSIPPI:**

SECTION 1. That Helevston Road, presently beginning at the intersection of US Highway 49 running easterly and northerly to its intersection with County Drive, as now located and Penton Street, presently beginning at the intersection of County Drive running northerly to its intersection with Tuscan Avenue as now located, are both public streets located in the City of Hattiesburg, Forrest County, Mississippi, being more particularly described as follows:

HELVESTON ROAD AND PENTON STREET (6,450 linear feet, more or less, running East from U.S. Highway 49 and North to Tuscan Avenue) more particularly described as being located in the SE 1/4 of the NW 1/4, the SW 1/4 of the NE 1/4, the SE 1/4 of the NE 1/4 of Section 21, T-4-N, R-13-W, the NW 1/4 of the NW 1/4, the SW 1/4 of the NW 1/4 of Section 22, T-4-N, R-13-W, and the SW 1/4 of the SW 1/4 of Section 15, T-4-N, R-13-W, Forrest County, Mississippi.

as now located and the same is hereby re-named **WILLIAM CAREY PARKWAY**.

SECTION 2. That the Engineering Department of the City of Hattiesburg shall, on the effective date of this Ordinance, proceed to make all necessary changes on City records and maps identifying the above streets as William Carey Parkway by this Ordinance.

SECTION 3. That this Ordinance take effect and be in force thirty (30) days from and after passage as provided by law.

The foregoing Ordinance having been reduced to writing, the same was introduced by Councilman, _____ seconded by Councilman, _____ and was adopted by the following vote to-wit:

YEAS:

NAYS:

THE President thereby declared the motion carried and the foregoing Ordinance adopted and approved, this the _____ day of _____ A.D., 2015.

(S E A L)

ATTEST:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

THE above foregoing Ordinance having been submitted to and approved by the Mayor, this the _____ day of _____ A.D., 2015.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

ORDINANCE NUMBER 3174
OF THE
CITY OF HATTIESBURG, MISSISSIPPI

AN ORDINANCE RE-NAMING HELVESTON ROAD (BEGINNING AT THE
INTERSECTION OF US HIGHWAY 49 AND ENDING AT THE INTERSECTION OF
COUNTY DRIVE) AND RE-NAMING PENTON STREET
(BEGINNING AT THE INTERSECTION OF COUNTY DRIVE AND ENDING AT THE
INTERSECTION OF TUSCAN AVENUE)
TO BE RE-NAMED WILLIAM CAREY PARKWAY
IN THE CITY OF HATTIESBURG, MISSISSIPPI

WHEREAS, that Helevston Road, presently beginning at the intersection of US Highway 49 running easterly and northerly to its intersection with County Drive, as now located, and Penton Street, presently beginning at the intersection of County Drive running northerly to its intersection with Tuscan Avenue as now located, are both public streets located in the City of Hattiesburg, Forrest County, Mississippi; and

WHEREAS, all of the owners of property adjacent to this portion of property have consented to the naming of this portion of a street, subject to the waiting period of thirty (30) days from the date of publication of this ordinance; and

WHEREAS, the Mayor and City Council do now find, determine and adjudge that it would be in the best interest of the City of Hattiesburg, that both said Helevston Road and Penton Street be re-named William Carey Parkway.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF
THE CITY OF HATTIESBURG, MISSISSIPPI:**

SECTION 1. That Helevston Road, presently beginning at the intersection of US Highway 49 running easterly and northerly to its intersection with County Drive, as now located and Penton Street, presently beginning at the intersection of County Drive running northerly to its intersection with Tuscan Avenue as now located, are both public streets located in the City of Hattiesburg, Forrest County, Mississippi, being more particularly described as follows:

HELVESTON ROAD AND PENTON STREET (6,450 linear feet, more or less, running East from U.S. Highway 49 and North to Tuscan Avenue) more particularly described as being located in the SE 1/4 of the NW 1/4, the SW 1/4 of the NE 1/4, the SE 1/4 of the NE 1/4 of Section 21, T-4-N, R-13-W, the NW 1/4 of the NW 1/4, the SW 1/4 of the NW 1/4 of Section 22, T-4-N, R-13-W, and the SW 1/4 of the SW 1/4 of Section 15, T-4-N, R-13-W, Forrest County, Mississippi.

as now located and the same is hereby re-named **WILLIAM CAREY PARKWAY**.

SECTION 2. That the Engineering Department of the City of Hattiesburg shall, on the effective date of this Ordinance, proceed to make all necessary changes on City records and maps identifying the above streets as William Carey Parkway by this Ordinance.

SECTION 3. That this Ordinance take effect and be in force thirty (30) days from and after passage as provided by law.

The foregoing Ordinance having been reduced to writing, the same was introduced by Councilman, Carroll seconded by Councilman, Naylor and was adopted by the following vote to-wit:

YEAS: Bradley
Delgado
Carroll
Dryden
Naylor

NAYS: None

THE President thereby declared the motion carried and the foregoing Ordinance adopted and approved, this the 8th day of December A.D., 2015.

(S E A L)

ATTEST:



CLERK OF COUNCIL

ADOPTED:


PRESIDENT

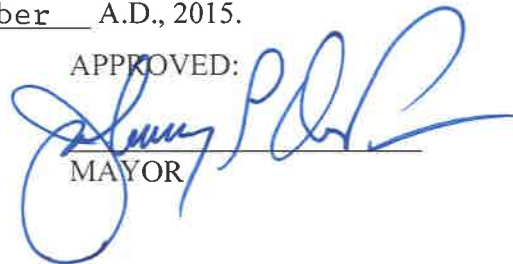
THE above foregoing Ordinance having been submitted to and approved by the Mayor, this the 8th day of December A.D., 2015.

ATTEST:



CITY CLERK

APPROVED:


MAYOR

**MINUTES OF THE
SPECIAL MEETING OF THE
HATTIESBURG PLANNING COMMISSION
November 12, 2015**

The Hattiesburg Planning Commission did meet in a special called session on November 12, 2015 at 1:05 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Joseph White, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Joseph White, Chairman
Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners Absent: Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Russell Archer, Historic Planner

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:05 P.M.

INVOCATION

Chairman White gave the invocation.

AGENDA REVIEW

There came the matter of the November 2015 Agenda. A request was made by staff to hear petitions E & F to accommodate the applicant’s attendance at a funeral. A request was made by Chairman White for a motion to Approve the November 2015 Agenda with changes. A motion was made to approve by Commissioner Thompson and seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the October 7, 2015 Minutes. A request was made by Chairman White for a motion to Approve the October 2015 Minutes. A motion was made by Commissioner Thompson to approve the minutes and seconded by Commissioner Wilson.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell, Building Official, previously provided a report to the commission of monthly and YTD Permit information for October in the Commissioner’s packets.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission of the approval of the following items heard at the previous Planning Commission: Text amendments to the LDC & Comprehensive Plan related to “solar Farm”; “Solar Farm” Use Permit for property along Bonhomie Road; J Ed Turner zoning designation; 304 E. 2nd Street rezoning; and 2101 Hardy Street side setback variance.

CHAIRMAN’S REPORT

There came the matter of the Chairman’s Report. There was none.

PUBLIC HEARING

Chairman White declared the Public Hearing open at 1:25 P.M. and read the rules and procedures of the hearing.

There came the matter of Item E (Rezoning), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification for a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and

area surrounding the petitioned property. The motion was seconded by Commissioner Courts.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item F (Vacate Alley), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to APPROVE the application. The motion was seconded by Commissioner Martin.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item A (Street Renaming), Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to rename the public street presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

	Name	Address	City/State
<u>Presented by:</u>	Barbara Hamilton	498 Tuscan Ave.	Hattiesburg, MS
<u>Proponents:</u>	Irving Drake	211 Dossett Ave.	Hattiesburg, MS
	- Timberton Park Neighborhood Association		
	LaQuitta Jones	447 Helveston Road	Hattiesburg, MS
	- Park Pines Apartments		

Bob Blevins	498 Tuscan Ave	Hattiesburg, MS
- William Carey University		
James Wallace	723 Bowling St.	Hattiesburg, MS
- Holy Place Worship Center		

<u>Opponents:</u>	Ericka Miller	1302 Penton St	Hattiesburg, MS
	Monica Miller	1302 Penton St	Hattiesburg, MS

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Cortis
Sandra Thompson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: Jessie Wilson

Commissioners Abstaining: None

There came the matter of Item B (Variance), John & Krista Eye, Owners, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 5, Section 89.03 which states that parking facilities and driveways for residential commercial and industrial uses shall have an all-weather hard surface, and instead allow a limestone surface driveway except for a 10 foot long hard surface portion beginning at the intersection of the public right-of-way on the property located at 123 J. Ed Turner Drive (Parcel 052B-03-004.002, PPIN 30696, Ward 1).

Owners requested to withdraw the item at this time.

There came the matter of Item C (Variance), Thomas Adams and James Morgan, T L Wallace Construction, Applicants, on behalf of Yvonne Guess, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Flood Damage Prevention Ordinance No. 3165, as amended, of the City of Hattiesburg, Mississippi, to request a variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	James Morgan	12871 Paradise Ln.	Biloxi, MS
	- T L Wallace Construction		

<u>Proponents:</u>	Fareed Uqdah	457 Buschman St	Hattiesburg, MS
	Lauren Poche	7389 Florida Ave	Baton Rouge, LA
	- Historic Preservation Specialist, AECOM		

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Wilson made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item D (Use Permit), Marion Hughes, Applicant, on behalf of Wayside Holy Temple Church, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a Use Permit Upon Review for a “Parking Lot” as provided in Article 5, Section 52.03 of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, for certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	Marion Hughs	,	Hattiesburg, MS
	-	Representative, Wayside Holy Temple Church	

Proponents: None

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application because there is a need to reinforce Hattiesburg’s Quality of life, preserve neighborhood identity, and boost community pride. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item G (Variance), Alton Clingan, Jr., Clingan & Associates, Applicant, on behalf of, Ronnie Pittman, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a

five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Minal Patel	1004 Top St.	Flowood,, MS
	- Representative & Client of Mr. Clingan		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

BUSINESS MEETING

A preliminary plat review for the lot subdivision at a certain property located on South Founders Way subdivide (Parcel 2-041L-33-001.10, PPIN 41844, Ward 5) by Cliff Norman, Owner. Commissioner Conville made a motion to approve the plat and Commissioner Horton seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

A preliminary plat review for the lot subdivision at a certain property located along Bonhomie Road (Parcel 041F-28-001.00, PPIN 6974, Parcel 041N-33-001.00, PPIN 7020, Ward 5) by Blair Schooff, Strata Solar, Applicant, on behalf of Joseph F. Tatum Jr., Owner r. Commissioner Wilson made a motion to approve the plat and Commissioner Cinville seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There being no further business, Commissioner Thompson made a motion to adjourn. The motion was seconded by Commissioner Martin. The meeting was adjourned at 3:21 P.M.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.

SUBJECT PARCEL: 3203 Hardy St.

Nicholas Connolly, Representative, Ken Kleban, Applicant

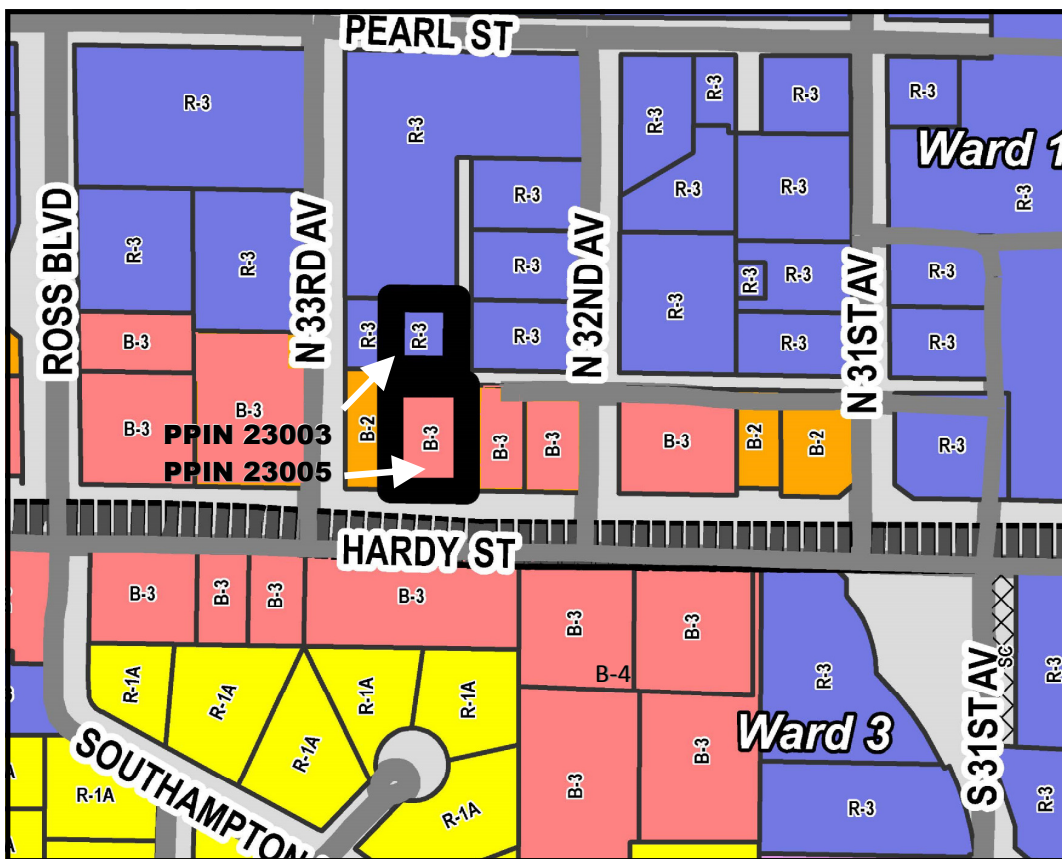
The applicant requests consideration of a zoning change from R-3 (Multi-Family Residential) District to B-3 (Community Business) District for the northern parcel (PPIN 23003) and to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.



Vicinity Map—Ward 1



Zoning—R-3



SURROUNDING AREA

**Northern Direction: Residential
Property zoned R-3 (Multi Family
Residential) District.**



**Southern Direction: Commercial
Property zoned B-3 (Community
Business) District.**



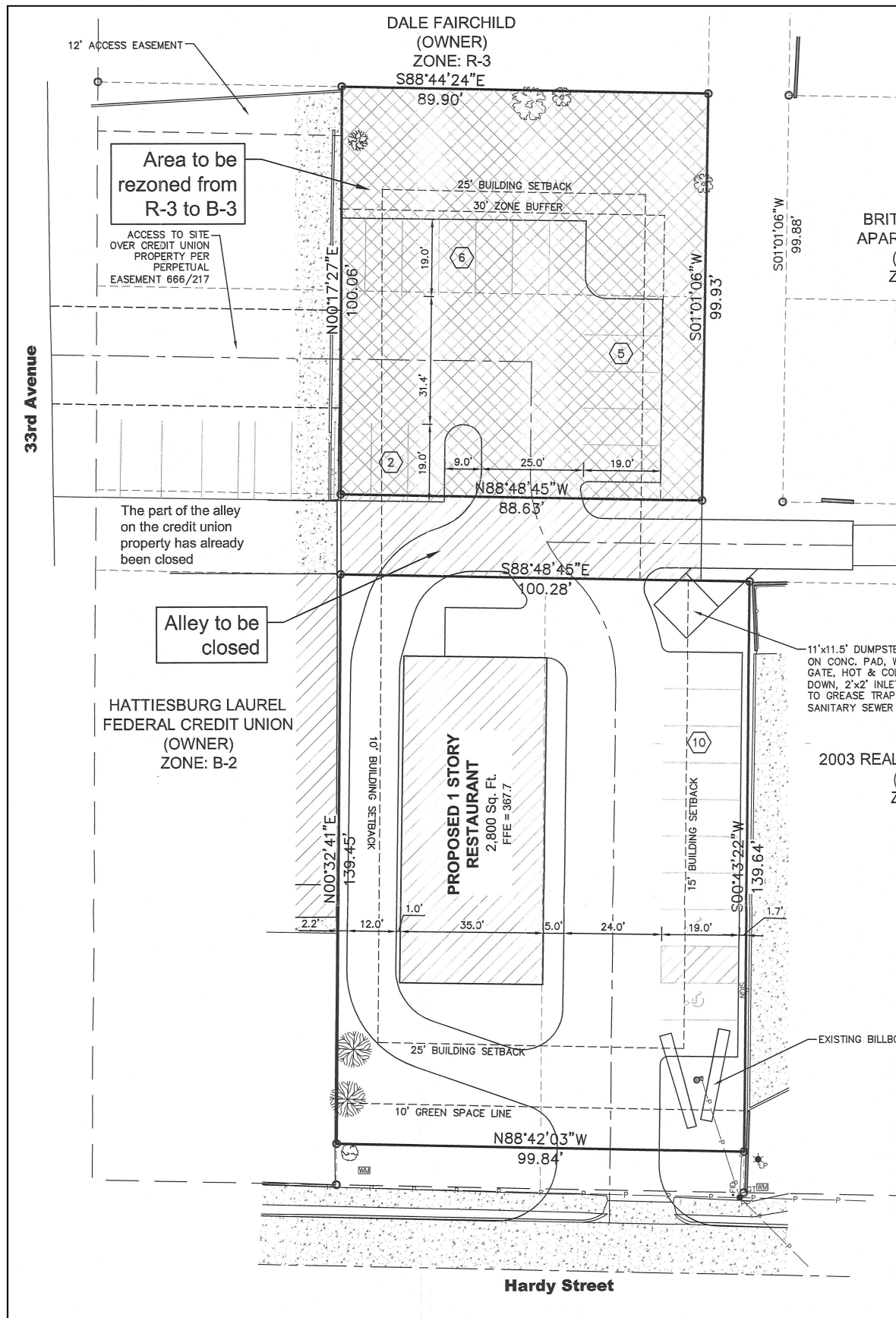
**Eastern Direction: Commercial
Property zoned B-3 (Community
Business) District.**



**Western Direction: Commercial
property zoned B-2 (Neighborhood
Business) District.**



Proposed Site Plan showing northern lot to be rezoned and the alley to be closed.





**Planning Commission
Case Fact Sheet**

Name of Applicant: Ken Kleban
Name of Representative: Nicholas Connolly
Name of Owner: Muriel Fokakis

Address of Property: 3203 Hardy Street
Tax Parcel(s): 028K-07-033.00
PPIN(s): 23003
Ward: 1

Requests: **Rezoning & Street/Alley Closure**

Purpose of Request: To consider an application to **change the zoning classification**, of a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District. The petitioner also requests a **Street/Alley Closure** for the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

Applicant Summary: *See Attached Pages: Rezoning Information, Street / Alley Closure *

Applicable Regulations:
SECTION 13

VACATION OF PUBLIC EASEMENTS AND/OR RIGHT-OF-WAY

13.01 Whenever any street, alley or other public easement is vacated, the district classifications of the property to which the vacated portions of land accrued shall become the classification of the vacated land.

SECTION 56

R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

56.01 General Description: This is a residential district to provide for medium and high population density. The principal use of land may range from single family dwelling units to multi-

family, not exceeding eight dwelling units per lot, and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationships of each element.

SECTION 60

B-3 COMMUNITY BUSINESS DISTRICT

60.01 General Description: This business district is intended for the conduct of personal and business services and retail business of the community. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

Present Zoning: The southern parcel (PPIN 23005) is currently zoned B-3 (Community Business) District. The northern parcel (PPIN 23003) is currently zoned R-3 (Multi-Family Residential) District.

Present Use: Undeveloped

**Surrounding Zoning
and Land Use:**

North: R-3 (Multi-Family Residential) District / Apartments
South: B-3 (Community Business) District / Vacant lot
East: R-3 (Multi-Family Residential) District / Apartments
West: R-3 (Multi-Family Residential) District / Credit Union parking

Future Land Use Plan: The subject parcel is shown in the 2008 Future Land Use Map as being within the Community Business District.

District Overview: The **Community Business District** is primarily a non-residential district located along the city's major roadways. In this district, certain residential and non-residential land uses may be found that exhibit suburban development patterns.

District Characteristics: The characteristics of this district include the following: moderate-density single-family residences and certain two-family and multi-family uses; mixed-use buildings and developments; suburban-style, higher-intensity business developments that provide services to the entire community; and less-intensive commercial uses than are found in the Regional Business District.

District Land Uses: The following land uses should be found in this district: residential uses; public and quasi-public uses, such as churches and schools; and general indoor retail, service and office

land uses that do not require the outdoor storage of goods or equipment.

Most Nearly

Bounded By (streets):

This parcel is accessible from the South by Hardy Street. It is bound by North 32nd Avenue to the East, and North 33rd Avenue to the West and Pearl Street to the North.

Letters or

Concerns stated:

The Planning Division Office has not received any other letters or other written communications relative to this case, as of November 4, 2015.

History / Background:

The southern portion of 3203 Hardy St (PPIN 23005) was rezoned from B-2 (Neighborhood Business) District to B-3 (Community Business) District in March 2014.

Only the portion of the alley directly between PPIN 23003 and 23005 is proposed to be vacated. This section of platted alley is not developed.

Rezoning Options:

Recommend **approval** or **denial** of the request to change the zoning classification a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

Basis for Approval:

1. There **(is / is not)** a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property.

2. There **(is / is not)** a public need for the change in question, based on the Comprehensive Plan.

**Street/Alley Closure
Options:**

Recommend **approval** or **denial** of the requested Street/Alley Closure, to vacate/close for the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

Rezoning Information (1 page)

One of the following conditions must be met before a rezoning can be recommended.
Check the condition(s) most applicable to your request and explain in writing.

- ☒ A. There is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property and there is a public need for the change in question, based on the Comprehensive Plan.
- ☐ B. There is a mistake in the original zoning.
- ☐ C. Annexation

Detailed explanation of condition(s) most applicable to your request: (Please print or type.)

The property is currently split into two pieces. The front half is already zoned B-3, this application is intended to change the zoning of the back half of the property to match the front half. The zoning of the back half of the property is currently R-3.

The character of the properties surrounding the petitioned property is business to the west, multi-family residential to the north, an alley to the east, and Hardy Street to the south. The intended use of the property is a parking lot for the business which will be built on the south half of the property adjacent to Hardy Street. This use is already permitted upon review in an R-3 zone.

Street or Alley Closing, Vacating, Naming or Renaming Information (3 pages)

1. Please indicate specific request(s):

☐ Closing	☒ Vacating	☐ Street	☒ Alley
		☐ Naming	☐ Re-Naming
2. Current name of street/alley to be closed, vacated, named or re-named:

Un-named Alley between N 32nd Ave. and N 33rd Ave
3. Names of all intersecting or bounding streets and/or alleys:

Un-named Alley between this alley and Peal Street

4. Tax Block(s) and Lot(s) involved in closing request:

Lots 4-8, Block 23, Pine Crest First Survey

5. Describe existing development on property adjacent to the street/alley (i.e.: type of land uses, number of occupied dwelling units, business, height of buildings, etc.) And surrounding property within 400 feet.

Type of Land Use of adjacent development	Number of each Type adjacent to development	Maximum height of buildings (stories)	Number of properties immediately affected by change	Number of additional properties within 400 feet
Businesses	1	1	0	4
Residences	0		0	1
Apartments	0		0	18
Churches/Schools	0		0	0

Any additional Information: The part of this alley that extends to 33rd Ave. on the west side
has already been vacated. This part of the alley is undeveloped.

5. Describe the effect the proposed change will have on existing development and the transportation system within the affected area.
- None

6. Have applications for zoning, variance, building permit, or other applications been filed?

 Yes X No

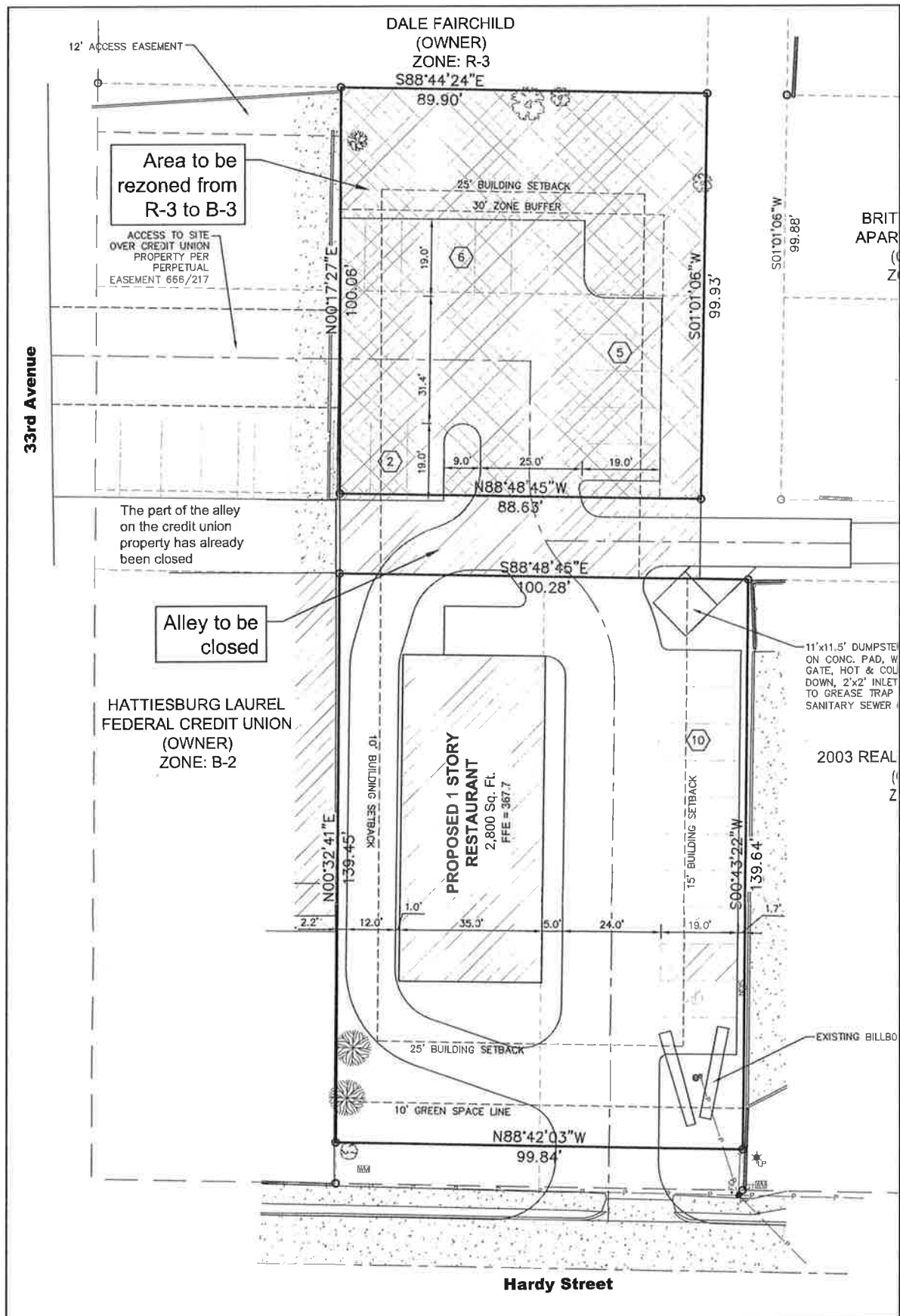
If yes, provide reference numbers and dates: n/a

7. Acknowledgment of property owners adjacent to the street/alley renaming. Include all names and addresses and a legal opinion or affidavit attesting to the signatures of all owners of record. The affidavit must be sworn to before a notary public or other appropriate official.
(Sample form attached)

Obtain from the City's Engineering Department the legal description of the street/alley or portion thereof to be closed, vacated, named or re-named (need electronic copy)

ATTACH SAMPLE STREET / ALLEY Acknowledgement of Affected residents/business
As PAGE 3

Proposed Site Plan showing northern lot to be rezoned and the alley to be closed.



Prepared by: City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, MS 39403-1898
(601)545-4550

Return to: City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, MS 39403
(601)545-4550

INDEXING INSTRUCTIONS:

ORDINANCE NUMBER _____
OF THE
CITY OF HATTIESBURG, MISSISSIPPI

**AN ORDINANCE CHANGING AND AMENDING THE COMPREHENSIVE
ZONING DISTRICT MAP, ADOPTED AS PART OF THE
COMPREHENSIVE ZONING ORDINANCE NO. 2330, AS AMENDED,
OF THE CITY OF HATTIESBURG, MISSISSIPPI
FOR CERTAIN PROPERTY LOCATED AT 3203 HARDY STREET (PARCEL 028K-07-
033.00, PPIN 23003, WARD 1) FROM R-3 (MULTI-FAMILY RESIDENTIAL)
DISTRICT TO B-3 (COMMUNITY BUSINESS) DISTRICT).**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
HATTIESBURG, MISSISSIPPI:**

SECTION 1. That the Comprehensive Zoning District Map, adopted as part of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, be and the same is hereby changed and amended. The Hattiesburg Planning Commission recommended to APPROVE said change in zoning for the following reasons:

There is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property.

Said property is described as follows:

LOTS 7 AND 8, LESS: THE WEST SIXTY (60) FEET OF LOTS SEVEN (7) AND EIGHT (8), IN BLOCK TWENTY-THREE (23), PINECREST FIRST SURVEY SUBDIVISION OF THE CITY OF HATTIESBURG, COUNTY OF FORREST, STATE OF MISSISSIPPI, AS PER THE OFFICIAL MAP OR PLOT THEREOF ON FILE IN THE OFFICE OF THE CHANCERY CLERK OF FORREST COUNTY, MISSISSIPPI, TOGETHER WITH ALL IMPROVEMENTS THEREON AND APPURTENANCES THEREUNTO BELONGING.

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Comprehensive Zoning District Map and the Comprehensive Zoning Ordinance No. 2330, as

amended, of said City of Hattiesburg, Mississippi, shall be and remain in full force and form as adopted.

SECTION 3. That this Ordinance take effect and be in force thirty (30) days from and after passage as provided by law.

The foregoing Ordinance having been reduced to writing, the same was introduced by Councilmember _____ seconded by Council member _____ and was adopted by the following vote to-wit:

YEAS:

NAYS:

THE President thereby declared the motion carried and the foregoing Ordinance adopted and approved, this the _____ day of _____ A.D., 2015.

(S E A L)

ATTEST:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

THE above and foregoing Ordinance having been submitted to and approved by the Mayor, this the _____ day of _____ A.D., 2015.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

Prepared by: City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, MS 39403-1898
(601)545-4550

Return to: City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, MS 39403
(601)545-4550

INDEXING INSTRUCTIONS:

ORDINANCE NUMBER 3175

OF THE

CITY OF HATTIESBURG, MISSISSIPPI

**AN ORDINANCE CHANGING AND AMENDING THE COMPREHENSIVE
ZONING DISTRICT MAP, ADOPTED AS PART OF THE
COMPREHENSIVE ZONING ORDINANCE NO. 2330, AS AMENDED,
OF THE CITY OF HATTIESBURG, MISSISSIPPI
FOR CERTAIN PROPERTY LOCATED AT 3203 HARDY STREET (PARCEL 028K-07-
033.00, PPIN 23003, WARD 1) FROM R-3 (MULTI-FAMILY RESIDENTIAL)
DISTRICT TO B-3 (COMMUNITY BUSINESS) DISTRICT).**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
HATTIESBURG, MISSISSIPPI:**

SECTION 1. That the Comprehensive Zoning District Map, adopted as part of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, be and the same is hereby changed and amended. The Hattiesburg Planning Commission recommended to APPROVE said change in zoning for the following reasons:

There is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property.

Said property is described as follows:

LOTS 7 AND 8, LESS: THE WEST SIXTY (60) FEET OF LOTS SEVEN (7) AND EIGHT (8), IN BLOCK TWENTY-THREE (23), PINECREST FIRST SURVEY SUBDIVISION OF THE CITY OF HATTIESBURG, COUNTY OF FORREST, STATE OF MISSISSIPPI, AS PER THE OFFICIAL MAP OR PLOT THEREOF ON FILE IN THE OFFICE OF THE CHANCERY CLERK OF FORREST COUNTY, MISSISSIPPI, TOGETHER WITH ALL IMPROVEMENTS THEREON AND APPURTENANCES THEREUNTO BELONGING.

SECTION 2. Except as hereby expressly changed and amended, the aforesaid Comprehensive Zoning District Map and the Comprehensive Zoning Ordinance No. 2330, as

amended, of said City of Hattiesburg, Mississippi, shall be and remain in full force and form as adopted.

SECTION 3. That this Ordinance take effect and be in force thirty (30) days from and after passage as provided by law.

The foregoing Ordinance having been reduced to writing, the same was introduced by Councilmember Carroll seconded by Council member Dryden and was adopted by the following vote to-wit:

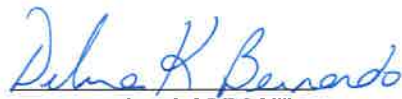
YEAS: Bradley
Carroll
Dryden
Naylor

NAYS: None ABSTAIN: Delgado

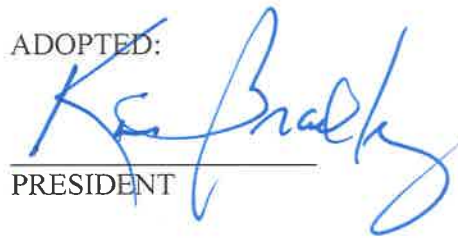
THE President thereby declared the motion carried and the foregoing Ordinance adopted and approved, this the 8th day of December A.D., 2015.

(S E A L)

ATTEST:

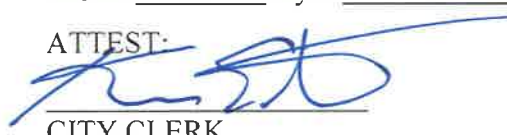

CLERK OF COUNCIL

ADOPTED:

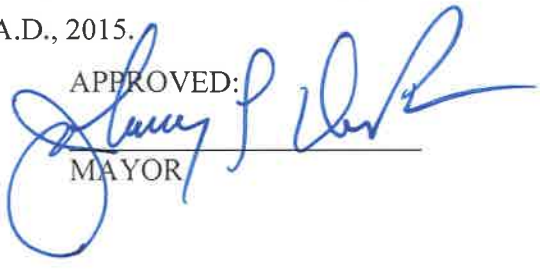

PRESIDENT

THE above and foregoing Ordinance having been submitted to and approved by the Mayor, this the 8th day of December A.D., 2015.

ATTEST:


CITY CLERK

APPROVED:


MAYOR

**MINUTES OF THE
SPECIAL MEETING OF THE
HATTIESBURG PLANNING COMMISSION
November 12, 2015**

The Hattiesburg Planning Commission did meet in a special called session on November 12, 2015 at 1:05 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Joseph White, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Joseph White, Chairman
Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners Absent: Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Russell Archer, Historic Planner

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:05 P.M.

INVOCATION

Chairman White gave the invocation.

AGENDA REVIEW

There came the matter of the November 2015 Agenda. A request was made by staff to hear petitions E & F to accommodate the applicant’s attendance at a funeral. A request was made by Chairman White for a motion to Approve the November 2015 Agenda with changes. A motion was made to approve by Commissioner Thompson and seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the October 7, 2015 Minutes. A request was made by Chairman White for a motion to Approve the October 2015 Minutes. A motion was made by Commissioner Thompson to approve the minutes and seconded by Commissioner Wilson.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell, Building Official, previously provided a report to the commission of monthly and YTD Permit information for October in the Commissioner’s packets.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission of the approval of the following items heard at the previous Planning Commission: Text amendments to the LDC & Comprehensive Plan related to “solar Farm”; “Solar Farm” Use Permit for property along Bonhomie Road; J Ed Turner zoning designation; 304 E. 2nd Street rezoning; and 2101 Hardy Street side setback variance.

CHAIRMAN’S REPORT

There came the matter of the Chairman’s Report. There was none.

PUBLIC HEARING

Chairman White declared the Public Hearing open at 1:25 P.M. and read the rules and procedures of the hearing.

There came the matter of Item E (Rezoning), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification for a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and

area surrounding the petitioned property. The motion was seconded by Commissioner Courts.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item F (Vacate Alley), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to APPROVE the application. The motion was seconded by Commissioner Martin.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item A (Street Renaming), Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to rename the public street presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

	Name	Address	City/State
<u>Presented by:</u>	Barbara Hamilton	498 Tuscan Ave.	Hattiesburg, MS
<u>Proponents:</u>	Irving Drake	211 Dossett Ave.	Hattiesburg, MS
	- Timberton Park Neighborhood Association		
	LaQuitta Jones	447 Helveston Road	Hattiesburg, MS
	- Park Pines Apartments		

Bob Blevins	498 Tuscan Ave	Hattiesburg, MS
- William Carey University		
James Wallace	723 Bowling St.	Hattiesburg, MS
- Holy Place Worship Center		

<u>Opponents:</u>	Ericka Miller	1302 Penton St	Hattiesburg, MS
	Monica Miller	1302 Penton St	Hattiesburg, MS

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: Jessie Wilson

Commissioners Abstaining: None

There came the matter of Item B (Variance), John & Krista Eye, Owners, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 5, Section 89.03 which states that parking facilities and driveways for residential commercial and industrial uses shall have an all-weather hard surface, and instead allow a limestone surface driveway except for a 10 foot long hard surface portion beginning at the intersection of the public right-of-way on the property located at 123 J. Ed Turner Drive (Parcel 052B-03-004.002, PPIN 30696, Ward 1).

Owners requested to withdraw the item at this time.

There came the matter of Item C (Variance), Thomas Adams and James Morgan, T L Wallace Construction, Applicants, on behalf of Yvonne Guess, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Flood Damage Prevention Ordinance No. 3165, as amended, of the City of Hattiesburg, Mississippi, to request a variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	James Morgan	12871 Paradise Ln.	Biloxi, MS
	- T L Wallace Construction		

<u>Proponents:</u>	Fareed Uqdah	457 Buschman St	Hattiesburg, MS
	Lauren Poche	7389 Florida Ave	Baton Rouge, LA
	- Historic Preservation Specialist, AECOM		

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Wilson made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item D (Use Permit), Marion Hughes, Applicant, on behalf of Wayside Holy Temple Church, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a Use Permit Upon Review for a “Parking Lot” as provided in Article 5, Section 52.03 of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, for certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	Marion Hughs	,	Hattiesburg, MS
	-	Representative, Wayside Holy Temple Church	

Proponents: None

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application because there is a need to reinforce Hattiesburg’s Quality of life, preserve neighborhood identity, and boost community pride. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item G (Variance), Alton Clingan, Jr., Clingan & Associates, Applicant, on behalf of, Ronnie Pittman, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a

five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Minal Patel	1004 Top St.	Flowood,, MS
	- Representative & Client of Mr. Clingan		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

BUSINESS MEETING

A preliminary plat review for the lot subdivision at a certain property located on South Founders Way subdivide (Parcel 2-041L-33-001.10, PPIN 41844, Ward 5) by Cliff Norman, Owner. Commissioner Conville made a motion to approve the plat and Commissioner Horton seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

A preliminary plat review for the lot subdivision at a certain property located along Bonhomie Road (Parcel 041F-28-001.00, PPIN 6974, Parcel 041N-33-001.00, PPIN 7020, Ward 5) by Blair Schooff, Strata Solar, Applicant, on behalf of Joseph F. Tatum Jr., Owner r. Commissioner Wilson made a motion to approve the plat and Commissioner Cinville seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There being no further business, Commissioner Thompson made a motion to adjourn. The motion was seconded by Commissioner Martin. The meeting was adjourned at 3:21 P.M.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.

SUBJECT PARCEL: 3203 Hardy St.

Nicholas Connolly, Representative, Ken Kleban, Applicant

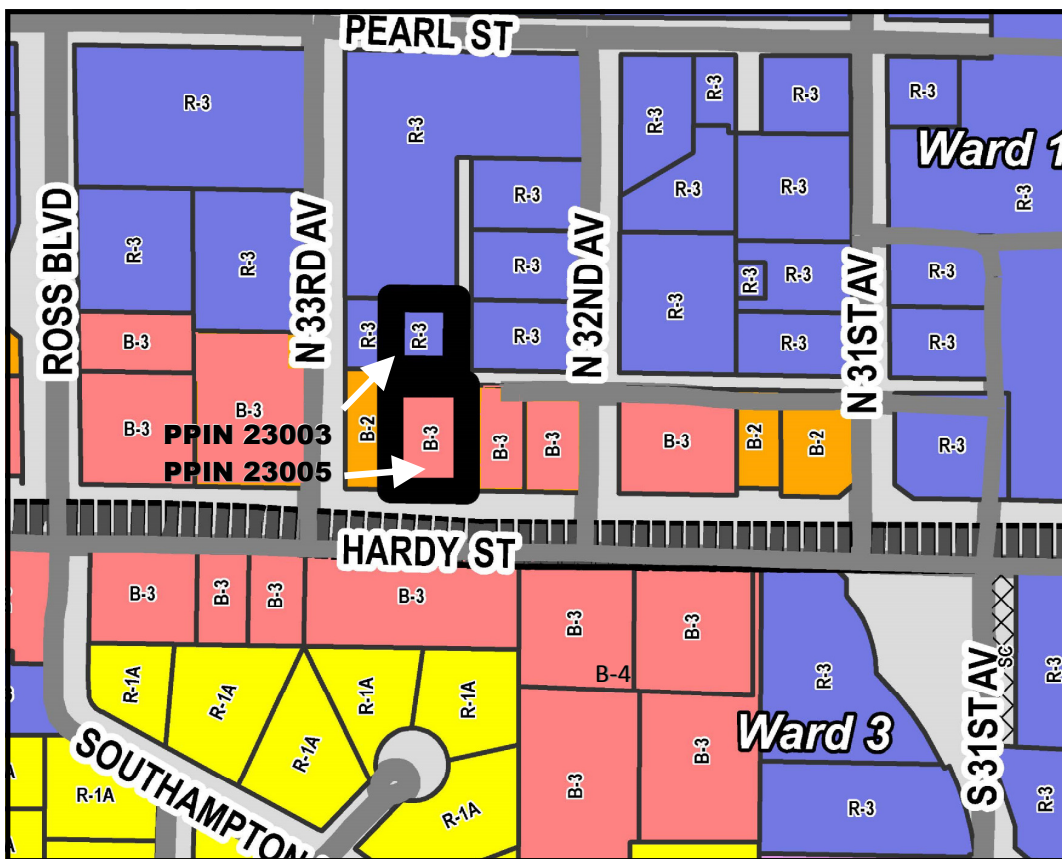
The applicant requests consideration of a zoning change from R-3 (Multi-Family Residential) District to B-3 (Community Business) District for the northern parcel (PPIN 23003) and to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.



Vicinity Map—Ward 1



Zoning—R-3



SURROUNDING AREA

**Northern Direction: Residential
Property zoned R-3 (Multi Family
Residential) District.**



**Southern Direction: Commercial
Property zoned B-3 (Community
Business) District.**



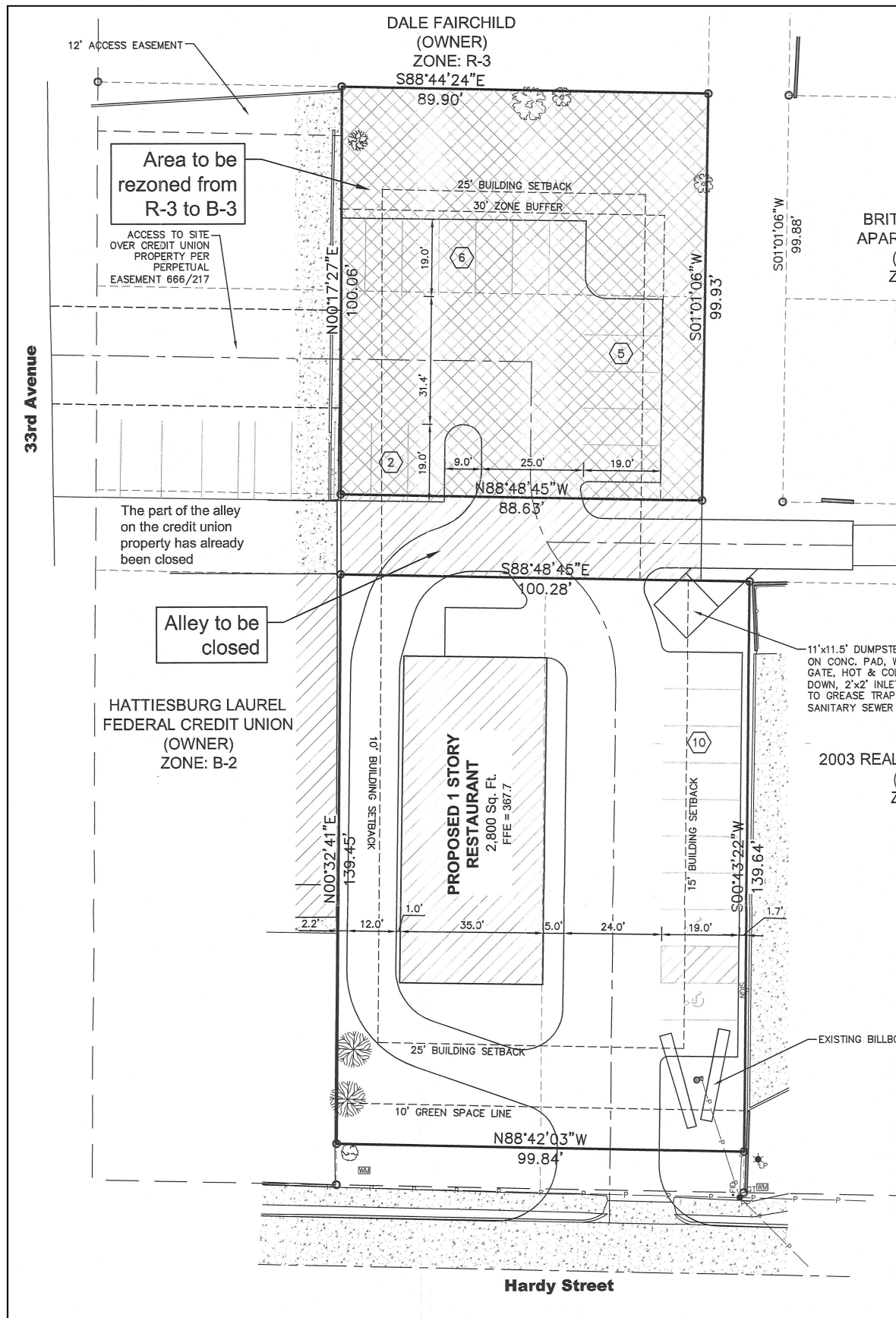
**Eastern Direction: Commercial
Property zoned B-3 (Community
Business) District.**



**Western Direction: Commercial
property zoned B-2 (Neighborhood
Business) District.**



Proposed Site Plan showing northern lot to be rezoned and the alley to be closed.





**Planning Commission
Case Fact Sheet**

Name of Applicant: Ken Kleban
Name of Representative: Nicholas Connolly
Name of Owner: Muriel Fokakis

Address of Property: 3203 Hardy Street
Tax Parcel(s): 028K-07-033.00
PPIN(s): 23003
Ward: 1

Requests: **Rezoning & Street/Alley Closure**

Purpose of Request: To consider an application to **change the zoning classification**, of a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District. The petitioner also requests a **Street/Alley Closure** for the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

Applicant Summary: *See Attached Pages: Rezoning Information, Street / Alley Closure *

Applicable Regulations:
SECTION 13

VACATION OF PUBLIC EASEMENTS AND/OR RIGHT-OF-WAY

13.01 Whenever any street, alley or other public easement is vacated, the district classifications of the property to which the vacated portions of land accrued shall become the classification of the vacated land.

SECTION 56

R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

56.01 General Description: This is a residential district to provide for medium and high population density. The principal use of land may range from single family dwelling units to multi-

family, not exceeding eight dwelling units per lot, and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationships of each element.

SECTION 60

B-3 COMMUNITY BUSINESS DISTRICT

60.01 General Description: This business district is intended for the conduct of personal and business services and retail business of the community. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

Present Zoning: The southern parcel (PPIN 23005) is currently zoned B-3 (Community Business) District. The northern parcel (PPIN 23003) is currently zoned R-3 (Multi-Family Residential) District.

Present Use: Undeveloped

**Surrounding Zoning
and Land Use:**

North: R-3 (Multi-Family Residential) District / Apartments
South: B-3 (Community Business) District / Vacant lot
East: R-3 (Multi-Family Residential) District / Apartments
West: R-3 (Multi-Family Residential) District / Credit Union parking

Future Land Use Plan: The subject parcel is shown in the 2008 Future Land Use Map as being within the Community Business District.

District Overview: The **Community Business District** is primarily a non-residential district located along the city's major roadways. In this district, certain residential and non-residential land uses may be found that exhibit suburban development patterns.

District Characteristics: The characteristics of this district include the following: moderate-density single-family residences and certain two-family and multi-family uses; mixed-use buildings and developments; suburban-style, higher-intensity business developments that provide services to the entire community; and less-intensive commercial uses than are found in the Regional Business District.

District Land Uses: The following land uses should be found in this district: residential uses; public and quasi-public uses, such as churches and schools; and general indoor retail, service and office

land uses that do not require the outdoor storage of goods or equipment.

Most Nearly

Bounded By (streets):

This parcel is accessible from the South by Hardy Street. It is bound by North 32nd Avenue to the East, and North 33rd Avenue to the West and Pearl Street to the North.

Letters or

Concerns stated:

The Planning Division Office has not received any other letters or other written communications relative to this case, as of November 4, 2015.

History / Background:

The southern portion of 3203 Hardy St (PPIN 23005) was rezoned from B-2 (Neighborhood Business) District to B-3 (Community Business) District in March 2014.

Only the portion of the alley directly between PPIN 23003 and 23005 is proposed to be vacated. This section of platted alley is not developed.

Rezoning Options:

Recommend **approval** or **denial** of the request to change the zoning classification a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

Basis for Approval:

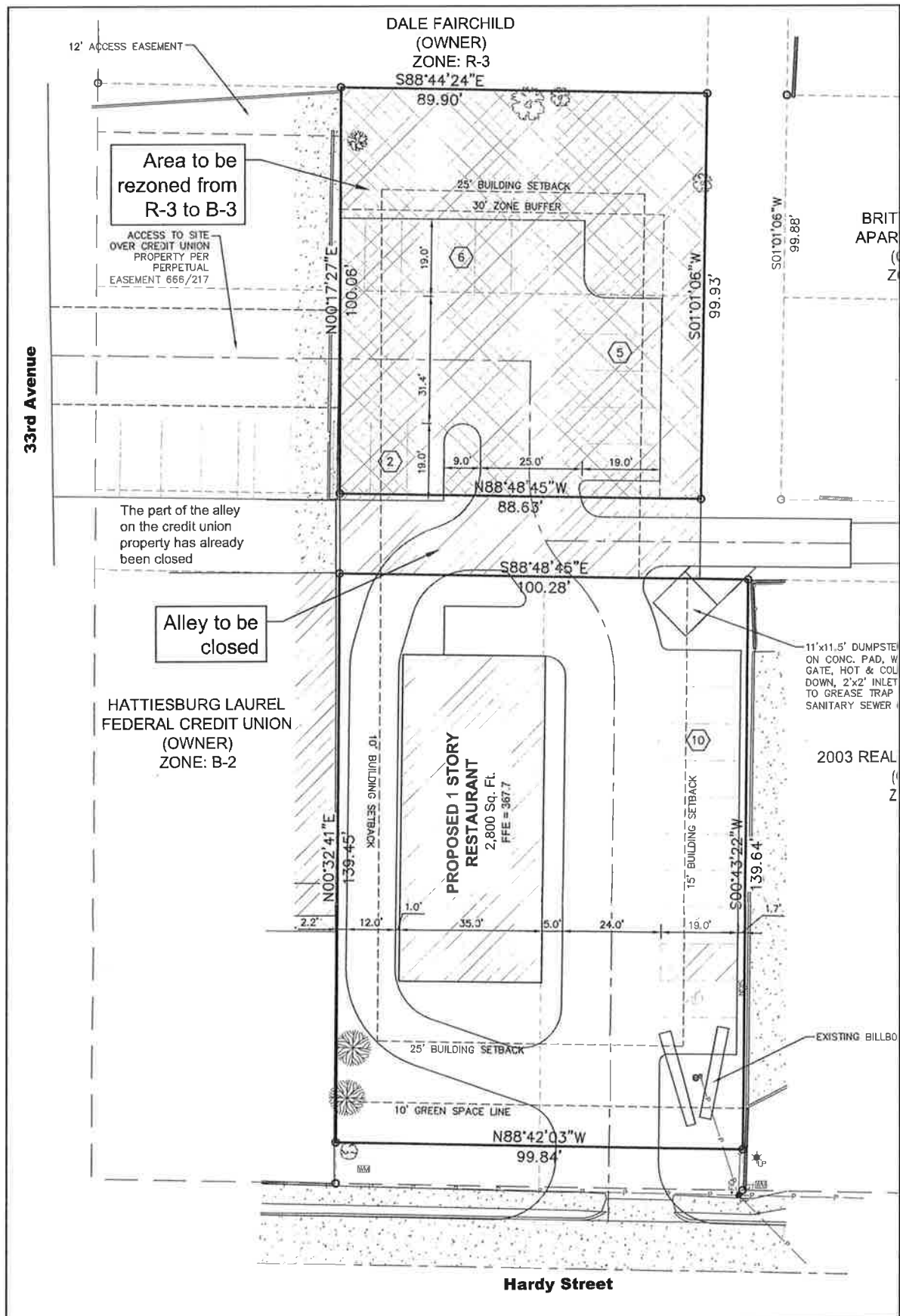
1. There **(is / is not)** a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property.

2. There **(is / is not)** a public need for the change in question, based on the Comprehensive Plan.

**Street/Alley Closure
Options:**

Recommend **approval** or **denial** of the requested Street/Alley Closure, to vacate/close for the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

Proposed Site Plan showing northern lot to be rezoned and the alley to be closed.



UTILITY RECAPS
November 2015

A = Approved

A/S = Approved with Stipulations such as easements

D = Denied

NC = Not completed

COMPANY	A REQUEST TO VACATE/CLOSE THE REMAINING PORTION OF A PLATTED, UNDEVELOPED ALLEY, RUNNING EAST/WEST DIRECTLY BETWEEN PPIN 23003 AND PPIN 23005.	
	FAX RECEIVED	ORIGINAL RECEIVED
AAA AMBULANCE	NC	
BELL SOUTH	NC	
COMCAST CABLE	A/S	
EMERGENCY MANAGEMENT DISTRICT	A	
HATTIESBURG CITY ENGINEER	A/S	
HATTIESBURG FIRE PREVENTION	NC	
HATTIESBURG POLICE DEPARTMENT	NC	
MISSISSIPPI POWER	A/S	
PEARL RIVER VALLEY EPA	NC	
U. S. POST OFFICE	A	
WILMUT GAS	A/S	

CLOSE AND VACATE STREET PETITION

A REQUEST TO VACATE/CLOSE THE REMAINING PORTION OF A
PLATTED, UNDEVELOPED ALLEY, RUNNING EAST/WEST DIRECTLY
BETWEEN PPIN 23003 AND PPIN 23005. SEE ATTACHED MAP

LEGAL DESCRIPTION

Request to vacate a portion of a 20 foot wide public alley in Block 23, of the Pinecrest First Survey located in the Southwest Quarter of the Northeast Quarter of Section 7, Township 4 North, Range 13 West, in the City of Hattiesburg, Forrest County, Mississippi; more particularly described as adjoining North line of Lot 5 and the West 40 feet of the North Line of Lot 4 along the South right-of-way of said public alley and adjoining the East 90 feet of the South Line of Lot 7 along the North right-of-way of said public alley. The above herein described contains 0.04 acres, more or less.

PETITIONER:

Nicholas Connolly, SD&W, Representative, Ken Kleban, Applicant

PLEASE RETURN BY NOVEMBER 6, 2015

FROM: Comcast of Hattiesburg
Attn: Mr. Mike Bonner
2100 Lincoln Road
Ph. 601-579-3967 Fax: 601-268-1754
Email: mike_bonner@cable.comcast.com

TO: HATTIESBURG PLANNING COMMISSION
C/O DEPARTMENT OF URBAN DEVELOPMENT
ATTN: GINGER MADDOX, PLANNING MANAGER
POST OFFICE BOX 1898
HATTIESBURG, MS 39403-1898

PLEASE TYPE OR PRINT:

1. APPROVE ☒
SUBJECT TO THE FOLLOWING REQUIREMENTS (if applicable)
Comcast RETAINS RIGHT OF EASEMENT
FOR CABLE PLANT

2. DENY ☐
REASON(S)

Mike Bonner
SIGNATURE

11-5-15
DATE

PLEASE **FAX RESPONSE (THIS PAGE ONLY)**, FAX: 601.545.1962
THEN **MAIL (THIS PAGE ONLY)** AS SOON AS POSSIBLE

NOTE: IF YOU HAVE ANY QUESTIONS, PLEASE CALL, THE PLANNING DIVISION AT
601.545.4599 OR EMAIL PLANNING@HATTIESBURGMS.COM

10/30/2015 FRI 14:19

RECEIVED 10/30/2015 14:49
FAX 6015451962 Planning

6015454516

TEMED EDC

001/002

CLOSE AND VACATE STREET PETITION

**A REQUEST TO VACATE/CLOSE THE REMAINING PORTION OF A
PLATTED, UNDEVELOPED ALLEY, RUNNING EAST/WEST DIRECTLY
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PETITIONER:

Nicholas Connolly, SD&W, Representative, Ken Kleban, Applicant

PLEASE RETURN BY NOVEMBER 6, 2015

FROM: E911

Attn: Debbie Windham, Communication

4080 Highway 11

Ph. 545-4615 Fax: 545-4516

Email: debbie@forresteoc.com

**TO: HATTIESBURG PLANNING COMMISSION
C/O DEPARTMENT OF URBAN DEVELOPMENT
ATTN: GINGER MADDOX, PLANNING MANAGER
POST OFFICE BOX 1898
HATTIESBURG, MS 39403-1898**

PLEASE TYPE OR PRINT:

1. APPROVE X
SUBJECT TO THE FOLLOWING REQUIREMENTS (if applicable)

2. DENY _____
REASON(S)

Debbie Windham

SIGNATURE

11-2-15

DATE

**PLEASE FAX RESPONSE (THIS PAGE ONLY), FAX: 601.545.1962
THEN MAIL (THIS PAGE ONLY) AS SOON AS POSSIBLE**

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601.545.4599 OR EMAIL PLANNING@HATTIESBURGMS.COM**

CLOSE AND VACATE STREET PETITION

**A REQUEST TO VACATE/CLOSE THE REMAINING PORTION OF A
PLATTED, UNDEVELOPED ALLEY, RUNNING EAST/WEST DIRECTLY
BETWEEN PPIN 23003 AND PPIN 23005. SEE ATTACHED MAP**

LEGAL DESCRIPTION

Request to vacate a portion of a 20 foot wide public alley in Block 23, of the Pinecrest First Survey located in the Southwest Quarter of the Northeast Quarter of Section 7, Township 4 North, Range 13 West, in the City of Hattiesburg, Forrest County, Mississippi; more particularly described as adjoining North line of Lot 5 and the West 40 feet of the North Line of Lot 4 along the South right-of-way of said public alley and adjoining the East 90 feet of the South Line of Lot 7 along the North right-of-way of said public alley. The above herein described contains 0.04 acres, more or less.

PETITIONER:

Nicholas Connolly, SD&W, Representative, Ken Kleban, Applicant

PLEASE RETURN BY NOVEMBER 6 , 2015

FROM: City of Hattiesburg
Attn: Lamar Rutland, Director
Dept. of ~~Public Services~~
Ph. 545-4540 Fax: 545-4642
Email: lrutland@hattiesburgms.com

TO: HATTIESBURG PLANNING COMMISSION
C/O DEPARTMENT OF URBAN DEVELOPMENT
ATTN: GINGER MADDOX, PLANNING MANAGER
POST OFFICE BOX 1898
HATTIESBURG, MS 39403-1898

PLEASE TYPE OR PRINT:

1. APPROVE X
SUBJECT TO THE FOLLOWING REQUIREMENTS (if applicable)

City needs to retain an utility easement

2. DENY _____
REASON(S)

Lamar Rutland

SIGNATURE

11/6/15

DATE

PLEASE FAX RESPONSE (THIS PAGE ONLY), FAX: 601.545.1962

THEN MAIL (THIS PAGE ONLY) AS SOON AS POSSIBLE

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601.545.4599 OR EMAIL PLANNING@HATTIESBURGMS.COM**

CLOSE AND VACATE STREET PETITION

**A REQUEST TO VACATE/CLOSE THE REMAINING PORTION OF A
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PETITIONER:

Nicholas Connolly, SD&W, Representative, Ken Kleban, Applicant

PLEASE RETURN BY NOVEMBER 6, 2015

FROM: Mississippi Power Company
Attn: ~~Mr. Joe Herdon~~ Mr. Rob Robinson
5082 Hwy 42
Ph. 545-4161 Fax: 545-4134
Email: rtsandif@southernco.com

TO: HATTIESBURG PLANNING COMMISSION
C/O DEPARTMENT OF URBAN DEVELOPMENT
ATTN: GINGER MADDOX, PLANNING MANAGER
POST OFFICE BOX 1898
HATTIESBURG, MS 39403-1898

PLEASE TYPE OR PRINT:

1. APPROVE ☐
SUBJECT TO THE FOLLOWING REQUIREMENTS (if applicable)

MPC be given sufficient easements for any existing facilities.

Ingress and egress to any MPC facilities is to be maintained.

City of Hattiesburg to retain utility easement.

2. DENY ☐
REASON(S)

ROB ROBINSON
SIGNATURE ED SUPERVISOR

11/05/15

DATE

**PLEASE FAX RESPONSE (THIS PAGE ONLY), FAX: 601.545.1962
THEN MAIL (THIS PAGE ONLY) AS SOON AS POSSIBLE**

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CLOSE AND VACATE STREET PETITION

A REQUEST TO VACATE/CLOSE THE REMAINING PORTION OF A
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BETWEEN PPIN 23003 AND PPIN 23005. SEE ATTACHED MAP

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PETITIONER:

Nicholas Connolly, SD&W, Representative, Ken Kleban, Applicant

PLEASE RETURN BY NOVEMBER 6, 2015

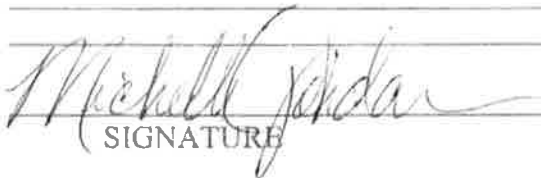
FROM: U. S. Post Office
Attn: Michelle Jordan, Postmaster
220 South 40th Avenue
Ph. 271-7011 Fax: 271-7060
Email: michelle.e.jordan@usps.gov

TO: HATTIESBURG PLANNING COMMISSION
C/O DEPARTMENT OF URBAN DEVELOPMENT
ATTN: GINGER MADDOX, PLANNING MANAGER
POST OFFICE BOX 1898
HATTIESBURG, MS 39403-1898

PLEASE TYPE OR PRINT:

1. APPROVE ☒
SUBJECT TO THE FOLLOWING REQUIREMENTS (if applicable)

2. DENY ☐
REASON(S)


SIGNATURE

10/30/15
DATE

PLEASE **FAX RESPONSE (THIS PAGE ONLY)**, FAX: 601.545.1962
THEN **MAIL (THIS PAGE ONLY)** AS SOON AS POSSIBLE

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601.545.4599 OR EMAIL PLANNING@HATTIESBURGMS.COM

CLOSE AND VACATE STREET PETITION

**A REQUEST TO VACATE/CLOSE THE REMAINING PORTION OF A
PLATTED, UNDEVELOPED ALLEY, RUNNING EAST/WEST DIRECTLY
BETWEEN PPIN 23003 AND PPIN 23005. SEE ATTACHED MAP**

LEGAL DESCRIPTION

Request to vacate a portion of a 20 foot wide public alley in Block 23, of the Pinecrest First Survey located in the Southwest Quarter of the Northeast Quarter of Section 7, Township 4 North, Range 13 West, in the City of Hattiesburg, Forrest County, Mississippi; more particularly described as adjoining North line of Lot 5 and the West 40 feet of the North Line of Lot 4 along the South right-of-way of said public alley and adjoining the East 90 feet of the South Line of Lot 7 along the North right-of-way of said public alley. The above herein described contains 0.04 acres, more or less.

PETITIONER:

Nicholas Connolly, SD&W, Representative, Ken Kleban, Applicant

PLEASE RETURN BY NOVEMBER 6, 2015

FROM: Willmut Gas & Oil Company
Attn: Robert Miller
Post Office Box 1649
Ph. 544-6001 Fax: 544-8517
Email: robmiller@willmut.com

TO: HATTIESBURG PLANNING COMMISSION
C/O DEPARTMENT OF URBAN DEVELOPMENT
ATTN: GINGER MADDOX, PLANNING MANAGER
POST OFFICE BOX 1898
HATTIESBURG, MS 39403-1898

PLEASE TYPE OR PRINT:

1. APPROVE X
SUBJECT TO THE FOLLOWING REQUIREMENTS (if applicable)
EASEMENT FOR 2" STEEL GAS MAIN LINE LOCATED IN THE
ALLEY
2. DENY _____
REASON(S) _____

Robert Miller

SIGNATURE

11-2-2015

DATE

PLEASE **FAX RESPONSE (THIS PAGE ONLY)**, FAX: 601.545.1962
THEN **MAIL (THIS PAGE ONLY)** AS SOON AS POSSIBLE
NOTE: IF YOU HAVE ANY QUESTIONS, PLEASE CALL, THE PLANNING DIVISION AT
601.545.4599 OR EMAIL PLANNING@HATTIESBURGMS.COM

Prepared by: City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, MS 39403-1898
(601)545-4550

Return to: City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, MS 39403
(601)545-4550

INDEXING INSTRUCTIONS: A portion of a 20 foot wide public alley in Block 23, of the Pinecrest First Survey located in the Southwest Quarter of the Northeast Quarter of Section 7, Township 4 North, Range 13 West, in the City of Hattiesburg, Forrest County, Mississippi; more particularly described as adjoining North line of Lot 5 and the West 40 feet of the North Line of Lot 4 along the South right-of-way of said public alley and adjoining the East 90 feet of the South Line of Lot 7 along the North right-of-way of said public alley. The above herein described contains 0.04 acres, more or less.

ORDINANCE NUMBER_____
OF THE
CITY OF HATTIESBURG, MISSISSIPPI

**AN ORDINANCE CLOSING AND VACATING THE REMAINING PORTION OF A
PLATTED, UNDEVELOPED ALLEY, RUNNING EAST/WEST DIRECTLY BETWEEN
PPIN 23003 AND PPIN 23005 THAT IS CURRENTLY PLATTED AND EXISTING.
IN THE CITY OF HATTIESBURG, MISSISSIPPI**

WHEREAS, a portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005 located at 3203 Hardy Street is located in the City of Hattiesburg, Forrest County, Mississippi; and

WHEREAS, all of the owners of property adjacent to said portion of the undeveloped alley have requested the Mayor and Council of the City of Hattiesburg, Mississippi, close and vacate said portion of the undeveloped alley described below, have consented to the closing and vacating of said portion the undeveloped alley described below, running east/west directly between PPIN 23003 and PPIN 23005 located at 3203 Hardy Street, subject to the waiting period of thirty (30) days from the date of publication of this ordinance, and have waived any and all rights to any compensation and/or damages that might otherwise be due to them as abutting landowners as a result of the closing and vacating thereof; and

WHEREAS, the Mayor and City Council do now find, determine and adjudge that said portion of the undeveloped alley running east/west directly between PPIN 23003 and PPIN 23005 located at 3203 Hardy Street described below is not needed as a public street, and that the public interest, welfare and convenience require that said portion of the undeveloped alley described below be closed and vacated, that it would be in the best interest of the City of Hattiesburg. The City of

Hattiesburg and the Mayor and Council further find and adjudicate that no compensation for the closing and vacating of said portion of the undeveloped alley described below is due to the owners of the property abutting thereon.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI:

SECTION 1. That a portion of the undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005 located at 3203 Hardy Street located in the City of Hattiesburg, Forrest County, Mississippi, and being more particularly described as follows:

PARTICULARLY DESCRIBED AS ADJOINING NORTH LINE OF LOT 5 AND THE WEST 40 FEET OF THE NORTH LINE OF LOT 4 ALONG THE SOUTH RIGHT-OF-WAY OF SAID PUBLIC ALLEY AND ADJOINING THE EAST 90 FEET OF THE SOUTH LINE OF LOT 7 ALONG THE NORTH RIGHT-OF-WAY OF SAID PUBLIC ALLEY. THE ABOVE HEREIN DESCRIBED CONTAINS 0.04 ACRES, MORE OR LESS.

should be and the same is hereby closed and vacated.

SECTION 2. That the City Engineer has recommended that said portion of the unnamed alleys described above be closed and vacated. That the portion of the unnamed alleys described above is not a necessary means of access to any other property. That whenever there are existing utilities present in the areas that have been requested for closure, that utility company shall maintain an easement as long as that utility is present. That it would be in the best interest of the City to close and vacate the same.

SECTION 3. That this Ordinance take effect and be in force thirty (30) days from and after passage as provided by law.

The foregoing Ordinance having been reduced to writing, the same was introduced by Council member _____ seconded by Council member _____ and was adopted by the following vote to-wit:

YEAS:

NAYS:

THE President thereby declared the motion carried and the foregoing Ordinance adopted and approved, this the _____ day of _____ A.D., 2015.

(S E A L)

ATTEST:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

THE above and foregoing Ordinance having been submitted to and approved by the Mayor,
this the _____ day of _____ A.D., 2015.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

Prepared by: City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, MS 39403-1898
(601)545-4550

Return to: City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, MS 39403
(601)545-4550

INDEXING INSTRUCTIONS: A portion of a 20 foot wide public alley in Block 23, of the Pinecrest First Survey located in the Southwest Quarter of the Northeast Quarter of Section 7, Township 4 North, Range 13 West, in the City of Hattiesburg, Forrest County, Mississippi; more particularly described as adjoining North line of Lot 5 and the West 40 feet of the North Line of Lot 4 along the South right-of-way of said public alley and adjoining the East 90 feet of the South Line of Lot 7 along the North right-of-way of said public alley. The above herein described contains 0.04 acres, more or less.

ORDINANCE NUMBER 3176
OF THE
CITY OF HATTIESBURG, MISSISSIPPI

**AN ORDINANCE CLOSING AND VACATING THE REMAINING PORTION OF A
PLATTED, UNDEVELOPED ALLEY, RUNNING EAST/WEST DIRECTLY BETWEEN
PPIN 23003 AND PPIN 23005 THAT IS CURRENTLY PLATTED AND EXISTING.
IN THE CITY OF HATTIESBURG, MISSISSIPPI**

WHEREAS, a portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005 located at 3203 Hardy Street is located in the City of Hattiesburg, Forrest County, Mississippi; and

WHEREAS, all of the owners of property adjacent to said portion of the undeveloped alley have requested the Mayor and Council of the City of Hattiesburg, Mississippi, close and vacate said portion of the undeveloped alley described below, have consented to the closing and vacating of said portion the undeveloped alley described below, running east/west directly between PPIN 23003 and PPIN 23005 located at 3203 Hardy Street, subject to the waiting period of thirty (30) days from the date of publication of this ordinance, and have waived any and all rights to any compensation and/or damages that might otherwise be due to them as abutting landowners as a result of the closing and vacating thereof; and

WHEREAS, the Mayor and City Council do now find, determine and adjudge that said portion of the undeveloped alley running east/west directly between PPIN 23003 and PPIN 23005 located at 3203 Hardy Street described below is not needed as a public street, and that the public interest, welfare and convenience require that said portion of the undeveloped alley described below be closed and vacated, that it would be in the best interest of the City of Hattiesburg. The City of

Hattiesburg and the Mayor and Council further find and adjudicate that no compensation for the closing and vacating of said portion of the undeveloped alley described below is due to the owners of the property abutting thereon.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HATTIESBURG, MISSISSIPPI:

SECTION 1. That a portion of the undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005 located at 3203 Hardy Street located in the City of Hattiesburg, Forrest County, Mississippi, and being more particularly described as follows:

PARTICULARLY DESCRIBED AS ADJOINING NORTH LINE OF LOT 5 AND THE WEST 40 FEET OF THE NORTH LINE OF LOT 4 ALONG THE SOUTH RIGHT-OF-WAY OF SAID PUBLIC ALLEY AND ADJOINING THE EAST 90 FEET OF THE SOUTH LINE OF LOT 7 ALONG THE NORTH RIGHT-OF-WAY OF SAID PUBLIC ALLEY. THE ABOVE HEREIN DESCRIBED CONTAINS 0.04 ACRES, MORE OR LESS.

should be and the same is hereby closed and vacated.

SECTION 2. That the City Engineer has recommended that said portion of the unnamed alleys described above be closed and vacated. That the portion of the unnamed alleys described above is not a necessary means of access to any other property. That whenever there are existing utilities present in the areas that have been requested for closure, that utility company shall maintain an easement as long as that utility is present. That it would be in the best interest of the City to close and vacate the same.

SECTION 3. That this Ordinance take effect and be in force thirty (30) days from and after passage as provided by law.

The foregoing Ordinance having been reduced to writing, the same was introduced by Council member Carroll seconded by Council member Dryden and was adopted by the following vote to-wit:

YEAS: Bradley
Carroll
Dryden
Naylor

NAYS: None ABSTAIN: Delgado

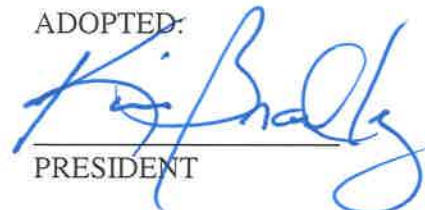
THE President thereby declared the motion carried and the foregoing Ordinance adopted and approved, this the 8th day of December A.D., 2015.

(S E A L)

ATTEST:


CLERK OF COUNCIL

ADOPTED:


PRESIDENT

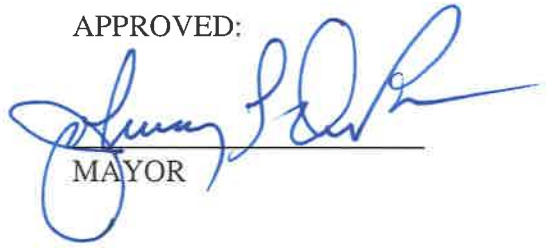
THE above and foregoing Ordinance having been submitted to and approved by the Mayor,
this the 8th day of December A.D., 2015.

ATTEST:



CITY CLERK

APPROVED:



MAYOR

**MINUTES OF THE
SPECIAL MEETING OF THE
HATTIESBURG PLANNING COMMISSION
November 12, 2015**

The Hattiesburg Planning Commission did meet in a special called session on November 12, 2015 at 1:05 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Joseph White, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Joseph White, Chairman
Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners Absent: Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Russell Archer, Historic Planner

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:05 P.M.

INVOCATION

Chairman White gave the invocation.

AGENDA REVIEW

There came the matter of the November 2015 Agenda. A request was made by staff to hear petitions E & F to accommodate the applicant’s attendance at a funeral. A request was made by Chairman White for a motion to Approve the November 2015 Agenda with changes. A motion was made to approve by Commissioner Thompson and seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the October 7, 2015 Minutes. A request was made by Chairman White for a motion to Approve the October 2015 Minutes. A motion was made by Commissioner Thompson to approve the minutes and seconded by Commissioner Wilson.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell, Building Official, previously provided a report to the commission of monthly and YTD Permit information for October in the Commissioner’s packets.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission of the approval of the following items heard at the previous Planning Commission: Text amendments to the LDC & Comprehensive Plan related to “solar Farm”; “Solar Farm” Use Permit for property along Bonhomie Road; J Ed Turner zoning designation; 304 E. 2nd Street rezoning; and 2101 Hardy Street side setback variance.

CHAIRMAN’S REPORT

There came the matter of the Chairman’s Report. There was none.

PUBLIC HEARING

Chairman White declared the Public Hearing open at 1:25 P.M. and read the rules and procedures of the hearing.

There came the matter of Item E (Rezoning), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification for a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and

area surrounding the petitioned property. The motion was seconded by Commissioner Courts.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item F (Vacate Alley), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to APPROVE the application. The motion was seconded by Commissioner Martin.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item A (Street Renaming), Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to rename the public street presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

	Name	Address	City/State
<u>Presented by:</u>	Barbara Hamilton	498 Tuscan Ave.	Hattiesburg, MS
<u>Proponents:</u>	Irving Drake	211 Dossett Ave.	Hattiesburg, MS
	- Timberton Park Neighborhood Association		
	LaQuitta Jones	447 Helveston Road	Hattiesburg, MS
	- Park Pines Apartments		

Bob Blevins	498 Tuscan Ave	Hattiesburg, MS
- William Carey University		
James Wallace	723 Bowling St.	Hattiesburg, MS
- Holy Place Worship Center		

<u>Opponents:</u>	Ericka Miller	1302 Penton St	Hattiesburg, MS
	Monica Miller	1302 Penton St	Hattiesburg, MS

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: Jessie Wilson

Commissioners Abstaining: None

There came the matter of Item B (Variance), John & Krista Eye, Owners, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 5, Section 89.03 which states that parking facilities and driveways for residential commercial and industrial uses shall have an all-weather hard surface, and instead allow a limestone surface driveway except for a 10 foot long hard surface portion beginning at the intersection of the public right-of-way on the property located at 123 J. Ed Turner Drive (Parcel 052B-03-004.002, PPIN 30696, Ward 1).

Owners requested to withdraw the item at this time.

There came the matter of Item C (Variance), Thomas Adams and James Morgan, T L Wallace Construction, Applicants, on behalf of Yvonne Guess, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Flood Damage Prevention Ordinance No. 3165, as amended, of the City of Hattiesburg, Mississippi, to request a variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	James Morgan	12871 Paradise Ln.	Biloxi, MS
	- T L Wallace Construction		

<u>Proponents:</u>	Fareed Uqdah	457 Buschman St	Hattiesburg, MS
	Lauren Poche	7389 Florida Ave	Baton Rouge, LA
	- Historic Preservation Specialist, AECOM		

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Wilson made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item D (Use Permit), Marion Hughes, Applicant, on behalf of Wayside Holy Temple Church, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a Use Permit Upon Review for a “Parking Lot” as provided in Article 5, Section 52.03 of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, for certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	Marion Hughs	,	Hattiesburg, MS
	-	Representative, Wayside Holy Temple Church	

Proponents: None

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application because there is a need to reinforce Hattiesburg’s Quality of life, preserve neighborhood identity, and boost community pride. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item G (Variance), Alton Clingan, Jr., Clingan & Associates, Applicant, on behalf of, Ronnie Pittman, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a

five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Minal Patel	1004 Top St.	Flowood,, MS
	- Representative & Client of Mr. Clingan		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

BUSINESS MEETING

A preliminary plat review for the lot subdivision at a certain property located on South Founders Way subdivide (Parcel 2-041L-33-001.10, PPIN 41844, Ward 5) by Cliff Norman, Owner. Commissioner Conville made a motion to approve the plat and Commissioner Horton seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

A preliminary plat review for the lot subdivision at a certain property located along Bonhomie Road (Parcel 041F-28-001.00, PPIN 6974, Parcel 041N-33-001.00, PPIN 7020, Ward 5) by Blair Schooff, Strata Solar, Applicant, on behalf of Joseph F. Tatum Jr., Owner r. Commissioner Wilson made a motion to approve the plat and Commissioner Cinville seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There being no further business, Commissioner Thompson made a motion to adjourn. The motion was seconded by Commissioner Martin. The meeting was adjourned at 3:21 P.M.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.

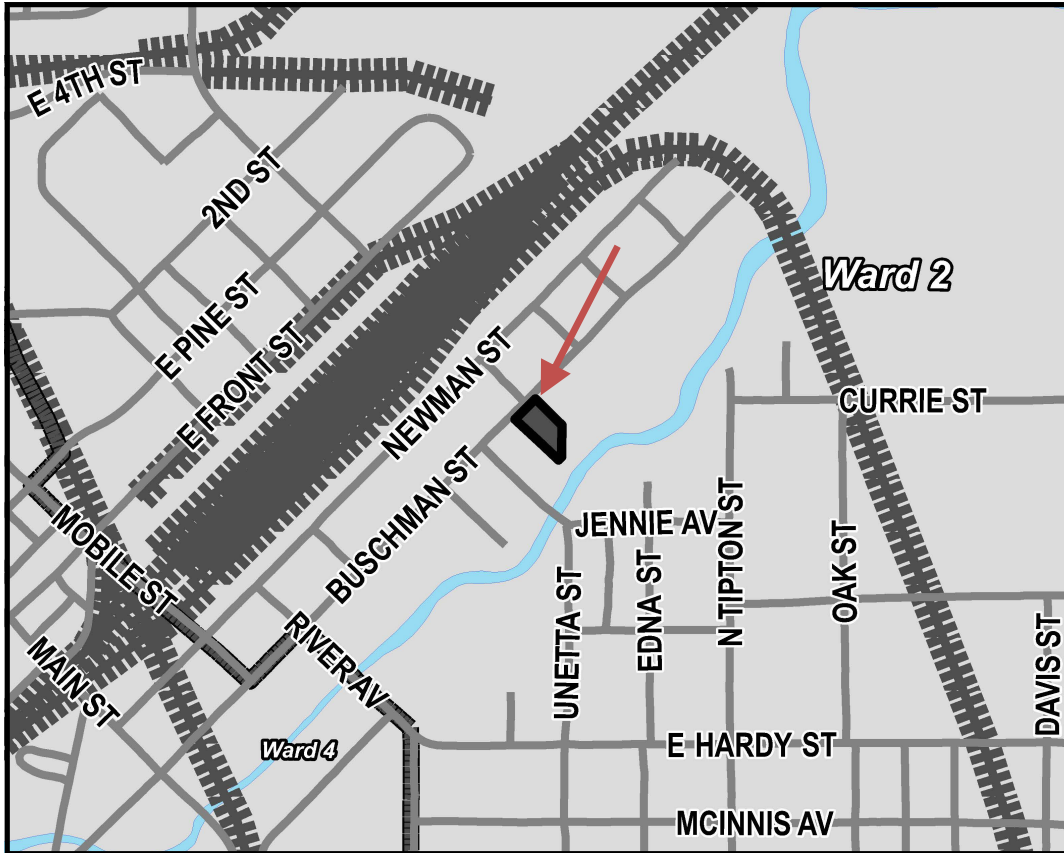
SUBJECT PARCEL: 457 Buschman St.

Thomas Adams & James Morgan, on behalf of Yvonne Guess

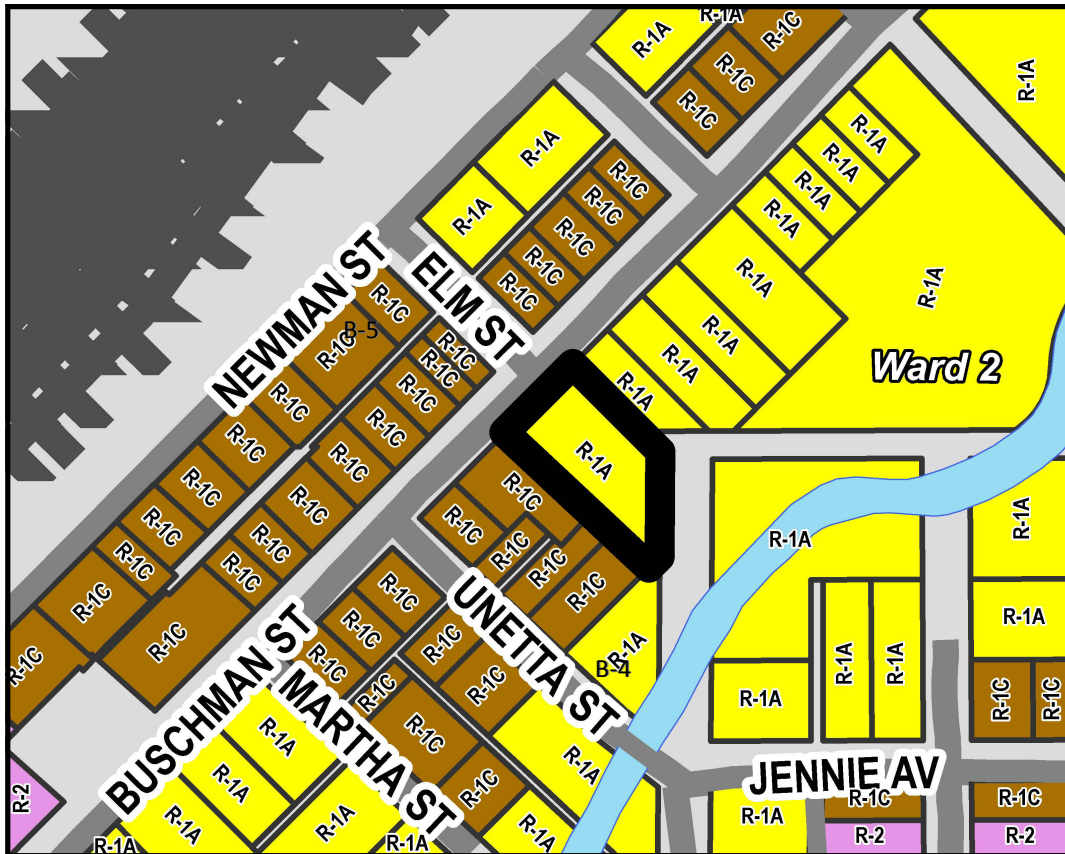
The applicant requests a Variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2). Ordinance No. 3165.



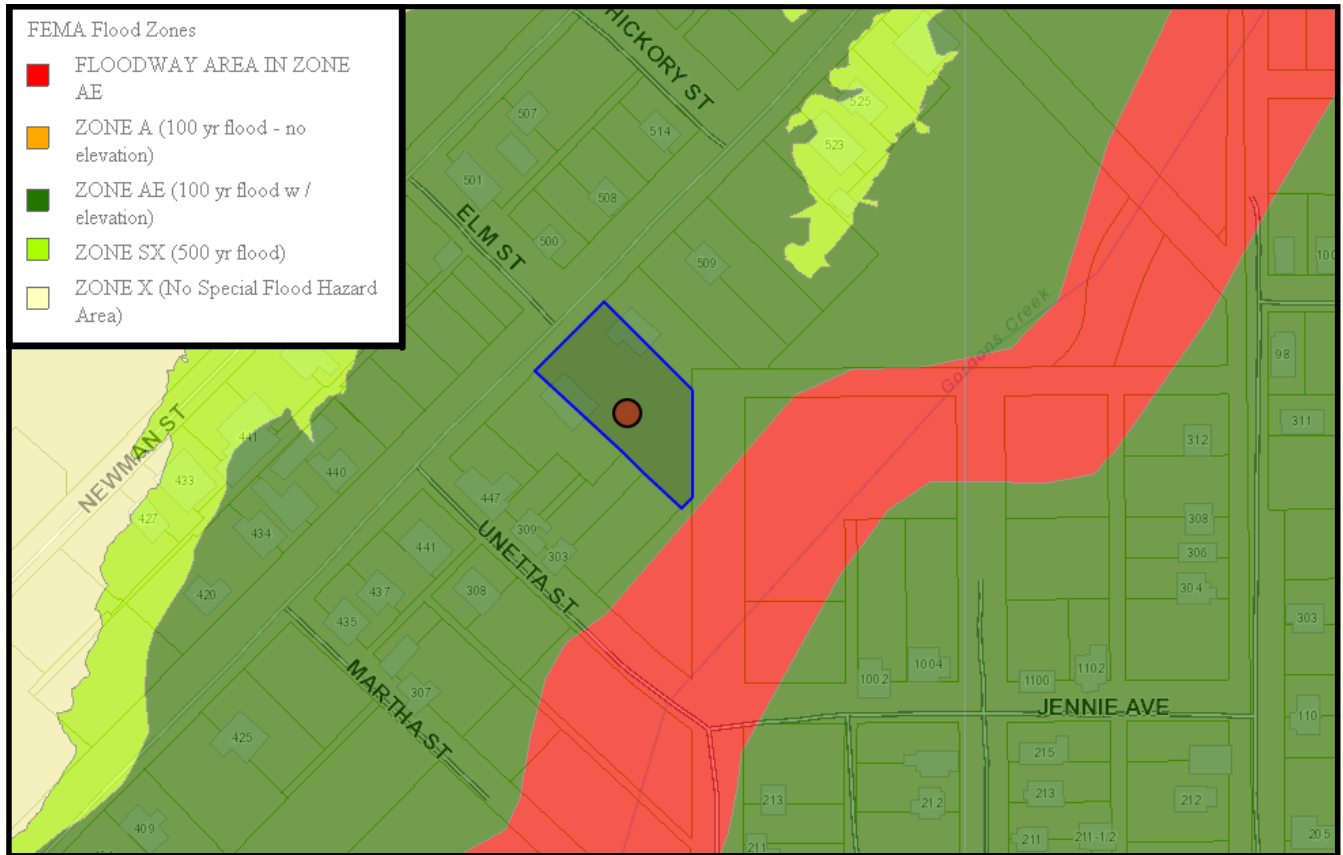
Vicinity Map—Ward 2



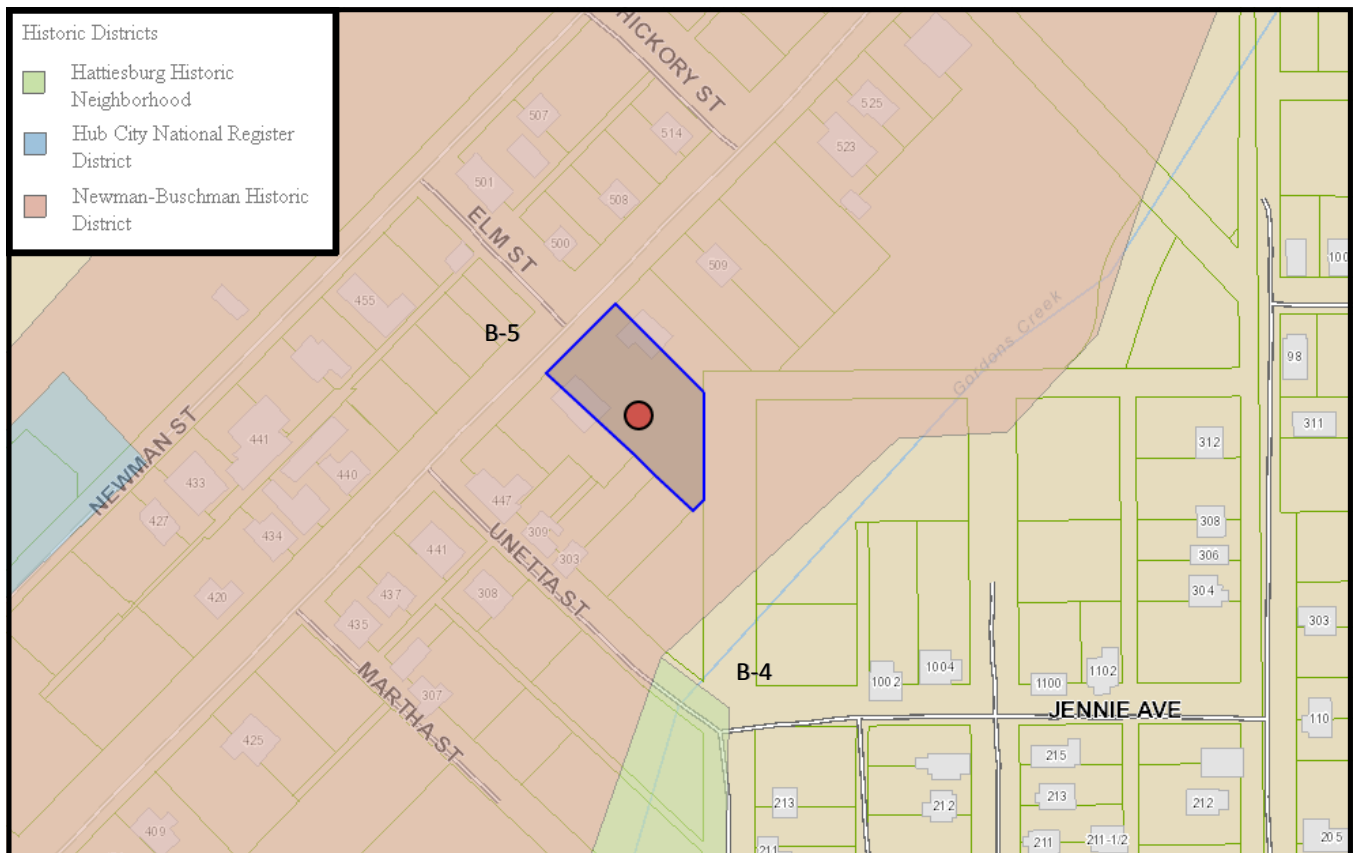
Zoning—R-1A



Floodplain Map



Newman-Buschman Historic District



SURROUNDING AREA

**Northern Direction: Residential
Property zoned R-1C (Single Family
Residential) District.**



**Southern Direction: Residential
Property zoned R-1C (Single Family
Residential) District.**



**Eastern Direction: Residential
Property zoned R-1A (Single-Family
Residential) District.**



**Western Direction: Vacant Property
zoned R-1C (Single Family
Residential) District.**





**Planning Commission
Case Fact Sheet**

Names of Representatives: Thomas Adams, TL Wallace Construction, James Morgan, TL Wallace Construction

Property Owner: Yvonne Guess

Address of Property:
457 Buschman Street

Tax Parcels/Ward:
2-029I-10-188.00

PPIN:
21932

Ward:
2

Requests: **Variance** from the Flood Damage Prevention Ordinance

Purpose of Request: To consider an application for a Variance from **Chapter 10 of the Code of Ordinances** which states that substantially improved structures located in a hazardous flood zone must be elevated one foot above the base flood elevation and instead allow the structure to remain at the current height based on the condition that it is a contributing historic element within the Newman-Buschman Local Historic District.

Applicant Summary: See Attached

Applicable Regulations:

CODE OF ORDINANCES, CHAPTER 10, ARTICLE 6,

SEE ATTACHED ORDINANCE EXERPT

Present Use: Residence

Most Nearly Bounded By (streets): This parcel is bounded to the north by Buschman Street, Unetta Street to the west, Jennie Street to the south, and North Tipton Street to the east.

Item: C
Yvonne Guess, 457 Buschman St.
Request for **Variance** from the Flood Damage Prevention Ordinance

**Letters or
Concerns stated:**

The Planning Division Office has not received any letters or other written communications relative to this case, as of November 2, 2015.

Variance Options:

Recommend **approval** or **denial** of the request for variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure.

**Flood Damage Prevention Ordinance Variance criteria for Yvonne Guess at
457 Buschman Street, Hattiesburg Re-model under the
MDA Neighborhood Home Program**

Responses to criteria are provided in ***bold italics***.

CHAPTER 10. ARTICLE 6. SECTION E. HISTORIC STRUCTURES.

Historic structures may apply for a variance. If the repair or rehabilitation to a historic structure meet the following three criteria, the buildings will not have to be elevated or flood proofed.

1. The building must be a bona-fide “historic structure.” As followed by definition.
The City of Hattiesburg has provided the historic inventory sheet.

2. The project must maintain the historic status of the structure. If the proposed improvements to the structure will result in it being removed from or ineligible for the National Register or federally-certified state or local inventory, then the proposal cannot be granted an exemption from the substantial improvement rule.

TL Wallace has Lauren Bair Poche, M.A., Certified Project Manager, Historical Preservation Specialist & Archaeology Laboratory Supervisor with AECOM as a technical advisor who will review all materials and steps during the re-model project to ensure that the project will not alter the historical appearance of the structure.

a. Written review and approval of proposed plans by the local historic preservation board and/or the Historic Planner, if it is federally-certified, or by the state historic preservation office. If the plans are approved, you can grant the exemption. If no, no exemption can be permitted.
The City of Hattiesburg has provided a letter from Mississippi Department of Archives and History (MDAH) addressing 2.a.

3. Take all possible flood damage reduction measures. Even though the exemption to the substantial improvement rule means the building does not have to be elevated to or above BFE, or be renovated with flood-resistant materials that are not historically sensitive, many things can and should be done to reduce the flood damage potential. Examples include:

- Locating mechanical and electrical equipment above the BFE or floodproofing it.

We are removing the barriers around house to provide hydrostatic relief and the house sits (finished floor behind front door) at 146.61' (146' 7") and BFE is 147.00'. So we are only 5" from BFE, that means all the electric plugs, switch, circuit breaker panels, HVAC (window units), water heater are already located above BFE, this is not a issue.

- Elevating the lowest floor of an addition to or above the BFE with the change in floor elevation disguised externally.

There is no addition to this home

- Building the lowest floor of an addition with flood-resistant materials and providing hydrostatic openings.

We are not doing a major re-build and no additions are being done, we will remove all barriers to provide hydrostatic openings under the home.

Answers provide by Thomas Adams, TL Wallace Construction, Project Manager



HISTORIC RESOURCES INVENTORY

1. a. Property name, historic

b. Property name, common
house

2. Property address / descriptive location

~~501~~ BUSCHMAN

457

3. Legal description (and acreage, if required) (see instructions)

Parcel 4, Group 38, Sub 292

4. Former / historic use(s)
residence

5. Present use
residence

6. Significant persons, events or themes
associated with property

7. Date(s) of association with significant
persons, events or themes

8. Date of construction
☒ estimated 1923
☐ documented

9. Date(s) of historic changes, if any
☐ moved
☐ enlarged / altered

10. Architect

☐ documented ☐ attributed

11. Builder / contractor

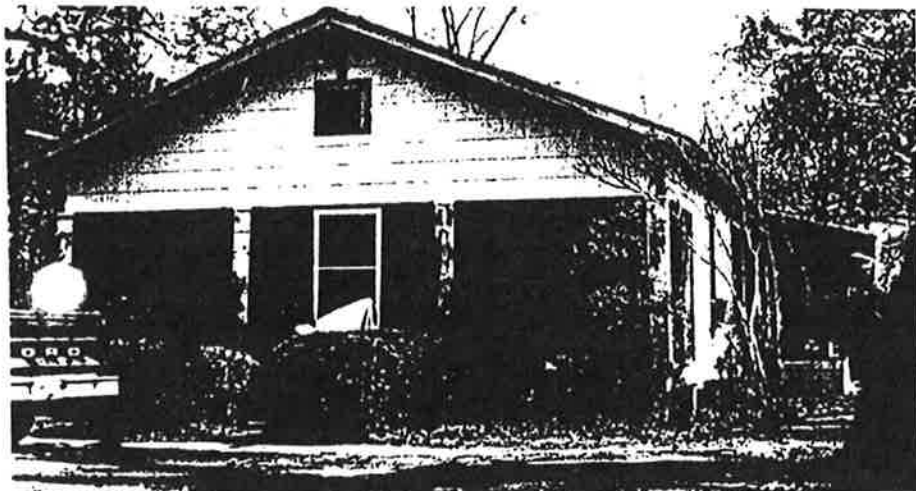
☐ documented ☐ attributed

2. Brief description

One-story, wood frame, symmetrical bungalow on brick piers, with a shallow hipped roof with asphalt shingles and boxed eaves, a screened-in front porch, 4/1 windows, and an addition at the rear.

13. Outbuildings or secondary elements (if significant use separate form)
garage

Attach photograph here



14. MDAH Inventory Code

15. County FORREST

16. City or town HATTIESBURG
☐ vicinity of

17. Was interior surveyed? 18. Survey seq. no.
no 17XB

19. Ownership
☐ city
☐ federal ☐ quasi-public agency
☐ state ☐ non-profit organization
☐ county ☒ private

20. USGS quadrangle map
Hattiesburg 1964

21. UTM reference (if required) (see instructions)

22. Condition
☐ excellent ☐ ruins
☐ good ☐ no visible remains
☒ fair ☐ incorporated into later structure
☐ deteriorated

23. Post-historic changes and dates

24. Principal materials

Walls: asbestos shingles
Roof: asphalt shingles

25. Architectural character or style

Craftsman

THIS SECTION FOR MDAH USE ONLY

26. Category

27. Functional type

28. Registration status and dates

☐ NHL
☐ listed NR
☐ in NR district
☐ federal DOE
☐ state landmark
☐ local landmark
☐ in local district
☐ HABS / HAER

29. If located in historic district

a. Name of district

b. Rating
☐ pivotal ☐ marginal
☐ contributing ☐ noncontributing
☐ intrusion

c. District element number

MISSISSIPPI HISTORIC RESOURCES INVENTORY
Page 2

30. Architectural or historical importance, if any

This circa 1923 cottage marginally contributes to the architectural fabric of the neighborhood. One of its first occupants was James Vasselus, who obtained ownership by 1935.

31. Historical or thematic context(s), if applicable

35. Owner's name and address (see instructions)

Spero J. Vasselus

32. Additional remarks or continuation of other sections

36. Photographer or photo source

Robert J. Cangelosi, Jr.

37. Photo roll and frame number(s)

2514-1

38. Photo date

March 1990

33. Sources of information

Hattiesburg Assessors Records
Sanborn Insurance Maps
1898, 1903, 1906, 1910, 1915, 1931, 1961
City Directories
1905, 1910, 1915, 1918, 1921, 1927, 1929,
1935, 1937, 1939, 1941

39. Inventory form completed by
(name and organization)

Robert J. Cangelosi, Jr.
KOCH AND WILSON ARCHITECTS
A Professional Corporation

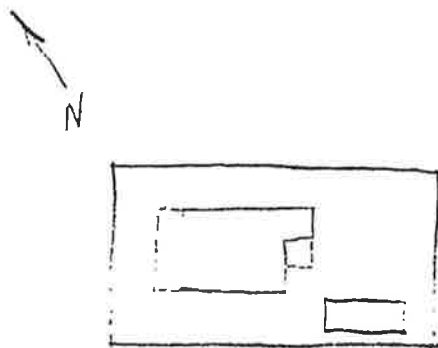
40. Survey project name

1991 HATTIESBURG SURVEY

41. Date form completed

29 June 1991

34. Sketch of site plan. (Include north arrow. Show outline of building shape and locations of outbuildings.)



THIS SECTION FOR MDAH USE ONLY

42. Other information in HDP files.

43. Evaluation

- a. ☐ already listed in NR
- ☐ appears individually eligible
- ☐ potentially eligible if restored
- ☐ would contribute to district
- ☐ does not appear eligible
- ☐ insufficient information
- ☐ not applicable / not extant

b. Area(s) of significance

c. Evaluated by

d. Date of evaluation



HISTORIC PRESERVATION DIVISION

P.O. Box 571

Jackson, MS 39205

601-576-6940 Fax 601-576-6955

mdah.state.ms.us

November 2, 2015

Russell Archer
Historic Preservation Planner
Division of Planning
City of Hattiesburg

RE: Proposed NHP rehabilitation of 457 Buschman Street, Hattiesburg, MS

Dear Russell:

We have reviewed the proposed scope of work, received on November 2, 2015, for the above referenced project in accordance with our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800. After reviewing the information provided, the house would be a contributing resource to a National Register of Historic Places eligible district.

However, if the work proposed for the house remains as described in the scope provided to us, it is our opinion that the proposed renovations will have no adverse effect to historic resources. As such, we have no reservations with the project as presented.

An application for a certificate of appropriateness should be submitted and considered by the Hattiesburg Historic Conservation Commission before work begins. Should the scope of work change, please allow MDAH the opportunity to comment on those changes.

If you have any questions, please let me know.

Sincerely,

Barry White
Certified Local Government Coordinator
bwhite@mdah.state.ms.us
601-576-6953

ORDINANCE NUMBER 3165
OF THE CITY OF HATTIESBURG, MISSISSIPPI
AN ORDINANCE ADOPTING CHAPTER 10 OF THE
CODE OF ORDINANCES, WHICH ESTABLISHED
THE FLOOD DAMAGE PREVENTION ORDINANCE
FOR THE CITY OF HATTIESBURG , REPEALING
ORDINANCE NUMBER 3150, ADOPTED
JANURARY 20, 2015, AND ANY OTHER
ORDINANCES IN CONFLICT HEREWITH.

ARTICLE 6. VARIANCE PROCEDURES.

SECTION A.DESIGNATION AND DUTIES OF VARIANCE AND APPEALS BOARD.

1. When it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this ordinance or a request for a variance with any requirement of this ordinance the Hattiesburg Planning Commission, hereafter known as the “HPC”, as established by the City Council of the City of Hattiesburg, shall hear and decide appeals and requests for variances from requirements of this ordinance.
2. Any person aggrieved by the recommendation of “HPC” may appeal such decision to the City Council.
3. Any person aggrieved by the decision of the City Council may appeal such decision to the Circuit Court, as provided in Mississippi Code Annotated, § 11-51-75 (1972).
4. Variances from the requirements of this code will not be issued except for:
 - a. contributing historic structures which meet all criteria in Article 6, Section E of this ordinance,
 - b. subdivision studies for properties in an A zone as outlined in Article, 5, Section E, Section 10 & 11 of this ordinance, or
 - c. properties that are fully compliant with wet-floodproofing methods as outlined in the definitions.

SECTION B. VARIANCE PROCEDURES.

In passing upon such applications, the “HPC” shall consider all technical evaluations, relevant factors, and standards specified in other sections of this ordinance, and:

1. The evaluation must be based on the characteristics unique to that property and not be

shared by adjacent parcels. The characteristics must pertain to the land itself, not to the structure, its inhabitants, or its owners;

2. Variances should never be granted for multiple lots, phases of subdivisions, or entire subdivisions;
3. The danger that materials may be swept onto other lands to the injury of others;
4. The danger of life and property due to flooding or erosion damage;
5. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner and the community;
6. The importance of the services provided by the proposed facility to the community;
7. The necessity of the facility to be at a waterfront location, where applicable;
8. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
9. The compatibility of the proposed use with existing and anticipated development;
10. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
11. The safety of access to the property in times of flood for ordinary and emergency vehicles;
12. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site, and;
13. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges and culverts.
14. Upon consideration of factors listed above, and the purpose of this ordinance, the "HPC" may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
15. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

SECTION C. CONDITIONS FOR SPECIFIED VARIANCE TYPES.

1. Variances shall only be issued when there is:
 - a. A showing of good and sufficient cause;

- b. A determination that failure to grant the variance would result in exceptional hardship, and;
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- 2. The provisions of this ordinance are minimum standards for flood loss reduction; therefore any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary deviation from the requirements of this ordinance, considering the flood hazard, to afford relief. In the instance of a Historic Structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building. (See Article 6, Section E.)
 - 3. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
 - 4. The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and Mississippi Emergency Management Agency upon request. (See Article 6 Section D-3.)
 - 5. Upon consideration of the factors listed above and the purposes of this ordinance, the "HPC" may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
 - 6. Variances shall not be issued "after the fact."

SECTION D. VARIANCE NOTIFICATION.

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

- 1. The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and;
- 2. Such construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the Floodplain Administrator in the Office of the City of Hattiesburg Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the community's biennial report submission to the Federal Emergency Management Agency.

SECTION E. HISTORIC STRUCTURES.

Historic structures may apply for a variance. If the repair or rehabilitation to a historic structure meet the following three criteria, the buildings will not have to be elevated or flood proofed.

1. **The building must be a bona-fide "historic structure."** As followed by definition.
2. **The project must maintain the historic status of the structure.** If the proposed improvements to the structure will result in it being removed from or ineligible for the National Register or federally-certified state or local inventory, then the proposal cannot be granted an exemption from the substantial improvement rule.
 - a. Written review and approval of proposed plans by the local historic preservation board and/or the Historic Planner, if it is federally-certified, or by the state historic preservation office. If the plans are approved, you can grant the exemption. If no, no exemption can be permitted.
3. **Take all possible flood damage reduction measures.** Even though the exemption to the substantial improvement rule means the building does not have to be elevated to or above BFE, or be renovated with flood-resistant materials that are not historically sensitive, many things can and should be done to reduce the flood damage potential. Examples include:
 - Locating mechanical and electrical equipment above the BFE or floodproofing it.
 - Elevating the lowest floor of an addition to or above the BFE with the change in floor elevation disguised externally.
 - Building the lowest floor of an addition with flood-resistant materials and providing hydrostatic openings.

SECTION F. SPECIAL CONDITIONS.

Upon consideration of the factors listed in Article 6, and the purposes of this ordinance, the Hattiesburg Planning Commission may attach such conditions to the granting of variances, as it deems necessary to further the purposes of this ordinance.

SECTION G. FLOODWAY.

Variances shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

**MINUTES OF THE
SPECIAL MEETING OF THE
HATTIESBURG PLANNING COMMISSION
November 12, 2015**

The Hattiesburg Planning Commission did meet in a special called session on November 12, 2015 at 1:05 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Joseph White, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Joseph White, Chairman
Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners Absent: Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Russell Archer, Historic Planner

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:05 P.M.

INVOCATION

Chairman White gave the invocation.

AGENDA REVIEW

There came the matter of the November 2015 Agenda. A request was made by staff to hear petitions E & F to accommodate the applicant’s attendance at a funeral. A request was made by Chairman White for a motion to Approve the November 2015 Agenda with changes. A motion was made to approve by Commissioner Thompson and seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the October 7, 2015 Minutes. A request was made by Chairman White for a motion to Approve the October 2015 Minutes. A motion was made by Commissioner Thompson to approve the minutes and seconded by Commissioner Wilson.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell, Building Official, previously provided a report to the commission of monthly and YTD Permit information for October in the Commissioner’s packets.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission of the approval of the following items heard at the previous Planning Commission: Text amendments to the LDC & Comprehensive Plan related to “solar Farm”; “Solar Farm” Use Permit for property along Bonhomie Road; J Ed Turner zoning designation; 304 E. 2nd Street rezoning; and 2101 Hardy Street side setback variance.

CHAIRMAN’S REPORT

There came the matter of the Chairman’s Report. There was none.

PUBLIC HEARING

Chairman White declared the Public Hearing open at 1:25 P.M. and read the rules and procedures of the hearing.

There came the matter of Item E (Rezoning), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification for a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and

area surrounding the petitioned property. The motion was seconded by Commissioner Courts.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item F (Vacate Alley), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to APPROVE the application. The motion was seconded by Commissioner Martin.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item A (Street Renaming), Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to rename the public street presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

	Name	Address	City/State
<u>Presented by:</u>	Barbara Hamilton	498 Tuscan Ave.	Hattiesburg, MS
<u>Proponents:</u>	Irving Drake	211 Dossett Ave.	Hattiesburg, MS
	- Timberton Park Neighborhood Association		
	LaQuitta Jones	447 Helveston Road	Hattiesburg, MS
	- Park Pines Apartments		

Bob Blevins	498 Tuscan Ave	Hattiesburg, MS
-	William Carey University	
James Wallace	723 Bowling St.	Hattiesburg, MS
-	Holy Place Worship Center	

<u>Opponents:</u>	Ericka Miller	1302 Penton St	Hattiesburg, MS
	Monica Miller	1302 Penton St	Hattiesburg, MS

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Cortis
Sandra Thompson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: Jessie Wilson

Commissioners Abstaining: None

There came the matter of Item B (Variance), John & Krista Eye, Owners, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 5, Section 89.03 which states that parking facilities and driveways for residential commercial and industrial uses shall have an all-weather hard surface, and instead allow a limestone surface driveway except for a 10 foot long hard surface portion beginning at the intersection of the public right-of-way on the property located at 123 J. Ed Turner Drive (Parcel 052B-03-004.002, PPIN 30696, Ward 1).

Owners requested to withdraw the item at this time.

There came the matter of Item C (Variance), Thomas Adams and James Morgan, T L Wallace Construction, Applicants, on behalf of Yvonne Guess, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Flood Damage Prevention Ordinance No. 3165, as amended, of the City of Hattiesburg, Mississippi, to request a variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	James Morgan	12871 Paradise Ln.	Biloxi, MS
	-	T L Wallace Construction	

<u>Proponents:</u>	Fareed Uqdah	457 Buschman St	Hattiesburg, MS
	Lauren Poche	7389 Florida Ave	Baton Rouge, LA
	-	Historic Preservation Specialist, AECOM	

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Wilson made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item D (Use Permit), Marion Hughes, Applicant, on behalf of Wayside Holy Temple Church, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a Use Permit Upon Review for a “Parking Lot” as provided in Article 5, Section 52.03 of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, for certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	Marion Hughs	,	Hattiesburg, MS
	-	Representative, Wayside Holy Temple Church	

Proponents: None

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application because there is a need to reinforce Hattiesburg’s Quality of life, preserve neighborhood identity, and boost community pride. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item G (Variance), Alton Clingan, Jr., Clingan & Associates, Applicant, on behalf of, Ronnie Pittman, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a

five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Minal Patel	1004 Top St.	Flowood,, MS
	- Representative & Client of Mr. Clingan		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

BUSINESS MEETING

A preliminary plat review for the lot subdivision at a certain property located on South Founders Way subdivide (Parcel 2-041L-33-001.10, PPIN 41844, Ward 5) by Cliff Norman, Owner. Commissioner Conville made a motion to approve the plat and Commissioner Horton seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

A preliminary plat review for the lot subdivision at a certain property located along Bonhomie Road (Parcel 041F-28-001.00, PPIN 6974, Parcel 041N-33-001.00, PPIN 7020, Ward 5) by Blair Schooff, Strata Solar, Applicant, on behalf of Joseph F. Tatum Jr., Owner r. Commissioner Wilson made a motion to approve the plat and Commissioner Cinville seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There being no further business, Commissioner Thompson made a motion to adjourn. The motion was seconded by Commissioner Martin. The meeting was adjourned at 3:21 P.M.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.

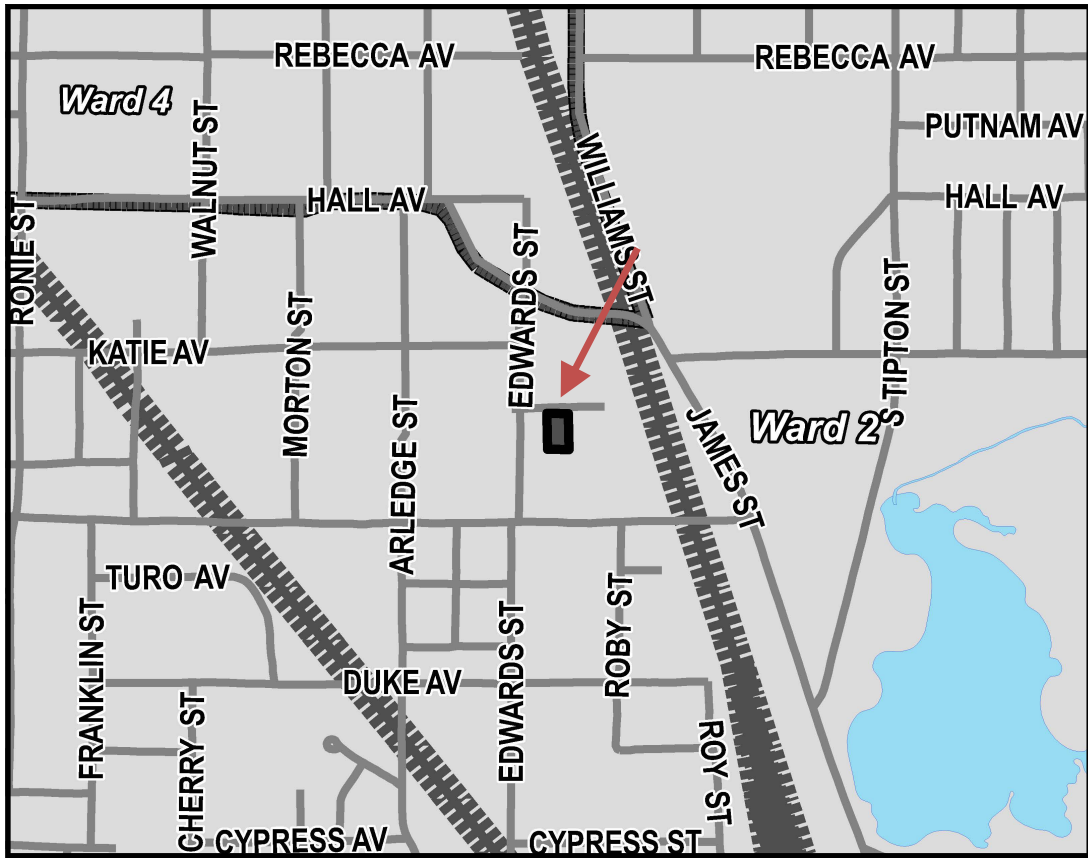
SUBJECT PARCEL: 805 Short Katie St.

Marion Hughes, on behalf of Wayside Holy Temple Church

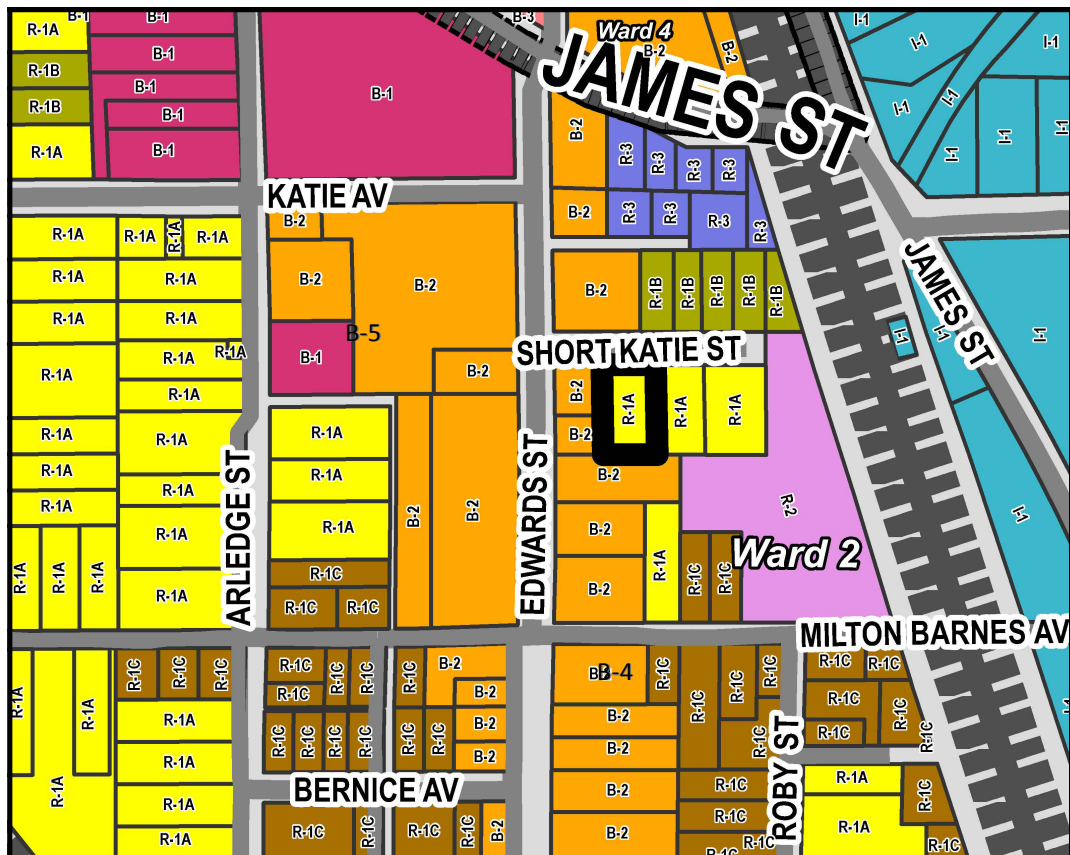
The applicant requests a Use Permit Upon Review for a "Parking Lot" as provided in Article 5, Section 52.03 of the Comprehensive Zoning Ordinance No. 2330 for certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906,



Vicinity Map—Ward 2



Zoning—R-1A



SURROUNDING AREA

**Northern Direction: Residential
Property zoned R-1B (Single Family
Residential) District B-2
(Neighborhood Business) District.**



**Southern Direction: Undeveloped
Property zoned B-2 (Neighborhood
Business) District.**



**Eastern Direction: Residential
Property zoned R-1A (Single-Family
Residential) District.**

**Western Direction: Commercial
Properties zoned B-2 (Neighborhood
Business) District.**





**Planning Commission
Case Fact Sheet**

Name of Owner: Marion Hughes, Wayside Holy Temple Church

Address of Property:
805 Short Katie Street

Tax Parcel(s):
2-038A-15-113.00

PPIN(s):
12906

Ward:
2

Requests: **Use Permit upon Review**

Purpose of Request: To consider an application for a **Use Permit upon Review** for a "Parking/Parking Lot" as outlined in Article 5, Section 52.03(5) of the Land Development Code. The property is located at 805 Short Katie Street and is zoned R-1A (Single-Family Residential) District.

Applicant Summary: *See Attached Pages: Use Permit upon Review Information*

Applicable Regulations:
SECTION 52

R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT

52.01 General Description – The principal use is for single-family dwellings and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function appropriate to the residential environment. Internal stability, attractiveness, order and efficiency are encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationships of each element.

52.03 Uses Permitted on Review by the Planning Commission:
The following uses may be permitted upon review. See Section 42, Public Hearing Procedure; see Section 78, Buffer Strip Regulations. Additional conditions may be required.

5. Parking/Parking Lot: See Section 89, Off-street Parking

Regulations, not permitted in front setback

Present Zoning: The parcel is currently zoned R-1A (Single-Family Residential) District.

Present Use: The site is vacant of any structures.

Surrounding Zoning and Land Use:

North: R-1B (Single-Family Residential) District / Residences, B-2 (Neighborhood Business)/Residence
South: B-2 (Neighborhood Business) District / Vacant
East: R-1A (Single-Family Residential) District / Vacant
West: B-2 (Neighborhood Business) District / Proposed business by applicant

Future Land Use Plan: The subject parcel is shown in the 2008 Future Land Use Map as being within the Neighborhood Business District .

District Overview: The **Neighborhood Business District** is primarily a residential district located along the city's collector, minor arterial, and certain local streets. In this district, certain residential and low-intensity business uses may be found that exhibit development patterns that complement the residential, pedestrian-oriented character of surrounding neighborhoods.

District Characteristics: The characteristics of this district include the following: moderate-density single-family residences and certain two-family and multi-family uses; mixed-use buildings and developments; smaller, lower-intensity business developments that provide services to the neighborhood and community; and less-intensive commercial uses than are found in the Community Business District. Site development standards should include maximum building sizes, maximum residential densities, minimum and maximum building setbacks, building and site design elements, and provisions for pedestrian comfort and accessibility.

District Land Uses: The following land uses should be found in this district: single-family residential uses; two-family and multi-family residences, subject to use, density, and design guidelines; public and quasi-public uses, such as general indoor retail, specialty retail, service and office land uses that do not require the outdoor storage of goods or equipment.

Most Nearly Bounded By (streets): This parcel is accessible from the North by Short Katie Street. It is bound by Edwards Street to the West, Milton Barnes Avenue to the South and James Street to the East.

Letters or Concerns stated: The Planning Division Office has not received any letters or other

written communications relative to this case, as of November 4, 2015.

History / Background: This site is currently vacant.

Option for Use Permit: Recommend **approval** or **denial** of the request for a Use Permit upon Review for a "Parking/Parking Lot" as outlined in Article 5, Section 52.03(5) of the Land Development Code. The property is located at 805 Short Katie Street and is zoned R-1A (Single-Family Residential) District.

Basis for Approval:

1. There **(is / is not)** need to protect the stability, integrity, and character of Hattiesburg's residential neighborhoods.
2. There **(is / is not)** need to preserve and encourage the stability of the Hattiesburg business community.
3. There **(is / is not)** need to reinforce Hattiesburg's quality of life, preserve neighborhood identity, and boost community pride.
4. There **(is / is not)** need to conserve and protect Hattiesburg's physical infrastructure.
5. There **(is / is not)** public need for the proposed use, as opposed to the private interest of an individual.

Use Permit upon Review Information (2 pages)

see separate applications for digital billboards, junk/tow yards and telecommunications towers

1. List goods and merchandise to be sold on the premises.

n/a

2. Describe the proposed use of utilities and community facilities?

parking lot for church activity center

3. What is the expected number of employees? church volunteers

4. Will there be any elevation in the noise level resulting from this proposed use? no

If yes, please explain:

5. Will there be any discharge of air, liquid, or solids? no If yes, please explain:

6. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? no

If yes, please explain:

7. Parking Requirements:

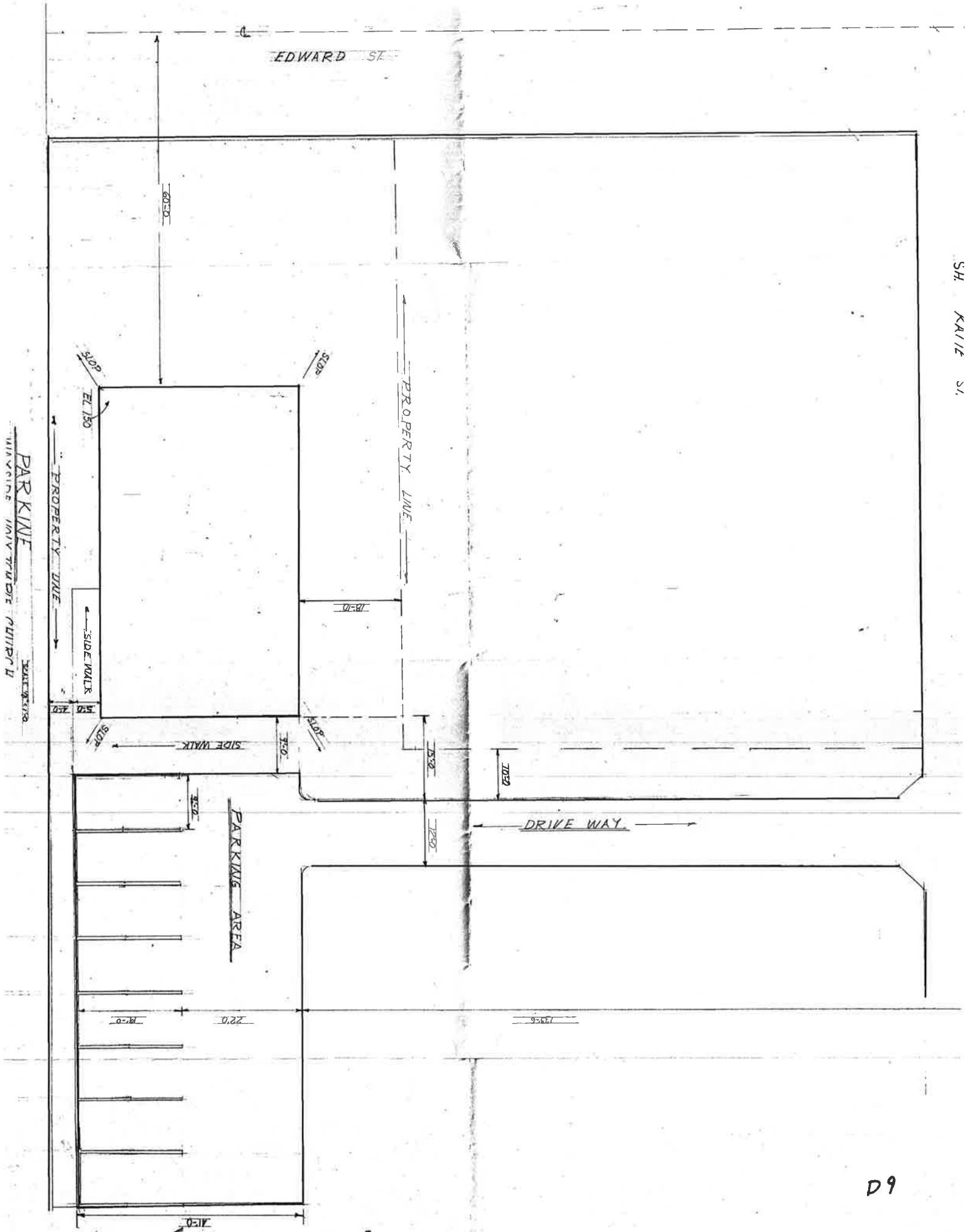
Commercial/Industrial: Paved parking will be provided for 7 vehicles, and
1 handicap vehicle(s); with _____ loading spaces.

8. One of the following conditions must be met before a Use Permit upon Review can be recommended. Check the condition(s) most applicable to your request and explain in writing.

- ☐ A. The need to protect the stability, integrity, and character of Hattiesburg's residential neighborhoods.
- ☐ B. The need to preserve and encourage the stability of the Hattiesburg business community.
- ☒ C. The need to reinforce Hattiesburg's quality of life, preserve neighborhood identity, and boost community pride.
- ☐ D. The need to conserve and protect Hattiesburg's physical infrastructure.
- ☐ E. The public need for the proposed use, as opposed to the private interest of an individual.

Detailed explanation of condition(s) most applicable to your request:

The proposed parking lot will be used for the church's activity center. The center will be housed in an existing building purchased by the church to have various activities for the church's youth. The proposed parking area in the community was a vacant lot with bushes and trash. The lot will be cleared by the church and less of a community hazard. The lot would be fenced in with a double gate for parking.



**MINUTES OF THE
SPECIAL MEETING OF THE
HATTIESBURG PLANNING COMMISSION
November 12, 2015**

The Hattiesburg Planning Commission did meet in a special called session on November 12, 2015 at 1:05 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Joseph White, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Joseph White, Chairman
Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners Absent: Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Russell Archer, Historic Planner

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:05 P.M.

INVOCATION

Chairman White gave the invocation.

AGENDA REVIEW

There came the matter of the November 2015 Agenda. A request was made by staff to hear petitions E & F to accommodate the applicant’s attendance at a funeral. A request was made by Chairman White for a motion to Approve the November 2015 Agenda with changes. A motion was made to approve by Commissioner Thompson and seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the October 7, 2015 Minutes. A request was made by Chairman White for a motion to Approve the October 2015 Minutes. A motion was made by Commissioner Thompson to approve the minutes and seconded by Commissioner Wilson.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell, Building Official, previously provided a report to the commission of monthly and YTD Permit information for October in the Commissioner’s packets.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission of the approval of the following items heard at the previous Planning Commission: Text amendments to the LDC & Comprehensive Plan related to “solar Farm”; “Solar Farm” Use Permit for property along Bonhomie Road; J Ed Turner zoning designation; 304 E. 2nd Street rezoning; and 2101 Hardy Street side setback variance.

CHAIRMAN’S REPORT

There came the matter of the Chairman’s Report. There was none.

PUBLIC HEARING

Chairman White declared the Public Hearing open at 1:25 P.M. and read the rules and procedures of the hearing.

There came the matter of Item E (Rezoning), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification for a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and

area surrounding the petitioned property. The motion was seconded by Commissioner Courts.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item F (Vacate Alley), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to APPROVE the application. The motion was seconded by Commissioner Martin.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item A (Street Renaming), Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to rename the public street presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

	Name	Address	City/State
<u>Presented by:</u>	Barbara Hamilton	498 Tuscan Ave.	Hattiesburg, MS
<u>Proponents:</u>	Irving Drake	211 Dossett Ave.	Hattiesburg, MS
	- Timberton Park Neighborhood Association		
	LaQuitta Jones	447 Helveston Road	Hattiesburg, MS
	- Park Pines Apartments		

Bob Blevins	498 Tuscan Ave	Hattiesburg, MS
-	William Carey University	
James Wallace	723 Bowling St.	Hattiesburg, MS
-	Holy Place Worship Center	

<u>Opponents:</u>	Ericka Miller	1302 Penton St	Hattiesburg, MS
	Monica Miller	1302 Penton St	Hattiesburg, MS

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Cortis
Sandra Thompson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: Jessie Wilson

Commissioners Abstaining: None

There came the matter of Item B (Variance), John & Krista Eye, Owners, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 5, Section 89.03 which states that parking facilities and driveways for residential commercial and industrial uses shall have an all-weather hard surface, and instead allow a limestone surface driveway except for a 10 foot long hard surface portion beginning at the intersection of the public right-of-way on the property located at 123 J. Ed Turner Drive (Parcel 052B-03-004.002, PPIN 30696, Ward 1).

Owners requested to withdraw the item at this time.

There came the matter of Item C (Variance), Thomas Adams and James Morgan, T L Wallace Construction, Applicants, on behalf of Yvonne Guess, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Flood Damage Prevention Ordinance No. 3165, as amended, of the City of Hattiesburg, Mississippi, to request a variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	James Morgan	12871 Paradise Ln.	Biloxi, MS
	-	T L Wallace Construction	

<u>Proponents:</u>	Fareed Uqdah	457 Buschman St	Hattiesburg, MS
	Lauren Poche	7389 Florida Ave	Baton Rouge, LA
	-	Historic Preservation Specialist, AECOM	

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Wilson made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item D (Use Permit), Marion Hughes, Applicant, on behalf of Wayside Holy Temple Church, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a Use Permit Upon Review for a “Parking Lot” as provided in Article 5, Section 52.03 of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, for certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	Marion Hughs	,	Hattiesburg, MS
	-	Representative, Wayside Holy Temple Church	

Proponents: None

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application because there is a need to reinforce Hattiesburg’s Quality of life, preserve neighborhood identity, and boost community pride. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item G (Variance), Alton Clingan, Jr., Clingan & Associates, Applicant, on behalf of, Ronnie Pittman, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a

five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Minal Patel	1004 Top St.	Flowood,, MS
	- Representative & Client of Mr. Clingan		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

BUSINESS MEETING

A preliminary plat review for the lot subdivision at a certain property located on South Founders Way subdivide (Parcel 2-041L-33-001.10, PPIN 41844, Ward 5) by Cliff Norman, Owner. Commissioner Conville made a motion to approve the plat and Commissioner Horton seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

A preliminary plat review for the lot subdivision at a certain property located along Bonhomie Road (Parcel 041F-28-001.00, PPIN 6974, Parcel 041N-33-001.00, PPIN 7020, Ward 5) by Blair Schooff, Strata Solar, Applicant, on behalf of Joseph F. Tatum Jr., Owner r. Commissioner Wilson made a motion to approve the plat and Commissioner Cinville seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There being no further business, Commissioner Thompson made a motion to adjourn. The motion was seconded by Commissioner Martin. The meeting was adjourned at 3:21 P.M.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.

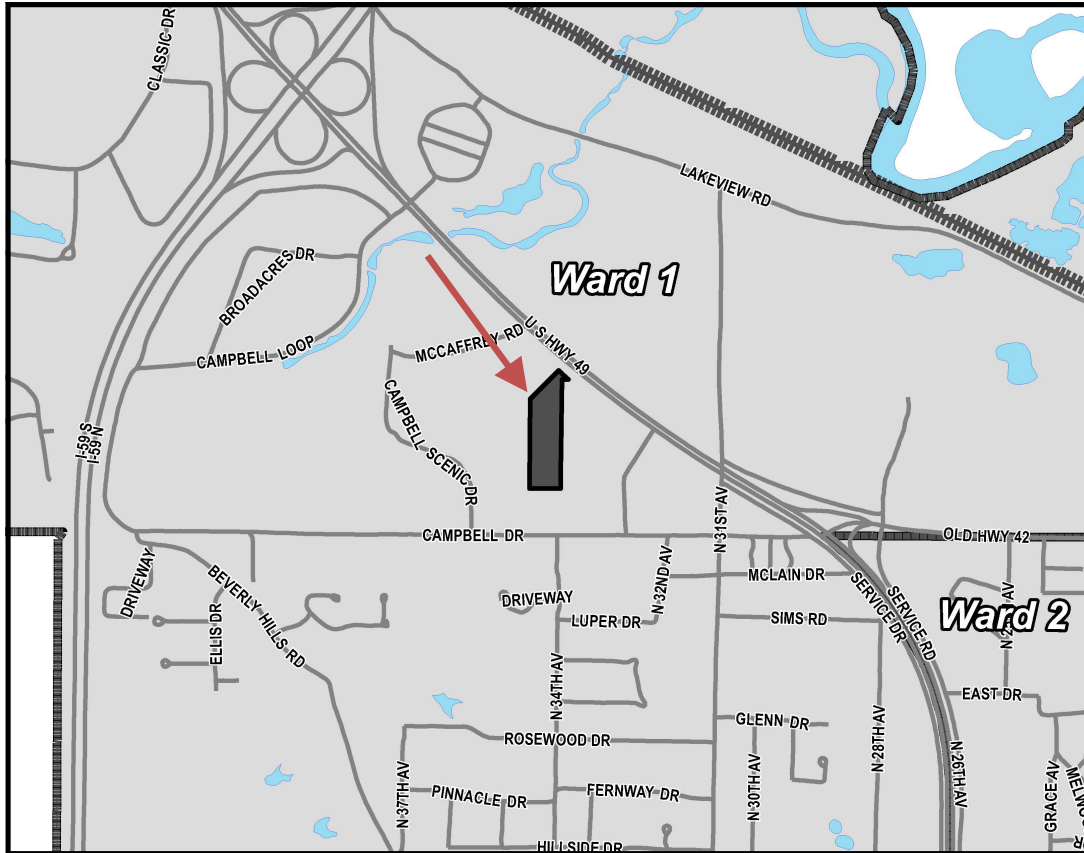
SUBJECT PARCEL: 6553 U.S. Hwy 49

Alton Clingan, Jr., Representative

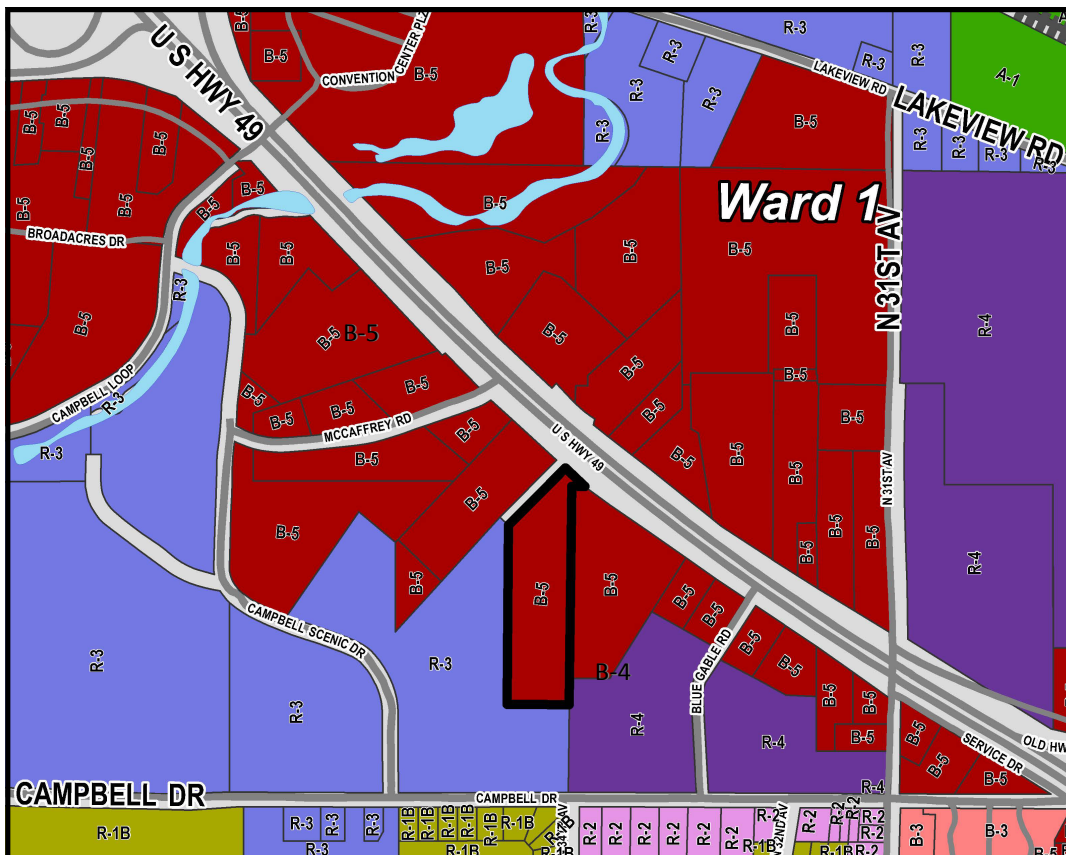
The applicant requests a variance from Article 4, Section 62.04 (7) which states the maximum height of three (3) stories for a structure and instead allow a five (5) story structure for a variance of two (2) stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).



Vicinity Map—Ward 1

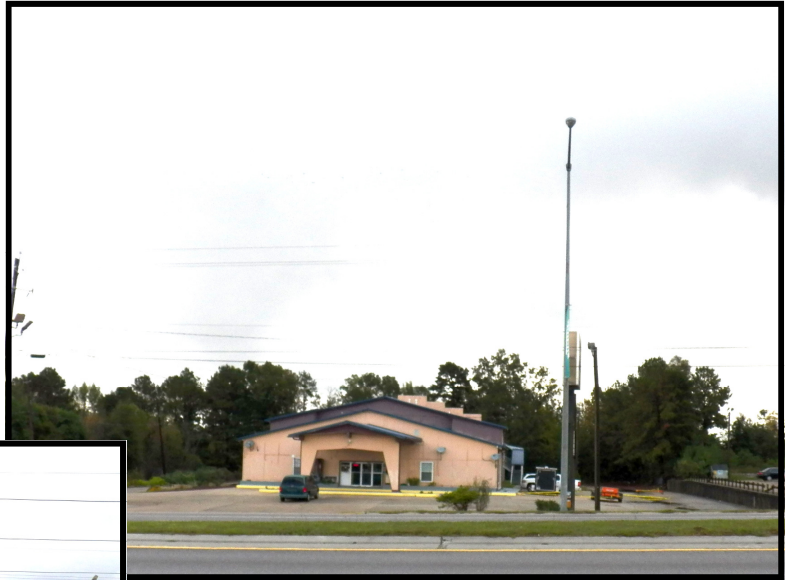


Zoning—B-5



SURROUNDING AREA

**Northern Direction: Commercial
Property zoned B-5 (Regional
Business) District.**



**Southern Direction: Multi Family
Residential Property zoned R-3 (Multi
Family Residential) District.**



**Eastern Direction: Commercial
Property zoned B-5 (Regional
Business) District.**



**Western Direction: Commercial
Property zoned B-5 (Regional
Business) District and Residential
Property zoned R-3 (Multi Family
Residential) District.**



Additional views of property





**Planning Commission
Case Fact Sheet**

Name of Applicant: Alton Clingan, Jr., Clingan & Associates
Name of Owner: Ronnie Pittman

Address of Property: 6553 US Hwy 49
Tax Parcels: 024M-31-004.00
PPIN: (27503)
Ward: 1

Request: **Variances**

Purpose of Request: To consider an application to request a **Variance** from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1)..

Applicant Summary: *See Attached Pages: Variance Information*

Applicable Regulations:

SECTION 62

B-5 REGIONAL BUSINESS DISTRICT

62.01 General Description: This business district is intended for the conduct of personal and business services for the motoring public.

62.04 Area and Setback Regulations: 7. Height Regulations: No building or structure shall exceed three stories in height.

Present Zoning: B-5 Regional Business District

Present Use: Vacant hotel

Surrounding Land

Use and Zoning: **North:** B-5 Regional Business District/Hotel
 South: B-5 Regional Business District /Hotel
 East: B-5 Regional Business District /Commercial
 West: R-3 Multi-Family Residential District /Apartments

Future Land Use Plan: The subject parcels are shown in the 2008 Future Land Use Map as part of a large **Regional Business District** which is described as follows:

District Overview: The Regional Business District is primarily a non-residential district located along major arterial streets and highways. Limited types of residential uses, apartment complexes and second floor housing in strip commercial or lifestyle centers, are allowed and encouraged to locate in this district. The nature and volume of traffic along these corridors are different from the traffic along other commercial corridors, and therefore, the land uses require special consideration. The land uses in this district ay generate a higher volume of regional traffic and/or require frequent access by large trucks and commercial vehicles.

District Characteristics: The characteristics of this district include the following: suburban-style commercial centers and big-box buildings; well-positioned and screened outdoor uses; mixed-use buildings and development; high-density residential developments such as apartment complexes; large, private areas; and light industrial campuses and employment centers. Regulations should be established to promote development patterns for these uses that enhance the streetscape, screen outdoor storage and equipment areas from public view, and enable safe circulation among neighboring properties without requiring travel on the street or highway corridor.

District Land Uses: The following land uses should be found in this district: high-density residential uses; public and quasi-public uses; hotels and motels; general indoor and outdoor retail uses; heavy commercial and light industrial uses; service and office land uses; and light industrial campuses and corporate offices.

**Most Nearly
Bounded By (streets):** The subject parcel is accessible by Hwy 49 from the northeast. It is bounded on the northwest by McCaffery Road, on the east by Blue Gable Road, and the south by Campbell Drive.

**Letters or
Concerns stated:** The Planning Division Office has not received any letters or other written communications relative to this case, as of November 4, 2015.

History / Background: Although there are several structures in the City that are higher than three (3) stories, the height limit is three (3) stories.

The Midtown Form Based Code allows a height of 5 stories.

Options:

Recommend approval or denial of the request for a **Variance from the height requirements**, which would allow a five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49.

Basis for Approval:

1. That special conditions and circumstances **(do / do not)** exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
2. That literal interpretation of the provisions of this Code **(would / would not)** deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code;
3. That the special conditions and circumstances **(do / do not)** result from the actions of the applicant;
4. That granting the variance requested **(will / will not)** confer on the applicant any special privilege that is denied by this Code to other lands, structures, or buildings in the same district.

Note: No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

1. List reasons why you feel that the property could not be reasonably used without the requested

variance: AVAILABILITY OF LAND IN THIS AREA AND LI

MINIMUM REQ. NUMBER OF ROOMS REQUIRE 5-STORY BLDG.

2. All of the following conditions must be met before a variance can be recommended.

Explain and justify your proposal's compliance with each condition:

- a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

PREVIOUS HOTEL SITE

- b. That literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code.

ON HIGHWAY BETWEEN 2 HOTELS

- c. That the special conditions and circumstances do not result from the actions of the applicant.

N/A

- d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, structures, or buildings in the same district.

YES.

**MINUTES OF THE
SPECIAL MEETING OF THE
HATTIESBURG PLANNING COMMISSION
November 12, 2015**

The Hattiesburg Planning Commission did meet in a special called session on November 12, 2015 at 1:05 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Joseph White, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Joseph White, Chairman
Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners Absent: Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Russell Archer, Historic Planner

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:05 P.M.

INVOCATION

Chairman White gave the invocation.

AGENDA REVIEW

There came the matter of the November 2015 Agenda. A request was made by staff to hear petitions E & F to accommodate the applicant’s attendance at a funeral. A request was made by Chairman White for a motion to Approve the November 2015 Agenda with changes. A motion was made to approve by Commissioner Thompson and seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the October 7, 2015 Minutes. A request was made by Chairman White for a motion to Approve the October 2015 Minutes. A motion was made by Commissioner Thompson to approve the minutes and seconded by Commissioner Wilson.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell, Building Official, previously provided a report to the commission of monthly and YTD Permit information for October in the Commissioner’s packets.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission of the approval of the following items heard at the previous Planning Commission: Text amendments to the LDC & Comprehensive Plan related to “solar Farm”; “Solar Farm” Use Permit for property along Bonhomie Road; J Ed Turner zoning designation; 304 E. 2nd Street rezoning; and 2101 Hardy Street side setback variance.

CHAIRMAN’S REPORT

There came the matter of the Chairman’s Report. There was none.

PUBLIC HEARING

Chairman White declared the Public Hearing open at 1:25 P.M. and read the rules and procedures of the hearing.

There came the matter of Item E (Rezoning), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification for a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and

area surrounding the petitioned property. The motion was seconded by Commissioner Courts.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item F (Vacate Alley), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to APPROVE the application. The motion was seconded by Commissioner Martin.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item A (Street Renaming), Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to rename the public street presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

	Name	Address	City/State
<u>Presented by:</u>	Barbara Hamilton	498 Tuscan Ave.	Hattiesburg, MS
<u>Proponents:</u>	Irving Drake	211 Dossett Ave.	Hattiesburg, MS
	- Timberton Park Neighborhood Association		
	LaQuitta Jones	447 Helveston Road	Hattiesburg, MS
	- Park Pines Apartments		

Bob Blevins	498 Tuscan Ave	Hattiesburg, MS
-	William Carey University	
James Wallace	723 Bowling St.	Hattiesburg, MS
-	Holy Place Worship Center	

<u>Opponents:</u>	Ericka Miller	1302 Penton St	Hattiesburg, MS
	Monica Miller	1302 Penton St	Hattiesburg, MS

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Cortis
Sandra Thompson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: Jessie Wilson

Commissioners Abstaining: None

There came the matter of Item B (Variance), John & Krista Eye, Owners, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 5, Section 89.03 which states that parking facilities and driveways for residential commercial and industrial uses shall have an all-weather hard surface, and instead allow a limestone surface driveway except for a 10 foot long hard surface portion beginning at the intersection of the public right-of-way on the property located at 123 J. Ed Turner Drive (Parcel 052B-03-004.002, PPIN 30696, Ward 1).

Owners requested to withdraw the item at this time.

There came the matter of Item C (Variance), Thomas Adams and James Morgan, T L Wallace Construction, Applicants, on behalf of Yvonne Guess, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Flood Damage Prevention Ordinance No. 3165, as amended, of the City of Hattiesburg, Mississippi, to request a variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	James Morgan	12871 Paradise Ln.	Biloxi, MS
	-	T L Wallace Construction	

<u>Proponents:</u>	Fareed Uqdah	457 Buschman St	Hattiesburg, MS
	Lauren Poche	7389 Florida Ave	Baton Rouge, LA
	-	Historic Preservation Specialist, AECOM	

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Wilson made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item D (Use Permit), Marion Hughes, Applicant, on behalf of Wayside Holy Temple Church, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a Use Permit Upon Review for a “Parking Lot” as provided in Article 5, Section 52.03 of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, for certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	Marion Hughs	,	Hattiesburg, MS
	-	Representative, Wayside Holy Temple Church	

Proponents: None

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application because there is a need to reinforce Hattiesburg’s Quality of life, preserve neighborhood identity, and boost community pride. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item G (Variance), Alton Clingan, Jr., Clingan & Associates, Applicant, on behalf of, Ronnie Pittman, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a

five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Minal Patel	1004 Top St.	Flowood,, MS
	- Representative & Client of Mr. Clingan		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

BUSINESS MEETING

A preliminary plat review for the lot subdivision at a certain property located on South Founders Way subdivide (Parcel 2-041L-33-001.10, PPIN 41844, Ward 5) by Cliff Norman, Owner. Commissioner Conville made a motion to approve the plat and Commissioner Horton seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

A preliminary plat review for the lot subdivision at a certain property located along Bonhomie Road (Parcel 041F-28-001.00, PPIN 6974, Parcel 041N-33-001.00, PPIN 7020, Ward 5) by Blair Schooff, Strata Solar, Applicant, on behalf of Joseph F. Tatum Jr., Owner r. Commissioner Wilson made a motion to approve the plat and Commissioner Cinville seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There being no further business, Commissioner Thompson made a motion to adjourn. The motion was seconded by Commissioner Martin. The meeting was adjourned at 3:21 P.M.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.

Subdividing of Lot, Parcel or Tract Information (1 page)

1. Property data:

Parent Parcel / Existing lot/parcel/tract contains 20.83 AC Square Footage/Acres

Lot Area Requirement: 10,000 sq. ft. min

Lot Frontage Requirement: 50' min @ bldg setback line

Existing use of lot/parcel/tract _____

To be subdivided into 17 lots/parcels (including parent parcel) – outlined below.

Newly subdivide d Parcels	New lot size in square footage (sf) or acres (A)	New lot has public road frontage (yes / no)	New lot has private road frontage (yes / no)	Indicate name of public or private road(s)	Staff - Lot area & frontage requirements comply?	
					Yes	No
1. 71	14,994	Yes	No	South Founders Way		
2. 72	12,271	Yes	No	South Founders Way		
3. 73	12,384	Yes	No	South Founders Way		
4. 74	12,043	Yes	No	South Founders Way		
5. 75	10,519	Yes	No	South Founders Way		
6. 76	11,782	Yes	No	South Founders Way		
7. 77	13,955	Yes	No	South Founders Way		
8. 78	12,961	Yes	No	South Founders Way		
9. 92	11,884	Yes	No	South Founders Way		
10. 93	10,756	Yes	No	South Founders Way		
11. 94	12,752	Yes	No	South Founders Way		
12. 95	10,731	Yes	No	South Founders Way		
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel						
		Total square footage of new lots (verify total matches existing parcel prior to splits)				

Use extra copies of this form if needed for additional lots.

2. Infrastructure required:

Water/Sewer ___ Gas ___ Electric ___ Telephone ___ Cable ___ Streets ___

ALL IN PLACE

Subdividing of Lot, Parcel or Tract Information (1_page)

1. Property data:

Parent Parcel / Existing lot/parcel/tract contains 20.83 AC Square Footage/Acres

Lot Area Requirement: 10,000 Sq. Ft. min

Lot Frontage Requirement: 50' min @ bldg setback line

Existing use of lot/parcel/tract _____

To be subdivided into 17 lots/parcels (including parent parcel) – outlined below.

Newly subdivide d Parcels	New lot size in square footage (sf) or acres (A)	New lot has public road frontage (yes / no)	New lot has private road frontage (yes / no)	Indicate name of public or private road(s)	Staff - Lot area & frontage requirements comply?	
					Yes	No
1. 96	10,682	Yes	No	South Founders Way		
2. 97	13,483	Yes	No	South Founders Way		
3. 98	10,727	Yes	No	South Founders Way		
4. 99	13,638	Yes	No	South Founders Way		
5.						
6. Road	101,136			Roadway to be dedicated to City		
7.						
8.						
9.						
10.						
11.						
12.						
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel	14.01 AC	Yes	No	South Founders Way		
	6.82 AC 297,133 FT ²	Total square footage of new lots (verify total matches existing parcel prior to splits)				

Use extra copies of this form if needed for additional lots.

2. Infrastructure required:

Water/Sewer ____ Gas ____ Electric ____ Telephone ____ Cable ____ Streets ____

ALL IN PLACE

**MINUTES OF THE
SPECIAL MEETING OF THE
HATTIESBURG PLANNING COMMISSION
November 12, 2015**

The Hattiesburg Planning Commission did meet in a special called session on November 12, 2015 at 1:05 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Joseph White, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Joseph White, Chairman
Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners Absent: Don McCleskey
Linda McMurtrey, Vice-Chairman
Mark Miller

Also Present: Pattie Brantley, AICP, Director of Urban Development
Ginger Maddox, Planning Division Manager
Russell Archer, Historic Planner

Chairman White declared the meeting of the Hattiesburg Planning Commission open and in session at 1:05 P.M.

INVOCATION

Chairman White gave the invocation.

AGENDA REVIEW

There came the matter of the November 2015 Agenda. A request was made by staff to hear petitions E & F to accommodate the applicant’s attendance at a funeral. A request was made by Chairman White for a motion to Approve the November 2015 Agenda with changes. A motion was made to approve by Commissioner Thompson and seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners abstaining: None

MINUTES REVIEW

There came the matter of the October 7, 2015 Minutes. A request was made by Chairman White for a motion to Approve the October 2015 Minutes. A motion was made by Commissioner Thompson to approve the minutes and seconded by Commissioner Wilson.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners abstaining: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell, Building Official, previously provided a report to the commission of monthly and YTD Permit information for October in the Commissioner’s packets.

PLANNING REPORT

There came the matter of the Planning Report. Ginger Maddox, Planning Division Manager, informed the Commission of the approval of the following items heard at the previous Planning Commission: Text amendments to the LDC & Comprehensive Plan related to “solar Farm”; “Solar Farm” Use Permit for property along Bonhomie Road; J Ed Turner zoning designation; 304 E. 2nd Street rezoning; and 2101 Hardy Street side setback variance.

CHAIRMAN’S REPORT

There came the matter of the Chairman’s Report. There was none.

PUBLIC HEARING

Chairman White declared the Public Hearing open at 1:25 P.M. and read the rules and procedures of the hearing.

There came the matter of Item E (Rezoning), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to change the zoning classification for a certain property located at 3203 Hardy Street (Parcel 028K-07-033.00, PPIN 23003, Ward 1) from R-3 (Multi-Family Residential) District to B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and

area surrounding the petitioned property. The motion was seconded by Commissioner Courts.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item F (Vacate Alley), Nicholas Connolly, Shows Dearman & Waits, INC., Representative, Ken Kleban, Applicant, and Muriel Fokakis, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to close and vacate the remaining portion of a platted, undeveloped alley, running east/west directly between PPIN 23003 and PPIN 23005.

	Name	Address	City/State
<u>Presented by:</u>	Nicholas Connolly	301 2 nd Ave	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Horton made a motion to APPROVE the application. The motion was seconded by Commissioner Martin.

Commissioners voting aye: Judy Courts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There came the matter of Item A (Street Renaming), Barbara Hamilton, Executive Assistant to the President, William Carey University, on behalf of William Carey University, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to rename the public street presently known as Helveston Road and Penton Street (beginning at the intersection of US Highway 49 and ending at the intersection of Tuscan Avenue, Ward 2 & Ward 5) to William Carey Parkway.

	Name	Address	City/State
<u>Presented by:</u>	Barbara Hamilton	498 Tuscan Ave.	Hattiesburg, MS
<u>Proponents:</u>	Irving Drake	211 Dossett Ave.	Hattiesburg, MS
	- Timberton Park Neighborhood Association		
	LaQuitta Jones	447 Helveston Road	Hattiesburg, MS
	- Park Pines Apartments		

Bob Blevins	498 Tuscan Ave	Hattiesburg, MS
-	William Carey University	
James Wallace	723 Bowling St.	Hattiesburg, MS
-	Holy Place Worship Center	

<u>Opponents:</u>	Ericka Miller	1302 Penton St	Hattiesburg, MS
	Monica Miller	1302 Penton St	Hattiesburg, MS

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: Jessie Wilson

Commissioners Abstaining: None

There came the matter of Item B (Variance), John & Krista Eye, Owners, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 5, Section 89.03 which states that parking facilities and driveways for residential commercial and industrial uses shall have an all-weather hard surface, and instead allow a limestone surface driveway except for a 10 foot long hard surface portion beginning at the intersection of the public right-of-way on the property located at 123 J. Ed Turner Drive (Parcel 052B-03-004.002, PPIN 30696, Ward 1).

Owners requested to withdraw the item at this time.

There came the matter of Item C (Variance), Thomas Adams and James Morgan, T L Wallace Construction, Applicants, on behalf of Yvonne Guess, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Flood Damage Prevention Ordinance No. 3165, as amended, of the City of Hattiesburg, Mississippi, to request a variance from the Code of Ordinances Chapter 10, Article 6, Section E, which states that qualifying historic structures may apply for a variance from the requirement to elevate or flood proof the structure, for the property located at 457 Buschman Street (Parcel 2-029I-10-188.00, PPIN 21932, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	James Morgan	12871 Paradise Ln.	Biloxi, MS
	-	T L Wallace Construction	

<u>Proponents:</u>	Fareed Uqdah	457 Buschman St	Hattiesburg, MS
	Lauren Poche	7389 Florida Ave	Baton Rouge, LA
	-	Historic Preservation Specialist, AECOM	

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Wilson made a motion to APPROVE the application. The motion was seconded by Commissioner Conville.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item D (Use Permit), Marion Hughes, Applicant, on behalf of Wayside Holy Temple Church, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a Use Permit Upon Review for a “Parking Lot” as provided in Article 5, Section 52.03 of the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, for certain property located at 805 Short Katie Street (Parcel 2-038A-15-113.00 and PPIN 12906, Ward 2).

	Name	Address	City/State
<u>Presented by:</u>	Marion Hughs	,	Hattiesburg, MS
	-	Representative, Wayside Holy Temple Church	

Proponents: None

Opponents: None

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Martin made a motion to APPROVE the application because there is a need to reinforce Hattiesburg’s Quality of life, preserve neighborhood identity, and boost community pride. The motion was seconded by Commissioner Horton.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None

Commissioners Abstaining: None

There came the matter of Item G (Variance), Alton Clingan, Jr., Clingan & Associates, Applicant, on behalf of, Ronnie Pittman, Owner, with the Mayor and Council of the City of Hattiesburg, Mississippi, as required in the Comprehensive Zoning Ordinance No. 2330, as amended, of the City of Hattiesburg, Mississippi, to request a variance from Article 4, Section 62.04 (7) which states the maximum height of three-stories for a structure and instead allow a

five-story structure for a variance of two stories for certain property located at 6553 US Hwy 49 (Parcel: 024M-31-004.00, PPIN: 27503, Ward 1).

	Name	Address	City/State
<u>Presented by:</u>	Minal Patel	1004 Top St.	Flowood,, MS
	- Representative & Client of Mr. Clingan		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman White declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Conville made a motion to APPROVE the application because there is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property. The motion was seconded by Commissioner Corts.

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

BUSINESS MEETING

A preliminary plat review for the lot subdivision at a certain property located on South Founders Way subdivide (Parcel 2-041L-33-001.10, PPIN 41844, Ward 5) by Cliff Norman, Owner. Commissioner Conville made a motion to approve the plat and Commissioner Horton seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

A preliminary plat review for the lot subdivision at a certain property located along Bonhomie Road (Parcel 041F-28-001.00, PPIN 6974, Parcel 041N-33-001.00, PPIN 7020, Ward 5) by Blair Schooff, Strata Solar, Applicant, on behalf of Joseph F. Tatum Jr., Owner r. Commissioner Wilson made a motion to approve the plat and Commissioner Cinville seconded the approval. The vote to approve the preliminary plat is detailed below:

Commissioners voting aye: Judy Corts
Sandra Thompson
Jessie Wilson
Peggy Horton, Secretary
Dick Conville
Eric Martin

Commissioners voting nay: None
Commissioners Abstaining: None

There being no further business, Commissioner Thompson made a motion to adjourn. The motion was seconded by Commissioner Martin. The meeting was adjourned at 3:21 P.M.

Joe White, Chairman

Pattie Brantley, AICP, Director of Urban Development.

Subdividing of Lot, Parcel or Tract Information (1_page)

1. Property data: This proposes the creation of one new parcel from two existing parcels. A portion of each parent parcel will remain creating three total parcels from two parent parcels. The parent parcels are #2-041F-28-001.00 and #2-041N-33-001.00. 1128.76 total(A) -

Parent Parcel / Existing lot/parcel/tract contains 504.2 (A) and 624.56(A) Square Footage/Acres respectively

Lot Area Requirement: R-1A: minimum lot size 10,000 sq ft; R2: minimum lot size 4,000 sq ft (single); 8,000 sqft (two family)

Lot Frontage Requirement: R-1A: 50'; R2: 40'

Existing use of lot/parcel/tract Timber Farm

To be subdivided into 3 lots/parcels (including parent parcel) – outlined below.

Newly subdivide d Parcels	New lot size in square footage (sf) or acres (A)	New lot has public road frontage (yes / no)	New lot has private road frontage (yes / no)	Indicate name of public or private road(s)	Staff - Lot area & frontage requirements comply?	
					Yes	No
1.	457.849(A)	yes	no	Bonhomie Road		
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel	167.72 (A) and 503.19(A), respectively	yes	no	Bonhomie Road		
	1128.76(A) Total 457.849, 167.72 and 503.19, respectively	Total square footage of new lots (verify total matches existing parcel prior to splits)				

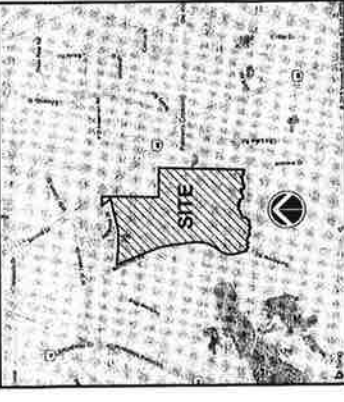
Use extra copies of this form if needed for additional lots.

2. Infrastructure required:

Water/Sewer no Gas no Electric yes Telephone no Cable no Streets no

VICINITY MAP (NTS)

The map shows a shaded area labeled "SITE" in the center. To the right of the site is a north arrow pointing upwards. Below the north arrow is a scale bar. The map includes a legend with various symbols for roads, water, and other features. The map is titled "VICINITY MAP (NTS)" at the bottom.





Mayor

Johnny L. DuPree, Ph.D.

Council - Ward 1
Kim Bradley

Council - Ward 2
Deborah Denard Delgado

Council - Ward 3
Carter Carroll

Council - Ward 4
Mary Dryden

Council - Ward 5
Henry Naylor

MEMORANDUM

TO: Mayor and City Council

FROM: Mark Jordan, Code Enforcement Division Manager

DATE: December 8, 2015

RE: Adopt Resolution

I recommend the adoption of resolutions determining the following properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community.

<u>Address</u>	<u>PPIN#</u>	<u>Ward</u>
1. 700 Walnut St.	24081	2
2. 702 Walnut St.	24083	2

Prepared by:
City of Hattiesburg
Code Enforcement
P.O. Box 1898
Hattiesburg, Mississippi 39403-1898

Return to:
City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, Mississippi 39403-1898

**RESOLUTION
CONDEMNATION OF UNSAFE AND DILAPIDATED PROPERTY**

WHEREAS, on the 17th day of November, 2015, the Council of the City of Hattiesburg, Mississippi, passed a resolution announcing the intention of the City Council to hold a hearing on the 7th day of December, 2015, in the Council Meeting Room of City Hall in Hattiesburg, Mississippi, as provided by Section 21-19-11 of the Mississippi Code of 1972, as annotated and amended, to determine whether or not the following described property is in such a state of uncleanness as to be a menace to the health and safety of the community, to-wit:

PARCEL: 2-038B-15-002, 700 Walnut Street, and better described as Part of Lot 12, Block 92 of the Stapleton and Bayne Subdivision, in the City of Hattiesburg, Forrest County, Mississippi, and more particularly described as follows, to wit:

Begin at the Northwest corner of said Lot 12 and run East a distance of 107.7 feet, thence run South for a distance of 50 feet, thence run West for a distance of 107.7 feet, run thence North a distance of 50 feet, back to the point of beginning.

WHEREAS, the owner of the property is: Brocket LLC, Velocity Investments LLC, and Nancy Horne

WHEREAS, proper and timely notice of said hearing was given to said parties more than two weeks prior to the date of the hearing; and

WHEREAS, at said hearing it was determined that the aforementioned property is in such a state of uncleanness as to be a menace to the health and safety of the community and should be condemned.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hattiesburg, Mississippi, as follows:

1. A period of thirty (30) days shall be extended to the property owner for removal of the violations listed:

**Dilapidated Building (International Property Maintenance Code, Sec. 304)
Abandoned Structure/Building (International Property Maintenance Code, Sec. 305) Overgrown Lot (International Property Maintenance Code, Sec. 302.4)
Trash and Litter (International Property Maintenance Code, Sec. 307.1)**

2. If the property owners do not take corrective action within thirty (30) days to remove the violations, then after a complete and final legal review of the property conducted by the City Attorney, the City will take action to remove all violations listed, said work to be legally contracted with a private contractor or City crews, and the cost of same plus penalty to be certified to the City Clerk for further legal disposition.

3. A copy of this Resolution will be certified and recorded in the Chancery Clerk's Office of Forrest County, Mississippi.

The above and foregoing Resolution was introduced by Council member _____, seconded by Council member _____, and was adopted by the following vote, to-wit:

YEAS:

NAYS:

ABSENT:

The President thereby declared the motion carried and the resolution adopted, this the 8th day of December 2015.

(SEAL)

ATTEST:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

The above and foregoing Resolution having being submitted to and approved by the Mayor,
this the 8th day of December, A.D., 2015

ATTEST:

APPROVED:

CITY CLERK

MAYOR

Prepared by:
City of Hattiesburg
Code Enforcement
P.O. Box 1898
Hattiesburg, Mississippi 39403-1898

Return to:
City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, Mississippi 39403-1898

**RESOLUTION
CONDEMNATION OF UNSAFE AND DILAPIDATED PROPERTY**

WHEREAS, on the 17th day of November, 2015, the Council of the City of Hattiesburg, Mississippi, passed a resolution announcing the intention of the City Council to hold a hearing on the 7th day of December, 2015, in the Council Meeting Room of City Hall in Hattiesburg, Mississippi, as provided by Section 21-19-11 of the Mississippi Code of 1972, as annotated and amended, to determine whether or not the following described property is in such a state of uncleanliness as to be a menace to the health and safety of the community, to-wit:

PARCEL: 2-038B-15-003, 702 Walnut Street, and better described as A part of Lots Thirteen (13) and Fourteen (14) of Block Ninety Two (92) of the Stapleton and Bayne Subdivision of Block 92 of the Kamper and Lewis Subdivision No. 1 of the City of Hattiesburg, County of Forrest, State of Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi and more particularly described as follows:

Beginning at the northwest corner of said Lot 13 and run thence East along the North line of said Lot 13 a distance of 107.7 feet, thence run South and parallel with the East line of Walnut street a distance of 54 feet, thence run West 4 feet South of and parallel to the South line of said Lot 13, a distance of 107.7 feet to the east line of Walnut Street, and thence run North along the East line of Walnut Street a distance of 54 feet to the said point of beginning.

WHEREAS, the owner of the property is: Viking Investments, Long Land Investments, and Willie R. Singleton

WHEREAS, proper and timely notice of said hearing was given to said parties more than two weeks prior to the date of the hearing; and

WHEREAS, at said hearing it was determined that the aforementioned property is in such a state of uncleanliness as to be a menace to the health and safety of the community and should be condemned.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hattiesburg, Mississippi, as follows:

1. A period of thirty (30) days shall be extended to the property owner for removal of the violations listed:

**Dilapidated Building (International Property Maintenance Code, Sec. 304)
Abandoned Structure/Building (International Property Maintenance Code, Sec. 305) Overgrown Lot (International Property Maintenance Code, Sec. 302.4)
Trash and Litter (International Property Maintenance Code, Sec. 307.1)**

2. If the property owners do not take corrective action within thirty (30) days to remove the violations, then after a complete and final legal review of the property conducted by the City Attorney, the City will take action to remove all violations listed, said work to be legally contracted with a private contractor or City crews, and the cost of same plus penalty to be certified to the City Clerk for further legal disposition.

3. A copy of this Resolution will be certified and recorded in the Chancery Clerk's Office of Forrest County, Mississippi.

The above and foregoing Resolution was introduced by Council member _____, seconded by Council member _____, and was adopted by the following vote, to-wit:

YEAS:

NAYS:

ABSENT:

The President thereby declared the motion carried and the resolution adopted, this the 8th day of December 2015.

(SEAL)

ATTEST:

ADOPTED:

CLERK OF COUNCIL

PRESIDENT

The above and foregoing Resolution having being submitted to and approved by the Mayor,
this the 8th day of December, A.D., 2015

ATTEST:

APPROVED:

CITY CLERK

MAYOR

Prepared by:
City of Hattiesburg
Code Enforcement
P.O. Box 1898
Hattiesburg, Mississippi 39403-1898

Return to:
City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, Mississippi 39403-1898

**RESOLUTION
CONDEMNATION OF UNSAFE AND DILAPIDATED PROPERTY**

WHEREAS, on the 17th day of November, 2015, the Council of the City of Hattiesburg, Mississippi, passed a resolution announcing the intention of the City Council to hold a hearing on the 7th day of December, 2015, in the Council Meeting Room of City Hall in Hattiesburg, Mississippi, as provided by Section 21-19-11 of the Mississippi Code of 1972, as annotated and amended, to determine whether or not the following described property is in such a state of uncleanness as to be a menace to the health and safety of the community, to-wit:

PARCEL: 2-038B-15-002, 700 Walnut Street, and better described as Part of Lot 12, Block 92 of the Stapleton and Bayne Subdivision, in the City of Hattiesburg, Forrest County, Mississippi, and more particularly described as follows, to wit:

Begin at the Northwest corner of said Lot 12 and run East a distance of 107.7 feet, thence run South for a distance of 50 feet, thence run West for a distance of 107.7 feet, run thence North a distance of 50 feet, back to the point of beginning.

WHEREAS, the owner of the property is: Brocket LLC, Velocity Investments LLC, and Nancy Horne

WHEREAS, proper and timely notice of said hearing was given to said parties more than two weeks prior to the date of the hearing; and

WHEREAS, at said hearing it was determined that the aforementioned property is in such a state of uncleanness as to be a menace to the health and safety of the community and should be condemned.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hattiesburg, Mississippi, as follows:

1. A period of thirty (30) days shall be extended to the property owner for removal of the violations listed:

**Dilapidated Building (International Property Maintenance Code, Sec. 304)
Abandoned Structure/Building (International Property Maintenance Code, Sec. 305) Overgrown Lot (International Property Maintenance Code, Sec. 302.4)
Trash and Litter (International Property Maintenance Code, Sec. 307.1)**

2. If the property owners do not take corrective action within thirty (30) days to remove the violations, then after a complete and final legal review of the property conducted by the City Attorney, the City will take action to remove all violations listed, said work to be legally contracted with a private contractor or City crews, and the cost of same plus penalty to be certified to the City Clerk for further legal disposition.

3. A copy of this Resolution will be certified and recorded in the Chancery Clerk's Office of Forrest County, Mississippi.

The above and foregoing Resolution was introduced by Council member Delgado, seconded by Council member Carroll, and was adopted by the following vote, to-wit:

YEAS: Bradley
Delgado
Carroll
Dryden
Naylor

NAYS: None

ABSENT:

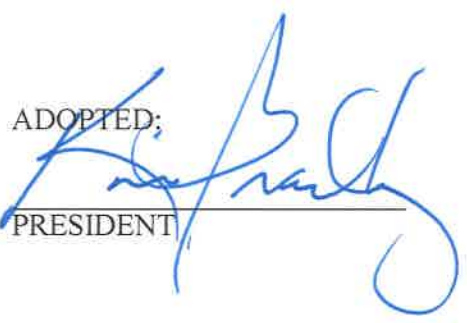
The President thereby declared the motion carried and the resolution adopted, this the 8th day of December 2015.

(SEAL)

ATTEST:


CLERK OF COUNCIL

ADOPTED:


PRESIDENT

The above and foregoing Resolution having being submitted to and approved by the Mayor, this the 8th day of December, A.D., 2015

ATTEST:


CITY CLERK

APPROVED:


MAYOR

Prepared by:
City of Hattiesburg
Code Enforcement
P.O. Box 1898
Hattiesburg, Mississippi 39403-1898
1898

Return to:
City of Hattiesburg
City Clerk's Office
P.O. Box 1898
Hattiesburg, Mississippi 39403-1898

**RESOLUTION
CONDEMNATION OF UNSAFE AND DILAPIDATED PROPERTY**

WHEREAS, on the 17th day of November, 2015, the Council of the City of Hattiesburg, Mississippi, passed a resolution announcing the intention of the City Council to hold a hearing on the 7th day of December, 2015, in the Council Meeting Room of City Hall in Hattiesburg, Mississippi, as provided by Section 21-19-11 of the Mississippi Code of 1972, as annotated and amended, to determine whether or not the following described property is in such a state of uncleanness as to be a menace to the health and safety of the community, to-wit:

PARCEL: 2-038B-15-003, 702 Walnut Street, and better described as A part of Lots Thirteen (13) and Fourteen (14) of Block Ninety Two (92) of the Stapleton and Bayne Subdivision of Block 92 of the Kamper and Lewis Subdivision No. 1 of the City of Hattiesburg, County of Forrest, State of Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi and more particularly described as follows:

Beginning at the northwest corner of said Lot 13 and run thence East along the North line of said Lot 13 a distance of 107.7 feet, thence run South and parallel with the East line of Walnut street a distance of 54 feet, thence run West 4 feet South of and parallel to the South line of said Lot 13, a distance of 107.7 feet to the east line of Walnut Street, and thence run North along the East line of Walnut Street a distance of 54 feet to the said point of beginning.

WHEREAS, the owner of the property is: Viking Investments, Long Land Investments, and Willie R. Singleton

WHEREAS, proper and timely notice of said hearing was given to said parties more than two weeks prior to the date of the hearing; and

WHEREAS, at said hearing it was determined that the aforementioned property is in such a state of uncleanness as to be a menace to the health and safety of the community and should be condemned.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hattiesburg, Mississippi, as follows:

1. A period of thirty (30) days shall be extended to the property owner for removal of the violations listed:

**Dilapidated Building (International Property Maintenance Code, Sec. 304)
Abandoned Structure/Building (International Property Maintenance Code, Sec. 305) Overgrown Lot (International Property Maintenance Code, Sec. 302.4)
Trash and Litter (International Property Maintenance Code, Sec. 307.1)**

2. If the property owners do not take corrective action within thirty (30) days to remove the violations, then after a complete and final legal review of the property conducted by the City Attorney, the City will take action to remove all violations listed, said work to be legally contracted with a private contractor or City crews, and the cost of same plus penalty to be certified to the City Clerk for further legal disposition.

3. A copy of this Resolution will be certified and recorded in the Chancery Clerk's Office of Forrest County, Mississippi.

The above and foregoing Resolution was introduced by Council member Delgado, seconded by Council member Carroll, and was adopted by the following vote, to-wit:

YEAS: Bradley
Delgado
Carroll
Dryden
Naylor

NAYS: None

ABSENT:

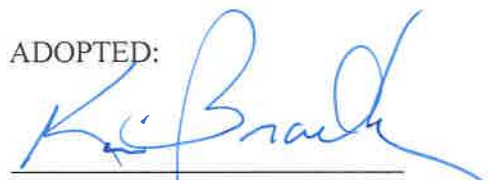
The President thereby declared the motion carried and the resolution adopted, this the 8th day of December 2015.

(SEAL)

ATTEST:


CLERK OF COUNCIL

ADOPTED:

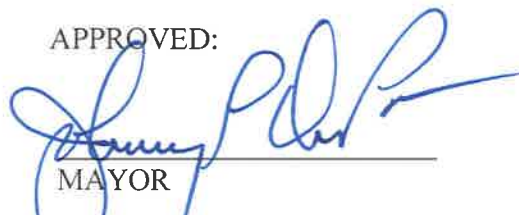

PRESIDENT

The above and foregoing Resolution having being submitted to and approved by the Mayor, this the 8th day of December, A.D., 2015

ATTEST:


CITY CLERK

APPROVED:


MAYOR

**ORDER NUNC PRO TUNC
TO CORRECT THE AUGUST 20, 2013 COUNCIL MINUTES
OF THE CITY OF HATTIESBURG, MISSISSIPPI**

WHEREAS, the Mayor and City Council of the City of Hattiesburg, Mississippi (the "Governing Body") of the "City"), acting for and on behalf of the City, desires to correct the August 20, 2013 minutes of the Governing Body; and

WHEREAS, on the August 20, 2013, the Governing Body of the City considered and approved a resolution (the "City TIF Plan/Notice of Public Hearing Resolution") approving the form of the Tax Increment Financing Plan, Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi 2013 (the "City TIF Plan") and the form of a notice (the "Notice") calling for a public hearing with respect to the City TIF Plan, and for related purposes; and

WHEREAS, the Governing Body has reviewed the minutes for the meeting of August 20, 2013 (the "August 20, 2013 Minutes"), and has determined that the minutes are substantially correct and accurately depict the events which transpired at the meeting; however, it has been discovered that the August 20, 2013 Minutes regarding the City TIF Plan/Notice of Public Hearing Resolution contained therein were not complete; and

WHEREAS, the Governing Body has determined that the actions of the Governing Body of the City regarding the adoption of the City TIF Plan/Notice of Public Hearing Resolution are set forth in the August 20, 2013 Minutes but a copy of Notice and the City TIF Plan Exhibit I legal description were present and discussed at the August 20, 2013 meeting of the Governing Body, a copy of such Notice and City TIF Plan Exhibit I legal description attached hereto as **EXHIBIT A** and **EXHIBIT B** however were not submitted for inclusion in the August 20, 2013 Minutes; and

WHEREAS, the City TIF Plan/Notice of Public Hearing Resolution was unanimously adopted by the Governing Body of the City and the omission of the Notice and the City TIF Plan Exhibit I legal description was incidental.

THEREFORE, BE IT ORDERED, that the Governing Body of the City hereby amends its August 20, 2013 Minutes, by adding the Notice behind the City TIF Plan/Notice of Public Hearing Resolution and the City TIF Plan Exhibit I legal description in the City TIF Plan in the form attached hereto as **EXHIBIT A** and **EXHIBIT B**, respectively.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Council member _____, seconded by Council member _____, and was adopted by the following vote, to-wit:

YEAS:

NAYS:

The President thereby declared the motion carried and the Resolution adopted, this the 8th day of December, A.D., 2015.

[SEAL]

ATTEST:

Clerk of Council

Kim Bradley, Council President

The above and foregoing Resolution having been submitted to and approved by the Mayor this, the 8th day of December, A.D., 2015.

Kermas Eaton, City Clerk

Johnny DuPree, Mayor

EXHIBIT A
COPY OF NOTICE

INSERT COPY OF NOTICE]

EXHIBIT A

COPY OF CITY TIF PLAN EXHIBIT I LEGAL DESCRIPTION

[INSERT COPY OF CITY TIF PLAN EXHIBIT1 LEGAL DESCRIPTION]

**ORDER NUNC PRO TUNC
TO CORRECT THE SEPTEMBER 3, 2013 COUNCIL MINUTES
OF THE CITY OF HATTIESBURG, MISSISSIPPI**

WHEREAS, the Mayor and City Council of the City of Hattiesburg, Mississippi (the "Governing Body" of the "City"), acting for and on behalf of the City, desires to correct the September 3, 2013 minutes of the Governing Body; and

WHEREAS, on the September 3, 2013, the Governing Body of the City considered and approved a resolution (the "City TIF Plan Resolution"), following a public hearing regarding the Tax Increment Financing Plan, Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi 2013 (the "City TIF Plan"), approving the City TIF Plan, and for related purposes; and

WHEREAS, the Governing Body has reviewed the minutes for the meeting of September 3, 2013 (the "September 3, 2013 Minutes"), and has determined that the minutes are substantially correct and accurately depict the events which transpired at the meeting; however it has been discovered that the September 3, 2013 Minutes regarding the City TIF Plan Resolution, were not complete; and

WHEREAS, the Governing Body has determined that the actions of the Governing Body of the City regarding the adoption of the City TIF Plan Resolution are set forth in the September 3, 2013 Minutes but a copy of proof of publication (the "Proof of Publication") regarding the notice for the public hearing regarding the City TIF Plan and the required exhibit documents for the City TIF Plan Exhibit I and Exhibit II were present and discussed by the Governing Body at the September 3, 2013 meeting, a copy of said Proof of Publication and exhibit documents for the City TIF Plan Exhibit I and Exhibit II being attached hereto as **EXHIBIT A** and **EXHIBIT B** however were not submitted for inclusion in the September 3, 2013 Minutes; and

WHEREAS, the City TIF Plan Resolution was unanimously adopted by the Governing Body of the City and the omission of the Proof of Publication and the exhibit documents for the City TIF Plan Exhibit I and Exhibit II was incidental.

THEREFORE, BE IT ORDERED, that the Governing Body of the City hereby amends its September 3, 2013 Minutes, by adding the Proof of Publication behind the City TIF Plan Resolution and the exhibit documents for the City TIF Plan Exhibit I and Exhibit II in the form attached hereto as **EXHIBIT A** and **EXHIBIT B**, respectively.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Council member _____, seconded by Council member _____, and was adopted by the following vote, to-wit:

YEAS:

NAYS:

The President thereby declared the motion carried and the Resolution adopted, this the 8th day of December, A.D., 2015.

[SEAL]

ATTEST:

Clerk of Council

Kim Bradley, Council President

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the 8th day of December, A.D., 2015.

Kermas Eaton, City Clerk

Johnny DuPree, Mayor

EXHIBIT A

COPY OF PROOF OF PUBLICATION

[INSERT COPY OF PROOF OF PUBLICATION]

EXHIBIT A

**COPY OF EXHIBIT DOCUMENTS FOR THE CITY TIF PLAN EXHIBIT I AND
EXHIBIT II**

**[INSERT COPY OF EXHIBIT DOCUMENTS FOR THE CITY TIF PLAN EXHIBIT I
AND EXHIBIT II]**

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on, September 3, 2013, at 4:00 P.M., at the City Hall, 200 Forrest Street, Hattiesburg, Mississippi, on the *Tax Increment Financing Plan, "Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi, 2013"* (the "**TIF Plan**"), for consideration by the City Council. The City of Hattiesburg (the "**City**") proposes to use the TIF Plan in compliance with the Tax Increment Financing Redevelopment Plan, Hattiesburg, Mississippi, and further, to designate the project described in the TIF Plan as appropriate for development and tax increment financing.

The general scope of the TIF Plan is a proposal that the City, acting on behalf of itself and Forrest County (the "**County**"), will issue Tax Increment Financing Revenue Bonds or Notes (the "**Bonds**") in one or more series in an amount not to exceed One Million, Five Hundred Thousand Dollars (\$1,500,000) in order to provide funds necessary to pay the cost of constructing and installing various infrastructure improvements, and site improvements of the Project including, but not limited to, installation of utilities such as water, sanitary sewer, and natural gas lines; relocation of utilities; installation and relocation of electrical services; installation of storm drainage; construction of roadways with curb and gutter, parking, sidewalks; installation of traffic signalization and signage; grading; lighting and landscaping of rights-of-way; purchase of rights-of-way and other property necessary for the installation of the infrastructure and other improvements described hereinabove; capitalized interest; and other related expenses such as engineering; all expenses in connection with the authorization, sale and issuance of bonds, or indebtedness; TIF plan preparation fees and other incidental related costs; and related professional fees. If deemed necessary and appropriate, the City and County may require additional security from the developers of the Project. The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health, and welfare. A more detailed scope of work, along with budgets, will be identified in a security and reimbursement agreement with Hattiesburg Clinic P.A.

Proceeds of the Bonds may also be used to fund capitalized interest and/or a debt service reserve fund as may be permitted under Mississippi Code Annotated § 21-45-1, *et seq.*

The Bonds shall be secured solely by a pledge by the City of up to one hundred percent (100%) of the incremental increase in ad valorem tax revenues on real and personal property generated by construction and development in the TIF District, as described in the TIF Plan, and will never be a general obligation of the City secured by the full faith, credit, and taxing power of the City or create any other pecuniary liability on the part of the City other than the pledge of the incremental increase in the ad valorem taxes set forth above. The City intends to enter an inter-local Agreement with Forrest County, Mississippi (the "**County**"), pursuant to the Regional Economic Development Act to support the Project and allow for efficient use of proceeds of the Bonds. The County is expected to pledge up to one hundred percent (100%) of the incremental increase in ad valorem real and personal property taxes generated by development in the TIF District to support the Project. The Bonds will likewise never be a general obligation of the County secured by the full faith, credit and taxing power of the County. If deemed necessary and appropriate, the City and the County may require additional security from the developers of the Project. It is expected that bonds will be issued for a term of up to 15 years.

Construction of the Project and payment of the Bonds issued pursuant to the TIF Plan will be paid as hereinabove set forth and will not require an increase in any kind or type of taxes by the City or the County.

The City and the County may exercise their authority under Chapter 45 of Title 21, Mississippi Code of 1972, as amended (the “**Act**”), individually or jointly, pursuant to an inter-local Cooperation Agreement as authorized by Mississippi Code Annotated § 21-45-3 *et seq.*
Witness my signature and seal, this the 20th day of August, 2013.

Eddie Myers, City Clerk

{S E A L:}

Publish One (1) Time in the legal section of the *Hattiesburg American* on August 23, 2013.

Send Proof of Publication and Invoice to:

**Eddie Myers, City Clerk
City of Hattiesburg
Post Office Box 1898,
Hattiesburg, Mississippi 39403**

Send copy of Proof of Publication to:

**Urban Planning Consultants, Inc.
1100 Cherry Street
Vicksburg, MS 39183**

28779366v1

PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
FORREST COUNTY

PERSONALLY appeared before me, the undersigned notary public in and for Forrest County, Mississippi,

KATHY BULLOCK

an authorized clerk of the HATTIESBURG AMERICAN, a daily newspaper published in the City of Hattiesburg, Forrest County, Mississippi who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

8/23/2013

Size: 734 words / 1.00 col. x 177.00 lines

Published: 1 time(s)

Total: \$93.08

Signed

Authorized Clerk of
The Hattiesburg American

SWORN to and subscribed before me on 8/23/2013.

Jennifer J. Brogdon
Notary Public

Aug. 23, 2013
Date



PASTE PROOF HERE

H12998

CITY OF HBURG,

0200446140

Public Hearing - TIF Plan

NOTICE OF PUBLIC
HEARING

Notice is hereby given that a public hearing will be held on September 3, 2013, at 4:00 P.M., at the City Hall, 200 Forrest Street, Hattiesburg, Mississippi, on the Tax Increment Financing Plan, "Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi, 2013" (the "TIF Plan"), for consideration by the City Council. The City of Hattiesburg (the "City") proposes to use the TIF Plan in

compliance with the Tax Increment Financing Redevelopment Plan, Hattiesburg, Mississippi, and further, to designate the project described in the TIF Plan as appropriate for development and tax increment financing.

The general scope of the TIF Plan is a proposal that the City, acting on behalf of itself and Forrest County (the "County"), will issue Tax Increment Financing Revenue Bonds or Notes (the "Bonds") in one or more series in an amount not to exceed One Million, Five Hundred Thousand Dollars (\$1,500,000) in order to provide funds necessary to pay the cost of constructing and installing various infrastructure improvements, and site improvements of the Project including, but not limited to, installation of utilities such as water, sanitary sewer, and natural gas lines; relocation of utilities; installation and relocation of electrical services; installation of storm drainage; construction of roadways with curb and gutter, parking, sidewalks; installation of traffic signalization and signage; grading; lighting and landscaping of rights-of-way; purchase of rights-of-way and other property necessary for the installation of the infrastructure and other improvements described hereinabove; capitalized interest; and other related expenses such as engineering; all expenses in connection with the authorization, sale and issuance of bonds; or indebtedness; TIF plan preparation fees and other incidental related costs; and related professional fees. If deemed necessary and appropriate, the City and County may require additional security from the developers of the Project. The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health, and welfare. A more detailed scope of work, along with budgets, will be identified in a security and reimbursement agreement with Hattiesburg Clinic P.A.

Proceeds of the Bonds may also be used to fund capitalized interest and/or a debt service reserve fund as may be permitted under Mississippi Code Annotated § 21-45-1, et seq.

The Bonds shall be secured solely by a pledge by the City of up to one hundred percent (100%) of the incremental increase in ad valorem tax revenues on real and personal property generated by construction and development in the TIF District, as described in the TIF Plan, and will never be a general obligation of the City secured by the full faith, credit, and taxing power of the City or create any other pecuniary liability on the part of the City other than the pledge of the incremental increase in the ad valorem taxes set forth above. The City intends to enter an inter-local Agreement with Forrest County, Mississippi (the "County"), pursuant to the Regional Economic Development Act to support the Project and allow for efficient use of proceeds of the Bonds. The County is expected to pledge up to one hundred percent (100%) of the incremental increase in ad valorem real and personal property taxes generated by development in the TIF District to support the Project. The Bonds will likewise never be a general obligation of the County secured by the full faith, credit and taxing power of the County. If deemed necessary and appropriate, the City and the County may require additional security from the developers of the Project. It is expected that bonds will be issued for a term of up to 15 years. Construction of the Project and payment of the Bonds issued pursuant to the TIF Plan will be paid as hereinabove set forth and will not require an increase in any kind or type of taxes by the City or the County.

The City and the County may exercise their authority under Chapter 45 of Title 21, Mississippi Code of 1972, as amended (the "Act"), individually or jointly, pursuant to an inter-local Cooperation Agreement as authorized by Mississippi Code Annotated § 21-45-2, et seq.

Witness my signature and seal, this 20th. day of August, 2013.

Eddie R. Myers/s/
Eddie R. Myers, City Clerk

[SEAL]

Publish: August 23, 2013
0200446140-01

[FGH]:

The East ½ of Lot 2 in Block 1 of the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat of such addition on file and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70/Plat Cabinet A at Slide 120;

ALSO: [Tatum]

All of Lot 3 of Block 1 of the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat of such addition on file and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70/Plat Cabinet A at Slide 120.

AND:

The North 10 feet of the former alley lying south of and abutting the South line of said Lot 3, which alley was closed and vacated, in part, by Ordinance No. 2509 of the City of Hattiesburg, adopted November 22, 1994, and recorded in Land Deed Book 722 at Page 698.

ALSO: [Mathis/Mills]

All of Lot 7 and the East 22.2 feet of Lot 8, Block 1 of the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70 (now Plat Cabinet A, Slide 120), together with all improvements thereon and all appurtenances thereunto belonging.

ALSO: [Sullivan]

All of Lots 5 and 6 of Block 1 the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70 (now Plat Cabinet A, Slide 120), together with all improvements thereon and all appurtenances thereunto belonging.

**ORDER NUNC PRO TUNC
TO CORRECT THE AUGUST 20, 2013 COUNCIL MINUTES
OF THE CITY OF HATTIESBURG, MISSISSIPPI**

WHEREAS, the Mayor and City Council of the City of Hattiesburg, Mississippi (the "Governing Body") of the "City"), acting for and on behalf of the City, desires to correct the August 20, 2013 minutes of the Governing Body; and

WHEREAS, on the August 20, 2013, the Governing Body of the City considered and approved a resolution (the "City TIF Plan/Notice of Public Hearing Resolution") approving the form of the Tax Increment Financing Plan, Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi 2013 (the "City TIF Plan") and the form of a notice (the "Notice") calling for a public hearing with respect to the City TIF Plan, and for related purposes; and

WHEREAS, the Governing Body has reviewed the minutes for the meeting of August 20, 2013 (the "August 20, 2013 Minutes"), and has determined that the minutes are substantially correct and accurately depict the events which transpired at the meeting; however, it has been discovered that the August 20, 2013 Minutes regarding the City TIF Plan/Notice of Public Hearing Resolution contained therein were not complete; and

WHEREAS, the Governing Body has determined that the actions of the Governing Body of the City regarding the adoption of the City TIF Plan/Notice of Public Hearing Resolution are set forth in the August 20, 2013 Minutes but a copy of Notice and the City TIF Plan Exhibit I legal description were present and discussed at the August 20, 2013 meeting of the Governing Body, a copy of such Notice and City TIF Plan Exhibit I legal description attached hereto as **EXHIBIT A** and **EXHIBIT B** however were not submitted for inclusion in the August 20, 2013 Minutes; and

WHEREAS, the City TIF Plan/Notice of Public Hearing Resolution was unanimously adopted by the Governing Body of the City and the omission of the Notice and the City TIF Plan Exhibit I legal description was incidental.

THEREFORE, BE IT ORDERED, that the Governing Body of the City hereby amends its August 20, 2013 Minutes, by adding the Notice behind the City TIF Plan/Notice of Public Hearing Resolution and the City TIF Plan Exhibit I legal description in the City TIF Plan in the form attached hereto as **EXHIBIT A** and **EXHIBIT B**, respectively.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Council member Carroll, seconded by Council member Dryden, and was adopted by the following vote, to-wit:

YEAS: Bradley
Delgado
Carroll
Dryden
Naylor

NAYS: None

The President thereby declared the motion carried and the Resolution adopted, this the 8th day of December, A.D., 2015.

[SEAL]

ATTEST:


Clerk of Council


Kim Bradley, Council President

The above and foregoing Resolution having been submitted to and approved by the Mayor this, the 8th day of December, A.D., 2015.


Kermas Eaton, City Clerk


Johnny DuPree, Mayor

EXHIBIT A
COPY OF NOTICE

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on, September 3, 2013, at 4:00 P.M., at the City Hall, 200 Forrest Street, Hattiesburg, Mississippi, on the *Tax Increment Financing Plan, "Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi, 2013"* (the "**TIF Plan**"), for consideration by the City Council. The City of Hattiesburg (the "**City**") proposes to use the TIF Plan in compliance with the Tax Increment Financing Redevelopment Plan, Hattiesburg, Mississippi, and further, to designate the project described in the TIF Plan as appropriate for development and tax increment financing.

The general scope of the TIF Plan is a proposal that the City, acting on behalf of itself and Forrest County (the "**County**"), will issue Tax Increment Financing Revenue Bonds or Notes (the "**Bonds**") in one or more series in an amount not to exceed One Million, Five Hundred Thousand Dollars (\$1,500,000) in order to provide funds necessary to pay the cost of constructing and installing various infrastructure improvements, and site improvements of the Project including, but not limited to, installation of utilities such as water, sanitary sewer, and natural gas lines; relocation of utilities; installation and relocation of electrical services; installation of storm drainage; construction of roadways with curb and gutter, parking, sidewalks; installation of traffic signalization and signage; grading; lighting and landscaping of rights-of-way; purchase of rights-of-way and other property necessary for the installation of the infrastructure and other improvements described hereinabove; capitalized interest; and other related expenses such as engineering; all expenses in connection with the authorization, sale and issuance of bonds, or indebtedness; TIF plan preparation fees and other incidental related costs; and related professional fees. If deemed necessary and appropriate, the City and County may require additional security from the developers of the Project. The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health, and welfare. A more detailed scope of work, along with budgets, will be identified in a security and reimbursement agreement with Hattiesburg Clinic P.A.

Proceeds of the Bonds may also be used to fund capitalized interest and/or a debt service reserve fund as may be permitted under Mississippi Code Annotated § 21-45-1, *et seq.*

The Bonds shall be secured solely by a pledge by the City of up to one hundred percent (100%) of the incremental increase in ad valorem tax revenues on real and personal property generated by construction and development in the TIF District, as described in the TIF Plan, and will never be a general obligation of the City secured by the full faith, credit, and taxing power of the City or create any other pecuniary liability on the part of the City other than the pledge of the incremental increase in the ad valorem taxes set forth above. The City intends to enter an inter-local Agreement with Forrest County, Mississippi (the "**County**"), pursuant to the Regional Economic Development Act to support the Project and allow for efficient use of proceeds of the Bonds. The County is expected to pledge up to one hundred percent (100%) of the incremental increase in ad valorem real and personal property taxes generated by development in the TIF District to support the Project. The Bonds will likewise never be a general obligation of the County secured by the full faith, credit and taxing power of the County. If deemed necessary and appropriate, the City and the County may require additional security from the developers of the Project. It is expected that bonds will be issued for a term of up to 15 years.

Construction of the Project and payment of the Bonds issued pursuant to the TIF Plan will be paid as hereinabove set forth and will not require an increase in any kind or type of taxes by the City or the County.

The City and the County may exercise their authority under Chapter 45 of Title 21, Mississippi Code of 1972, as amended (the "Act"), individually or jointly, pursuant to an inter-local Cooperation Agreement as authorized by Mississippi Code Annotated § 21-45-3 *et seq.*
Witness my signature and seal, this the 20th day of August, 2013.

Eddie Myers, City Clerk

{S E A L:}

Publish One (1) Time in the legal section of the *Hattiesburg American* on August 23, 2013.

Send Proof of Publication and Invoice to:

**Eddie Myers, City Clerk
City of Hattiesburg
Post Office Box 1898,
Hattiesburg, Mississippi 39403**

Send copy of Proof of Publication to:

**Urban Planning Consultants, Inc.
1100 Cherry Street
Vicksburg, MS 39183**

28779366v1

EXHIBIT A

COPY OF CITY TIF PLAN EXHIBIT I LEGAL DESCRIPTION

[FGH]:

The East ½ of Lot 2 in Block 1 of the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat of such addition on file and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70/Plat Cabinet A at Slide 120;

ALSO: [Tatum]

All of Lot 3 of Block 1 of the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat of such addition on file and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70/Plat Cabinet A at Slide 120.

AND:

The North 10 feet of the former alley lying south of and abutting the South line of said Lot 3, which alley was closed and vacated, in part, by Ordinance No. 2509 of the City of Hattiesburg, adopted November 22, 1994, and recorded in Land Deed Book 722 at Page 698.

ALSO: [Mathis/Mills]

All of Lot 7 and the East 22.2 feet of Lot 8, Block 1 of the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70 (now Plat Cabinet A, Slide 120), together with all improvements thereon and all appurtenances thereunto belonging.

ALSO: [Sullivan]

All of Lots 5 and 6 of Block 1 the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70 (now Plat Cabinet A, Slide 120), together with all improvements thereon and all appurtenances thereunto belonging.

**ORDER NUNC PRO TUNC
TO CORRECT THE SEPTEMBER 3, 2013 COUNCIL MINUTES
OF THE CITY OF HATTIESBURG, MISSISSIPPI**

WHEREAS, the Mayor and City Council of the City of Hattiesburg, Mississippi (the "Governing Body") of the "City"), acting for and on behalf of the City, desires to correct the September 3, 2013 minutes of the Governing Body; and

WHEREAS, on the September 3, 2013, the Governing Body of the City considered and approved a resolution (the "City TIF Plan Resolution"), following a public hearing regarding the Tax Increment Financing Plan, Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi 2013 (the "City TIF Plan"), approving the City TIF Plan, and for related purposes; and

WHEREAS, the Governing Body has reviewed the minutes for the meeting of September 3, 2013 (the "September 3, 2013 Minutes"), and has determined that the minutes are substantially correct and accurately depict the events which transpired at the meeting; however it has been discovered that the September 3, 2013 Minutes regarding the City TIF Plan Resolution, were not complete; and

WHEREAS, the Governing Body has determined that the actions of the Governing Body of the City regarding the adoption of the City TIF Plan Resolution are set forth in the September 3, 2013 Minutes but a copy of proof of publication (the "Proof of Publication") regarding the notice for the public hearing regarding the City TIF Plan and the required exhibit documents for the City TIF Plan Exhibit I and Exhibit II were present and discussed by the Governing Body at the September 3, 2013 meeting, a copy of said Proof of Publication and exhibit documents for the City TIF Plan Exhibit I and Exhibit II being attached hereto as **EXHIBIT A** and **EXHIBIT B** however were not submitted for inclusion in the September 3, 2013 Minutes; and

WHEREAS, the City TIF Plan Resolution was unanimously adopted by the Governing Body of the City and the omission of the Proof of Publication and the exhibit documents for the City TIF Plan Exhibit I and Exhibit II was incidental.

THEREFORE, BE IT ORDERED, that the Governing Body of the City hereby amends its September 3, 2013 Minutes, by adding the Proof of Publication behind the City TIF Plan Resolution and the exhibit documents for the City TIF Plan Exhibit I and Exhibit II in the form attached hereto as **EXHIBIT A** and **EXHIBIT B**, respectively.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Council member Carroll, seconded by Council member Dryden, and was adopted by the following vote, to-wit:

YEAS: Bradley
Delgado
Carroll
Dryden
Naylor

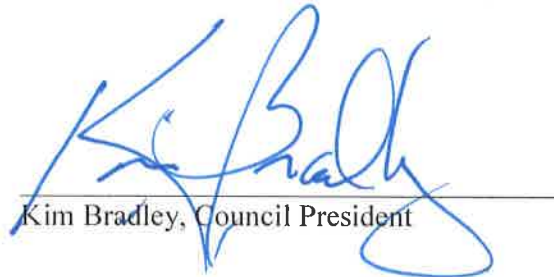
NAYS: None

The President thereby declared the motion carried and the Resolution adopted, this the 8th day of December, A.D., 2015.

[SEAL]

ATTEST:


Clerk of Council


Kim Bradley, Council President

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the 8th day of December, A.D., 2015.


Kermas Eaton, City Clerk

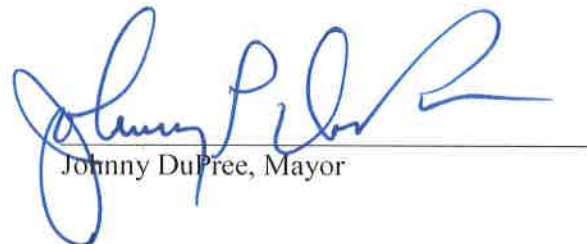

Jonny DuPree, Mayor

EXHIBIT A
COPY OF PROOF OF PUBLICATION

PROOF OF PUBLICATION THE STATE OF MISSISSIPPI FORREST COUNTY

PERSONALLY appeared before me, the undersigned notary public in and for Forrest County, Mississippi,

KATHY BULLOCK

PASTE PROOF HERE

H12998
CITY OF HBURG,
0200446140
Public Hearing - TIF Plan

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on September 3, 2013, at 4:00 P.M. at the City Hall, 2000 Forrest Street, Hattiesburg, Mississippi, on the Tax Increment Financing Plan, Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi, 2013 (the "TIF Plan") for consideration by the City Council. The City of Hattiesburg (the "City") proposes to use the TIF Plan in compliance with the Tax Increment Financing Plan, Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi, and further to designate the project described in the TIF Plan as appropriate for development and tax increment financing.

The general scope of the TIF Plan is a proposal that the City, acting on behalf of itself and Forrest County (the "County"), will issue Tax Increment Financing Revenue Bonds or Notes (the "Bonds") in one or more series in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) in order to provide funds necessary to pay the cost of constructing and installing various infrastructure improvements, and also improvements of the Project including, but not limited to, installation of utilities such as water, sanitary sewer, and natural gas lines; relocation of utilities; installation and relocation of electrical facilities; installation of storm drainage; construction of roadways with curb and gutter, parking, sidewalks; installation of traffic signalization and signage; grading; lighting and landscaping of rights-of-way; purchase of rights-of-way and other property necessary for the installation of the infrastructure and other improvements described hereinabove; capitalized interest and other related expenses such as engineering, all expenses in connection with the authorization, sale and issuance of bonds, or indebtedness; TIF plan preparation fees and other incidental related costs; and related professional fees. If deemed necessary and appropriate, the City and County may require additional security from the developers of the Project. The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health, and welfare. A more detailed scope of work, along with bridge, will be located in a security and reimbursement agreement with Hattiesburg Clinic P.A.

Proceeds of the Bonds may also be used to fund capitalized interest and/or a debt service reserve fund as may be permitted under Mississippi Code Annotated § 21-45-1, et seq. The Bonds shall be secured solely by a pledge by the City of up to one hundred percent (100%) of the incremental increase in ad valorem tax revenues on real and personal property generated by construction and development in the TIF District, as described in the TIF Plan, and will never be a general obligation of the City secured by the full faith, credit, and taxing power of the City or create any other pecuniary liability on the part of the City other than the pledge of the incremental increase in the ad valorem taxes set forth above. The City intends to enter an Inter-local Agreement with Forrest County, Mississippi (the "County") pursuant to the Regional Economic Development Act to support the Project and allow for efficient use of proceeds of the Bonds. The County is expected to pledge up to one hundred percent (100%) of the incremental increase in ad valorem real and personal property taxes generated by development in the TIF District to support the Project. The Bonds will likewise never be a general obligation of the County, secured by the full faith, credit, and taxing power of the County. If deemed necessary and appropriate, the City and the County may require additional security from the developers of the Project. It is expected that bonds will be issued for a term of up to 15 years. Construction of the Project and payment of the Bonds issued pursuant to the TIF Plan will be paid as hereinabove set forth and will not require an increase in any kind or type of taxes by the City or the County.

The City and the County may exercise their authority under Chapter 45 of Title 21, Mississippi Code of 1972, as amended (the "Act"), individually or jointly, pursuant to an Inter-local Cooperation Agreement as authorized by Mississippi Code Annotated § 21-45-1, et seq. Witness my signature and seal, this 20th day of August, 2013.

Eddie R. Myers
Eddie R. Myers, City Clerk

(SEAL)

Publish: August 23, 2013
0200446140-3

an authorized clerk of the HATTIESBURG AMERICAN, a daily newspaper published in the City of Hattiesburg, Forrest County, Mississippi who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

8/23/2013

Size: 734 words / 1.00 col. x 177.00 lines

Published: 1 time(s)

Total: \$93.08

Signed

Authorized Clerk of
The Hattiesburg American

SWORN to and subscribed before me on 8/23/2013.

Jennifer J. Brogdon
Notary Public

Aug. 23, 2013
Date



EXHIBIT A

**COPY OF EXHIBIT DOCUMENTS FOR THE CITY TIF PLAN EXHIBIT I AND
EXHIBIT II**

Exhibit I

Legal Descriptions of Hattiesburg Clinic Midtown District Project, Hattiesburg, Mississippi, 2013 and Survey Map of the Geographic Location of the Project

URBAN PLANNING CONSULTANTS, INC

1100 Cherry Street • Vicksburg, Mississippi 39183 • (601) 638-7121 • Facsimile (601) 638-5292 • E-Mail: laurence@upc.ms

[FGH]:

The East ½ of Lot 2 in Block 1 of the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat of such addition on file and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70/Plat Cabinet A at Slide 120;

ALSO: [Tatum]

All of Lot 3 of Block 1 of the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat of such addition on file and of record in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70/Plat Cabinet A at Slide 120.

AND:

The North 10 feet of the former alley lying south of and abutting the South line of said Lot 3, which alley was closed and vacated, in part, by Ordinance No. 2509 of the City of Hattiesburg, adopted November 22, 1994, and recorded in Land Deed Book 722 at Page 698.

ALSO: [Mathis/Mills]

All of Lot 7 and the East 22.2 feet of Lot 8, Block 1 of the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70 (now Plat Cabinet A, Slide 120), together with all improvements thereon and all appurtenances thereunto belonging.

ALSO: [Sullivan]

All of Lots 5 and 6 of Block 1 the Hillsdale Addition to the City of Hattiesburg, Forrest County, Mississippi, as per the map or plat thereof on file in the office of the Chancery Clerk of Forrest County, Mississippi, in Plat Book 7 at Page 70 (now Plat Cabinet A, Slide 120), together with all improvements thereon and all appurtenances thereunto belonging.



N

415 S 28th Ave, Hattiesburg

© 2012 Google
Image USDA Farm Service Agency

Google earth

Exhibit II

The Hattiesburg Clinic Professional Association "Project Summary"
Hattiesburg Mississippi 2013

URBAN PLANNING CONSULTANTS, INC

1100 Cherry Street • Vicksburg, Mississippi 39183 • (601) 638-7121 • Facsimile (601) 638-5292 • E-Mail: laurence@upc.ms

THE HATTIESBURG CLINIC PROFESSIONAL ASSOCIATION PROJECT SUMMARY HATTIESBURG, MISSISSIPPI 2013

I. Project Description

In a significant and important effort to support the community's plans and to be associated with the Midtown Hattiesburg District vision directly, the Hattiesburg Clinic Professional Association (the "Clinic") proposes to develop two parking lots and a new administrative office complex with additional parking (the "Administrative Service Building") within the newly defined "Midtown Hattiesburg District." It will represent a significant economic expansion of the Clinic's current position in the Hattiesburg medical trade area, and provide for a consolidation of seven separate satellite facilities into the economic center of the Midtown District Project. This in turn will allow space for the needed expansion of net new staffing positions needed in both the medical clinic area as well as in the medical administrative support areas. The additional professional jobs being created will provide for even more economic growth outside of the immediate project being proposed in this summary.

The new administrative office building will house the business office, the current "Epic" electronic medical record support, and computer network administration and human resources departments.

Presently, the staff in these support areas resides in seven unique buildings on or within a mile of the main Clinic campus in Hattiesburg. The consolidation of these functions into a single facility will enhance the property by creating the following improvements:

- Facilitate a more effective management of certain key service departments by consolidating the staff from multiple locations into a single coordinated space
- Provide space for future expansion of the above noted service areas to continue to meet the needs of the anticipated increasing growth of the medical market trade area
- Allow for the elimination of the cost of four (4) third-party real estate lease agreements
- Free up in excess of 15,000 square feet in the main Clinic medical office building (415 South 28th Avenue) and 28th Place to be used for the expansion of the Forrest County ophthalmology and obstetrical services, and the creation of a new satellite family medicine graduate medical education program of the University of Mississippi's School of Medicine.

II. Private Investment in Excess of Eleven Million, Eight Hundred Eighty One Thousand Dollars (\$12,281,000)

The development and construction of the Project will be comprised of a private investment of approximately \$11,881,000 in land, buildings, parking, site improvements, and an additional \$400,000 in FF&E related expense for a total estimate of \$12,281,000.

III. Job Creation

Construction Jobs: It is expected that the construction of the Project will create scores of construction jobs that will generate a significant construction payroll much of which will be spent locally and have a positive impact on the local economy of Hattiesburg and Forrest County. The Project is expected to take approximately fifteen (15) months of construction time to complete.

- a) *Permanent Full and Part-Time Jobs:* Upon completion of the Project, it is expected that the new Administrative Services Center will allow the clinic to employ an additional fifty (50) full-time support staff members. The projected payroll associated with these incremental positions is approximately \$2,050,000.
- b) When the Clinic relocates staff from its existing main campus facilities and repurposes this space (15,000 square feet) for additional health care providers, it is expected that it would increase payroll and the number of employees by \$3,400,000 and thirty-six (36) professional positions, respectively.

IV. Property Taxes

Currently, property taxes generated by four (4) separate parcels, including one (1) acre to be acquired from Forrest General Hospital and Forrest County on which the Project is to be located are negligible. As a result of the total Project, real and personal property ad valorem taxes could reach approximately **\$252,928.12**. The following table illustrates the estimated ad valorem taxes before and after construction of the Project:

Estimated AD VALOREM TAXES

<u>Entity</u>	<u>Current Tax*</u>	<u>Taxes After Improvements*</u>	<u>Total Net Increase*</u>
City (47.42mils)			
Real Property & Personal Property	\$2,826.76	\$74,251.54	\$71,424.78
County (55.09 mils)			
Real Property & Personal Property	\$3,402.60	\$86,261.44	\$82,858.84
School District (59.02 mils)			
Real Property & Personal Property	<u>\$3,947.74</u>	<u>\$92,415.14</u>	<u>\$88,467.40</u>
Totals:	\$10,177.10	\$252,928.12	\$242,751.02

* The estimated taxes provided in the foregoing table are based on data provided by the Developer and the Forrest County Tax Assessor.

V. Partial Listing of Project Benefits

- The Hattiesburg Clinic Professional Association will significantly advance Hattiesburg and Forrest County's goal of improving and sustaining a better quality of life for the residents of Hattiesburg and the many surrounding communities that rely on this strategic medical care facility.
- Construction of the Project will represent a private investment of over \$12,281,000, and will have a significant impact on the economy of Hattiesburg and Forrest County.
- Increased real and personal property ad valorem taxes generated from the Project are projected to be a combined net increase to the County, City, and School District of \$242,751.02. This can be broken down by, the City receiving \$71,424.78, the County receiving \$82,858.84, and the School District receiving \$88,467.40.
- This Project will create 86 new full and part-time jobs with a payroll of in excess of \$5,450,000, annually thus having a long-term positive impact on the community.

- The Project will establish a new development in the Hattiesburg and Forrest County market, thus enhancing the city and the county's competitive position as one of the State of Mississippi's pre-eminent medical communities.
- The Project will be the first significant investment in the city's new "Midtown Hattiesburg District," whose goal is to create a "walk-able," "workable," mixed use community that connects people to living, shopping, dining, entertaining, educational, medical, cultural, and recreational venues.
- Due to the concentration of additional workers, residents, and new customers commuting into the Midtown District daily. This development will positively support the development of additional investments in the district.
- The Hattiesburg Clinic Professional Association will strengthen the stature of Hattiesburg and Forrest County as one of Mississippi's best regional medical centers broadening the full continuum of care in the community.
- The Hattiesburg Clinic Professional Association is a strong and viable economic development project that will serve as a major catalyst for additional private investment in the Project area to support and enhance growth.

VI. Project Feasibility/Assistance Needed

- The high cost of land and infrastructure requires financial assistance from the City and County if the Project is to become a reality.
- Developers propose the City and County provide Tax Increment Financing to help defray some of the cost of infrastructure including a lighted and landscaped access road, as well as water, sewer, gas, drainage, landscaping, parking, and related earth works. Estimated costs are approaching \$3,150,000.
- The Project mutually benefits the whole Midtown District and will attract additional traffic and customers into area. The cost associated with the land acquisition and parking requirements including the additional quality of life features are creating an undue burden on the development cost.
- Additional infrastructure and access cost are associated with this project due to its proximity of other major developments associated with Forrest General Hospital and the surrounding area.

Estimates of Eligible Expenses for Reimbursement Under Tax Increment Financing:

1. Architectural, engineering, and other related professional fees	\$165,000
2. Land acquisition of two parcels for parking facilities	\$1,907,000
3. Parking facility improvements, curb, gutter, surface treatment, lighting, drainage, landscape, roadwork, earthwork, sidewalks, drainage, signage	\$1,028,000
4. Additional site utilities, landscaping, drainage, sidewalks	\$49,000
<u>Total:</u>	<u>\$3,149,000</u>

Exhibit A: Includes some of the specific line item expenses included above for the Administrative Support Services Building based on early designed cost estimates provided.

Exhibit B: Includes some of the specific line item expenses included above for the parking facility based on early design cost estimates provided.

Tax Increment Financing (TIF)

The following tables illustrate proposed tax increment financing scenarios:

<u>Term</u>	<u>TIF Bond Issue (Est.)</u>	<u>Annual Payment (80%)</u>	<u>Net Increased Tax Available</u>
15 yrs. @5.0% (100% City/100% County)	\$1,300,665.52	\$123,426.90	\$154,283.62

NOTE: These estimates assume a 1.2 debt ratio on the net increase in taxes based on data estimates from the Developer, and the Forrest County Tax Assessor. Current millage rates that were used include (City – 47.42 & County – 55.09), with an allocated 100% commitment from the city and 100% participation of the estimated increase in ad valorem tax from the county for 15 years on the incremental tax increase designated towards the proposed TIF bond payments, less the required 20% debt reserve amount of \$30,856.72.

Economic Impact Summary:

Employment: 86

Payroll Estimated: \$5,450,000 (Avg. payroll per employee of \$63,372.09)

Exhibit A

Draft

Hattiesburg Clinic Administrative Support Services Building Hattiesburg, Mississippi			
Item Of Work	Base Cost	Cost with General Requirements	Cost with OH and Profit
Site Clearing and Grubbing	\$5,000.00	\$5,417.50	\$5,959.25
Strip Top Soil	\$2,100.00	\$2,275.35	\$2,502.89
Respread top soil	\$2,520.00	\$2,730.42	\$3,003.46
Grad/shape /proof rool site	\$19,989.00	\$21,658.08	\$23,823.89
excavate/Haul-Off dirt	\$40,335.00	\$43,702.97	\$48,073.27
New Fill	\$51,850.00	\$56,179.48	\$61,797.42
Washed Gravel in Islands	\$4,080.00	\$4,420.68	\$4,862.75
City Tap Fees	\$25,000.00	\$27,087.50	\$29,796.25
6" Sanitary Sewer	\$1,800.00	\$1,950.30	\$2,145.33
PVC Inlet	\$800.00	\$866.80	\$953.48
6" PVC Water Line	\$569.00	\$616.51	\$678.16
4" PVC Domestic Service	\$300.00	\$325.05	\$357.56
Storm Drainage	\$20,000.00	\$21,670.00	\$23,837.00
Underground Detention System	\$30,000.00	\$32,505.00	\$35,755.50
Detention Inlet	\$16,000.00	\$17,336.00	\$19,069.60
4" French Drain	\$10,500.00	\$11,376.75	\$12,514.43
H.D. Concrete Paving	\$40,250.00	\$43,610.88	\$47,971.96
Asphalt Paving	\$104,007.00	\$112,691.58	\$123,960.74
Lime Stone Base	\$100,379.00	\$108,760.65	\$119,636.71
Lime Stone Drive-Off	\$1,320.00	\$1,430.22	\$1,573.24
Pavement Marking	\$3,610.00	\$3,911.44	\$4,302.58
Pavement Stripping	\$788.00	\$853.80	\$939.18
Curb and Gutter	\$36,480.00	\$39,526.08	\$43,478.69
Precast Conc. Wheel Stops	\$168.00	\$182.03	\$200.23
Concrete Sidewalks	\$20,236.00	\$21,925.71	\$24,118.28
Brick Pavers on Conc. Base	\$7,762.00	\$8,410.13	\$9,251.14
Concrete side walk Steps	\$648.00	\$702.11	\$772.32
Sod and Fine Grade	\$10,161.00	\$11,009.44	\$12,110.39
	Total Construction Cost		\$663,445.69
Architects/Engineers Fees		6%	\$39,806.74

Exhibit B

Draft



ENGINEER'S ESTIMATE

DATE: May 15, 2013

S.N.: 128-12

PROJECT: Proposed Parking Lot, Main Campus - Option 5D
Hattiesburg Clinic
Hattiesburg, MS

DESCRIPTION		QUANTITY	UNIT	UNIT PRICE	AMOUNT
S-203-E1	Borrow Excavation (F.M.E.) (Contractor Furnished)	2,900.0	C.Y.	\$20.00	\$58,000.00
S-203-H	Excess Excavation (FM) (2' Undercut)	3,400.0	C.Y.	\$10.00	\$34,000.00
S-212	Erosion Control	1.0	L.S.	\$20,000.00	\$20,000.00
S-403-A	Hot Mix Asphalt, (ST) (12.5MM) (6" Thickness)	1,070.0	TON	\$105.00	\$112,350.00
S-601-B2	18" PVC Inlet	2.0	EA.	\$800.00	\$1,600.00
S-601-B3	Curb Inlet (Type SS2)	3.0	EA.	\$4,000.00	\$12,000.00
S-601-B4	Special Design Inlet	1.0	EA.	\$6,000.00	\$6,000.00
S-601-B5	Detention Outlet Structure	1.0	EA.	\$4,000.00	\$4,000.00
S-603-PE-18	18" CPVC (For Inlets)	455.0	L.F.	\$30.00	\$13,650.00
S-603-PE-24	24" CPVC (Outlet Pipe)	105.0	L.F.	\$41.00	\$4,305.00
S-603-PE	Underground Detention System	1.0	EA.	\$17,500.00	\$17,500.00
S-608-A	Concrete Sidewalk	790.0	S.Y.	\$40.00	\$31,600.00
S-609-D	Combination Concrete Curb and Gutter	1,800.0	L.F.	\$20.00	\$36,000.00
S-621-G-1	Striping	2,100.0	L.F.	\$2.00	\$4,200.00
S-621-M	Electrical (Lighting)	1.0	L.S.	\$10,000.00	\$10,000.00
Notes: 1. Earthwork quantities are estimated. 2. Area of proposed new asphalt construction = 29,000 S.F. 3. Items shown with * are required to comply with detention requirements established by City of Hattiesburg Site Plan Review.					
CONSTRUCTION ESTIMATE ONLY					
Subtotal Construction =					\$365,205.00

2203 Hardy Street, Hattiesburg, MS 39401
(601) 583-2127

URBAN PLANNING CONSULTANTS, INC

1100 Cherry Street • Vicksburg, Mississippi 39183 • (601) 638-7121 • Facsimile (601) 638-5292 • E-Mail: laurence@upc.ms

City of Hattiesburg, MS

*200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401*



Meeting Agenda - Final

Tuesday, December 8, 2015

5:00 PM

Council Chambers

City Council - Amendments to the Agenda

Add Policy Agenda Items VI.-26 and VI.-27 at the request of the Administration as follows:

- VI.-26** [2015-2328](#) Approve or Deny changes to wages and salaries proposed in accordance with ordinance 3154 Section III-H, in the attached documents.

Attachments: [Redondo-Fire](#)
[McGinty-Police](#)
[Harper-Police](#)
[Herrin- Police Officer](#)
[Daniels- Police Officer](#)
[Varnado- Police Officer](#)
[Smith- Police Officer](#)
[Overall Spread Sheet- Wagaes& Salaries](#)

- VI.-27** [2015-2329](#) Authorize the Mayor to execute Tax Abatement Agreement between Hattiesburg Farm, LLC, Forrest County and the City of Hattiesburg to provide ad valorem tax exemptions to Hattiesburg Farm, LLC on a certain parcel of land in the City of Hattiesburg (identified in Exhibit A); tax abatement agreement will take effect once the facility is completed and begins operations.

Attachments: [Tax Abatement Agreement](#)
[Tax Agreement Exhibit A](#)
[executed Tax Abatement Agreement](#)



City of Hattiesburg, MS

200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401

Master

File Number: 2015-2328

File ID: 2015-2328

Type: Regular Agenda Item

Status: Passed

Version: 1

Reference:

In Control: City Council

File Created: 12/07/2015

Brief Title: Wage change request.

Final Action: 12/08/2015

Minute Book Number: MB2015-362

Title:

Approve or Deny changes to wages and salaries proposed in accordance with ordinance 3154 Section III-H, in the attached documents.

Notes:

Sponsors:

Enactment Date:

Attachments: Redondo-Fire, McGinty-Police, Harper-Police, Herrin- Police Officer, Daniels- Police Officer, Varnado- Police Officer, Smith- Police Officer, Overall Spread Sheet- Wagaes& Salaries

Enactment Number:

Contact:

Meeting Date:

Drafter: Kermas Eaton

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Amendments to the Agenda	12/08/2015					
1	City Council	12/08/2015	Approve				Pass
Action Text: A MOTION was made by Council Member Dryden and seconded by Council Member Carroll to Approve changes to wages and salaries proposed in accordance with ordinance 3154 Section III-H, in the attached documents.							
There being no discussion, the Motion received the affirmative vote of the Council as follows:							
Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor							
Nays: 0							
Yea: 5 Council Member Bradley Council Member Delgado Council Member Carroll Council Member Dryden Council Member Naylor							
TEL-No Vote: 0							

Text of Legislative File 2015-2328

Title

Approve or Deny changes to wages and salaries proposed in accordance with ordinance 3154 Section III-H, in the attached documents.

Summary

Changes to wages and salaries.

Budget Information

Expenditure Type

Purchasing Item

Publication Information

CITY OF HATTIESBURG

COUNCIL WAGE CHANGE REQUEST FORM

<i>Request Number</i>	1
<i>Date of Request</i>	12/8/2015
<i>Employee Name</i>	ALEXANDER REDONDO

CURRENT

<i>Department</i>	FIRE
<i>Position Title</i>	FIREFIGHTER (RECRUIT)
<i>Position Number</i>	303-37
<i>Annual Rate of Pay</i>	\$22,000.00

CHANGE

<i>Department</i>	FIRE
<i>Position Title</i>	FIREFIGHTER
<i>Position Number</i>	303-37
<i>Annual Rate of Pay</i>	\$29,100.00
<i>This Position became Vacant on:</i>	12/1/2015
<i>Reason for Requested Change</i>	GRADUATED FROM FIRE ACADEMY 11/12/15

BUDGET

<i>Request Currently Budgeted?</i>	YES
<i>Is a Budget Amendment Required?</i>	NO

CITY OF HATTIESBURG

COUNCIL WAGE CHANGE REQUEST FORM

<i>Request Number</i>	2
<i>Date of Request</i>	12/8/2015
<i>Employee Name</i>	DESTINY MCGINTY

CURRENT

<i>Department</i>	POLICE
<i>Position Title</i>	DIVISION MANAGER
<i>Position Number</i>	244-48
<i>Annual Rate of Pay</i>	\$37,080.00

CHANGE

<i>Department</i>	POLICE
<i>Position Title</i>	DIVISION MANAGERR
<i>Position Number</i>	244-22
<i>Annual Rate of Pay</i>	\$40,080.00
<i>This Position became Vacant on:</i>	12/1/2015
<i>Reason for Requested Change</i>	RETIREMENT OF JOHNNY ADAMO

BUDGET

<i>Request Currently Budgeted?</i>	NO
<i>Is a Budget Amendment Required?</i>	NO - Will move \$4,235 from Position 244-48 pending Council Authrization.

CITY OF HATTIESBURG

COUNCIL WAGE CHANGE REQUEST FORM

<i>Request Number</i>	3
<i>Date of Request</i>	12/8/2015
<i>Employee Name</i>	PATRINA HARPER

CURRENT

<i>Department</i>	POLICE
<i>Position Title</i>	ACCOUNTING TECHNICIAN
<i>Position Number</i>	238-4
<i>Annual Rate of Pay</i>	\$27,040.00

CHANGE

<i>Department</i>	POLICE
<i>Position Title</i>	DIVISION MANAGER
<i>Position Number</i>	244-48
<i>Annual Rate of Pay</i>	\$32,040.00
<i>This Position became Vacant on:</i>	WILL BECOME VACANT ON 12/1/15
<i>Reason for Requested Change</i>	PROMOTION OF DESTINY MCGINTY

BUDGET

<i>Request Currently Budgeted?</i>	YES
<i>Is a Budget Amendment Required?</i>	NO

CITY OF HATTIESBURG

COUNCIL WAGE CHANGE REQUEST FORM

<i>Request Number</i>	4
<i>Date of Request</i>	12/8/2015
<i>Employee Name</i>	ERIK HERRIN

CURRENT

<i>Department</i>	POLICE
<i>Position Title</i>	POLICE OFFICER
<i>Position Number</i>	313-169
<i>Annual Rate of Pay</i>	\$36,500.00

CHANGE

<i>Department</i>	POLICE
<i>Position Title</i>	POLICE OFFICER
<i>Position Number</i>	313-169
<i>Annual Rate of Pay</i>	\$37,500.00
<i>This Position became Vacant on:</i>	N/A
<i>Reason for Requested Change</i>	COMPENSATION FOR BEING ASSIGNED AS FIELD TRAINING OFFICER

BUDGET

<i>Request Currently Budgeted?</i>	YES
<i>Is a Budget Amendment Required?</i>	NO

CITY OF HATTIESBURG

COUNCIL WAGE CHANGE REQUEST FORM

<i>Request Number</i>	5
<i>Date of Request</i>	12/8/2015
<i>Employee Name</i>	CHADRA DANIELS

CURRENT

<i>Department</i>	POLICE
<i>Position Title</i>	POLICE OFFICER
<i>Position Number</i>	313-166
<i>Annual Rate of Pay</i>	\$40,000.00

CHANGE

<i>Department</i>	POLICE
<i>Position Title</i>	POLICE OFFICER
<i>Position Number</i>	313-166
<i>Annual Rate of Pay</i>	\$41,000.00
<i>This Position became Vacant on:</i>	12/1/2015
<i>Reason for Requested Change</i>	COMPENSATION FOR BEING ASSIGNED FAS FIELD TRAINING OFFICER

BUDGET

<i>Request Currently Budgeted?</i>	NO
<i>Is a Budget Amendment Required?</i>	NO - Will move \$1,000 from Position 313-69 pending Council Authorization.

CITY OF HATTIESBURG

COUNCIL WAGE CHANGE REQUEST FORM

<i>Request Number</i>	7
<i>Date of Request</i>	12/8/2015
<i>Employee Name</i>	JAKKI VARNADO

CURRENT

<i>Department</i>	POLICE
<i>Position Title</i>	POLICE OFFICER
<i>Position Number</i>	313-94
<i>Annual Rate of Pay</i>	\$42,540.00

CHANGE

<i>Department</i>	POLICE
<i>Position Title</i>	POLICE OFFICER
<i>Position Number</i>	313-94
<i>Annual Rate of Pay</i>	\$43,540.00
<i>This Position became Vacant on:</i>	12/1/2015
<i>Reason for Requested Change</i>	COMPENSATION FOR BEING ASSIGNED FAS FIELD TRAINING OFFICER

BUDGET

<i>Request Currently Budgeted?</i>	NO
<i>Is a Budget Amendment Required?</i>	NO - Will move \$1,000 from Position 313-162 pending Council Authorization.

CITY OF HATTIESBURG

COUNCIL WAGE CHANGE REQUEST FORM

<i>Request Number</i>	6
<i>Date of Request</i>	12/8/2015
<i>Employee Name</i>	JARROD SMITH

CURRENT

<i>Department</i>	POLICE
<i>Position Title</i>	POLICE OFFICER
<i>Position Number</i>	313-197
<i>Annual Rate of Pay</i>	\$38,500.00

CHANGE

<i>Department</i>	POLICE
<i>Position Title</i>	POLICE OFFICER
<i>Position Number</i>	313-197
<i>Annual Rate of Pay</i>	\$39,500.00
<i>This Position became Vacant on:</i>	12/1/2015
<i>Reason for Requested Change</i>	COMPENSATION FOR BEING ASSIGNED FAS FIELD TRAINING OFFICER

BUDGET

<i>Request Currently Budgeted?</i>	NO
<i>Is a Budget Amendment Required?</i>	NO - Will move \$1,000 from Position 313-84 pending Council Authorization.

COUNCIL WAGE CHANGE REQUESTS

12/8/2015

Request No.	First Name	Last Name	Current Department	Current Position	Current Annual ROP	New Department	New Position	New Annual ROP	Budgeted	Budget Amendment
1	Alexander	Redondo	Fire	FF/Recruit	\$22,000.00	Fire	Firefighter	\$29,100.00	Yes	No
2	Destiny	McGinty	Police	Division Manager	\$37,080.00	Police	Division Manager	\$40,080.00	No	No
3	Patrina	Harper	Police	Accounting Tech	\$27,040.00	Police	Division Manager	\$32,040.00	Yes	No
4	Erik	Herrin	Police	Police Officer	\$36,500.00	Police	Police Officer	\$37,500.00	Yes	No
5	Chadra	Daniels	Police	Police Officer	\$40,000.00	Police	Police Officer	\$41,000.00	No	No
6	Jarrod	Smith	Police	Police Officer	\$38,500.00	Police	Police Officer	\$39,500.00	No	No
7	Jakki	Varnado	Police	Police Officer	\$42,540.00	Police	Police Officer	\$43,540.00	No	No



City of Hattiesburg, MS

200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401

Master

File Number: 2015-2329

File ID: 2015-2329

Type: Regular Agenda Item

Status: Agenda Ready

Version: 1

Reference:

In Control: City Council

File Created: 12/07/2015

Brief Title: Tax Abatement Agreement. Hattiesburg Farms LLC

Final Action: 12/08/2015

Minute Book Number: MB2015-362

Title:

Authorize the Mayor to execute Tax Abatement Agreement between Hattiesburg Farm, LLC, Forrest County and the City of Hattiesburg to provide ad valorem tax exemptions to Hattiesburg Farm, LLC on a certain parcel of land in the City of Hattiesburg (identified in Exhibit A); tax abatement agreement will take effect once the facility is completed and begins operations.

Notes:

Sponsors:

Enactment Date:

Attachments: Tax Abatement Agreement, Tax Agreement Exhibit A, executed Tax Abatement Agreement

Enactment Number:

Contact:

Meeting Date:

Drafter: Kermas Eaton

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Amendments to the Agenda	12/08/2015					
1	City Council	12/08/2015	Authorize				Pass
Action Text: A MOTION was made by Council Member Carroll and seconded by Council Member Naylor to Authorize the Mayor to execute Tax Abatement Agreement between Hattiesburg Farm, LLC, Forrest County and the City of Hattiesburg to provide ad valorem tax exemptions to Hattiesburg Farm, LLC on a certain parcel of land in the City of Hattiesburg (identified in Exhibit A); tax abatement agreement will take effect once the facility is completed and begins operations.							
There being no discussion, the Motion received the affirmative vote of the Council as follows:							
Yeas: 5 - Bradley, Delgado, Carroll, Dryden and Naylor							
Nays: 0							

Yea: 5 Council Member Bradley
Council Member Delgado
Council Member Carroll
Council Member Dryden
Council Member Naylor

TEL-No Vote: 0

Text of Legislative File 2015-2329

Title

Authorize the Mayor to execute Tax Abatement Agreement between Hattiesburg Farm, LLC, Forrest County and the City of Hattiesburg to provide ad valorem tax exemptions to Hattiesburg Farm, LLC on a certain parcel of land in the City of Hattiesburg (identified in Exhibit A); tax abatement agreement will take effect once the facility is completed and begins operations.

Summary

Tax Abatement Agreement-Hattiesburg Farm LLC

Budget Information

Expenditure Type

Purchasing Item

Publication Information

TAX ABATEMENT AGREEMENT

This Tax Abatement Agreement (this "Agreement") is entered into by and among Hattiesburg Farm, LLC ("HF"), Forrest County, Mississippi, acting by and through its Board of Supervisors (the "County") and the City of Hattiesburg, Mississippi, acting by and through its Mayor and City Council ("City"), as of December __, 2015. HF, County and the City are sometimes referred to herein collectively as the "Parties" and each individually as a "Party."

WHEREAS, HF has been formed for the purpose of developing, building and operating a solar power generation facility used to generate and sell electricity to an electrical power provider in the United States;

WHEREAS, HF has identified a site in the City and the County (described in Exhibit A attached hereto) (the "Site") for the possible development and construction of a 50 Megawatt facility (the "Facility") with a projected capital investment of approximately \$90,000,000; and

WHEREAS, HF's proposed project is expected to generate approximately 400 construction jobs with an anticipated completion by December 31, 2016; and

WHEREAS, the City and the County desire to induce HF, if it chooses to build such a facility, to develop and build the Facility on the Site, and to provide ad valorem tax exemptions to HF once the Facility is completed and it begins operations.

NOW THEREFORE, in consideration of the HF's decision to locate the Facility at the Site if it is built, the City and the County agree to the following:

1. New Enterprise Exemption. Upon completion of the construction and beginning of operation of the Facility, the City and the County each agree to vote to approve a properly filed application for ad valorem tax exemption pursuant to MS Code Ann Section 27-31-101, et seq. providing HF with a ten (10) year ad valorem tax exemption pertaining to applicable abatable millage on all of the property owned and/or leased by HF that comprises the Facility and HF's investment therein in the "new enterprise" as described in such law and subject to the requirements of such law.
2. Governing Law. This Agreement is made under Mississippi law, and shall be construed according to the laws of the State of Mississippi, regardless of the place of its physical execution and/or performance and without regard to conflict of laws principals. The Parties hereby consent to and submit to the exclusive jurisdiction of the federal and state courts located in Hattiesburg, Mississippi.
3. Successors and Assigns. This Agreement is assignable and shall be binding upon and inure to the benefit of the successors and assigns of the Parties hereto.
4. Fees and Expenses. Each of the Parties hereto will pay and discharge its own expenses and fees in connection with the negotiation of and entry into this Agreement and the consummation of the transactions contemplated hereby.
5. Counterparts. This Agreement may be executed in two or more counterparts, each and all of which shall be deemed an original and all of which together shall constitute but one and the same instrument.
6. Amendments. Any amendments to this Agreement shall be in writing and signed by all of the Parties hereto or their respective successors and assigns.

7. Entire Agreement. This Agreement constitutes the entire agreement of the Parties hereto and there are no other representations, offers, agreements, understandings or warranties between the Parties with respect to the subject matter herein.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, Hattiesburg Farm, LLC, Forrest County, Mississippi and the City of Hattiesburg, Mississippi have executed this Agreement as of the Effective Date.

HATTIESBURG FARM, LLC

By: _____
Name: _____
Title: _____

FORREST COUNTY, MISSISSIPPI

By: _____
Name: _____
Title: _____

CITY OF HATTIESBURG, MISSISSIPPI

By: _____
Name: _____
Title: _____

EXHIBIT A
SITE DESCRIPTION
[INSERT]

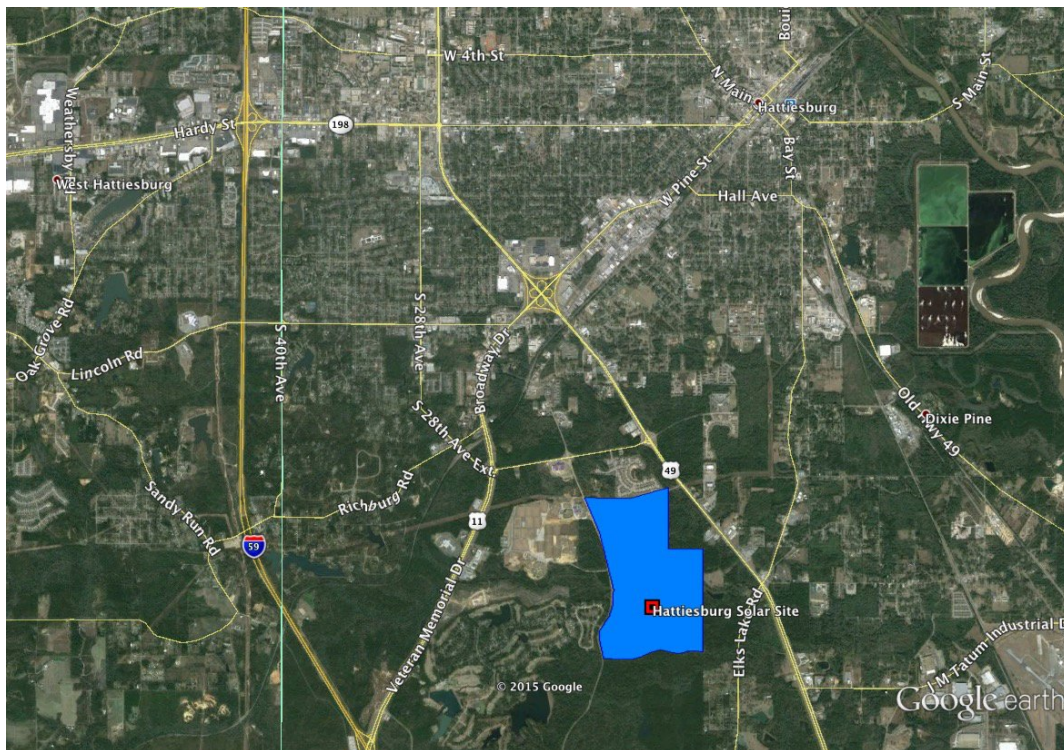
EXHIBIT A

SITE

The Site shall be defined as:

Section 28, Township 4 North, Range 14 West, Forrest County, Mississippi, less and except (a) the E 1/3 of the NE 1/4; (b) a 7.78 acre parcel and a 5.79 acre parcel in the NW N4 conveyed in a deed recorded as USR-1-m-0E-NPT-aa-iUE-çÑÄE-çÑÜE= Ü-äÄeo= `äEä-çÑeçöEi= çìäíóIj äeäeäeäE-ä-eÄÇäÖ-eñEäÄE=äE-ç=iUEE-eÄÇäÇE-ä= UKO-ÄE-e-äÄE-ä-iUE-k t N4 conveyed in a deed recorded in Book 804 at Page 446; a eçäçä-çÑÜE-pt N4 conveyed in a deed recorded in Book 804 at Page 446; a eçäçä-çÑÜE-pt N4 conveyed in a deed recorded in Book 804 at Page 446; any and public roads, including roads conveyed to cçöEi= çìäíó-ä= ççä-SUT-1-m-0E-ÇURX-äÇ-äó-eçäçä-çÑe-äÇ-eçéEíó-äçí-äÄ-IEÇ-ä= cçöEi= çìäíó-q-ñ-m-äÄE-ÖJMNK JOURNNMKq ÜEäçEÜEäóNP-çÑEÄäçäPPI-qçì äeÜä= Qk çäÜE-äÖE-NQ-äEi-eçöEi= çìäíóIj äeäeäeäE-äE-äÇ-EñÄEi-E-F-eçäçä-çÑÜE-k t N4 of Section 33 conveyed in a deed recorded in Book 622 at age 557; (b) any éiÄÄEç-ÇE-I-äÄÄ ÇäÖEç-ÇE-ÄäíÉóEç-eçöEi= çìäíó-ä= ççä-SUT-1-m-0E-ÇURX-äÇ= EÄ-äó-e-ä-çÑe-äÇ-eçéEíó-i ÜÄÜ-ä-äçí-äÄ-IEÇ-i äÜä-eçöEi= çìäíó-q-ñ-m-äÄE-ÖJMNK JPPJMNK

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[SIGNATURE PAGE TO FOLLOW]

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HATTIESBURG FARM, LLC

By: _____
Name: _____
Title: _____

FORREST COUNTY, MISSISSIPPI

By: _____
Name: _____
Title: _____

CITY OF HATTIESBURG, MISSISSIPPI

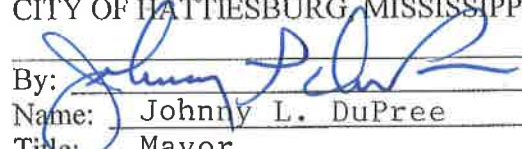
By:  _____
Name: Johnny L. DuPree
Title: Mayor

EXHIBIT A
SITE DESCRIPTION
[INSERT]