

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

Planning Commission

AGENDA

11/3/2021

I. Business Meeting

1. Review and approval of November meeting's agenda
2. Review and approval of the minutes of the October meeting
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

1. Presentation of Petitions for Public Hearing

A. A petition has been filed by Mechanics Row, LLC, Applicant, and City of Hattiesburg, Owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for a certain property located at 500 E Pine Street (Parcel 2-029I-10-064.00, 2-029I-10-077.01; PPIN 15590, 45721, Ward 2) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.11, B-4 (Downtown Business) District.

B. A petition has been filed by Mechanics Row, LLC, Applicant, and City of Hattiesburg, Owner, to request a Conditional Use as "Dwelling, Single Family Attached" in B-4 (Downtown Business) District as defined by the LDC for a certain property located at 500 E Pine Street (Parcel 2-029I-10-064.00, 2-029I-10-077.01; PPIN 15590, 45721, Ward 2). Request is contingent upon rezone of property to B-4 zone.

C. A petition has been filed by Father Chelsea "Alexis" Baldwin, Applicant, and Larry Geraldson, Owner, to request a Conditional Use as "Place of Assembly Not Otherwise Listed" in R-1C (Single Family Residential) District as defined by the LDC for a certain property located at 416 Barkley Road (Parcel 2-042D-26-008.00, 2-042D-26-007.01, portion of 2-042D-26-007.00; PPIN 6735, 43631, portion of 6733, Ward 5).

D. A petition has been filed by Kenneth Moye and Korey Williams, Applicants, and Dorothy Brown, Owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for a certain property located at 309 E Pine Street (Parcel 2-029J-10-352.00, 2-029I-10-071.00 PPIN 26659, 26660, Ward 2) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.11, B-4 (Downtown Business) District.

III. Other Business

IV. Adjournment



Department of Urban Development

MEMORANDUM

TO: Hattiesburg Planning Commission
FROM: Planning Staff
DATE: October 20, 2021
SUBJECT: November 3, 2021 – Planning Commission

The Hattiesburg Planning Commission will meet in regular session at 1:00 pm. Wednesday, November 3, 2021 in the dining room of the Jackie Dole Sherrill Community Center.

Due to the ongoing public health concerns of COVID-19, social distancing requirements will be observed. The public and members may attend virtually via GoToMeeting:

<https://www.gotomeet.me/COHPlanningDivision/publichearing>

You can also dial in toll-free using your phone:

United States: +1 (571) 317-3122; Access Code: 630-312-989

The attached Planning Commission public hearing agenda contains four (4) items: two (2) zoning changes and two (2) conditional uses.

If unable to attend, or if you know that you will need to recuse yourself from any item, please contact our office prior to the meeting date so we can ensure a quorum.

If you have any questions or need further information, please do not hesitate to call me at (601)545-4599.

Enclosure

cc: Toby Barker, Mayor
Ann Jones, Chief Administrative Officer
Randy Pope, City Attorney
Jim Gladden, Attorney
Ronda Cole, Council Clerk
Andrew Ellard, Director of Urban Development
Wiley Quinn, Code Enforcement Manager
Caroline Miles, Planner
Russell Archer, Historic Planner
Lamar Rutland, Director of Engineering
Andy Parker, City Arborist
Steve Mitchell, Building Official
Nathan Satcher, Planner/Officer Manager

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION
October 6, 2021**

The Hattiesburg Planning Commission did meet in a regular session on October 6, 2021, at 1:02 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Mark Miller, Chair, presided over the meeting. Due to the ongoing COVID-19 pandemic, CDC recommended social distancing guidelines were observed. Staff utilized GoToMeeting, an online meeting, desktop sharing, and telephone/video conferencing platform to give Commissioners, petitioners, and the public the option to participate remotely. A quorum was indicated and the attendance was as follows:

Commissioners Present: Dick Conville
Michael Dickerson (via GoToMeeting)
Amy Hinton, Vice-Chair
Elayne Lockett
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Kenneth Waites

Commissioners Absent: Ricardo Bryant
Charles Dawe
Jeff Keysear

Also Present: Andrew Ellard, Director
Jim Gladden, Esq.
Caroline Miles, Planner
Steve Mitchell, Building Official
Nathan Satcher, Planning

AGENDA REVIEW

There came the matter of the October Agenda. A request was made by Chair Miller for a motion to approve the October 2021 Agenda. A motion to approve was made by Commissioner Hinton and seconded by Commissioner Conville.

Commissioners voting aye: Dick Conville
Michael Dickerson (via GoToMeeting)
Amy Hinton, Vice-Chair
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Kenneth Waites

Commissioners voting nay: None

Commissioners absent for vote: Elayne Lockett

MINUTES REVIEW

There came the matter of the September 1, 2021 minutes. Commissioner Ray emailed staff corrections to the minutes prior to the meeting. A motion was made by Commissioner Ray to approve the September 1 minutes, with the corrections. Commissioner Pickett seconded the motion.

Commissioners voting aye: Dick Conville
Michael Dickerson (via GoToMeeting)
Amy Hinton, Vice-Chair

Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Kenneth Waites

Commissioners voting nay: None
Commissioners absent for vote: Elayne Lockett

REPORTS

BUILDING REPORT

Steve Mitchell, Building Official, provided the Building Permit Report for September 2021. Staff emailed copies to the Commissioners prior to the meeting, and physical copies were provided to Commissioners who attended in person.

PLANNING REPORT

There came the matter of the Planning Report by Caroline Miles, Planner. On September 21, 2021, City Council approved the R-1A to B-5 rezone near 6751 Hwy 49 (HPC Approval Upheld), approved conditional use for gravel surface at 6751 (HPC Approval Upheld), approved conditional use for a school in R-1A at 321 S 24th Ave (HPC Approval Upheld) and denied the zoning change from R-1C to B-1 at 705 Hall Avenue, (HPC provided no recommendation). Andrew Ellard, Director, provided an update on the East Hardy/Hall Avenue Overlay District, which had officially launched the previous day. Additionally, he stated that Staff would be presenting LDC amendments for “Institutional” Zoning and “Accessory Dwelling Unit” uses in the coming months.

CHAIR’S REPORT

There came the matter of the Chair’s Report by Chair Mark Miller. Chair Miller thanked the Commissioners for their robust in-person attendance. He stated that Commissioner Dawe was out due to a conference obligation, though Commissioner Dawe very thoughtfully waited until Staff had secured a meeting quorum before he made plans to attend the conference.

INTRODUCTIONS

The Commissioners introduced themselves.

PUBLIC HEARING – PLANNING COMMISSION

There came the matter of Item A (Alley Closure), to consider a request filed by Pastor Janette L. Furry, Applicant, as required in the Land Development Code, Ord. No. 3209, to close and vacate a portion of an unimproved alley, which is located north of East Hardy Street, south of Jersey Street, east of North Tipton Street, and to the west of Oak Street (between Parcels 2-030L-11-111.00, 2-030L-11-110.00, 2-030L-11-105.00; PPINs 20271, 20260, 20258; Ward 2).

	<u>Name</u>	<u>Address</u>	<u>City/State</u>
<u>Presented by:</u>	Allena Royal	914 Spencer St.	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Allena Royal, representative of Victory Church, presented the application.

Chair Miller declared the Public Hearing closed and the Business Meeting open for voting on the request (Item A). Commissioner Conville made a motion to approve the request Commissioner Hinton seconded the motion. Ms. Miles conducted a roll-call vote.

Commissioners attending in person submitted physical voting sheets as well.

Commissioners voting aye: Dick Conville
Michael Dickerson (via GoToMeeting)
Amy Hinton, Vice-Chair
Elayne Lockett
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Kenneth Waites

Commissioners voting nay: None

There came the matter of Item B (Conditional Use), to consider petition has been filed by Daniel Jussely and Rob Tatum, Representatives, and Hub City Lofts 2, LLC, Owner, to request a Conditional Use as “Multi-Family” in B-4 (Downtown Business) District as defined by the LDC for a certain property located at 215 Forrest Street (Parcels 2-029J-10-247.00, 2-029J-10-246.00; PPINs 21816, 21815; Ward 4).

	<u>Name</u>	<u>Address</u>	<u>City/State</u>
<u>Presented by:</u>	Daniel Jussely	11 Parkway Blvd	Hattiesburg, MS
<u>Proponents:</u>	Andrea Saffle	409 Walnut Street	Hattiesburg, MS
<u>Opponents:</u>	None		

Daniel Jussely presented the application. He stated that while Hub City Lofts would love to rent the bottom of the building out as commercial space, they had had issues renting out other commercial spaces in other buildings they had renovated downtown. He stated they have had one space that has been empty for eight years. Because of this, they wanted the option of being able to make the entire first floor residential, including the W Pine frontage.

Andrea Saffle, Director, Downtown Hattiesburg Association (DHA), spoke on the issue of market demands. She stated that it is the stance of the DHA that they prefer commercial on the first floor of downtown buildings, but she appreciates the struggles of Mr. Jussely having difficulty renting some of the Hub City Lofts commercial spaces. She stated that in her role with the DHA, people looking to open businesses downtown had come to her seeking smaller commercial spaces. These size units, 1000-1500 sf, are not readily available downtown. She stated the space that Mr. Jussely referenced that had been empty for many years is much larger (2400 sf) than what start-up tenants are seeking. She stated with the development of the alley behind the building, the increase of residential dwelling units in downtown, and other regularly occurring events that are drawing people into downtown, Hattiesburg is at a crucial tipping point of being able to support downtown businesses. She stated she supports their application because she is certain that they will be able to fill the bottom floor with commercial spaces rather than residential.

Chair Miller declared the Public Hearing closed and the Business Meeting open for voting on the request (Item B). Commissioner Conville made a motion to approve the item. Commissioner Hinton seconded the motion. Ms. Miles conducted a roll-call vote. Commissioners attending in person submitted physical voting sheets as well.

Commissioners voting aye: Dick Conville
Michael Dickerson (via GoToMeeting)
Amy Hinton, Vice-Chair

Elayne Lockett
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Kenneth Waites

Commissioners voting nay: None

BUSINESS MEETING

Having no further business, Commissioner Hinton made a motion to adjourn the meeting.
The motion was seconded by Commissioner Lockett. The meeting was adjourned at 1:51 PM.

Mark Miller, Chair

Caroline Miles, Planner

SUBJECT PARCEL:

500 E Pine Street

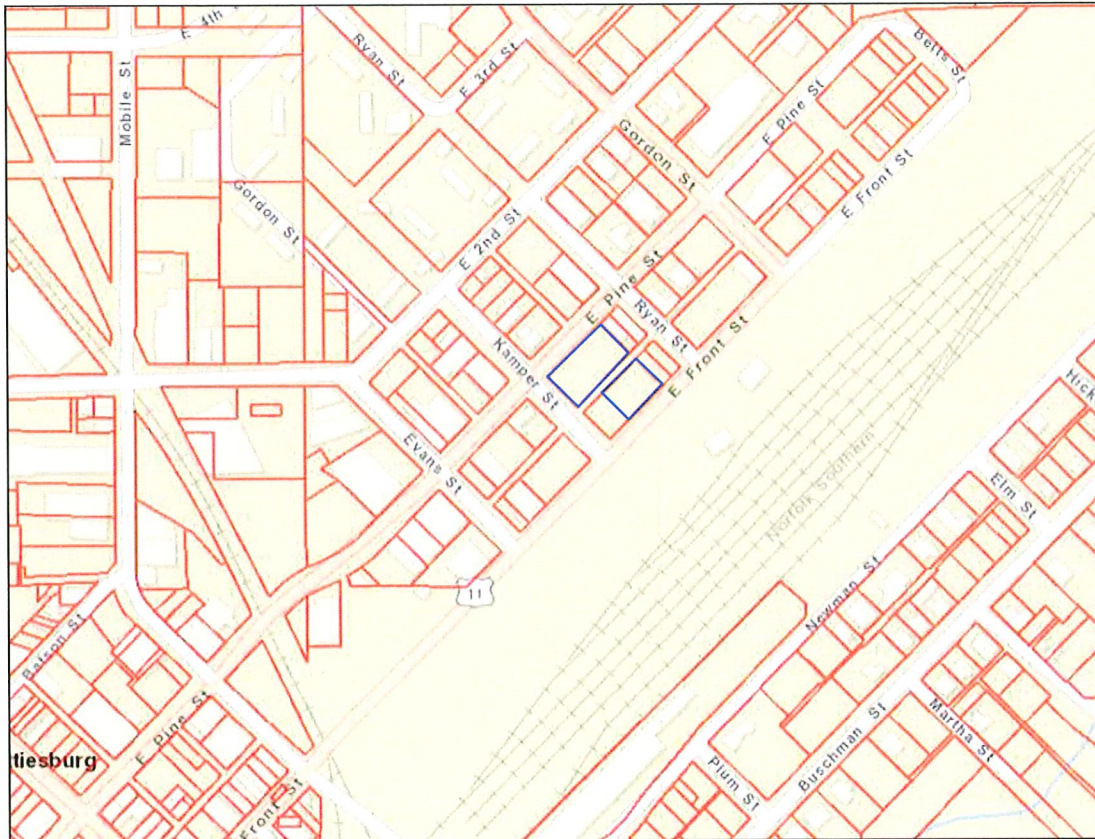
Mechanics Row, LLC, Applicant

The petitioner requests:

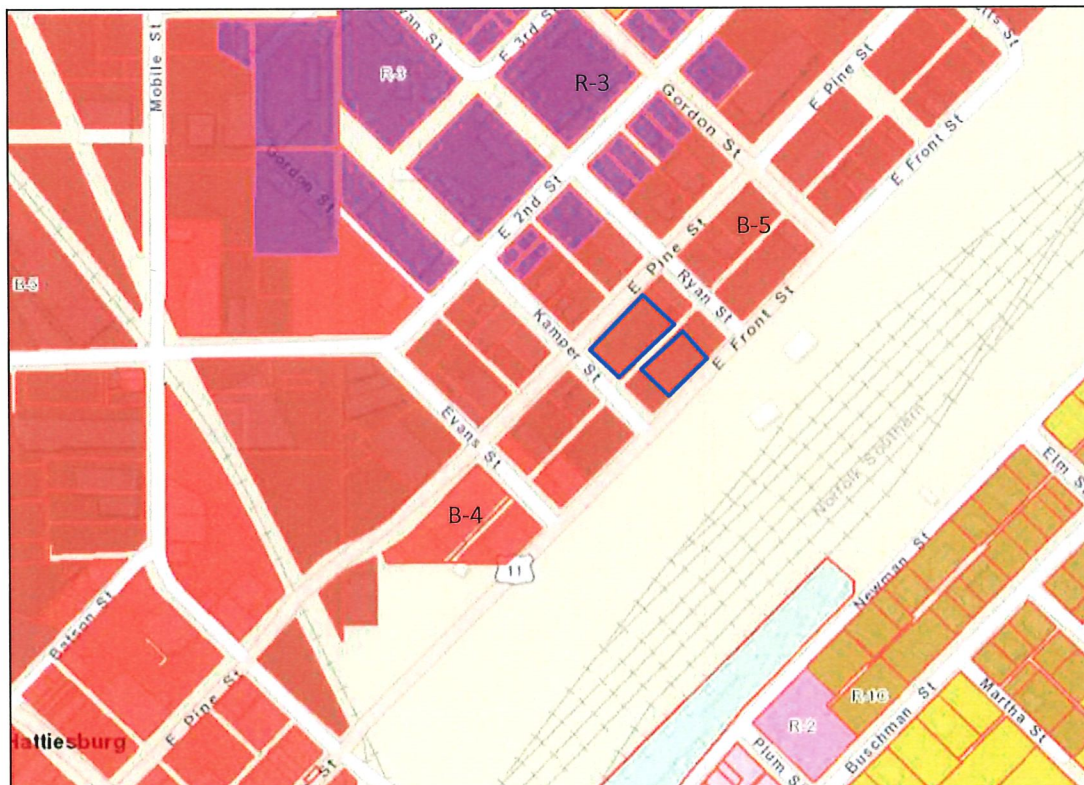
- (a) to change the zoning classification for certain properties from Section 4.5.12, B-5 (Regional Business) to Section 4.5.11, B-4 (Downtown Business) District and
- (b) to request a Conditional Use as "Dwelling, Single Family Attached" in B-4 (Downtown Business) District as defined by the LDC for certain properties located at 500 E Pine Street (Parcel 2-029I-10-064.00, 2-029I-10-077.01; PPIN 15590, 45721, Ward 2). Conditional use contingent on B-4 rezone.



Vicinity Map—Ward 2



Zoning—B-5

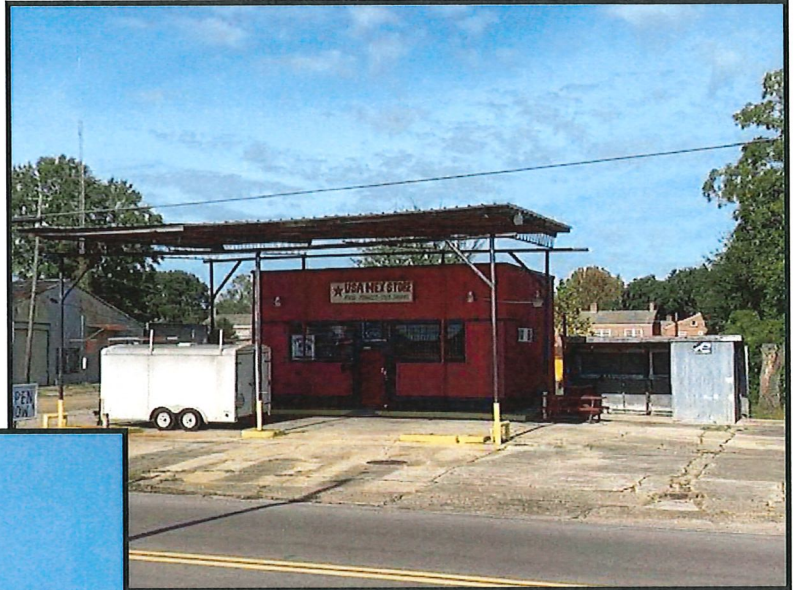


Site Aerial



SURROUNDING AREA

Northern Direction: B-5 (Regional Business) District/ Retail

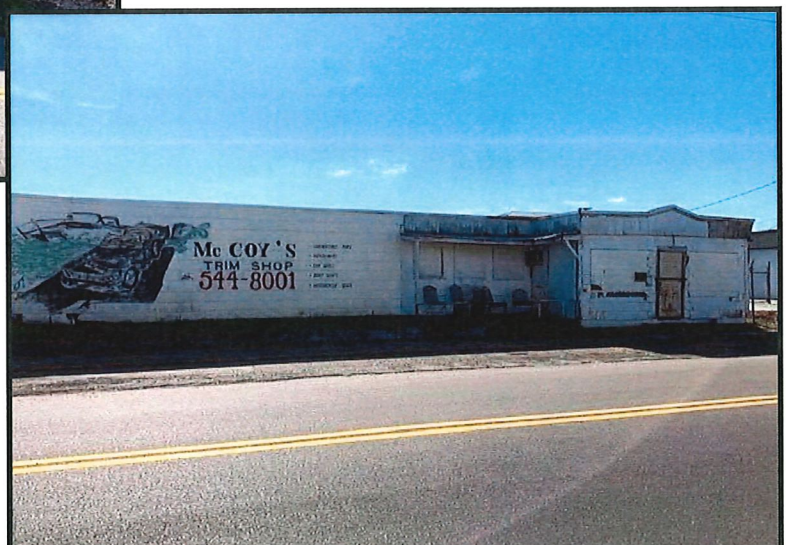


Southern Direction: Right of Way/
Railroad Yard

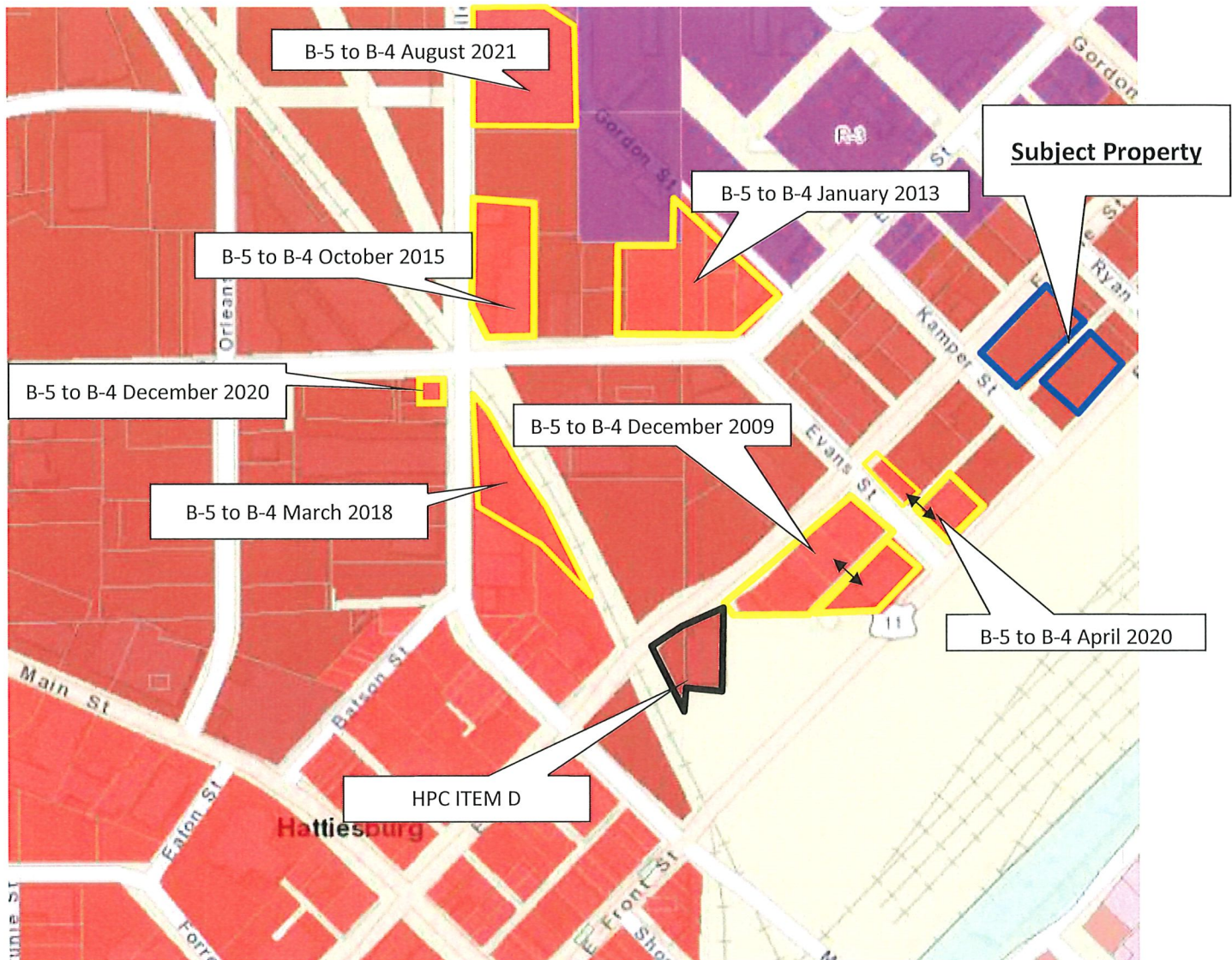


Eastern Direction: B-5 (Regional Business) District/ Retail

Western Direction: B-5 (Regional Business) District/ Automotive
Accessory Sales



Area Rezones





**Planning Commission
Case Fact Sheet**

Name of Petitioners: Mechanics Row, LLC, Applicant, and City of Hattiesburg, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
500 E Pine Street	2-029J-10-064.00	15590	2
	2-029I-10-077.00	45721	

Request: (a) **Zoning Change from B-5 to B-4**
(b) **Conditional use for single family attached dwelling in B-4**

Purpose of Request: (a) To consider an application to change the zoning classification for certain properties located at 500 E Pine Street (Parcel 2-029I-10-064.00, 2-029I-10-077.01; PPIN 15590, 45721, Ward 2) from Section 4.5.12, B-5 (Regional Business) to Section 4.5.11, B-4 (Downtown Business) District.

(b) To consider an application to request a Conditional Use as "Dwelling, Single Family Attached" in B-4 (Downtown Business) District as defined by the LDC for certain properties located at 500 E Pine Street (Parcel 2-029I-10-064.00, 2-029I-10-077.01; PPIN 15590, 45721, Ward 2). *Request is contingent upon rezone of property to B-4 zone.*

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4

Zoning Districts Established

4.5.11 B-4 Downtown Business District: The Downtown Business District is intended to promote the concentration and vitality of commercial and business uses in the historic central business area of the City and as such, encourages a mixture of complementary uses with a pedestrian orientation. This district is characterized by wall-to-wall and lot-line-to-lot-line development, pedestrian walkways, a vertical mix of uses, upper floor residential

uses, and off-street public parking lots.

4.5.12 B-5 Regional Business District: The purpose of the B-5 District is to provide for retail, personal and business services, offices, and financial services in locations with convenient access to the region's population consistent with comprehensive planning policies. This district is consistent with the Regional Business District in the Comprehensive Plan.

Present Zoning: This parcel is currently zoned B-5 (Regional Business) District

Present Use: Vacant lot

Future Land Use: Downtown District

Surrounding Zoning and Land Use:
North: B-5 (Regional Business) District/ Retail
South: Right-of-Way/ Railroad Yard
East: B-5 (Regional Business) District/ Retail
West: B-5 (Regional Business) District/ Automotive Accessory Sales

Most Nearly Bounded By (streets): The parcels are most nearly bounded to the north by E Pine Street, to the east by Ryan Street, to the west by Kamper Street, and to the south by E Pine Street. They are accessible E Pine Street and E Front Street and bisected by an unnamed, unimproved public alley.

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case, as of October 20, 2021.

History / Background: The applicant met with staff in Pre-Application to discuss developing attached townhomes on the subject property. The townhomes are proposed as a single-family attached dwellings sold to individual owners and not a development retained under one parcel/single ownership as with a multi-family development.

The use of "Single Family Attached Dwelling" is not an allowed use type in B-5 zoning but is permitted as a conditional use in B-4 zoning.

There have been many B-4 rezones in the area over the past years. Please refer the provided Vicinity Rezone Map for a history.

The property is in the Hub City Downtown District and the development will require Historic Hattiesburg Conservation Commission approval.

Option: **Basis for approval (Zoning Change):**

- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed substantially so that rezoning is clearly justified **and** there is a public need for the rezoning
- III. Annexation

Conditional Use Approval Criteria:

12.3.3.2 Additional Approval Criteria. In addition to the standards [N/A], the applicant for a request for the Planning Commission to approve a use shall be required to demonstrate that his/her proposal addresses the following additional requirements, except that the Planning Commission may waive any one or more criteria that it determines are not applicable based upon the expected impact of the proposal.

- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.
- ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:
 - Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
 - Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
 - Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

In addition to the standards [5.4.18], the applicant for a request for the Planning Commission to approve a use shall be required to demonstrate that his/her proposal addresses the following additional requirements, except that the Planning Commission may waive any one or more criteria that it determines are not applicable based upon the expected impact of the proposal.

- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.

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 neighborhood has changed significantly over the past several decades. What was once a densely occupied commercial, industrial, business and retail district has evolved into an area with sparsely occupied commercial and industrial land uses amid vacant, abandoned and dilapidated parcels. The neighborhood is currently experiencing a phase of renewal and revitalization with properties being converted and re-purposed for new uses, both commercial and residential.

This application for Re-Zoning from B-5 to B-4 is compatible with this new phase of land use and is justified for the proposed development of new housing units.

Conditional Use (2 pages)

12.3.3.1 Compliance Required. Uses requiring Planning Commission approval, as noted in the Tables of Uses in Section 5 of this Code, shall be approved subject to this Section. Any application for such use must comply with all applicable standards that apply to similar uses and properties in the zoning district in general, the specific conditions listed for that use in Section 5, and the following criteria. Where conflicts exist, the Planning Commission shall determine which criteria apply on a case by case basis.

1. Does this application meet the conditions set forth in Section 5 for the requested use? If yes, please explain.

YES. The proposed residential structures will be designed in the row house or townhouse manner. These units will be oriented toward the street with varied facades, roof heights and rooflines, exterior finishes, etc. so as to create variety and individuality for each dwelling unit. There are no proposed parking lots, plazas, pools or clubhouses.

2. Describe the effects the proposed use of utilities and facilities will have on the community.

New single family townhomes will enhance the aesthetic and property values of the neighborhood and bring new activity and vitality to the downtown community.

3. Describe how the size of the site is appropriate for the proposed use.

The site consists of 10 lots approx. 30x90 each. The proposed use will not require variance or change the size or density of the existing lots.

4. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? _____

If yes, please explain:

Increased vehicular traffic during construction phase is expected. Slight increase in vehicular and pedestrian traffic long term is expected.

5. Will there be any elevation in the noise level resulting from this proposed use? _____

If yes, please explain:

None expected

6. What is the expected number of customers/employees per day? _____ N/A _____

7. Parking Requirements: N/A

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

For more information please reference the Land Development Code Section 12.3.3.2.

SUBJECT PARCEL:

500 E Pine Street

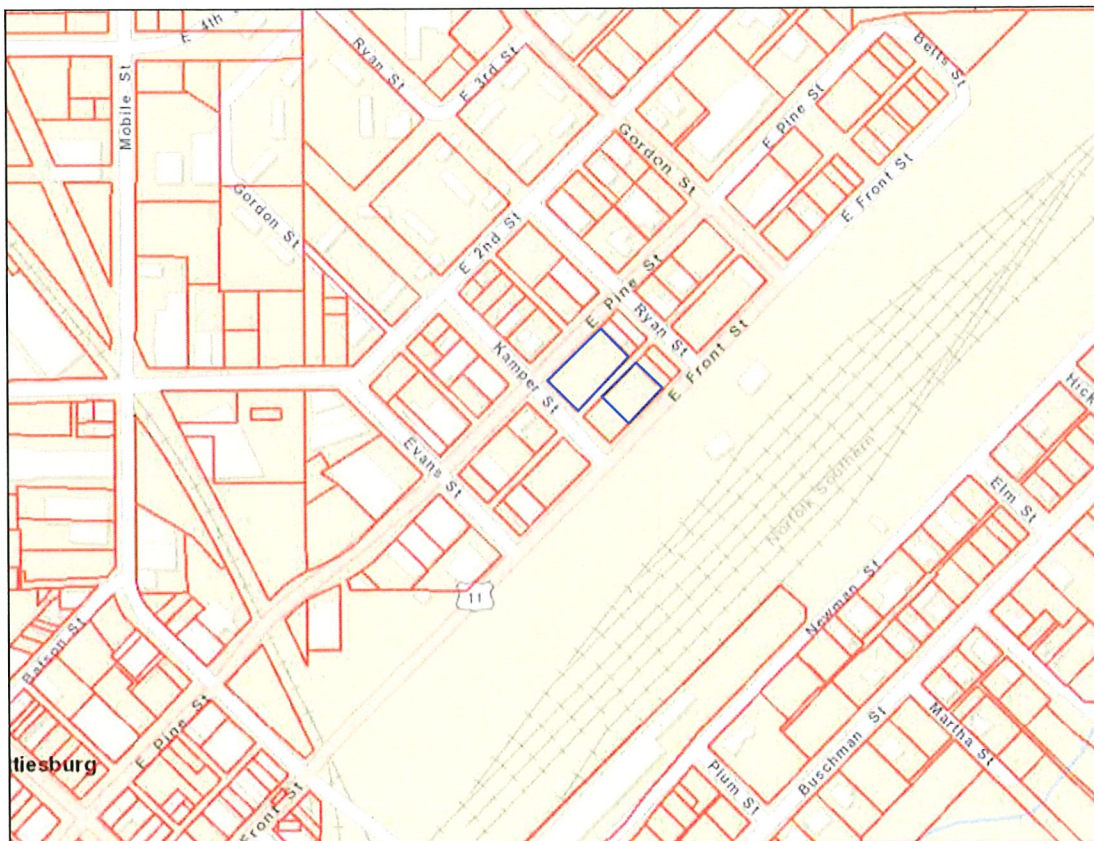
Mechanics Row, LLC, Applicant

The petitioner requests:

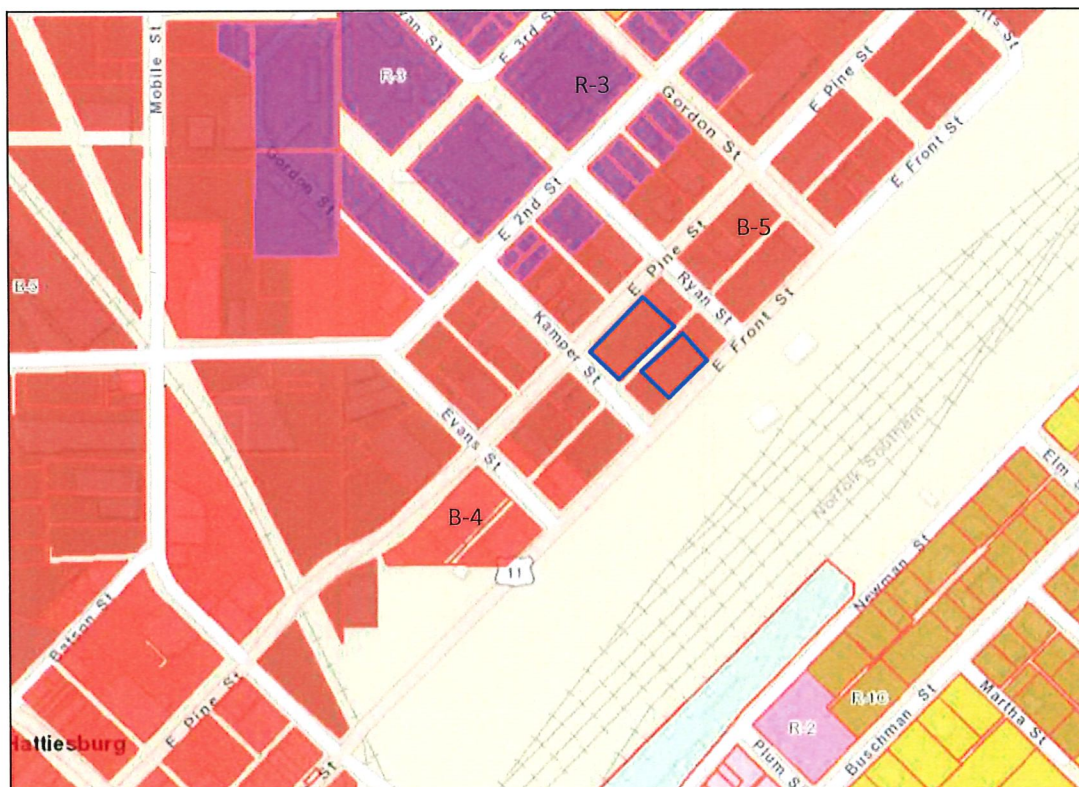
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Vicinity Map—Ward 2



Zoning—B-5

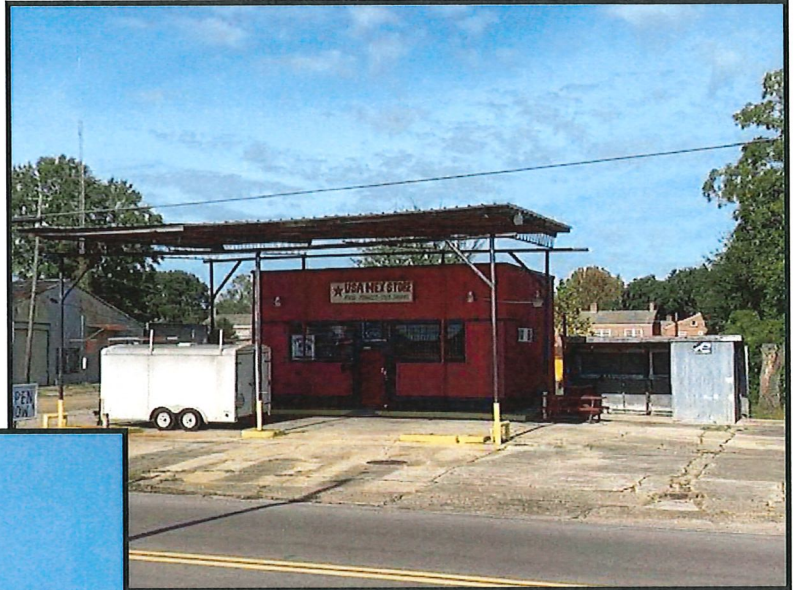


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SURROUNDING AREA

Northern Direction: B-5 (Regional Business) District/ Retail

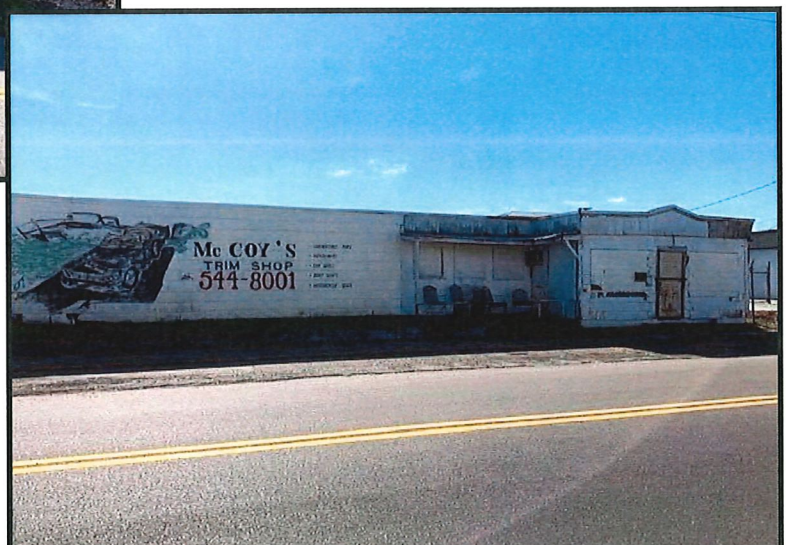


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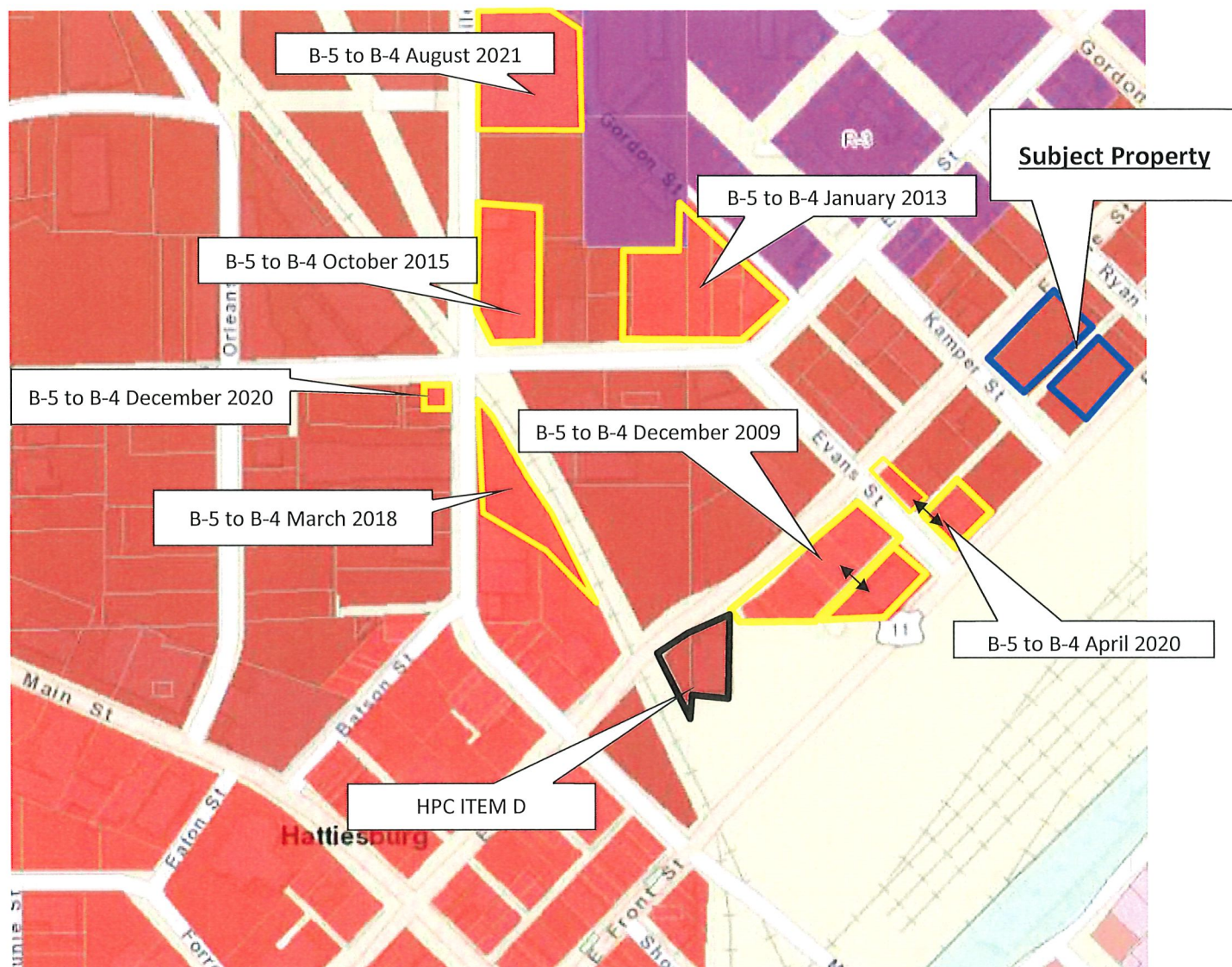


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Area Rezones





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Applicant Summary: See Attached

Applicable Regulations:

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Present Zoning: This parcel is currently zoned B-5 (Regional Business) District

Present Use: Vacant lot

Future Land Use: Downtown District

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Most Nearly Bounded By (streets): The parcels are most nearly bounded to the north by E Pine Street, to the east by Ryan Street, to the west by Kamper Street, and to the south by E Pine Street. They are accessible E Pine Street and E Front Street and bisected by an unnamed, unimproved public alley.

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case, as of October 20, 2021.

History / Background: The applicant met with staff in Pre-Application to discuss developing attached townhomes on the subject property. The townhomes are proposed as a single-family attached dwellings sold to individual owners and not a development retained under one parcel/single ownership as with a multi-family development.

The use of "Single Family Attached Dwelling" is not an allowed use type in B-5 zoning but is permitted as a conditional use in B-4 zoning.

There have been many B-4 rezones in the area over the past years. Please refer the provided Vicinity Rezone Map for a history.

The property is in the Hub City Downtown District and the development will require Historic Hattiesburg Conservation Commission approval.

Option: **Basis for approval (Zoning Change):**

- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed substantially so that rezoning is clearly justified **and** there is a public need for the rezoning
- III. Annexation

Conditional Use Approval Criteria:

12.3.3.2 Additional Approval Criteria. In addition to the standards [N/A], the applicant for a request for the Planning Commission to approve a use shall be required to demonstrate that his/her proposal addresses the following additional requirements, except that the Planning Commission may waive any one or more criteria that it determines are not applicable based upon the expected impact of the proposal.

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Rezoning Information (1 page)

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- 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 neighborhood has changed significantly over the past several decades. What was once a densely occupied commercial, industrial, business and retail district has evolved into an area with sparsely occupied commercial and industrial land uses amid vacant, abandoned and dilapidated parcels. The neighborhood is currently experiencing a phase of renewal and revitalization with properties being converted and re-purposed for new uses, both commercial and residential.

This application for Re-Zoning from B-5 to B-4 is compatible with this new phase of land use and is justified for the proposed development of new housing units.

Conditional Use (2 pages)

12.3.3.1 Compliance Required. Uses requiring Planning Commission approval, as noted in the Tables of Uses in Section 5 of this Code, shall be approved subject to this Section. Any application for such use must comply with all applicable standards that apply to similar uses and properties in the zoning district in general, the specific conditions listed for that use in Section 5, and the following criteria. Where conflicts exist, the Planning Commission shall determine which criteria apply on a case by case basis.

1. Does this application meet the conditions set forth in Section 5 for the requested use? If yes, please explain.

YES. The proposed residential structures will be designed in the row house or townhouse manner. These units will be oriented toward the street with varied facades, roof heights and rooflines, exterior finishes, etc. so as to create variety and individuality for each dwelling unit. There are no proposed parking lots, plazas, pools or clubhouses.

2. Describe the effects the proposed use of utilities and facilities will have on the community.

New single family townhomes will enhance the aesthetic and property values of the neighborhood and bring new activity and vitality to the downtown community.

3. Describe how the size of the site is appropriate for the proposed use.

The site consists of 10 lots approx. 30x90 each. The proposed use will not require variance or change the size or density of the existing lots.

4. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? _____

If yes, please explain:

Increased vehicular traffic during construction phase is expected. Slight increase in vehicular and pedestrian traffic long term is expected.

5. Will there be any elevation in the noise level resulting from this proposed use? _____

If yes, please explain:

_____ None expected _____

6. What is the expected number of customers/employees per day? _____ N/A _____

7. Parking Requirements: N/A

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

For more information please reference the Land Development Code Section 12.3.3.2.

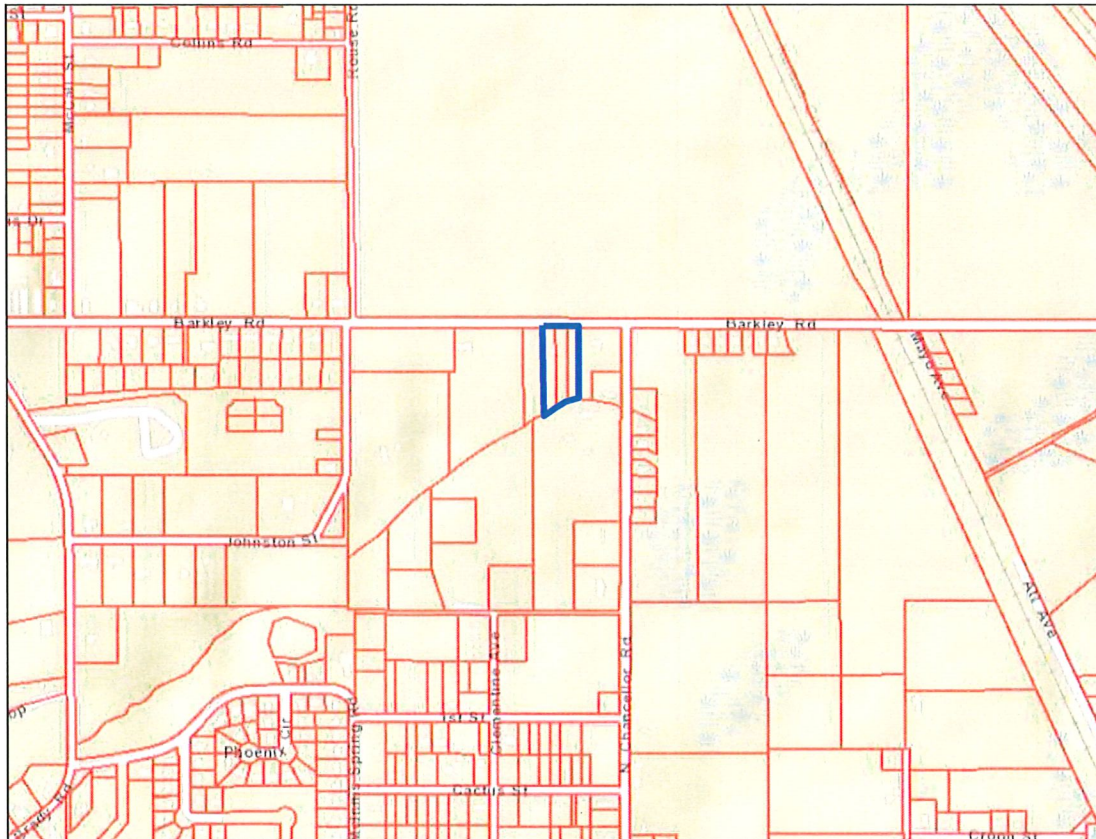
SUBJECT PARCEL:
416 Barkley Rd.

Father Alexis Baldwin, Applicant and Larry Geraldson, Owner

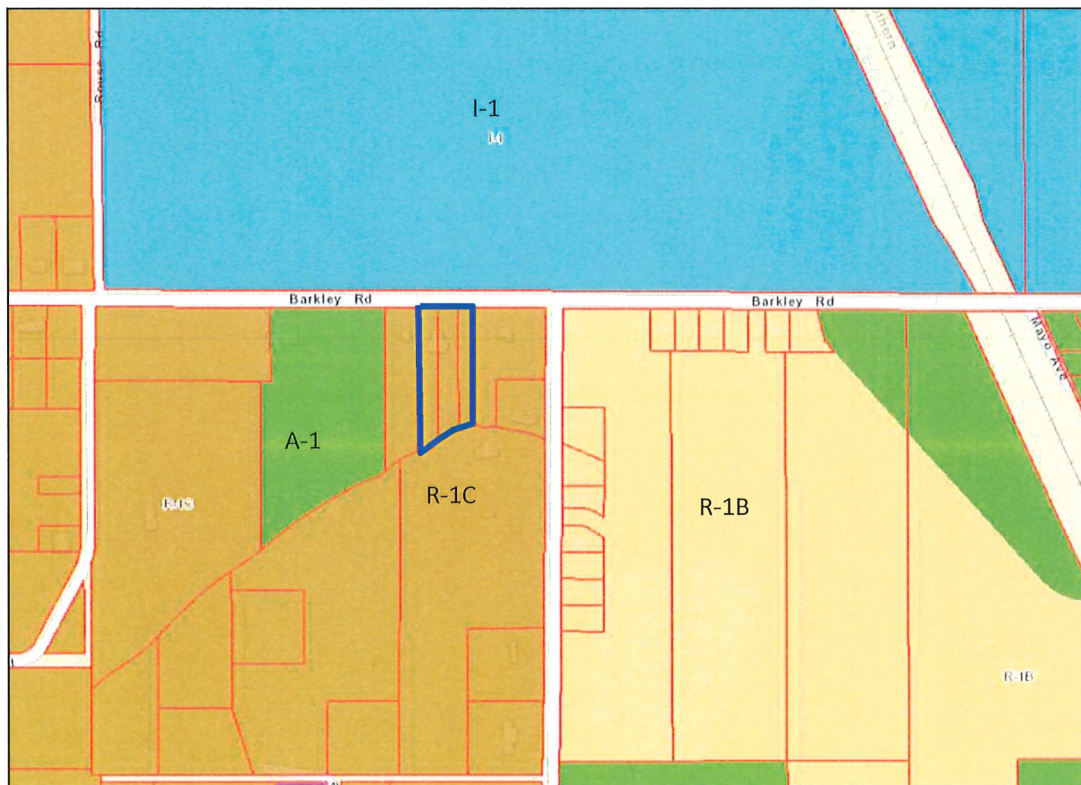
The petitioner requests a Conditional Use as "Place of Assembly Not Otherwise Listed" in R-1C (Single Family Residential) District as defined by the LDC for certain properties located at 416 Barkley Road (Parcel 2-042D-26-008.00, 2-042D-26-007.01, portion of 2-042D-26-007.00; PPIN 6735, 43631, portion of 6733, Ward 5).



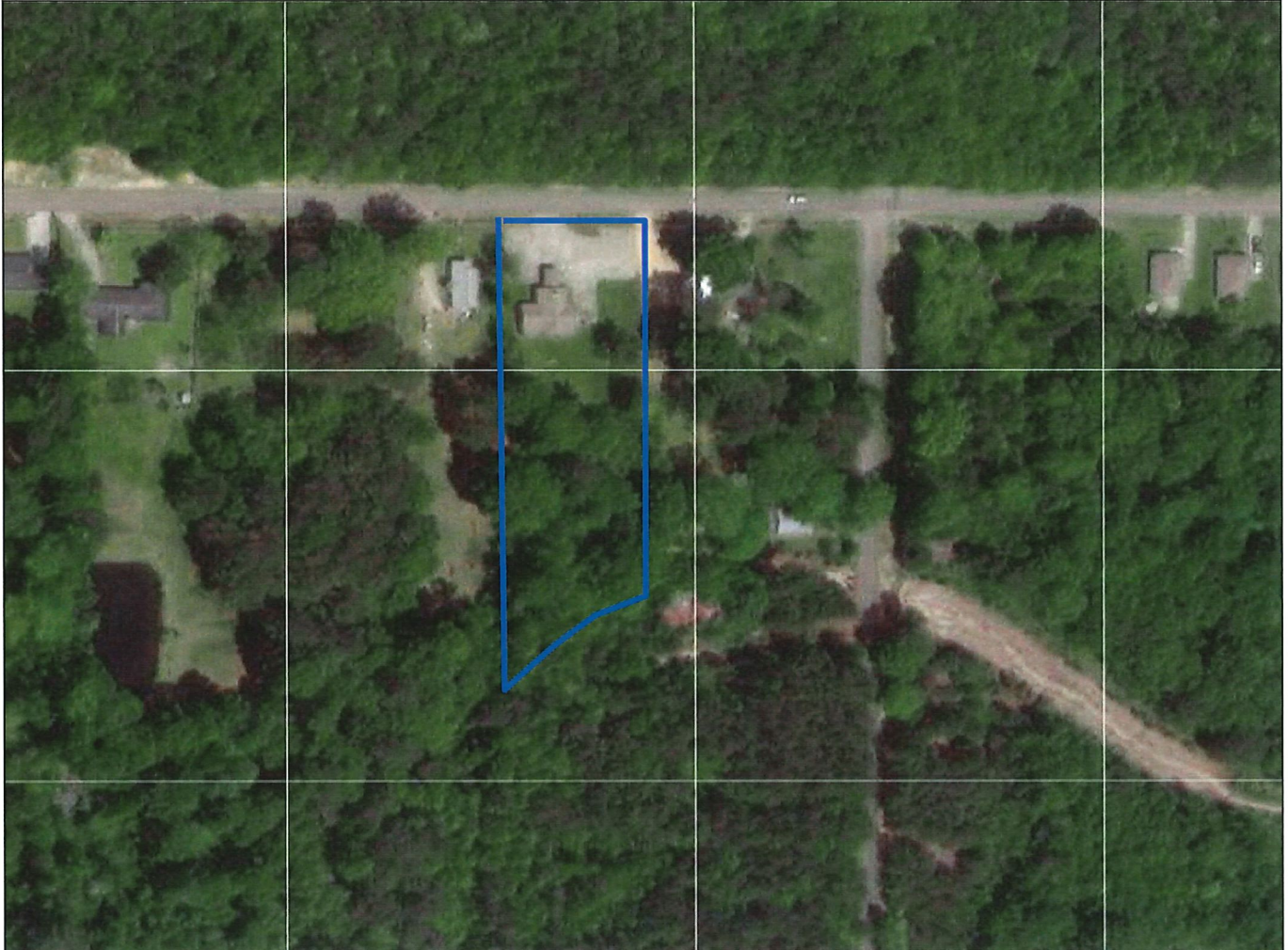
Vicinity Map—Ward 5



Zoning—R-1C



Site Aerial



SURROUNDING AREA

Northern Direction: I-1 (Light Industrial) District/ Undeveloped



Southern Direction: R-1C (Single Family Residential) District/ Undeveloped



Eastern Direction: R-1C (Single Family Residential) District/ Residential



Western Direction: R-1C (Single Family Residential) District/ Residential





**Planning Commission
Case Fact Sheet**

Names of Petitioner: Father Chelsea "Alexis" Baldwin, Applicant, and Larry Geraldson, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
416 Barkley Rd.	2-042D-26-008.00	6735	5
	2-042D-26-007.01	43631	
	2-042D-26-007.00	6733 (portion of)	

Request: **Conditional Use (Place of Assembly Not Otherwise Listed)**

Purpose of Request: To consider an application to request a Conditional Use as "Place of Assembly Not Otherwise Listed" in R-1C (Single Family Residential) District as defined by the LDC for certain properties located at 416 Barkley Road (Parcel 2-042D-26-008.00, 2-042D-26-007.01, portion of 2-042D-26-007.00; PPIN 6735, 43631, portion of 6733, Ward 5).

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4

Zoning Districts Established

4.5.5 R-1C Single Family Residential: The purpose of the R-1C District is to permit single-family residential uses with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected lower density residential neighborhoods with only compatible supporting institutional uses and open space.

5.4.32 Places of Assembly

5.4.32.1 Places of assembly seating more than 600 people must have direct access to a major thoroughfare. Pedestrian and bicycle access is encouraged and will be required whenever a public sidewalk or trail abuts the property.

5.4.32.2 Accessory uses such as administrative offices, bookstores, parking lots, community centers, multi-purpose facilities, outdoor recreational facilities, and care centers on the same site or sites contiguous to the principal use shall be permitted. Similar uses on noncontiguous sites or on a site separated from the principal use by a public street shall be considered principal uses in their own right and will be regulated as such. No merchandise or merchandise display shall be visible from outside a building. No business or identification sign pertaining to an accessory use shall be visible from outside the building.

5.4.32.3 Except as noted in 5.4.32.2 accessory uses not permitted as principal uses (including television stations, radio stations, printing presses, or sports complexes) are prohibited.

Present Zoning:	This parcel is currently zoned R-1C (Single Family Residential) District.
Present Use:	Vacant Building
Future Land Use:	Neighborhood Conservation District 2
Surrounding Zoning and Land Use:	North: I-1 (Light Industrial) District/ Undeveloped South: R-1C (Single Family Residential) District/ Undeveloped East: R-1C (Single Family Residential) District/ Residential West: R-1C (Single Family Residential) District/ Residential
Most Nearly Bounded By (streets):	The parcel is most nearly bounded by Barkley Rd. to the north, N Chancellor Rd. to the east, Johnson St. to the west, and 1 st St. to the south. The parcel is accessible from Barkley Rd.
Letters or Concerns stated:	The Planning Division Office has not received any letters or other written communications relative to this case as October 20, 2021.
History / Background:	The petitioner met with the Planning Division to discuss the purchasing the subject property and re-establishing a church on the site. The existing structure on the site has been vacant for multiple years, though it previously functioned as a church. Because the structure on site has not been utilized as a church for a period exceeding six months, reestablishment is restricted per LDC Section 2.4.4.4. No legal nonconforming status as a "place of assembly" can be retained, as the structure has been abandoned.

for a period exceeding six consecutive calendar months. In order for the use of a church to be reestablished on the site, a conditional use for a place of assembly must be approved.

The applicant has proposed minimal improvements, such as interior painting and clean up, and re-striping the parking lot. Any needed ADA access accommodations will also be made as determined by the Building Official.

Some documents associated with the site may list the address 332 Barkley Rd, but the official address is 416 Barkley Rd, confirmed with Forrest County Emergency Management.

Option: **Basis for approval:**

Applicable conditions listed in 5.4.32 Places of Assembly.

12.3.3.2 Additional Approval Criteria. In addition to the standards [5.4.18], the applicant for a request for the Planning Commission to approve a use shall be required to demonstrate that his/her proposal addresses the following additional requirements, except that the Planning Commission may waive any one or more criteria that it determines are not applicable based upon the expected impact of the proposal.

- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.
- ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:
 - Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
 - Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
 - Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.

Conditional Use (2 pages)

12.3.3.1 Compliance Required. Uses requiring Planning Commission approval, as noted in the Tables of Uses in Section 5 of this Code, shall be approved subject to this Section. Any application for such use must comply with all applicable standards that apply to similar uses and properties in the zoning district in general, the specific conditions listed for that use in Section 5, and the following criteria. Where conflicts exist, the Planning Commission shall determine which criteria apply on a case by case basis.

1. Does this application meet the conditions set forth in Section 5 for the requested use? If yes, please explain.

Yes. We are applying for a conditional use for the
building & property. It was used in this manner previously.

2. Describe the effects the proposed use of utilities and facilities will have on the community.

Positive. The church & property was vacant for 5-6 years.
Opening back up will improve the condition of building/property
& encourage ~~more~~ & build up community.

3. Describe how the size of the site is appropriate for the proposed use.

It has never been used as anything else other than
a church. Building literally is a church, built as a church.
Property always used as church since built.

4. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? No
If yes, please explain:

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

If yes, please explain:

6. What is the expected number of customers/employees per day? We don't meet daily. We only meet twice a week. This is normal for our church communities. We are a small but growing church community in Hattiesburg. Usually, 20 adults & children altogether at our services.

7. Parking Requirements:

Commercial/Industrial: Paved parking will be provided for 10-15 vehicles, and 1 ADA vehicle(s); with _____ loading spaces.

For more information please reference the Land Development Code Section 12.3.3.2.

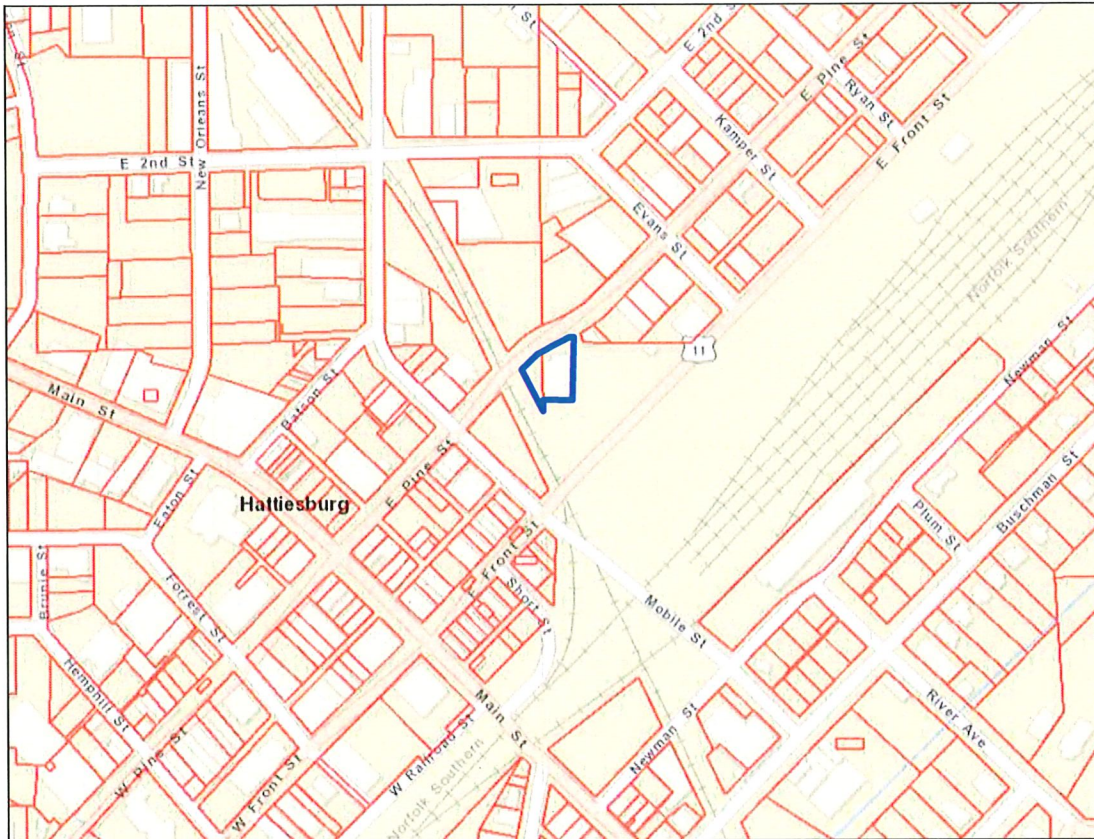
SUBJECT PARCEL:
309 E Pine St.

Kenneth Moye and Korey Williams, Applicants

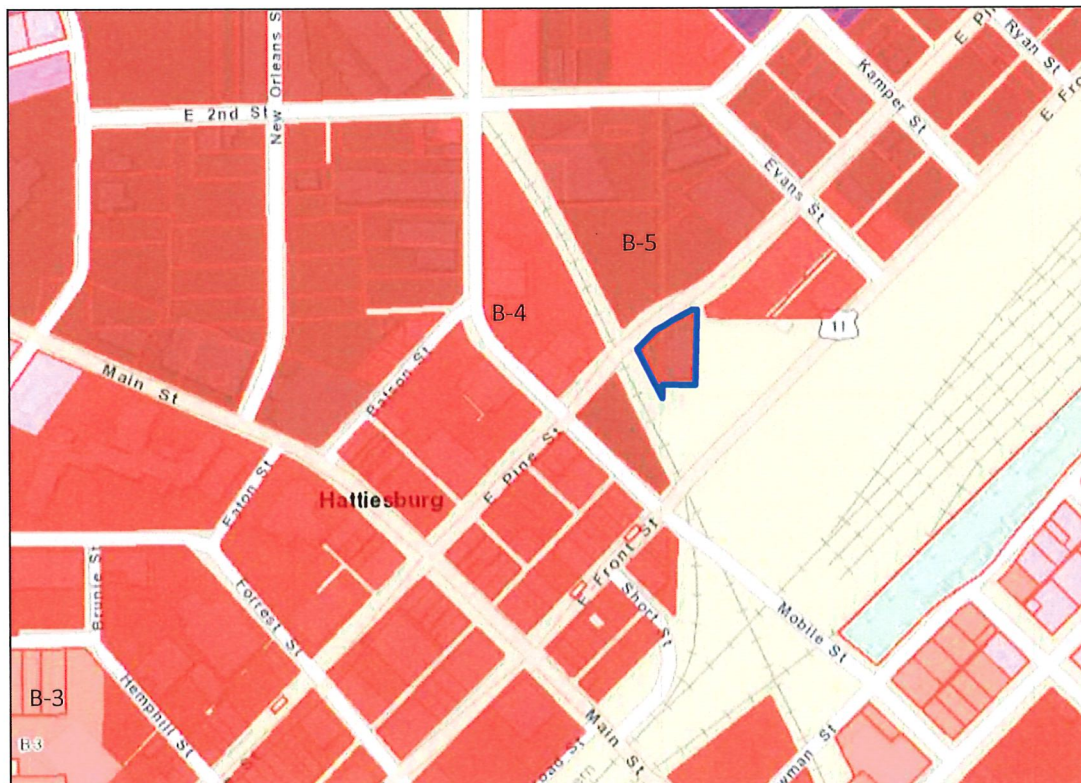
The petitioners request to change the zoning classification for certain properties located at 309 E Pine Street (Parcel 2-029J-10-352.00, 2-029I-10-071.00 PPIN 26659, 26660, Ward 2) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.11, B-4 (Downtown Business) District.



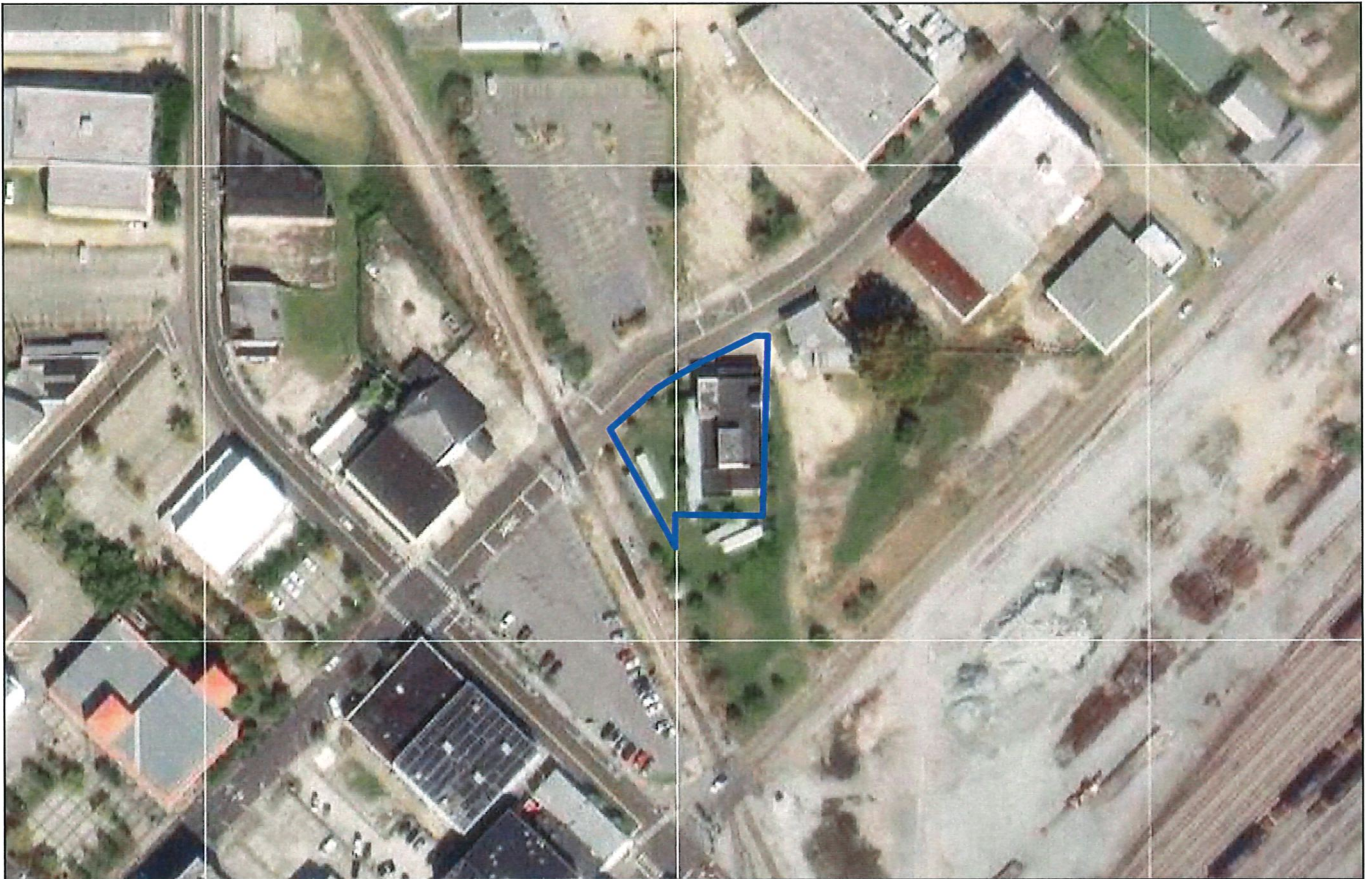
Vicinity Map—Ward 2



Zoning—B-5

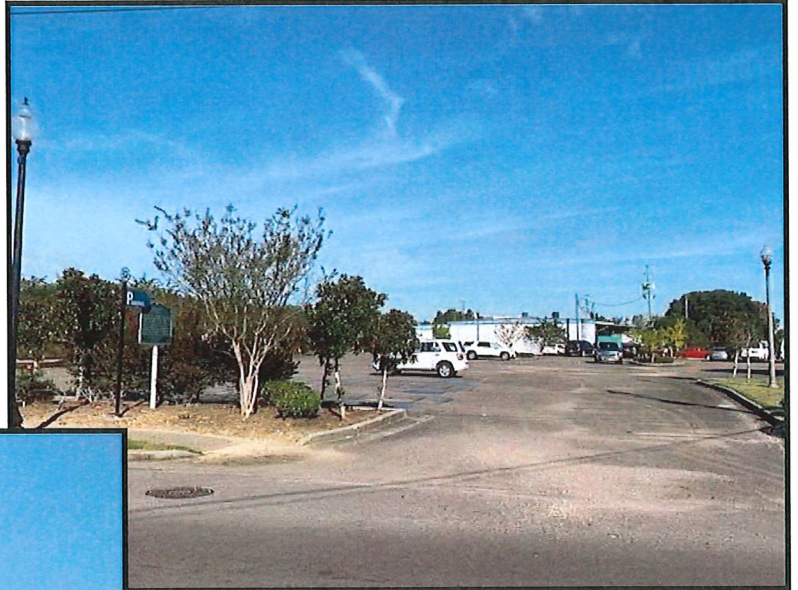


Site Aerial



SURROUNDING AREA

Northern Direction: B-5 (Regional Business) District/ Parking Lot



Southern Direction: Right-of-Way/
Railroad Yard

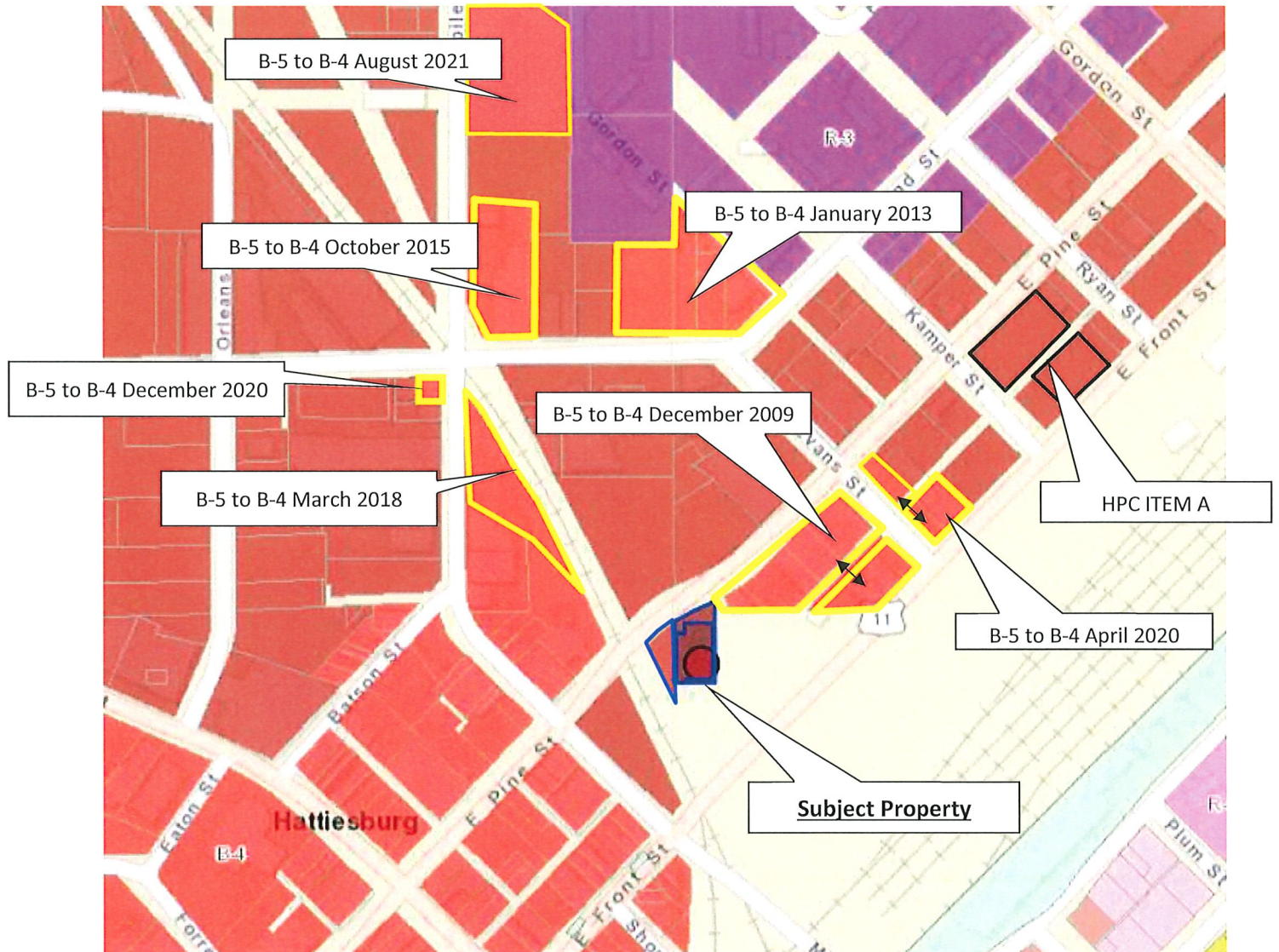


Eastern Direction: B-4 (Downtown)
District/ Taxidermy

Western Direction: B-5 (Regional Business) District/ Parking Lot



Area Rezones





**Planning Commission
Case Fact Sheet**

Name of Petitioners: Kenneth Moya and Korey Williams, Applicants and Dorothy Brown, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
309 E Pine Street	2-029J-10-352.00	26659	2
	2-029I-10-071.00	26660	

Request: **Zoning Change from B-5 to B-4**

Purpose of Request: To consider an application to change the zoning classification for certain properties located at 309 E Pine Street (Parcel 2-029J-10-352.00, 2-029I-10-071.00; PPIN 26659, 26660, Ward 2) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.11, B-4 (Downtown Business) District.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4

Zoning Districts Established

4.5.11 B-4 Downtown Business District: The Downtown Business District is intended to promote the concentration and vitality of commercial and business uses in the historic central business area of the City and as such, encourages a mixture of complementary uses with a pedestrian orientation. This district is characterized by wall-to-wall and lot-line-to-lot-line development, pedestrian walkways, a vertical mix of uses, upper floor residential uses, and off-street public parking lots.

4.5.12 B-5 Regional Business District: The purpose of the B-5 District is to provide for retail, personal and business services, offices, and financial services in locations with convenient access to the region's population consistent with comprehensive planning policies. This district is consistent with the Regional Business

District in the Comprehensive Plan.

Present Zoning: This parcel is currently zoned B-5 (Regional Business) District

Present Use: Vacant building (Former antique mall)

Future Land Use: Downtown District

Surrounding Zoning and Land Use:
North: B-5 (Regional Business) District/ Parking Lot
South: Right-of-Way/ Railroad Yard
East: B-4 (Downtown) District/ Taxidermy
West: B-5 (Regional Business) District/ Parking Lot

Most Nearly Bounded By (streets): The parcel is most nearly bounded to the north by E Pine Street, to the east by Evans Street, to the west by Mobile Street, and to the south by E Front Street. It is accessible E Pine Street.

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of October 20, 2021.

History / Background: The applicant met with staff in Pre-Application to discuss converting the former Calico Mall building into an updated mix of uses. The applicants are currently proposing a food court, bar, outdoor/indoor amusements, and office space. Outdoor improvements include rooftop amenities and an outdoor pool, which would be public access for customers only.

The change of use to restaurant/bar/amusement facility requires compliance with current LDC standards. The site lacks adequate parking for the proposed uses, as it currently only has seven legal nonconforming spaces on site. Insufficient on-site parking, along with staff's inability to approve the proposed pool fencing height in the existing front yard were discussed. Staff discussing the potential of the applicants to request multiple variances or rezone to B-4.

There have been many B-4 rezones in the area over the past years. Please refer the provided Vicinity Rezone Map for a history.

The property is in the Hub City Downtown District and all exterior changes will require Historic Hattiesburg Conservation Commission and/or Mississippi Department of Archives and History Review.

Option: **Basis for approval (Zoning Change):**

- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning
- III. Annexation

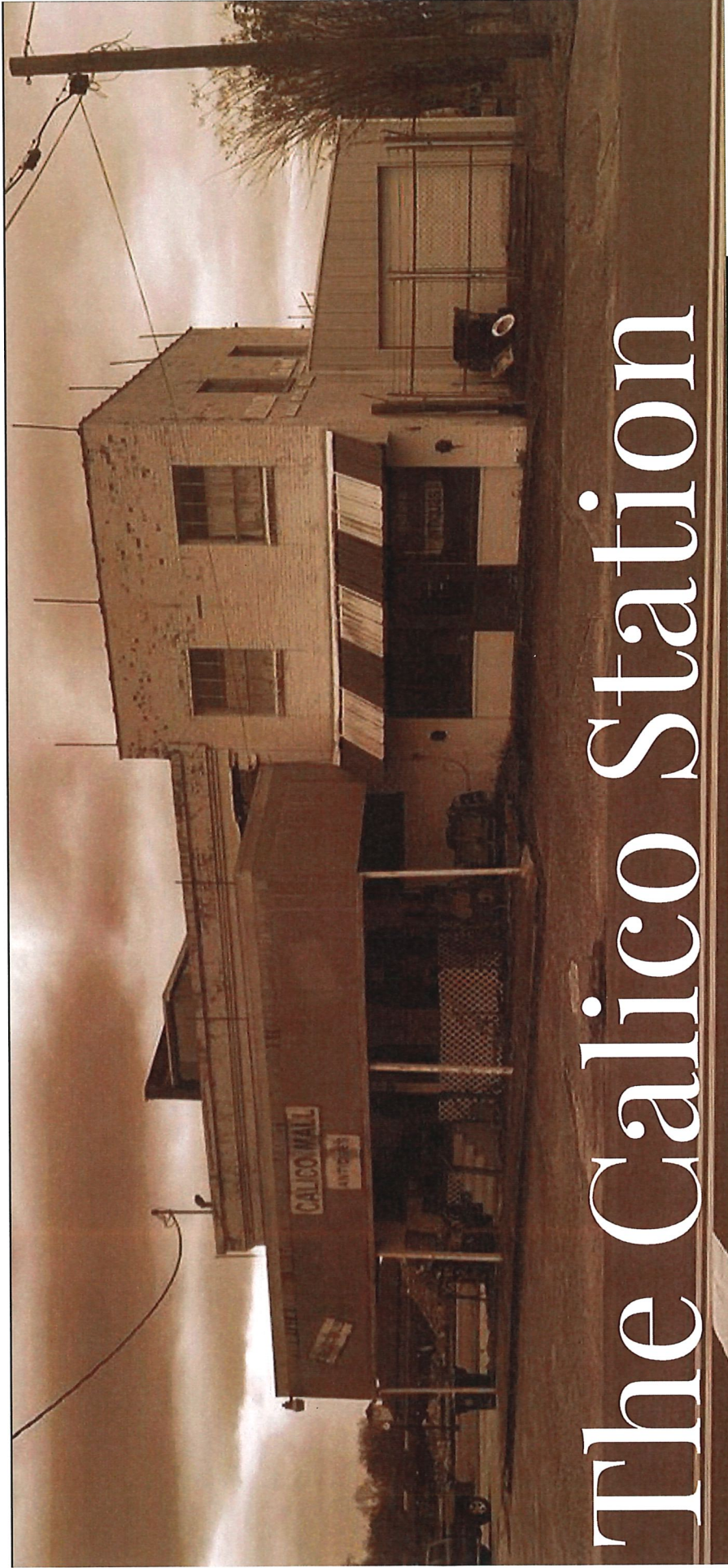
Rezoning Information (1 page)

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 mistake in the original zoning.
- ☒ B. The character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need for the rezoning.
- C. Annexation

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

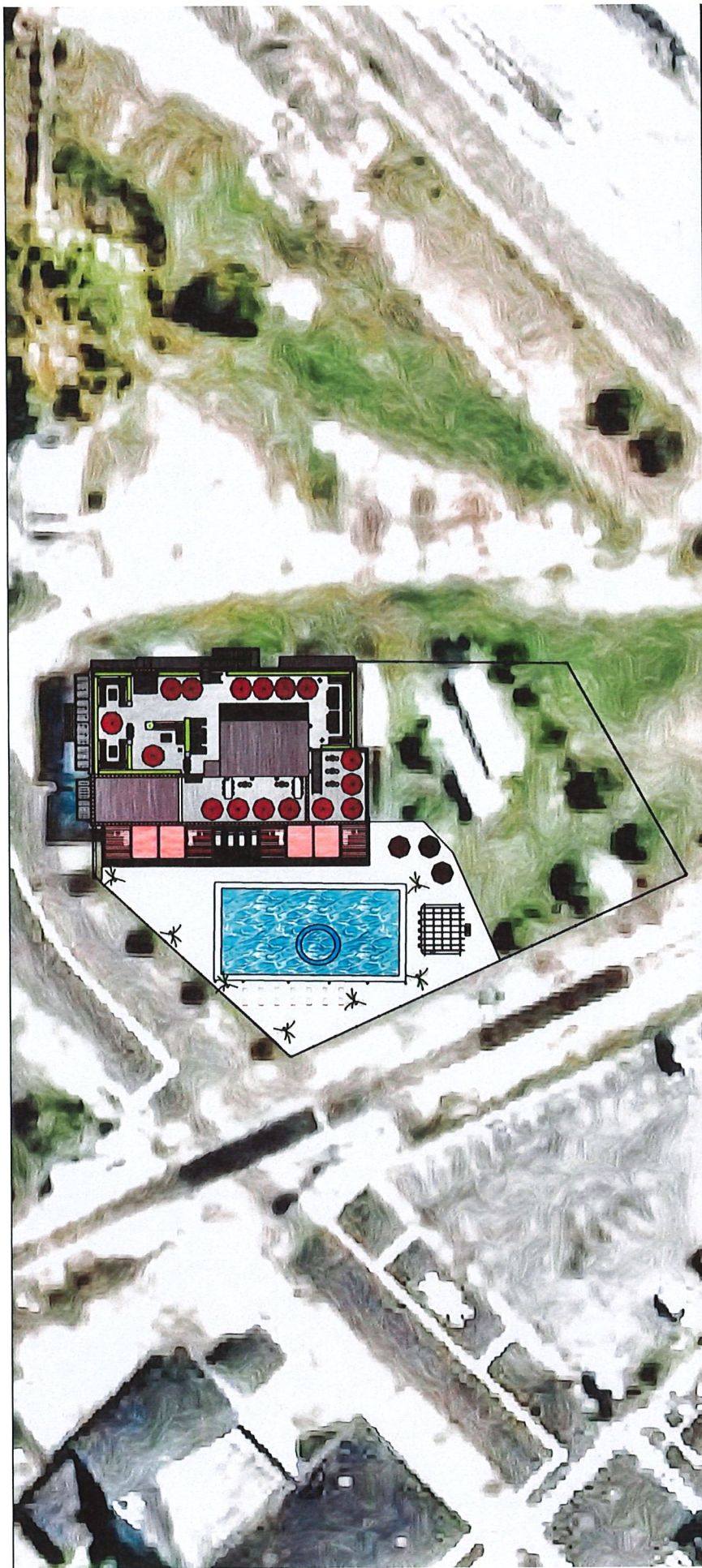
The Calico Station at 309 East Pine Street is a revitalization of an historic meat processing plant. The
request of this rezoning is to adapt to the character and the revitalization plan of the neighborhood.
Recently, properties within the downtown area have received rezoning approvals from B-5 to B-4,
which is consistent with the neighboring property, allowing property owners to rebuild and contribute to
the work, play, and live environment within the downtown area. Most uses have changed from the
industrial past to the sustainable modern neighborhood it is today. With the lot currently, being used
as an antique store the owners are seeking to revive the Calico Station to fit within the new
commercial composition of the neighborhood.



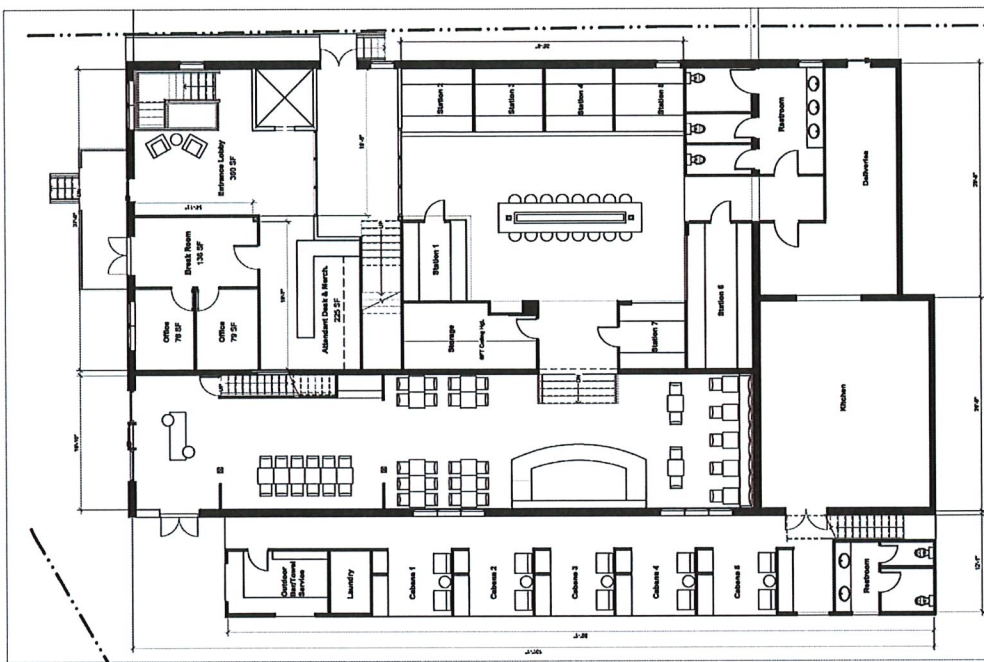
The Calico Station

309 E. Pine St. Development September 7th Meeting





Site Plan Design The Calico Station

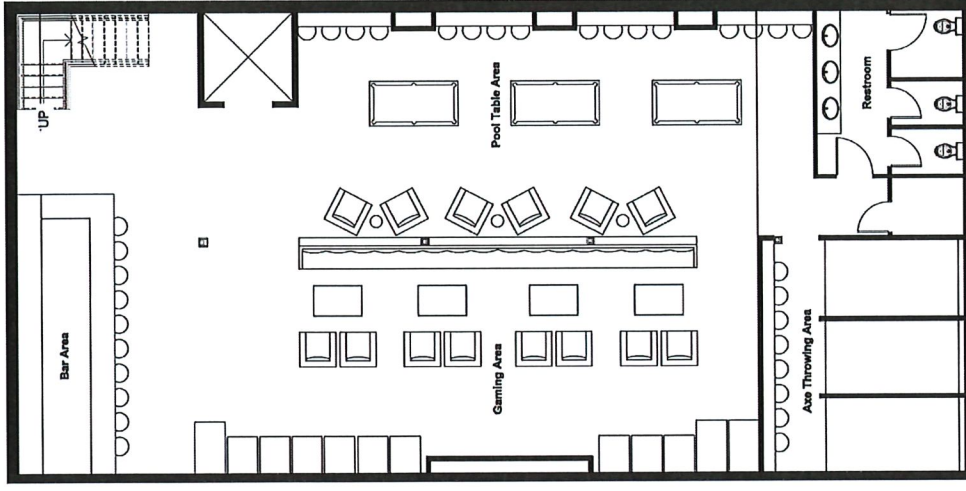


Floor Plan & Interior Design Concept

The Calico Station



Floor Plan & Interior Design Concepts The Calico Station





Exterior Building Design The Calico Station



Exterior Building Design
The Calico Station



Exterior Building Design
The Calico Station