

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

Planning Commission

AGENDA

3/2/2022

I. Business Meeting

1. Review and approval of March meeting's agenda
2. Review and approval of the minutes of the February meeting
3. Building Report
4. Planning Report
 - A. Nominations
5. Chair's Report
6. Introductions

II. Public Hearing

1. Presentation of Petitions for Public Hearing
 - A. A petition has been filed by Reed Nelson, William Drinkwater, and Sheldon Alston (Representatives) to change the zoning classification for certain properties located on S. 30th Avenue, S. 31st Avenue (PPIN 20855 Parcel 2-028N-07-068.00, PPIN 20850 Parcel 2-028N-07-064.00, PPIN 20806 Parcel 2-028N-07-057.00, Ward 3) from Midtown Form-Based Code Section 2.5 Residential Attached District RA-3 to Section 2.3 Mixed Use District MX-3.
 - B. A petition has been filed by Michael Long, Applicant, and Floyd Gray, Owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for certain properties located on Classic Drive (Parcel 2-025M-35-033.00, 2-025M-35-032.00; PPIN 9550, 9547, Ward 1) from Section 4.5.1 A-1 (Agricultural) District and Section 4.5.7 R-3 (Multi-family residential) to Section 4.5.4, R-1B (Single-Family Residential) District.

III. Other Business

IV. Adjournment



Department of Urban Development

MEMORANDUM

TO: Hattiesburg Planning Commission/Board of Adjustment
FROM: Planning Staff
DATE: February 22, 2022
SUBJECT: March 2, 2022 – Planning Commission & Board of Adjustment

The Hattiesburg Planning Commission will meet in regular session at 1:00 pm. Wednesday, March 2nd, 2022 in the dining room of the Jackie Dole Sherrill Community Center. The Planning Commission public hearing agenda contains two (2) items: two (2) rezone requests.

The Board of Adjustment will **not** meet in regular session, as no variance request applications were received for the March Board of Adjustment Meeting.

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

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 Kennedy, Council Clerk
Ginger M. Lowrey, AICP, Planning Div. Manager
Wiley Quinn, Code Enforcement Manager
Nathan Satcher, Planner
Russell Archer, Historic Planner
Lamar Rutland, Director of Engineering
Andy Parker, City Arborist
Steve Mitchell, Building Official

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION
February 2nd, 2022**

The Hattiesburg Planning Commission did meet in a regular session on February 2nd, 2022, at 1:00 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
Charles Dawe (via GoToMeeting)
Amy Hinton, Vice-Chair
Jeff Keysear (via GoToMeeting)
Elayne Lockett
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Kenneth Waites

Commissioners Absent: Ricardo Bryant
Michael Dickerson
Elayne Lockett

Also Present: Ginger M. Lowrey, AICP, Planning Div. Manager
Jim Gladden, Esq.
Nathan Satcher, Planner
Steve Mitchell, Building Official

AGENDA REVIEW

There came the matter of the February Agenda. A request was made by Chair Miller for a motion to approve the February 2022 Agenda. A motion to approve was made by Commissioner Ray and seconded by Commissioner Hinton.

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

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

Commissioners voting nay: None

Commissioners Absent: Charles Dawe

MINUTES REVIEW

There came the matter of the January 2, 2022 minutes. A motion was made by Commissioner Ray to approve the minutes with a grammatical correction. Commissioner Pickett seconded the motion.

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

Commissioners voting nay: None

REPORTS

BUILDING REPORT

Steve Mitchell, Building Official, provided the Building Permit Report for January 2022. Staff emailed copies to the Commissioners before the meeting, and physical copies were provided to Commissioners who attended in person. Commissioner Dawe sought clarification on the building permit process.

PLANNING REPORT

There came the matter of the Planning Report by Ginger Lowrey, Planning Division Manager. On January 18, 2022, City Council approved the MX-3 to MX-4, RA-3 to MX-4, and RA-3 to MX-3 rezone requests for certain properties located in the Midtown District (multiple parcels) for the Jones Company headquarters relocation project. (HPC Approval Upheld). Mrs. Lowrey noted there would be an additional item related to this project on the March Planning Commission Agenda due to a public notice error. Mrs. Lowrey also called for a

subcommittee for the nominations of Chair and Vice-Chair for the Planning Commission. Commissioners Conville, Ray, and Pickett volunteered to serve as the subcommittee.

CHAIR’S REPORT

There came the matter of the Chair’s Report by Chair Mark Miller. Chair Miller shared his deep appreciation for the City of Hattiesburg’s Planning Commission after attending a small town’s planning meeting.

INTRODUCTIONS

The Commissioners introduced themselves.

PUBLIC HEARING – PLANNING COMMISSION

There came the matter of Item A (Conditional Use), to consider a request for a Conditional Use as “Warehousing and Distribution” facility in a B-3 (Community Business) District for property located along Oak Grove Road (Parcel 051R-12-089.000, PPIN 11226, Ward 3 near the intersection of Oak Grove Road and S Westover Drive).

	<u>Name</u>	<u>Address</u>	<u>City/State</u>
<u>Presented by:</u>	Adele Coll	PO Box 16492	Hattiesburg, MS
	Joel Ford	2010 Oak Grove Road	Hattiesburg, MS
	Adam Nicolosi	219 S 40 th Ave	Hattiesburg, MS
<u>Proponents:</u>	None		Hattiesburg, MS
<u>Opponents:</u>	None		

Adele Coll, applicant, presented the application. She provided a brief overview of the history of their business and the need for expansion. She also pointed out the ideal location for their business due to proximity to major highways for their delivery business model.

Commissioner Dawe spoke highly of their operations. He also noted he was familiar with the area of the proposed location and did not believe it would impede traffic flow. Commissioner Conville inquired on the need for parking beyond the minimum required, suggesting reducing the overall impervious surface coverage citing various environmental concerns with the excess of parking. Several commissioners also had questions regarding site layout and design. Joel Ford, representative and engineer for the project, provided insight on the layout of the proposed site

plan. He noted the site plan is conceptual at this time and will have several adjustments before being approved in the Site Plan review process. Adam Nicolosi, representative and realtor for the project, spoke highly of the operations of Mr. Sippi, indicating they are a well-run business and good stewards of their property.

Chair Miller declared the Public Hearing closed and the Business Meeting open for discussion on the conditional use request (Item A). Commissioner Conville posed a question to staff on the site plan process, asking if what is approved in the formal site plan review is essentially a legally binding document, hoping that the landscaping buffer along the eastern boundary remains as it abuts next to a residential property. Mrs. Lowrey clarified that since the adjoining property to the east is outside of the City of Hattiesburg limits, a landscaped zoning buffer is not required. Commissioner Waites made a motion to approve the request for conditional use. Chair Miller asked if he would like to consider adding the condition of requiring a typical 30 ft zoning buffer for B-3 zonings next to residential, as suggested by staff. The motion was seconded by Commissioner Conville. Chair Miller then reopened the public hearing to grant Joel Ford an opportunity to respond to the added conditions. Joel Ford stated the full 30 ft buffer would offer additional challenges to this site, and asked if an alternative buffer requirement be reviewed for this site since they had not accounted for a buffer to the east. Commissioner Conville pointed out that it was very important to keep the proposed drive as far east as possible for incoming traffic from the nearby intersection. He also pointed out the importance of the landscaping buffer. Joel Ford responded that the conceptual site plan showed an approximate 15 ft buffer.

Chair Miller again declared the public hearing closed and asked if the commission would instead be comfortable with 15 ft. Commissioner Waites amended his original motion to include a condition of a 15 ft landscaped zoning buffer. Commissioner Conville agreed to amend his second as well. Mrs. Lowrey conducted a roll call vote. Commissioners attending in person submitted physical voting sheets.

Commissioners voting aye: Dick Conville
Charles Dawe (via GoToMeeting)
Amy Hinton, Vice-Chair
Jeff Keysear (via GoToMeeting)
Elayne Lockett
Mark Miller, Chair
Rebekah Ray

Rhoda A. Pickett
Kenneth Waites

Commissioners voting nay: None

BUSINESS MEETING

Having no further business, Commissioner Pickett made a motion to adjourn the meeting. The motion was seconded by Commissioner Lockett. The meeting was adjourned at 2:06 PM.

Mark Miller, Chair

Ginger Lowrey, Planning Division Manager

Item: A
Reed Nelson, Representative Jones Companies LLC, Representative,
William Drinkwater and Sheldon Alston, Representatives
Request for: **Zoning Changes (Midtown FBC)**



**Planning Commission
Case Fact Sheet**

Name of Petitioners: Reed Nelson, Representative Jones Companies LLC,
Representative, William Drinkwater and Sheldon Alston,
Representatives

Address of Property:	Tax Parcel	PPIN:	Ward:
S. 31 st Avenue	2-028N-07-068.00	20855	3
S. 30 th Avenue	2-028N-07-064.00	20850	3
S. 30 th Avenue	2-028N-07-057.00	20806	3

Request: **Zoning Changes from RA-3 (Residential) to MX-3 (Mixed-use, three story). Correction of technical error in the zoning change application reviewed in January 2022.**

Purpose of Request: To consider an application to change the zoning classification for certain properties located on S. 30th Avenue, S. 31st Avenue (PPIN 20855 Parcel 2-028N-07-068.00, PPIN 20850 Parcel 2-028N-07-064.00, PPIN 20806 Parcel 2-028N-07-057.00, Ward 3) from Midtown Form-Based Code Section 2.5 Residential Attached District RA-3 to Section 2.3 Mixed Use District MX-3. Ward 3.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 2.1

Zoning Districts Established

The following Midtown Districts are established.

A. Mixed Use Districts (MX-)

1. The MX- Districts are intended to accommodate a mix of compatible commercial, employment, and higher-density residential in a pedestrian-friendly and walkable environment.
2. The MX- Districts vary based on the maximum allowed building

Item: A

Reed Nelson, Representative Jones Companies LLC, Representative,
William Drinkwater and Sheldon Alston, Representatives
Request for: **Zoning Changes (Midtown FBC)**

height.

- a. MX-3 has a maximum building height of 3 stories.
- b. MX-4 has a maximum building height of 4 stories.
- c. MX-5 has a maximum building height of 5 stories.

C. Residential Attached District (RA-3)

- 1. The RA-3 District is intended to accommodate a mix of medium-density detached and attached residential in a pedestrian-friendly and walkable environment.
- 2. RA-3 has a maximum building height of 3 stories.

Present Zoning: These parcels are currently zoned and RA-3: Attached 3-Story.

Present Use: Vacant, Previously Residential

Future Land Use: Neighborhood Center Mixed-use District

Surrounding Zoning and Land Use:

North: MX-3: Mixed Use 3-Story & MX-4: Mixed-Use 4-Story/
Mixed-use
South: RA-3: Attached 3-Story / Single-Family Residential
East: MX-3: Mixed Use 3-Story / Residential, Commercial
West: RD-2: Detached 2-Story / Vacant, Single-Family Residential attached;

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of February 23, 2022.

History / Background: The item for review includes three (3) parcels which were intended to be included in a zoning change application from the same applicant and were presented as such in January 2022. Staff and the Applicant discovered three (3) parcels that were not properly advertised. Therefore, the City advertised the request to rezone the three (3) parcels presented in this application. There have been no changes to the proposed project or to the intent of the original rezone package.

Any questions related to the overall development were presented in the January Report and addressed at the January public hearing.

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

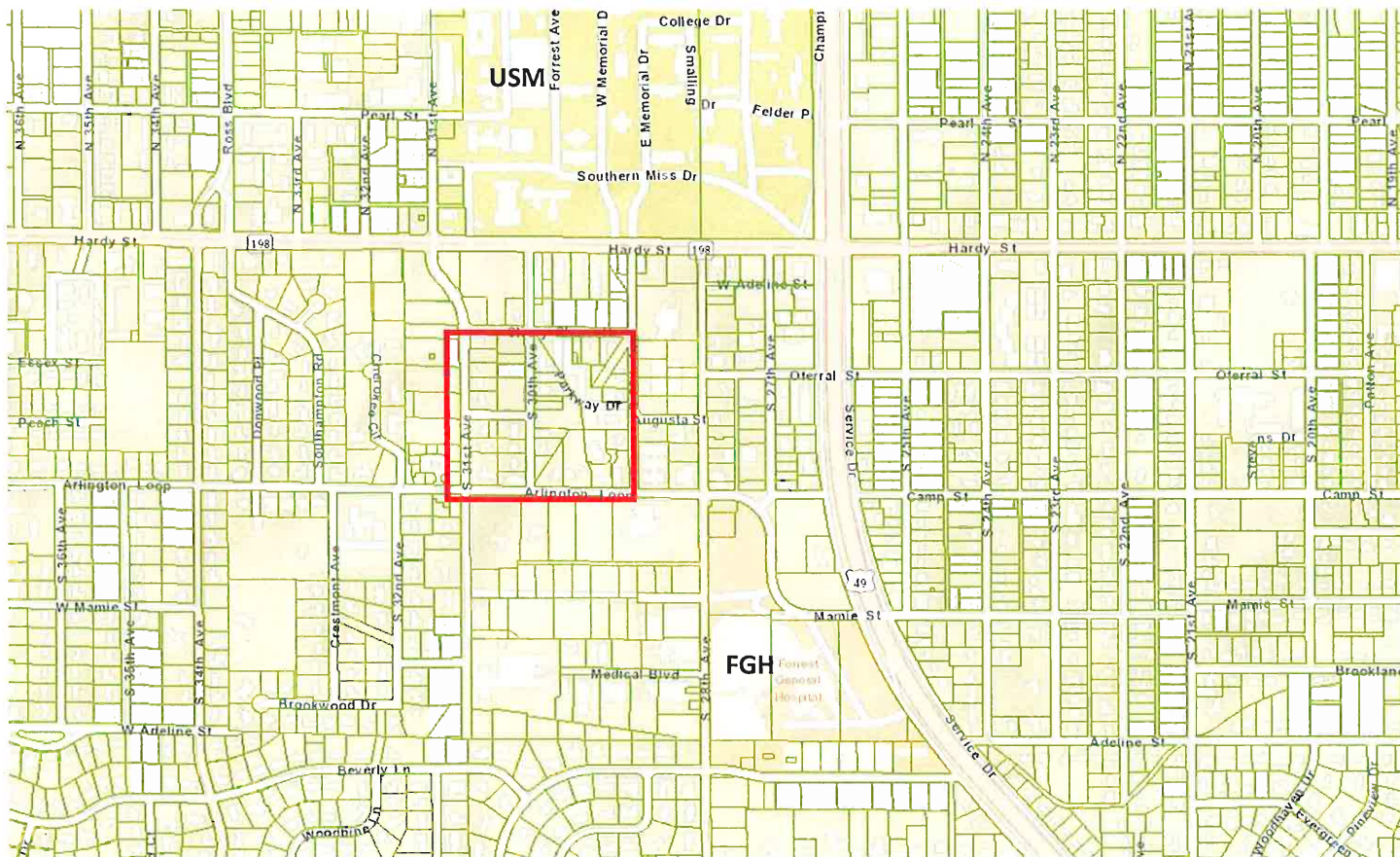
SUBJECT PARCEL:
Midtown Zoning Changes (Multiple Parcels)

Reed Nelson, Jones Companies LLC, Representative, William Drinkwater and Sheldon Alston,
Representatives

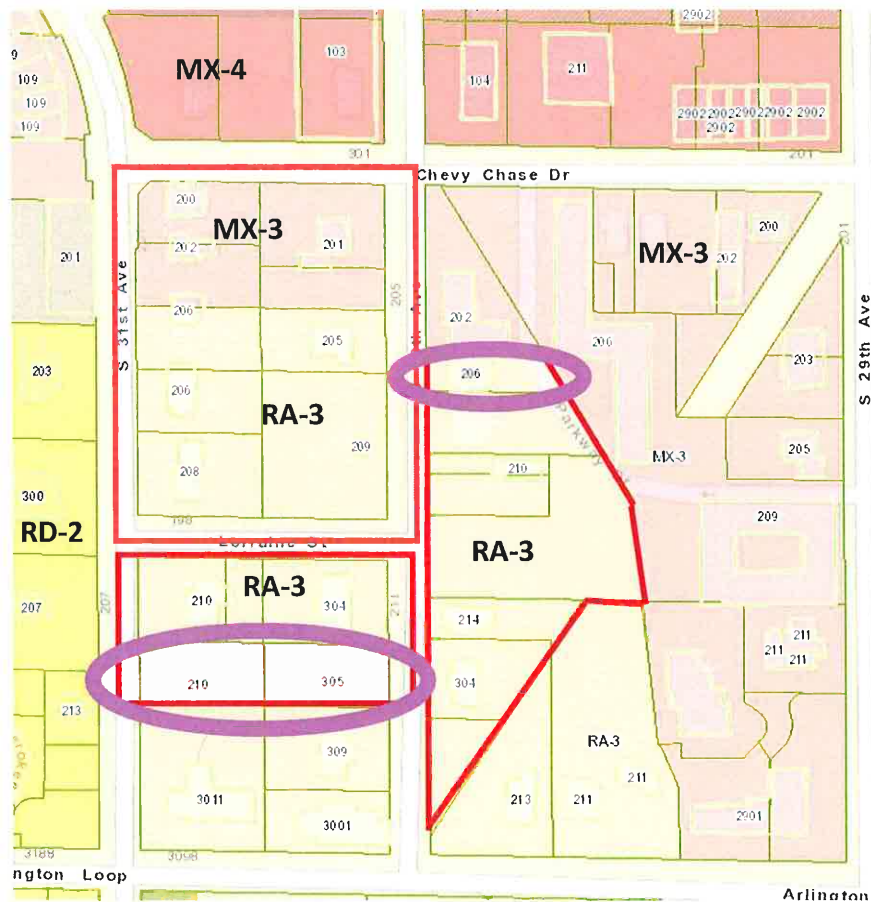
The petitioners request to change the zoning classification for certain properties located on S. 30th Avenue, S. 31st Avenue (PPIN 20855 Parcel 2-028N-07-068.00, PPIN 20850 Parcel 2-028N-07-064.00, PPIN 20806 Parcel 2-028N-07-057.00, Ward 3) from Midtown Form-Based Code Section 2.5 Residential Attached District RA-3 to Section 2.3 Mixed Use District MX-3.



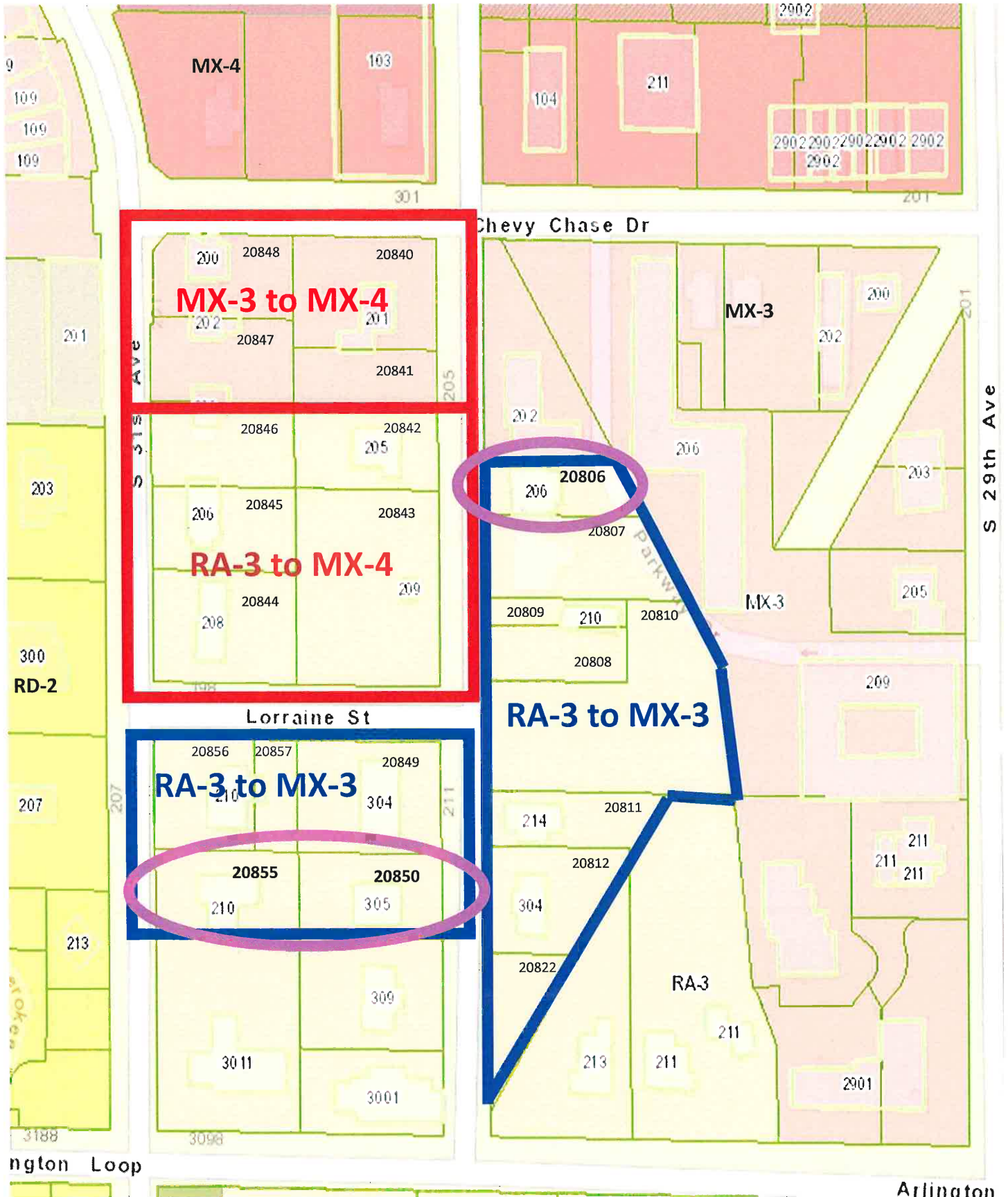
Vicinity Map—Ward 3



Current Zoning—MX-3, RA-3,

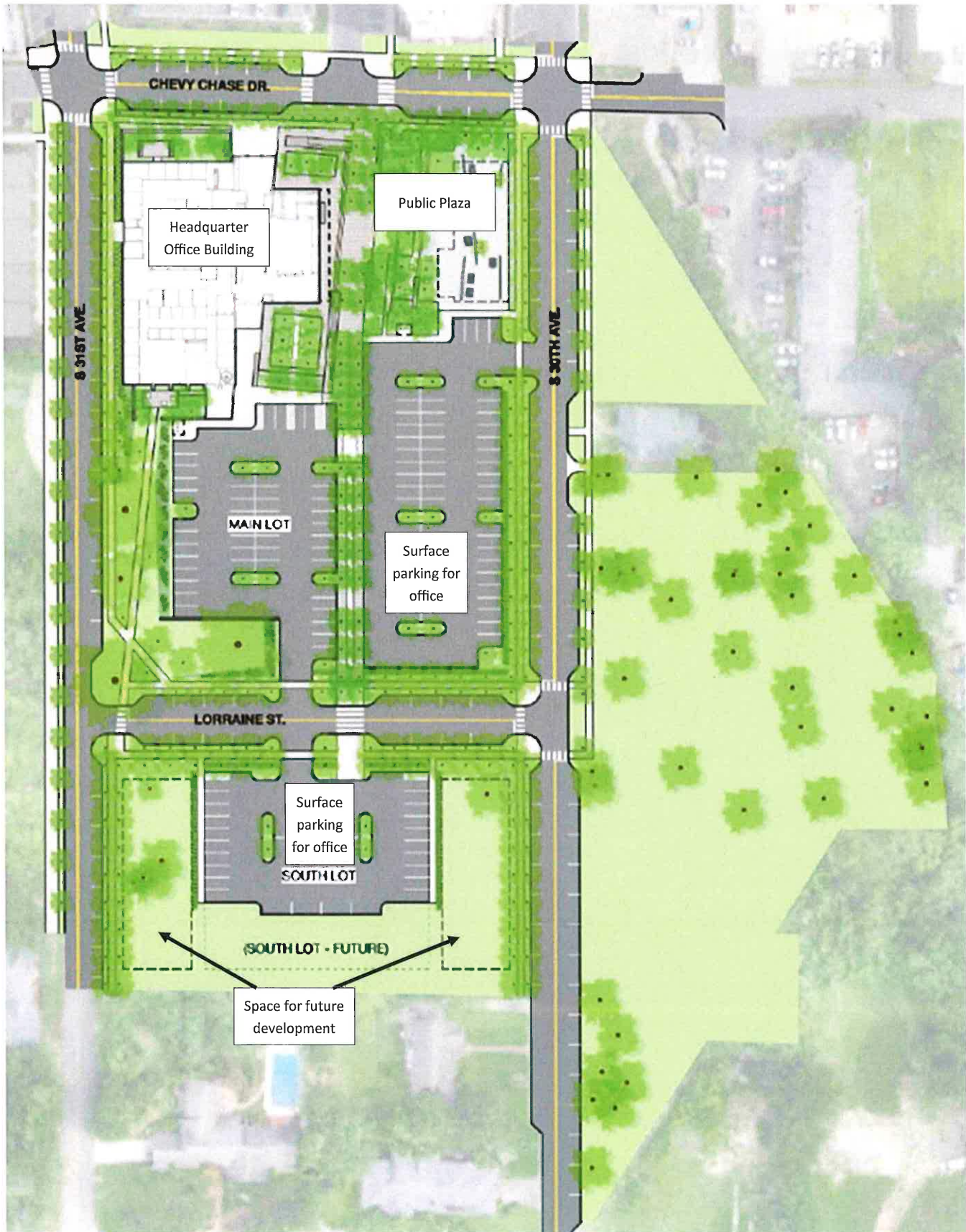


Petitioners Requested Zoning Changes with PPINs

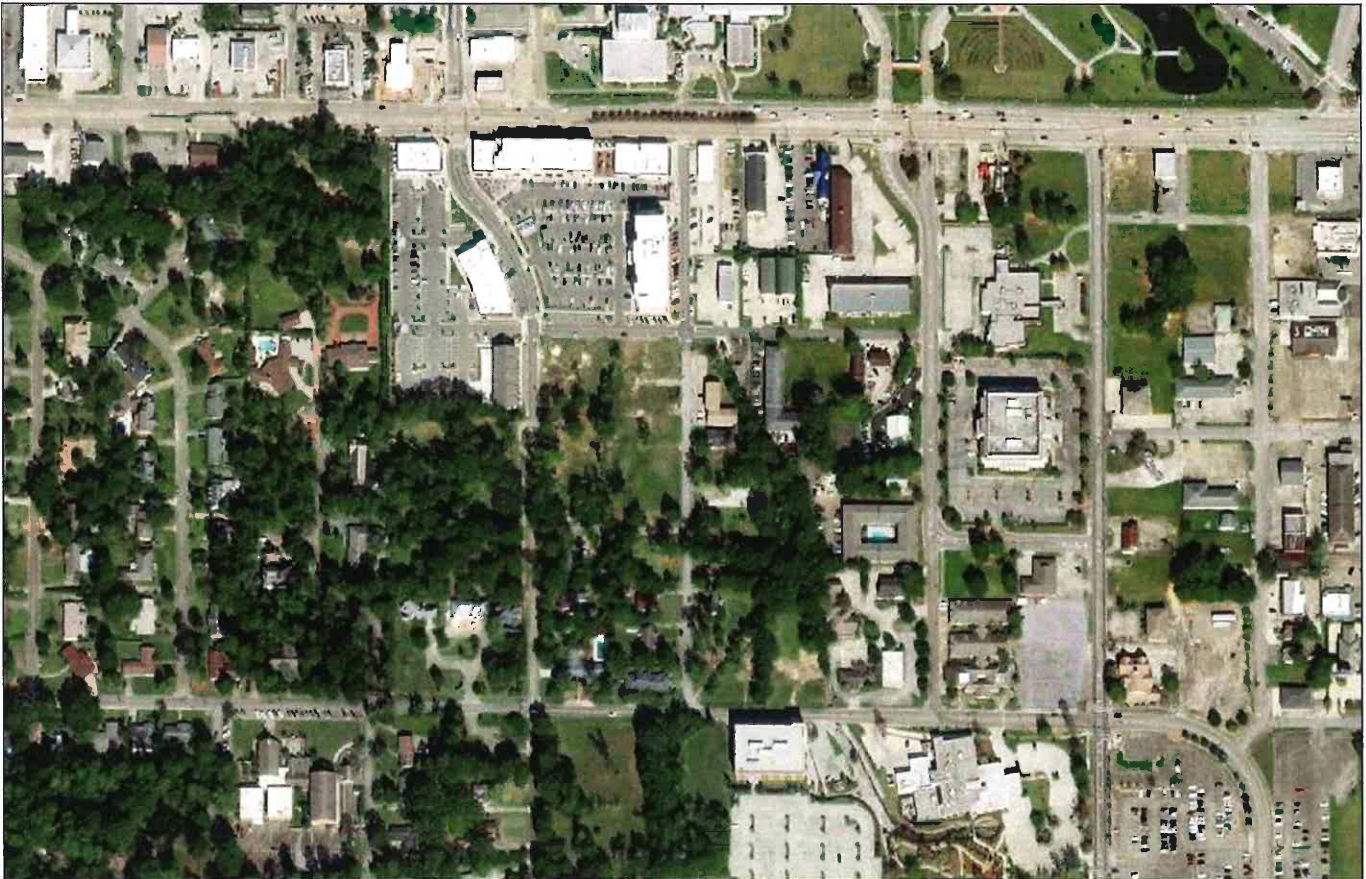


Arlington

Conceptual Site Plan for Development



Site Aerial



Item: B
Michael Long, Applicant
Floyd Gray, Owner,
Request for: **Zoning Change A-1, R-3 to R-1B**



**Planning Commission
Case Fact Sheet**

Name of Petitioners: Michael Long, Applicant, and Floyd Gray, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
Parcels on Classic Drive	2-025M-35-033.00	9550	1
	2-025M-35-032.00	9547	1

Request: **Zoning Change from A-1 to R-1B**
Zoning Change from R-3 to R-1B

Purpose of Request: To consider an application to change the zoning classification for certain properties located on Classic Drive (Parcel 2-025M-35-033.00, 2-025M-35-032.00; PPIN 9550, 9547, Ward 1) from Section 4.5.1 A-1 (Agricultural) District and Section 4.5.7 R-3 (Multi-family residential) to Section 4.5.4, R-1B (Single-Family Residential) District.

Applicant Summary: See Attached
Applicable Regulations:

SECTION 4 Zoning Districts Established

4.5.1 A-1 Agricultural District: Agricultural District is to permit agricultural uses and low-density residential development. This district is consistent with the Rural Residential / Agricultural District in the Comprehensive Plan. The district is intended to encourage and protect rural uses from urbanization until such is warranted and the appropriate change in district classification is made.

4.5.4 R-1B Residential District: The purpose of the R-1B 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

4.5.7 R-3 Multi-Family Residential District: The purpose of the R-3 District is to permit medium and high-density residential uses including multi-family, two-family, and single-family structures 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 residential neighborhoods with only compatible supporting institutional uses and open space.

SECTION 6

Dimensional Standards and Measurements

Table 6.1 Dimensional Standards

Table 6.1 Dimensional Standards										
District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Setbacks in feet				Max. Height*	Max. Impervious Surface Lot Coverage	Buffer in Feet
				Min. Front	Max. Front	Min. Side	Min. Rear			
A-1	130,680 / 100	1 per lot	-	25	-	15	25	35 feet or 3 stories	35%	-
A-2	43,560 / 100	1 per lot	-	25	-	15	25	35 feet or 3 stories	50%	-
R-1A	10,000/ 50	1 per lot	-	30	-	10	25	35 feet or 3 stories	50%	-
R-1B	7,500/ 50	1 per lot	-	25	-	10	25	35 feet or 3 stories	50%	-
R-1C	5,000/ 50	1 per lot	-	20	-	10	25	35 feet or 3 stories	50%	-
R-2	4,000/ 40	2 per lot	-	20	-	10	20	35 feet or 3 stories	50%	-
R-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-

Present Zoning: These parcels are currently zoned A-1 Agricultural district and R-3 Multi-Family Residential

Present Use: Undeveloped

Future Land Use: Neighborhood Conservation District 2

**Surrounding Zoning
and Land Use:**

North: R-3 Multi-family / Active multi-family development
South: R-1C Single Family Residential / Developed Subdivision
East: R-1A Single Family Residential / Undeveloped, University
West: A-1 Agricultural District / Country Club

**Letters or
Concerns stated:**

The Planning Division Office has not received any letters or other written communications relative to this case as of February 23, 2022.

History / Background:

The petitioner met with Staff in Pre-Application to discuss a proposed residential subdivision on Classic Drive. The subject parcels are currently zoned A-1 and R-3. The original proposal included the development of approximately 77 lots. The January 2022 petition proposed to rezone the A-1 parcel to R-1A and leave the existing R-3 parcel as R-3. Given the dimensional standards and requirements of R-3 zoning, a rezone was not required to develop new single-family parcels as proposed. A multi-family development would also be permitted by-right.

After the petitioners spoke with neighboring property owners and homeowners associations, the petitioners withdrew their application. Neighboring property owners expressed concerns over the existing R-3 zoned parcel. The petitioners amended their request to rezone both parcels to R-1B. The petitioners adjusted their proposed subdivision so that all lots would then meet the dimensional standards of the R-1B district. The subdivision will span across approximately 20 acres and create 74 lots.

If rezoning is approved to R-1B, the applicants will need to apply for a Major Subdivision, which will require Planning Commission, City Council Approval, and Site and Design Review Committee Approval.

In nearby proximity to the proposed development, four un-zoned parcels had a zoning district established along J Ed. Turner Road as R-1A Single Family Residential District: PPINs 33783, 33784, 33785, 33786. In 2014-15 the following un-zoned parcels had zoning of A-2, Agricultural Residential District, established: PPINs 30696, 30065, and 30026.

Option: Basis for approval (Zoning Change):

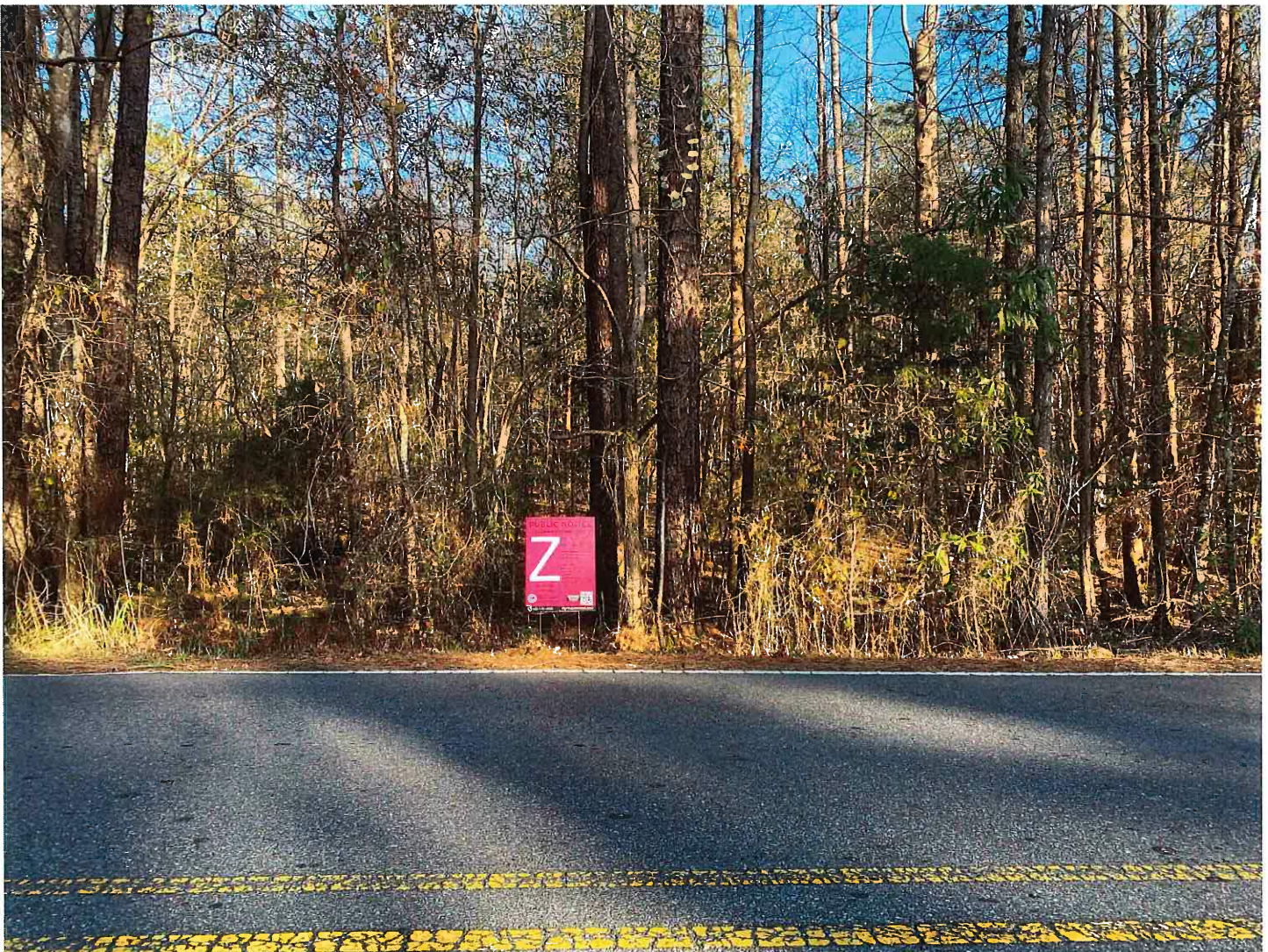
- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed substantially so that rezoning is clearly justified **and** there is a public need for the rezoning
- III. Annexation

SUBJECT PARCEL:

Classic Drive, Undeveloped Parcels

Michael Long, Applicant, and Floyd Gray, Owner

The petitioners request to change the zoning classification for certain properties located on Classic Drive (Parcel 2-025M-35-033.00, 2-025M-35-032.00; PPIN 9550, 9547, Ward 1) from Section 4.5.1 A-1 (Agricultural) District and Section 4.5.7 R-3 (Multi-family residential) to Section 4.5.4, R-1B (Single-Family Residential) District.



Vicinity Map—Ward 1



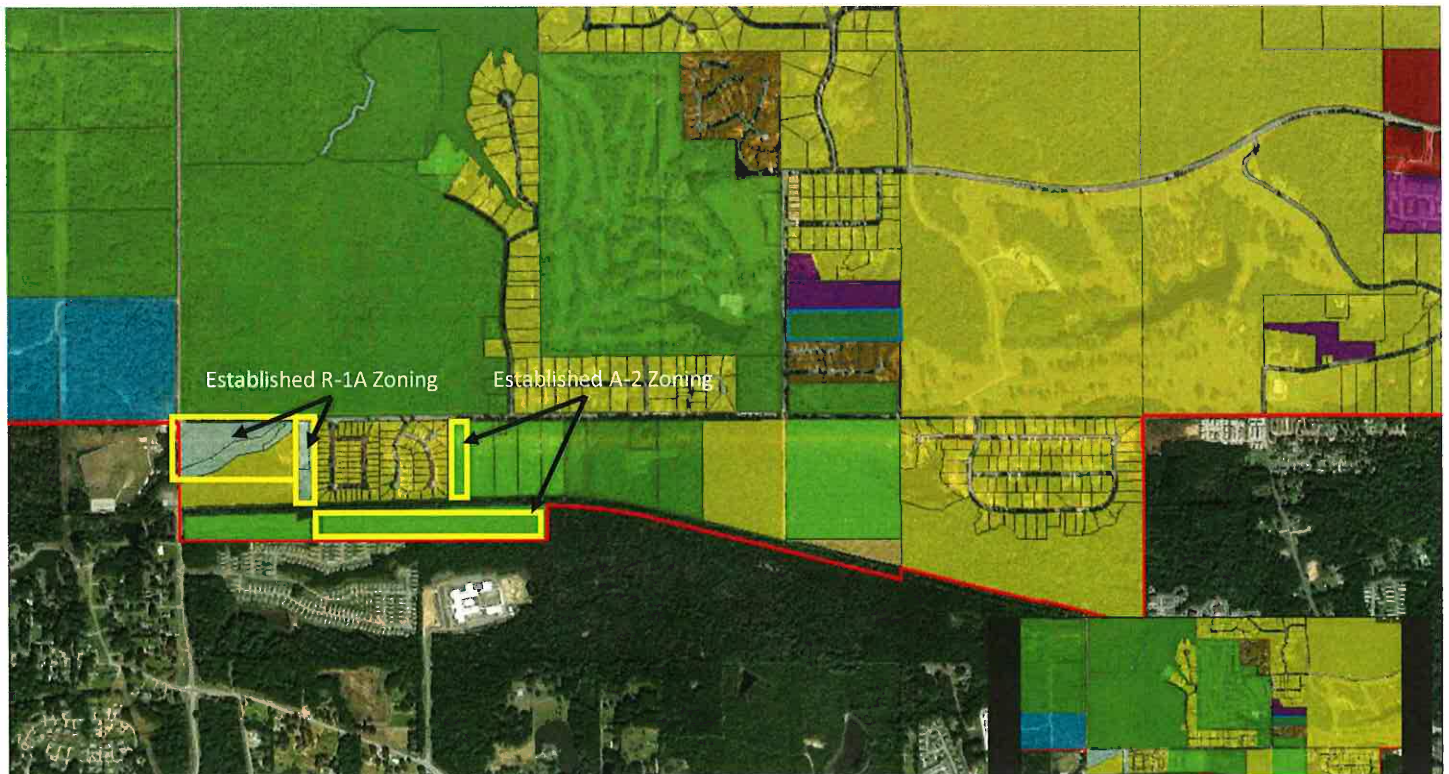
Zoning—A-1, R-3



Site Aerial

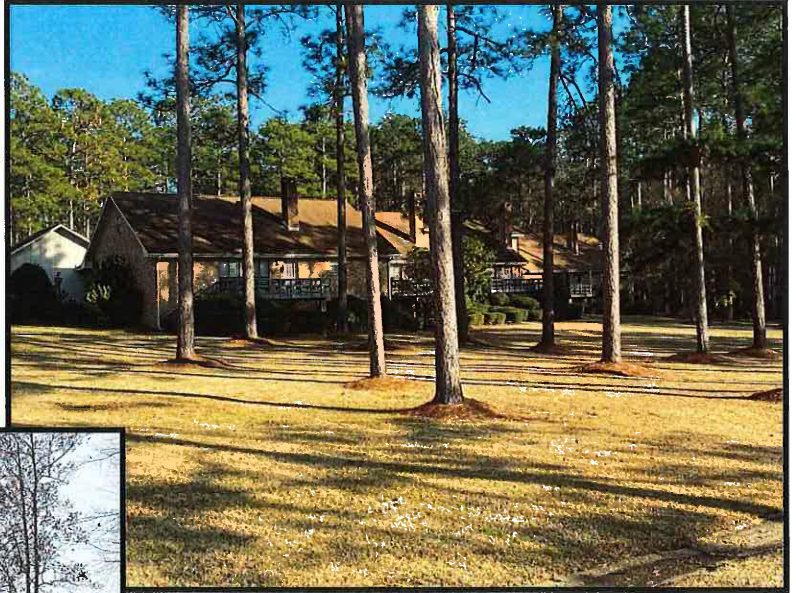


Zoning Recently Established



SURROUNDING AREA

**Northern Direction: R-3 Existing
Multi-Family Development**



**Southern Direction: R-1C Residential
Subdivision**



**Streetscape of Classic Woods
Subdivision (South)**

**Streetscape of Classic Drive (facing
south at proposed Parcel**



SURROUNDING AREA

West: A-1 Zoning

Country Club Location



East: R-1C Zoning (USM Property)

Entrance to The Accelerator



East: R-1C Zoning (USM Property)

Directly Adjacent to Development



**Streetscape of Classic Drive
(Country Club property on left hand
side of photo)**



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 parcels bordering the parcels in question are zoned as: Bobwhite Trail (R3 and R1A); Classic Woods Drive (R1C); Alex Lane (R1C). The City of Hattiesburg has grown up around this area and the population density is justified based on the surrounding zoning. The need for affordable housing in this area will aid in growing the City of Hattiesburg as many citizens have fled the city limits in search of more affordable housing in the surrounding counties. The zoning is intended to provide young families an opportunity to live in a nice and affordable neighborhood without the need to rent in a extremely densely populated area such as an apartment complex.



**Bent Brook Landing
Section 31, T-5N, R-14W
20 acres +/-**

Steven M. Parker, PE
307 Pineridge Point
Peter, MS 39465
(801) 408-5250

PE

Green Bay E. Porter
 Date: 1-24-2002
 Project: Bay #4-2001-09
 Trip: Bay Creek, Green
 Green Bay, Wis. 11

[illegible]