

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

Planning Commission

AGENDA

4/6/2022

I. Business Meeting

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

II. Public Hearing

1. Presentation of Petitions for Public Hearing

A petition has been filed by Stephens Daniel, Applicant, and Carol Drake, Owner as required in the Flood Damage Prevention Ordinance No. 3294, as amended of the City of Hattiesburg, Mississippi, to request a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood proof the structure, for 100 Hardy St (Parcel No. 2-029O-10-033.00, PPIN 19356, Forrest County, Ward 4).

- 2.
3. A petition has been filed by Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5) from Section 5.4.10 Community Business District B-3 to Section 5.4.3 Residential District R-1A.

4. A petition has been filed by Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative, as required in the Land Development Code, Ord. No. 3209, to request a Conditional Use as a "Solar Farm" in R-1A (contingent on zoning change) for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5).

5. A petition has been filed by Michael McCullum, owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for a certain property located on the northeast corner of Dabbs St and Hall Ave (Parcel No. 2-029O-10-303.00, PPIN 18772, Forrest County, Ward 4) from Section 5.4.3 Residential District R-1A to Section 5.4.7 Multi-Family Residential District R-3.

- A petition has been filed by the City of Hattiesburg to add and amend the text of the Midtown Form Based Code, Ord. 3105, so that Section 3.17 C.3.b.v. removes: “Chevy Chase Drive”. Amended text to read: ““b. Where more than one street abuts a lot, all of the street are considered primary streets, except that the following street are designated as side street: i. 30th Avenue ii. Lorraine Street iii. 27th Avenue iv. Adeline Street”.
- 6.

- A petition has been filed by Reed Nelson, Representative, Midtown Montevista LLC, Owner, as required in the Midtown Form-Based Code Section 4.4., to request the use of “Parking lot or garage” as a primary use for certain properties located on Lorraine Street, S. 30th Avenue, and S. 31st Avenue (Parcel 2-028N-07-069.00, PPIN 20856; Parcel 2-028N-07-070.00, PPIN 20857; Parcel 2-028N-07-063.00, PPIN 20849; Parcel 2-028N-07-068.00, PPIN 20855; Parcel 2-028N-07-064.00, PPIN 20850; Ward 3).
- 7.

III. Other Business

IV. Adjournment

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

The Hattiesburg Planning Commission did meet in a regular session on March 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
Michael Dickerson (via GoToMeeting)
Amy Hinton, Vice-Chair
Jeff Keyseear (via GoToMeeting)
Elayne Lockett
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Kenneth Waites

Commissioners Absent: Ricardo Bryant
Charles Dawe

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

AGENDA REVIEW

There came the matter of the March 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 Pickett and seconded by Commissioner Ray.

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

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

Commissioners voting nay: None

Commissioners Absent: Michael Dickerson (ViaGoToMeeting)

MINUTES REVIEW

There came the matter of the February 2, 2022 minutes. A motion was made by Commissioner Conville to approve the minutes. Commissioner Lockett seconded the motion.

Commissioners voting aye: Dick Conville

Michael Dickerson (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

Commissioners Absent: Michael Dickerson (via GoToMeeting)

REPORTS

BUILDING REPORT

Nathan Satcher, Planner, provided the Building Permit Report for February 2022 in absence of the Building Official. Staff emailed copies to the Commissioners before the meeting, and physical copies were provided to Commissioners who attended in person.

PLANNING REPORT

There came the matter of the Planning Report by Mrs. Lowrey, Planning Division Manager. On February 22, 2022, City Council approved the Conditional Use as “Warehousing and Distribution” facility in a B-3 (Community Business) District for a property located along Oak Grove Road (HPC Approval Upheld). Mrs. Lowrey asked for an update on the nominations subcommittee. Commissioner Conville, chair of the nominations committee, shared the proposal

to elect Mark Miller as the Chair, Amy Hinton as the Vice-Chair, and Rebekah Ray as the Secretary. A motion was made by Commissioner Conville and seconded by Commissioner Lockett. A vote was then conducted.

Commissioners voting aye: Dick Conville
Michael Dickerson (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
Commissioners Absent: Michael Dickerson (via GoToMeeting)

CHAIR’S REPORT

There came the matter of the Chair’s Report by Chair Mark Miller. Chair Miller again shared his deep appreciation for the City of Hattiesburg’s Planning Commission after attending a small town’s public hearing. He also shared about his recent trip to Tuscon, Arizona, where he spent much of his time in graduate school earning his Ph.D. He noted the planning process that was in place 30 years ago when he was there and how he was able to see those plans come to fruition during his visit, and reiterated the importance of the planning process.

INTRODUCTIONS

The Commissioners introduced themselves.

PUBLIC HEARING – PLANNING COMMISSION

There came the matter of Item A (Rezone), Reed Nelson, William Drinkwater, and Sheldon Alston (Representatives), as required in the Land Development Code, Ord. No. 3209, 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.

	<u>Name</u>	<u>Address</u>	<u>City/State</u>
<u>Presented by:</u>	Josh Mars	PO Box 16492	Hattiesburg, MS
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Josh Mars, representative of Jones Companies, presented the application. He stated that Jones Company is trying to be good neighbors while presenting new opportunities for the Midtown area. Commissioner Conville asked what the intention of Jones Companies was for the parcels being presented today. Mr. Mars stated the plans for those lots would be to accommodate future parking needs for Jones Companies.

During discussion it was clarified that Jones Company does not own or have vested interest in one of the parcels (PPIN 20806) advertised for zoning change. Mrs. Lowrey stated that if a motion were to be made and approved, that parcel should not be included in the approval..

Chair Miller declared the Public Hearing closed and the Business Meeting open for discussion on the Zoning change request (Item A). Commissioner Hinton stated that since this was essentially a technicality in the publication of the public hearing of the original application, she made a motion to approve the zoning change but to exclude the parcel not owned by Jones Companies (PPIN 20806; Parcel No. 2-028N-07-057.00). The motion to approve the rezoning was on the basis that the character of the neighborhood has changed substantially so that rezoning is clearly justified and there is a public need. The motion was seconded by Commissioner Pickett. A roll call vote was then conducted.

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

PUBLIC HEARING – PLANNING COMMISSION

There came the matter of Item B (Rezone), filed by Michael Long, Applicant, Floyd Gray, Owner, and Steven N. Parker, Representative, as required in the Land Development Code, Ord.

No. 3209, to change the zoning classification for undeveloped properties located on Classic Drive (Parcel No.: 2-025M-35-033.00, 2-025M-35-032.00; PPIN: 9550, 9547, Ward 1, Forrest Co.) 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.

	<u>Name</u>	<u>Address</u>	<u>City/State</u>
<u>Presented by:</u>	Steven Parker	307 Pineridge Point	Petal, MS
	Michael Long	26 Bent Brook Dr.	(no city/state provided)
<u>Proponents:</u>	None		
<u>Opponents:</u>	Ric Corts	106 Lakeshore Dr.	Hattiesburg, MS
	Robert Cummings	111 Lakeshore Dr.	Hattiesburg, MS
	John Eye	123 J Ed Turner Dr.	Hattiesburg, MS
	Chris Bowen	9 Alex Lane	Hattiesburg, MS
	Peyton R. Gwinn	19 Classic Woods Dr.	Hattiesburg, MS
	Kathryn Cummings	111 Lakeshore Dr.	Hattiesburg, MS

Before opening the hearing, Mrs. Lowrey read five emails from neighboring property owners or residents that the Planning Division received before the hearing. None of the emails from surrounding property owners were in full support of the proposed rezoning.

Steven Parker, Representative and Engineer for Bent Brook LLC., presented the application. He pointed out that the developer's original intent was to keep the R-3 zoning and change the A-1 zoning to R-1C for a proposed development across the two parcels that would include a total of 77 single-family homes. He also pointed out that it was not the intent of the developer to use the R-3 zoned parcel as a multi-family development. After discussions that he and the developers had with the neighboring property owners and Councilman Jeffrey George, there were concerns over leaving the R-3 zoning in place, and if there was an opportunity to remove that zoning, neighboring property owners would like to see that rezoned as well to single-family zoning. Steven Parker and the developer agreed to rezone both parcels to single-family zoning of R-1B, which reduced the number of lots down to 74 and increased the overall size of lots to minimum dimensional standards of an R-1B zoning. Steven noted the zoning of the development directly to the south and adjacent as R-1C as well as another nearby development at the entrance of Classic Drive being R-1C. He also noted that he believed the proposed change to R-1B was a compromise with the neighborhood and justification of why they initially withdrew their

application in January. Mr. Parker shared the developers intend to match the aesthetics of surrounding developments with the homes.

Chair Miller asked if the developers had met with any of the neighboring property owners. Steven Parker said that during their initial conversations they had met with property owners who were in the subdivision directly to the South and their primary concern was a buffer. Commissioner Conville asked about the topography of the property and how the developers intended to deal with drainage. Mr. Parker shared the intended plans to address drainage. Commissioner Conville noted that would result in the removal of a lot of trees. Mr. Parker rebutted they plan to keep as many trees as possible. Commissioner Conville pointed out that the design of the subdivision is not very attractive and wished that the developers had used more creativity in creating their plans. Rebekah Ray concurred that this appears to be a “cookie-cutter” subdivision and is creating a dense neighborhood. Mr. Parker rebutted that with the existing zoning of R-3, it could be more dense. Commissioner Keysear asked for clarification on how these homes would address affordability as noted in the applications submission packet. Mr. Parker pointed out that affordability is subjective, but did not feel that the homes the developer plans to build would be considered “cheap” and wouldn’t “contaminate” the neighborhood.

Michael Long, the developer with Westhaven Homes, shared that the homes would be high quality and spoke on his experience as a developer, having constructed over 1000 residential lots throughout Lamar County. He offered to devote a lot to greenspace or a playground for the proposed neighborhood. He pointed out that this phase is preliminary and wanted to ensure they would be able to move forward with their proposed rezone before providing additional drawings or plans. Chair Miller again posed the question of whether they had any communication with the surrounding neighborhood and property owners. Mr. Long shared that they had communication with property owners within Classic Woods and that they had supported the development.

Ric Corts, a resident of Bent Creek, spoke in opposition to the development. He noted that there are some R-1B properties nearby, but argued that there is “enough” of that zone. He asked that he would like for the engineer and developer to have a little more imagination and asked the commission to consider not approving the proposed rezone. Chair Miller asked for clarification of the neighbor's perspective on how the developers have provided a compromise between what could be developed as an R-3 and what they are proposing as an R-1B, pointing out that the Planning Commission cannot stop the developer from developing to the standards of R-3 zoning if they

choose to. Mr. Corts pointed out that the developers noted they had no intention of developing the lot as an R-3 and would prefer to see R-1A lots developed.

Robert Cummings, resident of Lakeshore Dr, also spoke in opposition to the rezoning. He cited increased density. John Eye, a nearby resident on J. Ed. Turner Drive, also spoke out against the rezoning. He pointed out that while there are nearby R-1C Zones, those neighborhoods were not developed to the minimum standards of those districts, creating less density than what is allowed. He shared that the R-3 zoning appears to go against the comprehensive plan, and the increase in density creates more problems for the area, including traffic problems. Mr. Eye would prefer R-1A. Chair Miller reiterated that while the neighbors may want to see the property rezoned to R-1A, the planning commission was not presented with those options today. He pointed out that a vote in favor of the rezoning would change both properties to single-family zonings whereas a vote against would allow the R-3 zone to continue to exist. Supervisor Chris Bowen, Resident, also spoke in opposition to the rezoning. Supervisor Bowen would prefer R-1A to maintain the existing character of the neighborhood. He also noted he had “tools in his kit” in the same way the developers were holding the R-3 zoning over their head, mentioning the endangered species act and runoff requirements as those tools. He stated he wanted to be good neighbors with the developers, but also wanted something that was in character with the neighborhood.

Peyton R. Gwinn, resident on Classic Woods Drive, also spoke in opposition to the rezoning, stated that he opposed some characteristics of the development and pointed out that the proposed development is twice the size of other nearby subdivisions. He also shared his concerns with traffic increase to the area with the increase in housing. Kathryn Cummings, a resident on Lakeshore Drive, also spoke in opposition to the development. She noted the area is a quiet neighborhood that people enjoy being in and hopes precedence is not set today with the proposed development, as there are other nearby properties for sale.

Chair Miller then declared the public hearing portion of the meeting closed. Commissioner Ray, gave thanks to the community for coming out to share their input on today’s meeting. Chair Miller emphasized this, noting the importance of community input, even if it makes their job more difficult at times. Commissioner Hinton pointed out that as it stands now, the R-3 zoned property could be developed into something much worse than what is being presented. Commissioner Ray emphasized the community input, indicating their desire to not see more dense development in their neighborhood. Chair Miller again reiterated that the existing lot is R-3, and the developer has

presented a compromise to the community from what could be developed as it. He again shared it was not the ability of the community to alter the request so that the parcels could be zoned to R-1A instead of what was being presented. Commissioner Hinton and Commissioner Conville sought clarification from staff on what the next steps are in approving the final plat. Commissioner Keysear asked if certain conditions could be added to this approval and Mrs. Lowrey noted that no conditions could be added to a rezoning request. Commissioner Keysear noted this is a growing residential area and pointed out that while he would have preferred to see the rezoning presented as an R-1A, he pointed out that the difference in minimal lot standards for R-1A and R-1B were minimal in his opinion and reiterated the housing shortage for homes in the price range of the proposed homes. He also noted the zoning to the south currently zoned R-1C, which would allow for more dense development than what is presented today. He shared that he believed there was still an opportunity for this development to still be successful as presented, despite the opposition against it. Commissioner Hinton pointed out that while the developer may offer to develop some of the lots as a green space, the Planning Commission would ultimately have no control over what they do.

Commissioner Conville made a motion to Deny the request, stating the characteristic of the neighborhood has not changed and there is no public need for a rezone. The motion was seconded by Amy Hinton and a roll call vote was conducted.

Commissioners voting aye: Dick Conville
Amy Hinton, Vice-Chair
Elayne Lockett
Rebekah Ray
Rhoda A. Pickett

Commissioners voting nay: Michael Dickerson (via GoToMeeting)
Jeff Keysear (via GoToMeeting)
Mark Miller, Chair
Kenneth Waites

BUSINESS MEETING

Chair Miller asked for the ADU subcommittee to meet with him briefly before leaving. Having no further business, Commissioner Hinton made a motion to adjourn the meeting. The motion was seconded by Commissioner Ray. The meeting was adjourned at 3:50 PM.

Mark Miller, Chair

Ginger Lowrey, Planning Division Manager



**Planning Commission
Case Fact Sheet**

Name of Petitioner: Stephens Daniel, Applicant, and Carol Drake, Owner

Address of Property: 100 Hardy St. **Tax Parcel:** 2-029O-10-033.00 **PPIN:** 19356 **Ward:** 4

Request: **Historic Flood Variance** from the Flood Damage Prevention Ordinance

Purpose of Request: To request a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood proof the structure, for 100 Hardy St (Parcel No. 2-029O-10-033.00, PPIN 19356, Forrest County, Ward 4).

Applicant Summary: See Attached
Applicable Regulations:

SECTION 4 Zoning Districts Established

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.

CODE OF ORDINANCES, CHAPTER 10, ARTICLE 6, SECTION E

See attached Ordinance Excerpt

Present Zoning:	The parcel is currently zoned B-5, Regional Business
Present Use:	FDIC financial institution and mortgage company/other professional office
Future Land Use:	Neighborhood Business Corridor
Surrounding Zoning and Land Use:	North: B-3, Community Business South: B-5, Regional Business East: B-4, Downtown Business West: B-3, Community Business
Letters or Concerns stated:	The Planning Division Office has not received any letters or other written communications relative to this case as of March 23, 2022.
History / Background:	Substantial Improvement has been proposed for this structure. A structure in a hazardous flood zone that proposes Substantial Improvement must come in to compliance with the Flood Damage Prevention Ordinance or may apply for a variance from these requirements if qualifying. This applicant has met the requirements of Chapter 10. Article 6. Section E. 1-3 as a "Bona-fide Historic Structure". Planning Commission approval is required for "Flood Variances" See the included Flood Ordinance for guidance. The Base Flood Elevation is 155.4'. This is the estimated level of waters in a 100-year flood. The elevation of the building's first floor is 156' plus a lower basement. A compliant building would need an elevation of 156.4'.
Option:	Approve or Deny

minimum necessary so as not to destroy the historic character and design of the building.
(See Article 6, Section F.)

- (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 E.)
- (5) Upon consideration of the factors listed above 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.
- (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) List the specific variance granted with the minimum requirement that was changed with the approved variance. List the article, section and subsection for which the variance was issued to.
- (3) 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 Chancery Clerk 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 to the Federal Emergency Management Agency and the Mississippi Emergency Management Agency upon request.

SECTION E. HISTORIC STRUCTURES.

Variances may be issued for the repair or rehabilitation of “historic structures” only upon a determination that the proposed repair or rehabilitation will not preclude the structure’s continued designation as a “historic structure” and the variance is the minimum to preserve the historic character and design of the structure.

- (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:

- (a) Locating mechanical and electrical equipment above the BFE or floodproofing it.
- (b) Elevating the lowest floor of an addition to or above the BFE with the change in floor elevation disguised externally.
- (c) 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.

ARTICLE 7. SEVERABILITY.

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.”

SECTION 2. That Ordinance Number 3247 adopted December 18, 2018, and any other ordinances in conflict thereof are hereby repealed.

SECTION 3. This Ordinance shall take effect and be in force immediately after passage as provided by law. It is vital to the public health, safety, and welfare and is necessary for residents within SHFA to be able to obtain flood insurance.

The foregoing Ordinance having been reduced to writing was introduced by Council Vice President George, seconded by Council Member Brown and was adopted by the following vote, to wit:

YEAS:

George
Delgado
Carroll
Ware
Brown

NAYS:

None

ABSENT:

None

The President thereby declared the motion carried and the Ordinance adopted this the 7th day of September, 2021.

Flood Damage Prevention Ordinance
Historic Structure Variance criteria
Ord. 3294

Address: 100 Hardy Street, Hattiesburg MS.

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.
See Historic Inventory Sheet and Eligibility Comment Letter
- 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.
See memo from Russell Archer
- 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:
 - a) Locating mechanical and electrical equipment above the BFE or floodproofing it.
Equipment near grade will be above BFE
 - b) Elevating the lowest floor of an addition to or above the BFE with the change in floor elevation disguised externally.
N/A
 - c) Building the lowest floor of an addition with flood-resistant materials and providing hydrostatic openings.
N/A

See Article 6 Section A – D for additional information



State of Mississippi
Department of Archives and History
P.O. Box 571
Jackson, MS 39205

HISTORIC RESOURCES INVENTORY

1. a. Property name, historic		10. County Forrest	
b. Property name, other Bancorp South		11. City or Town Hattiesburg ☐ vicinity of	
2. Property address/descriptive location 100 Hardy Street		12. Owner's name and address Bancorp South	
3. Legal description (and acreage, if required—see instructions)		13. Was interior surveyed? No	14. Survey seq. no. 52.
		15. USGS quadrangle map	
4. Former/historic use	5. Present use Banking	16. UTM reference (if required—see instructions)	
6. Architect ☐ documented ☐ attributed	7. Builder/contractor ☐ documented ☐ attributed	17. Date of construction c. 1980 ☒ estimated ☐ documented	
8. Brief description Two-story modern stuccoed bank building. Large bays on three sides separated by stuccoed pilasters. Two-bay drive-through, half one-story and half two-story, with a skywalk above that leads to the main parking lot.		18. Integrity ☐ very intact ☐ deteriorated ☐ some changes ☐ ruins ☐ extensive changes ☐ no visible remains	
		19. Dates of changes, if any ☐ moved _____ ☐ enlarged/alterd _____ ☐ artificial siding _____ ☐ replaced windows/doors _____ ☐ enclosed/alterd porch _____ ☐ storefront alterations _____	
9. Outbuildings or secondary elements (if significant, use separate form)		20. Architectural character or style	

THIS SECTION FOR MDAH USE ONLY

21. Registration status
- ☐ NHL
 - ☐ listed NR
 - ☐ in NR district
 - ☐ Mississippi landmark
 - ☐ local landmark/local district

22. If located in historic district

a. Name of district _____

b. Rating

- ☐ contributing
- ☐ previously listed
- ☐ noncontributing

c. District element number _____

MDAH Inventory Code _____



MISSISSIPPI HISTORIC RESOURCES INVENTORY
Page 2

23. Historical information	27. Photographer or photo source Russell Archer
	28. Photo roll and frame number(s) 5310-25
	29. Photo date October 3, 2011
	30. Inventory form completed by (name and organization) Russell Archer Archer Preservation Consulting, LLC
	31. Survey project name Hub City Historic District
24. Additional remarks or continuation of other sections	32. Date form completed October 10, 2011
25. Sources of information	THIS SECTION FOR MDAH USE ONLY
	33. Evaluation of National Register eligibility a. ☐ already listed (see front of form) ☐ appears individually eligible ☐ potentially eligible if restored ☐ would contribute to district ☐ does not appear eligible ☐ insufficient information b. Evaluated by/date

26. Sketch of building plan or site plan. (Show outline of building)



Draw north
arrow here.

HARDY ST.

100

W. PINE ST.

February 9, 2022

Ms. Ginger Lowery
Planning Manager
City of Hattiesburg
200 Forrest Street
Hattiesburg, MS 39401

RE: National Register eligibility determination for 100 Hardy Street, Hattiesburg, MS

Dear Ms. Lowery,

I hope this letter finds you well. I am writing in response to a request from the City of Hattiesburg to comment on the National Register eligibility of the building located at 100 Hardy Street. As the State Historic Preservation Office, MDAH follows the guidance of the Secretary of the Interior's *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation* in determining eligibility. The main points of consideration are a property's age, significance, and integrity.

The building located at 100 Hardy Street is currently listed as a non-contributing element in the Hub City National Register District: Boundary Increase II. When the initial survey was conducted in 2012, this property was not considered a contributing resource because it was not yet 50 years of age. Built as the First Mississippi National Bank, the current BancorpSouth building was constructed from 1966-1970 and designed by Curtis and Davis Architects of New Orleans.

Today, the building maintains a high level of integrity and is an excellent example of a modern design that incorporates 1960s sophisticated site planning for both drive-through lanes and pedestrians. Taking into consideration that a decade has passed since the survey was completed and the building is now over 50 years old, MDAH staff has determined that not only would this building be eligible for listing as a contributing element in a district, it would also be individually eligible for listing in the National Register of Historic Places under Criterion C for architecture.

It is our understanding that this eligibility determination has been requested so the property owner may apply for a flood variance. Based on the City of Hattiesburg's Flood Damage Prevention Ordinance 3247 - Article 6 - Section E. Historic Structures, an applicant can apply for a variance if elevating or flood proofing the building would result in it being removed from or ineligible for the National Register. MDAH staff believes that any attempt at flood proofing 100 Hardy Street would require substantial changes to the historic building. It would negatively affect the original form and general appearance of the building which ultimately would result in

loss of integrity. Therefore, we recommend that a variance be granted to BancorpSouth in their efforts to rehabilitate this significant Hub City building.

If we can provide any additional information on the significance of the building located at 100 Hardy Street, or if you have any questions about the information in this letter, please let me know.

Thank you for your dedication to preservation in your community.

Sincerely,



Meredith Massey
Certified Local Government Coordinator
mmassey@mdah.ms.gov
601.576.6538

Lowrey, Ginger

From: Archer, Russell
Sent: Wednesday, March 23, 2022 4:31 PM
To: Lowrey, Ginger
Subject: FW: BancorpSouth bldg.

From: Archer, Russell
Sent: Wednesday, January 26, 2022 4:17 PM
To: stephens@daniel-designstudio.com
Subject: RE: BancorpSouth bldg.

Hi, Stephens.

Yes, I can confirm that the proposed renovations, as submitted, will not require review/approval by the Historic Conservation Commission. The exterior renovations, specifically as it relates to the glass curtain wall installation, are considered "in-kind replacement" that will not result in a substantial change of appearance of the outside of the building. Thus, staff approval is all that is required for that scope of work. The Historic Commission does not review any type of interior renovations nor do they have oversight over minor landscape changes related to planting bed sizes, locations, species, etc.

Let me know if I can provide any further clarification.

Best,
Russell

From: stephens@daniel-designstudio.com [<mailto:stephens@daniel-designstudio.com>]
Sent: Sunday, January 23, 2022 8:39 PM
To: Archer, Russell <rarcher@hattiesburgms.com>
Subject: RE: BancorpSouth bldg.

Russell,

Could you confirm in email that an historic committee review will also not be required?

Stephens Daniel, AIA, LEED AP BD+C
stephens@daniel-designstudio.com

DANIEL DESIGN STUDIO, P.C.
398 E. Main St., Suite 209
Tupelo, MS 38804
(P) 662.260.4543

From: Archer, Russell <rarcher@hattiesburgms.com>
Sent: Thursday, January 20, 2022 8:30 AM

SUBJECT PARCEL:

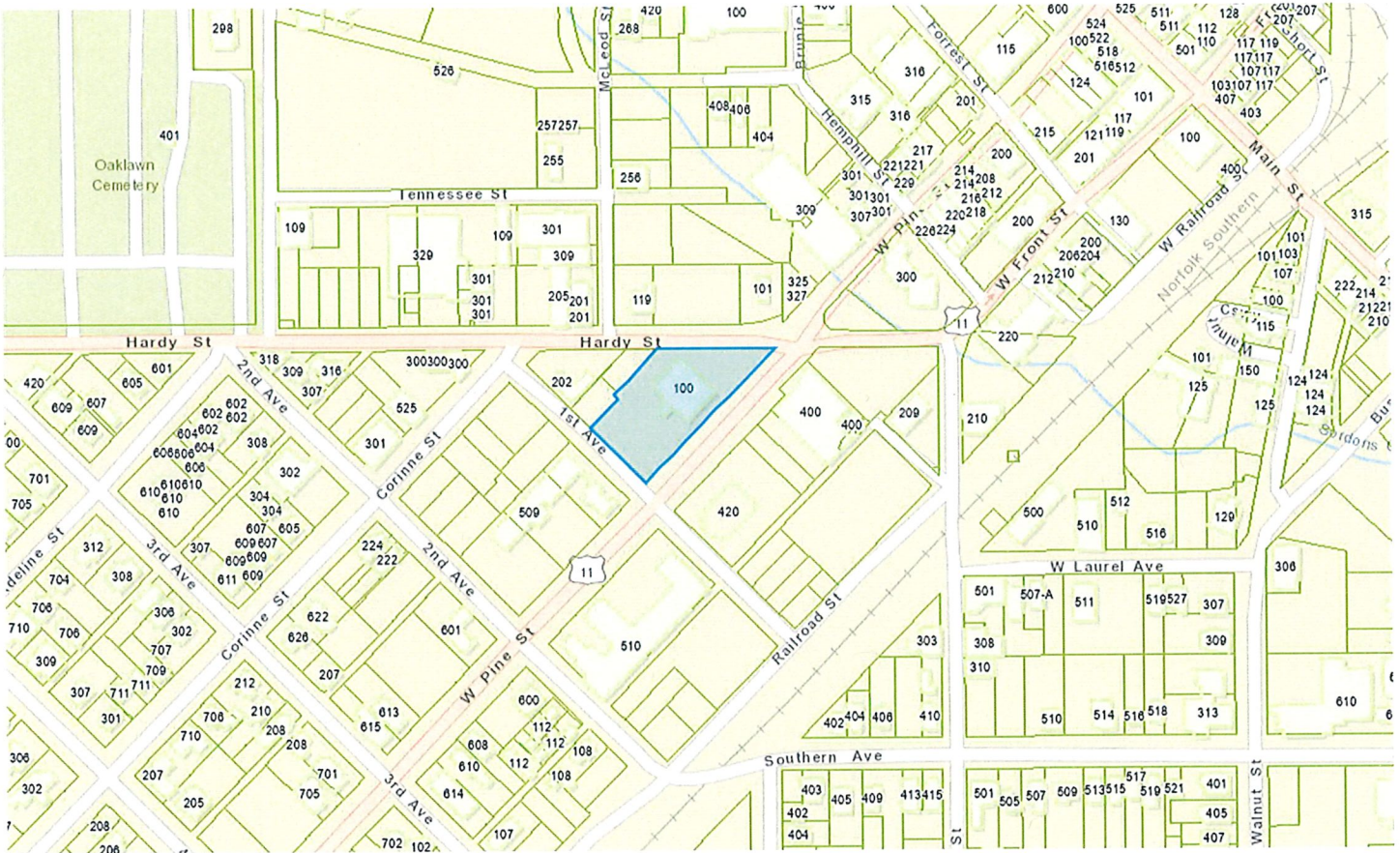
100 Hardy St - BancorpSouth

Stephens Daniel, Applicant, and Carol Drake, Owner

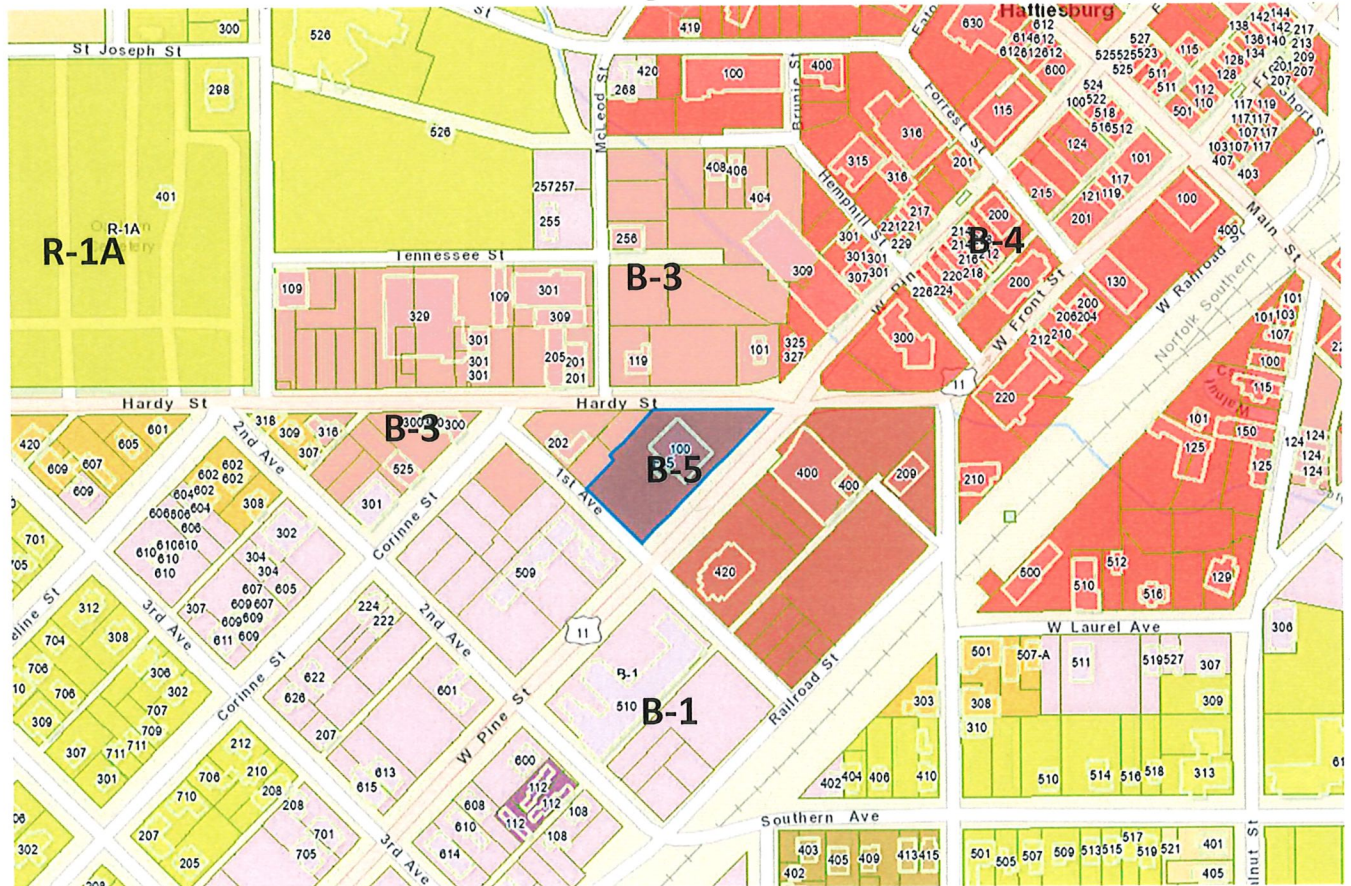
A petition has been filed by Stephens Daniel, Applicant, and Carol Drake, Owner as required in the Flood Damage Prevention Ordinance No. 3294, to request a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood proof the structure, for 100 Hardy St (Parcel No. 2-029O-10-033.00, PPIN 19356, Forrest County, Ward 4).



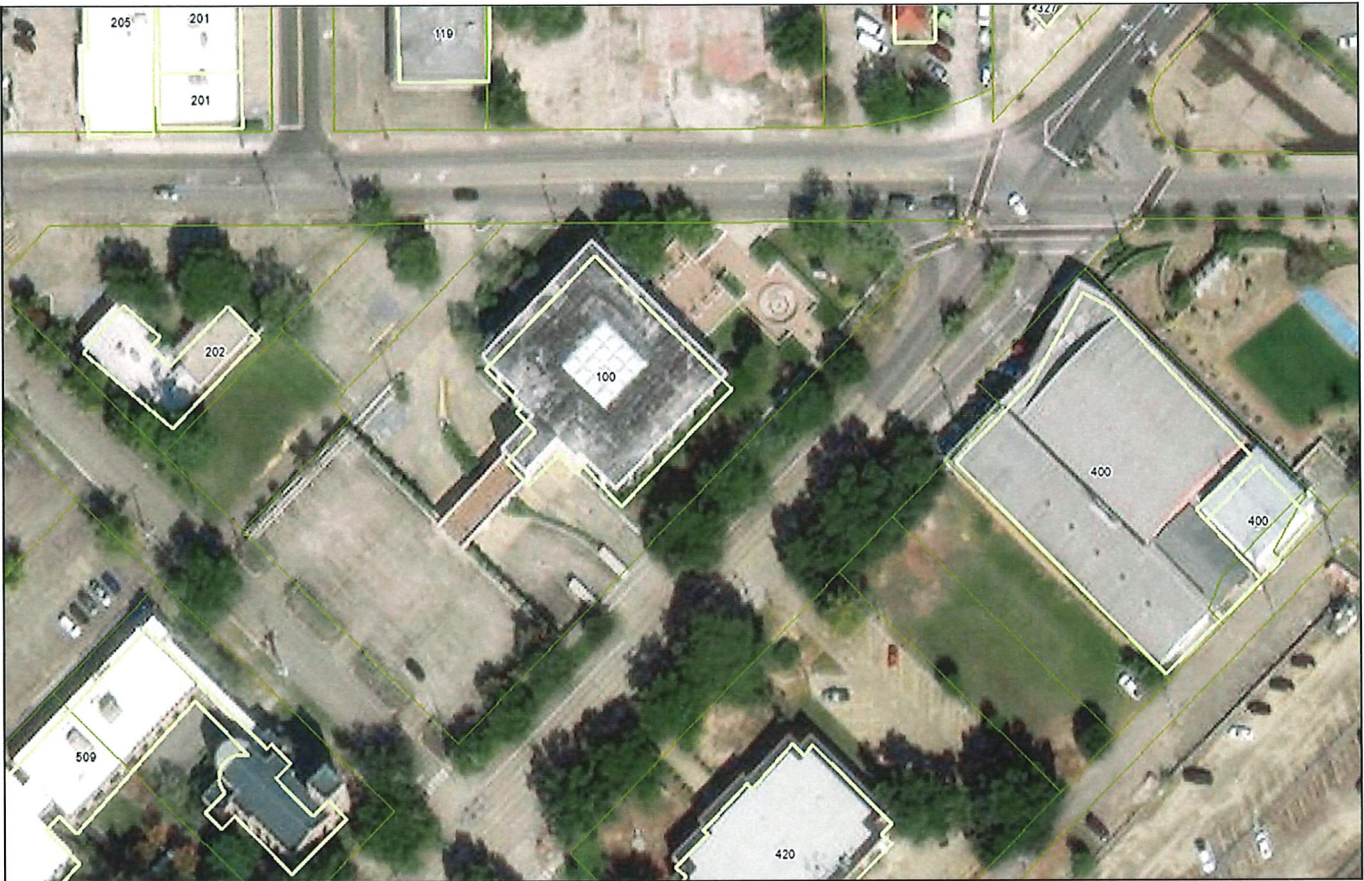
Vicinity Map—Ward 4



Zoning—B-5



Site Aerial



SURROUNDING AREA

**Northern Direction: B-3 Community
Business**



**Southern Direction: B-5 Community
Business**



**Eastern Direction: B-4 Downtown
Business**

**Western Direction: B-3 Community
Business**



Flood Zone Map



Note: Floodways and Zone AE are regulated flood zones

FEMA Firm Panel 0108D, Panel 108 of 300

Map Number 28035C0108D

Floodplain

FEMA Flood Zones

- FLOODWAY AREA IN ZONE AE
- ZONE A (100 yr flood - no elevation)
- ZONE AE (100 yr flood w / elevation)
- ZONE SX (500 yr flood)
- ZONE X (No Special Flood Hazard Area)

Items: B and C
Joseph Tatum, owner, Silicon Ranch Corporation,
Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative
Request for: **Zoning Change/Conditional Use**



**Planning Commission
Case Fact Sheet**

Name of Petitioners: Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative

Address of Property: 500 E Pine Street
Tax Parcel 2-041C-28-001.00
PPIN: 27685
Ward: 5

Request: (b) Zoning Change from B-3 to R-1A
(c) Conditional use for "Solar Farm" in R-1A zoning

Purpose of Request: (b) To consider an application to change the zoning classification for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5) from Section 5.4.10 Community Business District B-3 to Section 5.4.3 Residential District R-1A.

(c) To consider an application to request a Conditional Use as a "Solar Farm" in R-1A (contingent on zoning change) for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5).
Request is contingent upon rezone of property to R-1A zone.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4

Zoning Districts Established

4.5.1 R-1A Residential District: The purpose of the R-1A 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

Items: B and C

Joseph Tatum, owner, Silicon Ranch Corporation,
Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative
Request for: **Zoning Change/Conditional Use**

institutional uses and open space.

4.5.10 B-3 Community Business District: The purpose of the B-3 District is to provide for retail, personal service, and offices in locations with convenient access to the community consistent with comprehensive planning policies. This district is consistent with the Community Business District in the Comprehensive Plan

SECTION 9

Definitions

Solar Farm: Energy generation facility that converts sunlight into electricity by multiple photovoltaics (PV) solar panels mounted on stationary poles and considered as a primary land use.

Present Zoning: This parcel is currently zoned B-3 (Community Business) District

Present Use: Vacant lot

Future Land Use: Neighborhood Conservation District 2

Surrounding Zoning and Land Use:

North: B-5 (Regional Business) District – Vacant, undeveloped
South: R-1A (Single-Family Residential) District – Existing Solar Farm
East: B-3 (Community Business) District/ Retail – Various Commercial Uses
West: R-1A (Single-Family Residential) District – Existing Solar Farm

Most Nearly Bounded By (streets):

The parcels is most nearly bounded to the east by US Highway 49, to the west by Bonhomie Road. They are accessible by US Highway 49 and Bonhomie Road by private utility access roads.

Letters or Concerns stated:

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

History / Background:

The applicant met with staff in Pre-Application to discuss the expansion of the existing solar farm on Bonhomie Road. The proposed expansion would expand across approximately 11 acres from the existing farm into the adjacent parcel zoned B-3. The limits of the solar expansion in the B-3 parcel will be subdivided through the minor subdivision process, leaving a portion of the parcel with Highway 49 frontage as a B-3 zone. A conditional use is required for a solar farm in a R-1A zone, and its approval is contingent upon the rezone request being approved.

The project has contingent site plan approval and minor subdivision approval for the development, granted the rezoning and conditional use are approved.

Items: B and C

Joseph Tatum, owner, Silicon Ranch Corporation,
Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative
Request for: **Zoning Change/Conditional Use**

City Council approved a text amendment to the previous Land Development Code to add Solar Farm to uses permitted on review under R-1A and R-2 zones and updated the Comprehensive Plan Language to support private development of sustainable energy on October 20, 2015.

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

Items: B and C

Joseph Tatum, owner, Silicon Ranch Corporation,
Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative
Request for: **Zoning Change/Conditional Use**

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.

SUBJECT PARCEL:**Bonhomie Road**

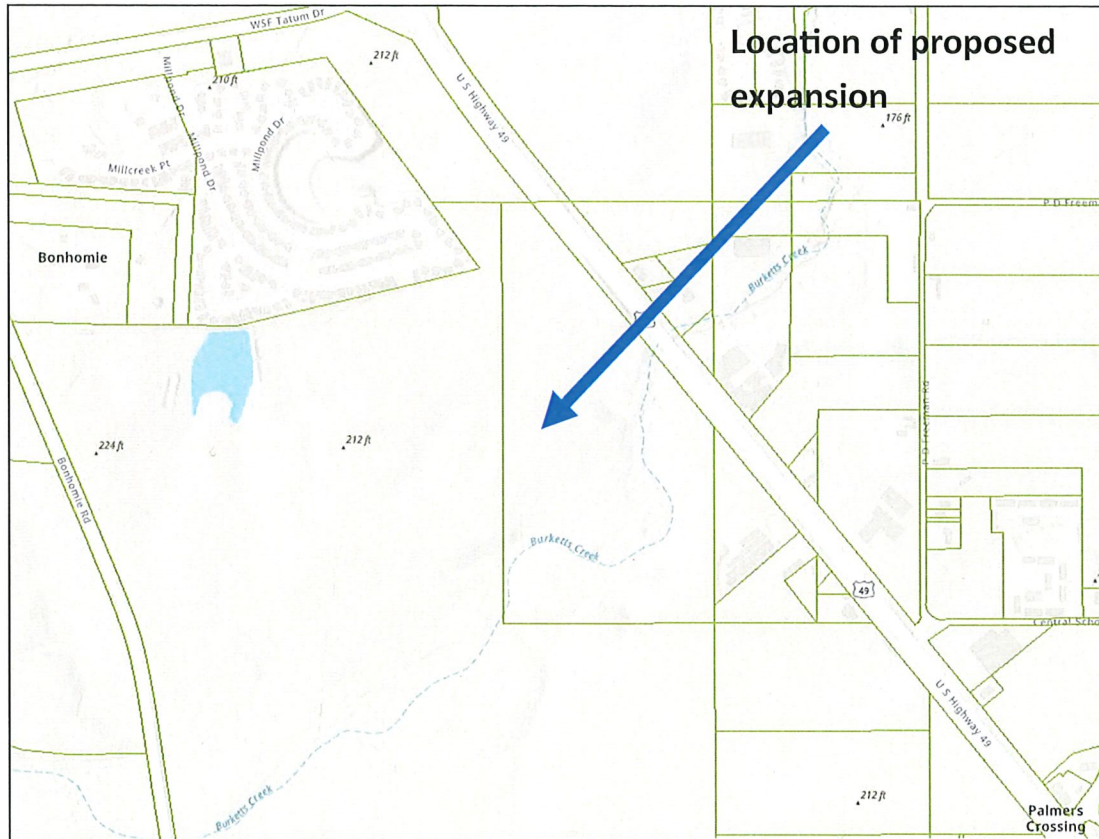
Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative The petitioner requests

(B) to change the zoning classification for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5) from Section 5.4.10 Community Business District B-3 to Section 5.4.3 Residential District R-1A and

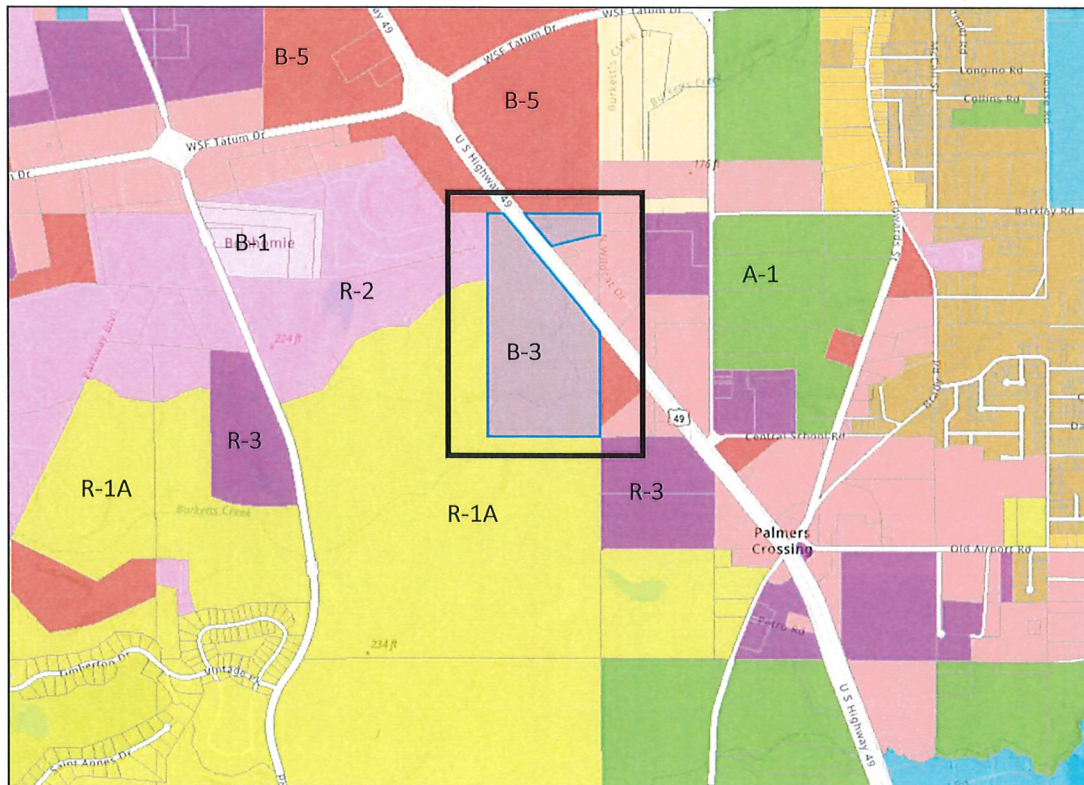
(C) to request a Conditional Use as a “Solar Farm” in R-1A (contingent on zoning change) for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5). Conditional use contingent on R-1A rezone.



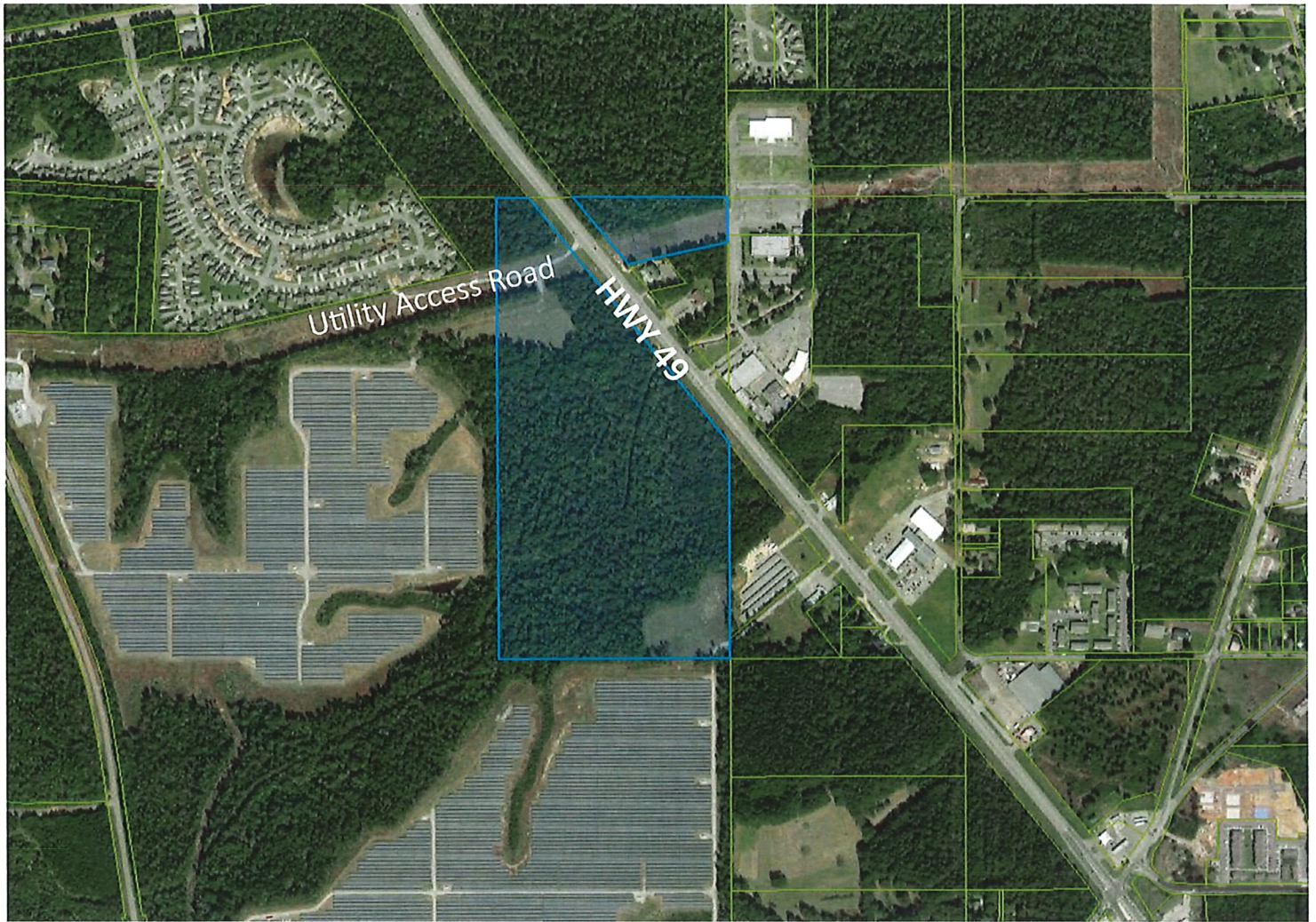
Vicinity Map—Ward 5



Zoning—B-3



Site Aerial



SURROUNDING AREA

Northern Direction: R-2 (Two-Family Residential) Burkett Creek West Housing Development



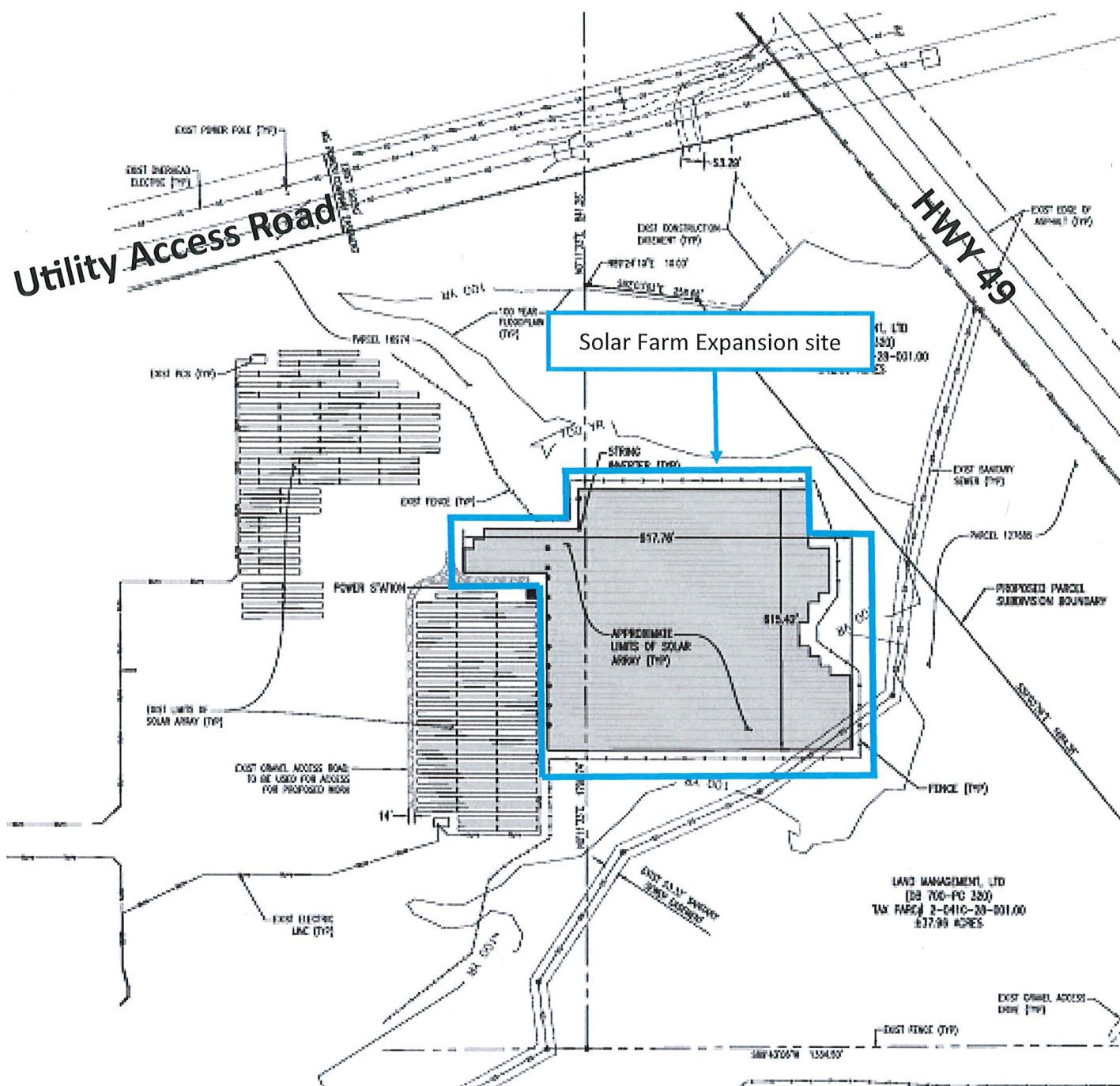
Southern Direction: R-1a (Single-Family Residential) Existing Solar Farm Array



Eastern Direction: B-3 (Community Business) Pending Minor Subdivision, Undeveloped Lot

Western Direction: R-1A (Single Family Residential) Existing Solar Farm Array





Items: B and C
Joseph Tatum, owner, Silicon Ranch Corporation,
Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative
Request for: **Zoning Change/Conditional Use**



**Planning Commission
Case Fact Sheet**

Name of Petitioners: Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative

Address of Property: 500 E Pine Street
Tax Parcel: 2-041C-28-001.00
PPIN: 27685
Ward: 5

Request: (b) Zoning Change from B-3 to R-1A
(c) Conditional use for "Solar Farm" in R-1A zoning

Purpose of Request: (b) To consider an application to change the zoning classification for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5) from Section 5.4.10 Community Business District B-3 to Section 5.4.3 Residential District R-1A.

(c) To consider an application to request a Conditional Use as a "Solar Farm" in R-1A (contingent on zoning change) for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5).
Request is contingent upon rezone of property to R-1A zone.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4

Zoning Districts Established

4.5.1 R-1A Residential District: The purpose of the R-1A 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

Items: B and C
Joseph Tatum, owner, Silicon Ranch Corporation,
Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative
Request for: **Zoning Change/Conditional Use**

institutional uses and open space.

4.5.10 B-3 Community Business District: The purpose of the B-3 District is to provide for retail, personal service, and offices in locations with convenient access to the community consistent with comprehensive planning policies. This district is consistent with the Community Business District in the Comprehensive Plan

SECTION 9

Definitions

Solar Farm: Energy generation facility that converts sunlight into electricity by multiple photovoltaics (PV) solar panels mounted on stationary poles and considered as a primary land use.

Present Zoning: This parcel is currently zoned B-3 (Community Business) District

Present Use: Vacant lot

Future Land Use: Neighborhood Conservation District 2

Surrounding Zoning and Land Use:

North: B-5 (Regional Business) District – Vacant, undeveloped
South: R-1A (Single-Family Residential) District – Existing Solar Farm
East: B-3 (Community Business) District/ Retail – Various Commercial Uses
West: R-1A (Single-Family Residential) District – Existing Solar Farm

Most Nearly Bounded By (streets):

The parcels is most nearly bounded to the east by US Highway 49, to the west by Bonhomie Road. They are accessible by US Highway 49 and Bonhomie Road by private utility access roads.

Letters or Concerns stated:

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

History / Background:

The applicant met with staff in Pre-Application to discuss the expansion of the existing solar farm on Bonhomie Road. The proposed expansion would expand across approximately 11 acres from the existing farm into the adjacent parcel zoned B-3. The limits of the solar expansion in the B-3 parcel will be subdivided through the minor subdivision process, leaving a portion of the parcel with Highway 49 frontage as a B-3 zone. A conditional use is required for a solar farm in a R-1A zone, and its approval is contingent upon the rezone request being approved.

The project has contingent site plan approval and minor subdivision approval for the development, granted the rezoning and conditional use are approved.

Items: B and C

Joseph Tatum, owner, Silicon Ranch Corporation,
Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative
Request for: **Zoning Change/Conditional Use**

City Council approved a text amendment to the previous Land Development Code to add Solar Farm to uses permitted on review under R-1A and R-2 zones and updated the Comprehensive Plan Language to support private development of sustainable energy on October 20, 2015.

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

Items: B and C

Joseph Tatum, owner, Silicon Ranch Corporation,
Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative
Request for: **Zoning Change/Conditional Use**

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.

SUBJECT PARCEL:**Bonhomie Road**

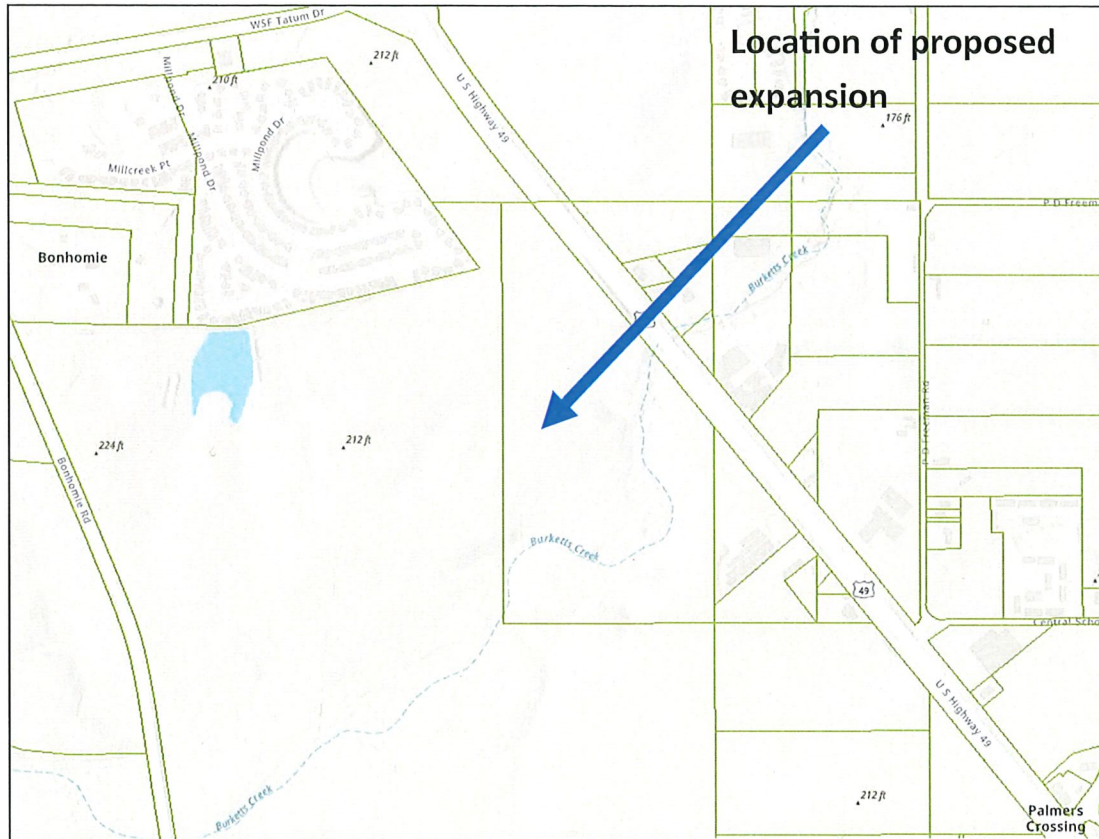
Joseph Tatum, owner, Silicon Ranch Corporation, Reagan Farr, Rob Riley, applicant, and Cara Wagner, representative The petitioner requests

(B) to change the zoning classification for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5) from Section 5.4.10 Community Business District B-3 to Section 5.4.3 Residential District R-1A and

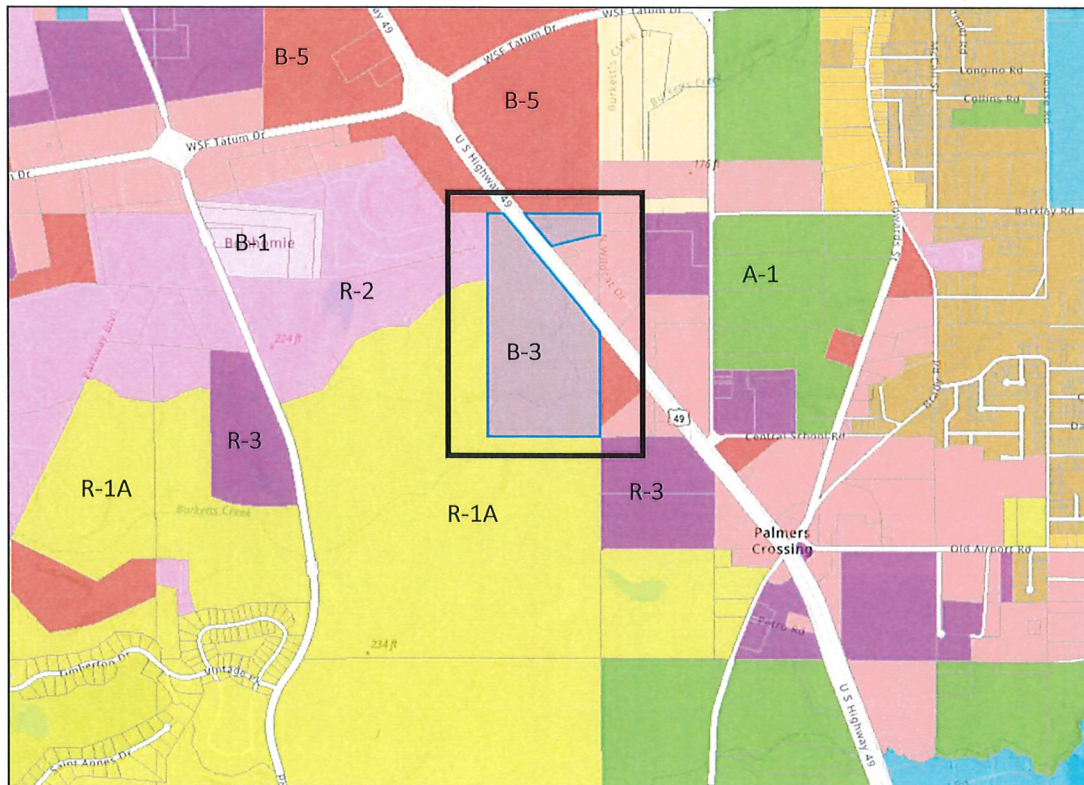
(C) to request a Conditional Use as a “Solar Farm” in R-1A (contingent on zoning change) for a certain property located on Bonhomie Road (Parcel No. 2-041C-28-001.00, PPIN 27685, Forrest County, Ward 5). Conditional use contingent on R-1A rezone.



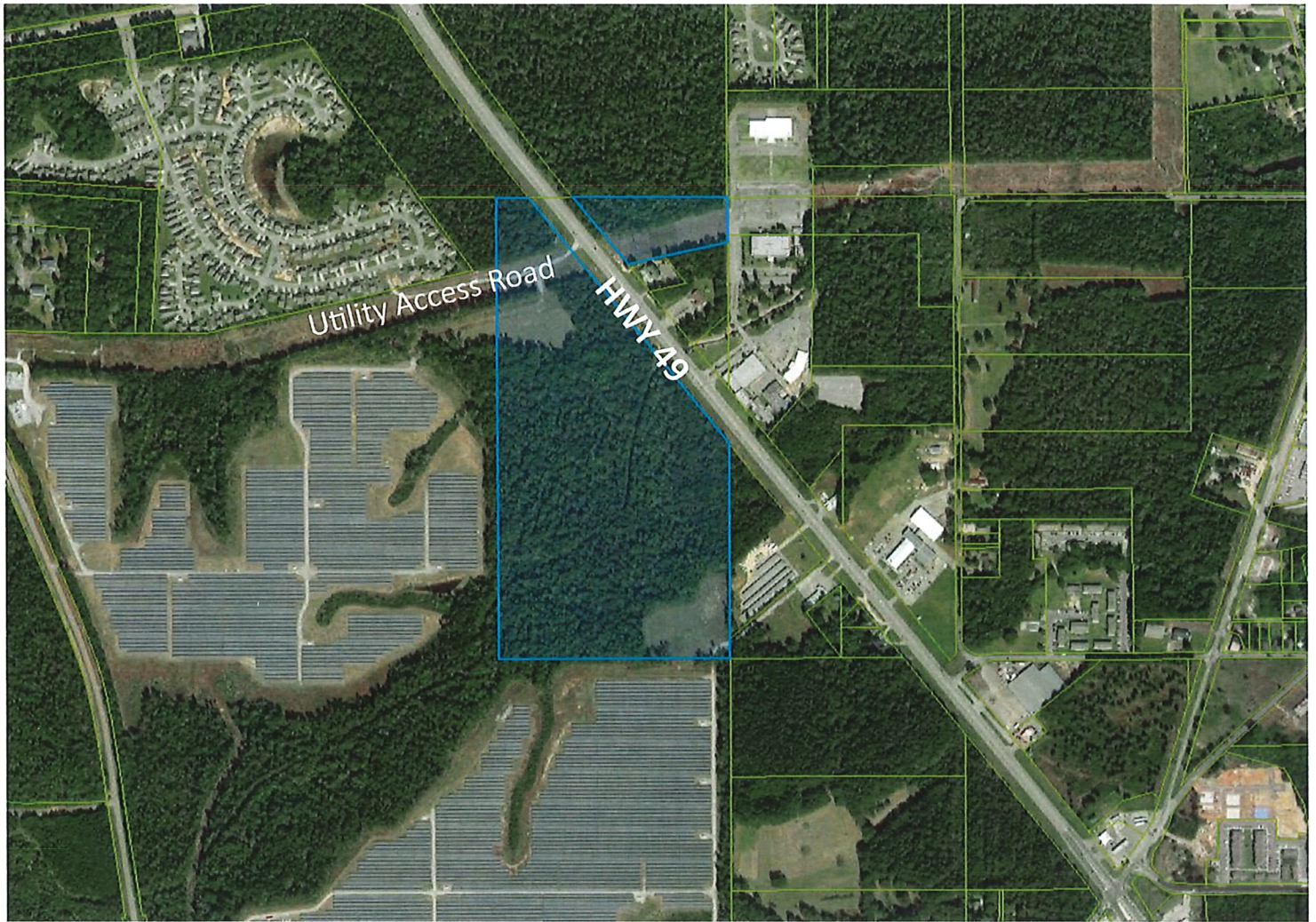
Vicinity Map—Ward 5



Zoning—B-3



Site Aerial



SURROUNDING AREA

Northern Direction: R-2 (Two-Family Residential) Burkett Creek West Housing Development



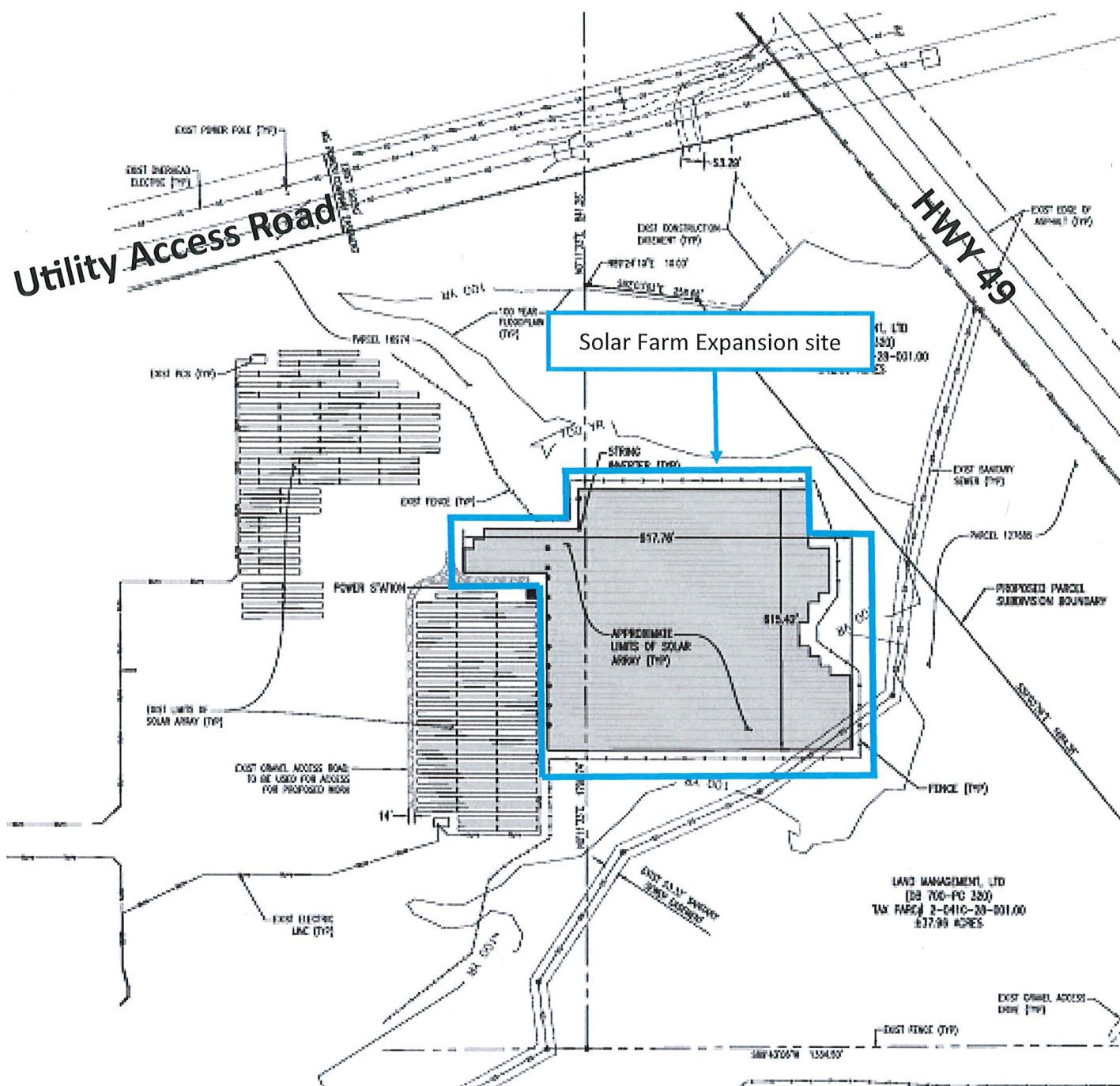
Southern Direction: R-1a (Single-Family Residential) Existing Solar Farm Array



Eastern Direction: B-3 (Community Business) Pending Minor Subdivision, Undeveloped Lot

Western Direction: R-1A (Single Family Residential) Existing Solar Farm Array





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 5
SECTION 6

Use Regulations and Conditions
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: The undeveloped parcel is currently zoned R-1A, Single-Family Residential.

Present Use: Vacant, undeveloped

Future Land Use: Neighborhood Conservation District 2

Surrounding Zoning and Land Use:
North: R-1A Single Family Residential
South: R-1B Single Family Residential
East: R-1A Single Family Residential
West: R-1A Single Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of March 22, 2022.

History / Background:

The petitioner met with Staff in Pre-Application to discuss a proposed development of townhomes/condos on a vacant, undeveloped property at the corner of Hall Ave and Dabbs St. The current zoning of the parcels, R-1A, does not allow for the proposed development and staff discussed with the applicant the various zoning options that would allow for townhomes.

The preliminary plans submitted show a total of 12 housing units. The proposed development will require Site and Design Review Committee Approval if a rezoning is approved to R-3.

The property is also within the Hattiesburg Historic Neighborhood. Design of the buildings and site will be subject to approval from the Hattiesburg Historic Conservation Commission.

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

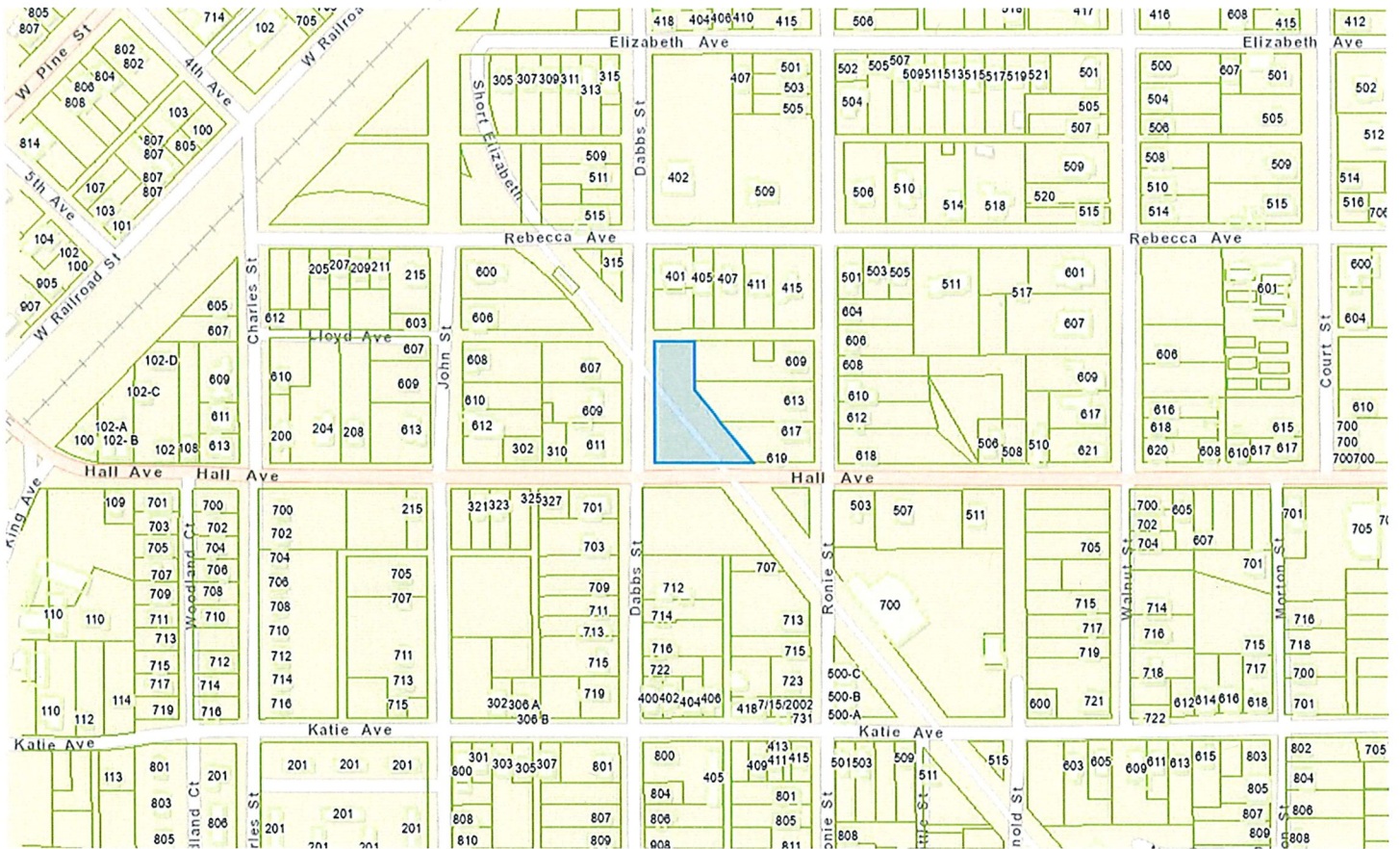
SUBJECT PARCEL:
Dabbs St / Hall Ave (Vacant Parcel)

Michael McCullumm, Owner

The petitioners request to change the zoning classification for a certain property located on the northeast corner of Dabbs St and Hall Ave (Parcel No. 2-029O-10-303.00, PPIN 18772, Forrest County, Ward 4) from Section 5.4.3 Residential District R-1A to Section 5.4.7 Multi-Family Residential District R-3.



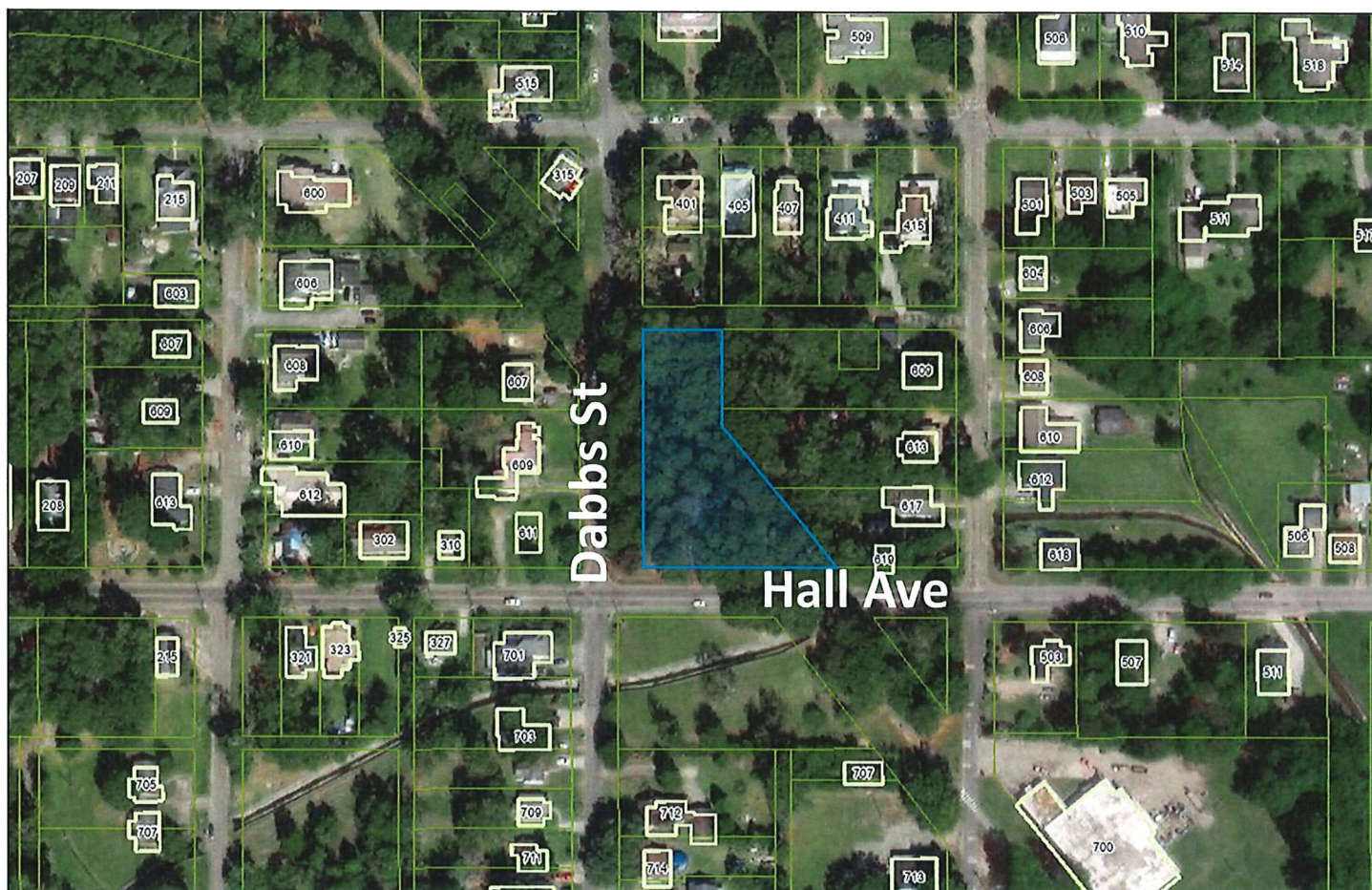
Vicinity Map—Ward 4



Zoning—R-1A



Site Aerial



SURROUNDING AREA

**North: R-1A Single Family
Residential**



**North: R-1A Single Family
Residential**



West: R-1A Single Family Residential



**West: R-1A Single Family
Residential**



SURROUNDING AREA

**South: R-1B Single-Family
Residential**



East: R-1A Single Family Residential



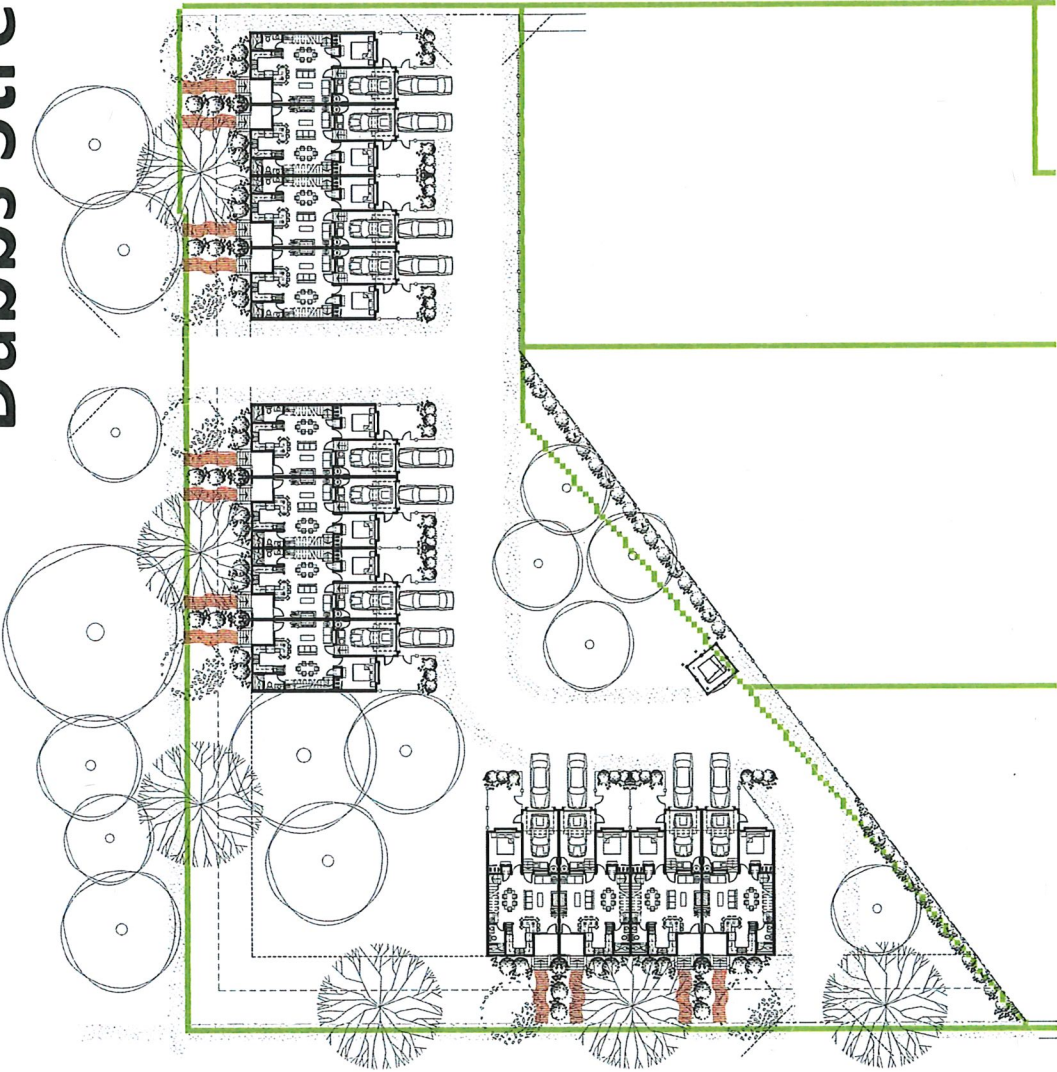
East: R-1A Single Family Residential

East: R-1A Single Family Residential



Conceptual Site Plan

Dabbs Street



Hall Ave

bs St



**Planning Commission
Case Fact Sheet**

Purpose and Summary of Requests:

PRIMARY AND SIDE STREET DESIGNATION – Chevy Chase Drive

To amend the text of the Midtown Form Based Code, Ord. 3105, to remove Section 3.17 C.3.b.v.: "Chevy Chase Drive". Text to read:

3.17 C.3.b Primary and Side Street Designation – Where more than one street abuts a lot, all of the streets are considered primary streets, except that the following streets are designated as side streets:

- i. 30th Avenue;
- ii. Lorraine Street;
- iii. 27th Avenue;
- iv. Adeline Street; and
- v. ~~Chevy Chase Drive.~~

Staff amended the Midtown Form-Based-Code in 2016, Ordinance 3192, to add Chevy Chase Drive as a designated side street. Side streets and Primary streets have different design requirements related to developable space and façade elements. This was done to accommodate the "District at Midtown" Development and did not foresee the zoning changes and proposed corporate headquarters location on Chevy Chase Drive. Staff requests to revert the text amendment to the original text by removing "Chevy Chase Drive" as a designated side street.

Options:

Petition A

Recommend **APPROVAL** or **DENIAL** of the request to amend the text of the Midtown Form Based Code, Ord. 3105, Section 3.17 C.3.b.v. to remove: "Chevy Chase Drive". Amended text to read: "b. Where more than one street abuts a lot, all of the street are considered primary streets, except that the following street are designated as side street: i. 30th Avenue ii. Lorraine Street iii. 27th Avenue iv. Adeline Street".



**Planning Commission
Case Fact Sheet**

Name of Petitioners: Reed Nelson, Representative, Midtown Montevista LLC, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
Lorraine Street	2-028N-07-069.00	20856	3
	2-028N-07-070.00	20857	
	2-028N-07-063.00	20849	
	2-028N-07-068.00	20855	
	2-028N-07-064.00	20850	

Request: **Perimeter Landscaping Variance**

Purpose of Request: To consider a request for the use of "Parking lot or garage" as a primary use for property located on Lorraine Street, S. 30th Avenue, and S. 31st Avenue.

Applicant Summary: See Attached

Applicable Regulations:

Article 4 **Section 4.4 Permitted Use Table (FBC Page 48)**

Present Zoning: MX-3 & MX-4 (Mixed Use Districts)

Present Use: Vacant

Future Land Use: Neighborhood Center Mixed-Use District

**Surrounding Zoning:
and Land Use:**

North:	MX-4 (Mixed Use Districts)
South:	RA-3 (Residential Attached District)
East:	MX-3 (Mixed Use Districts)
West:	RD-2 (Residential Detached District)

**Letters or
Concerns stated:**

The Planning Division Office has not received any letters or other written communications relative to this case as of March 22, 2022.

History / Background:

The applicant seeks to develop a headquarter office building for Jones Company LLC. The development will include a 4-story office building, public plaza, surface parking, and space for another development at the northeastern corner of the site as shown in an included site plan.

The Midtown Form-Base-Code requires Planning Commission review for certain uses. The purpose is to ensure these uses are located and sited appropriately. Parking lots should be thoughtfully placed and should not dominate this pedestrian oriented, urban environment.

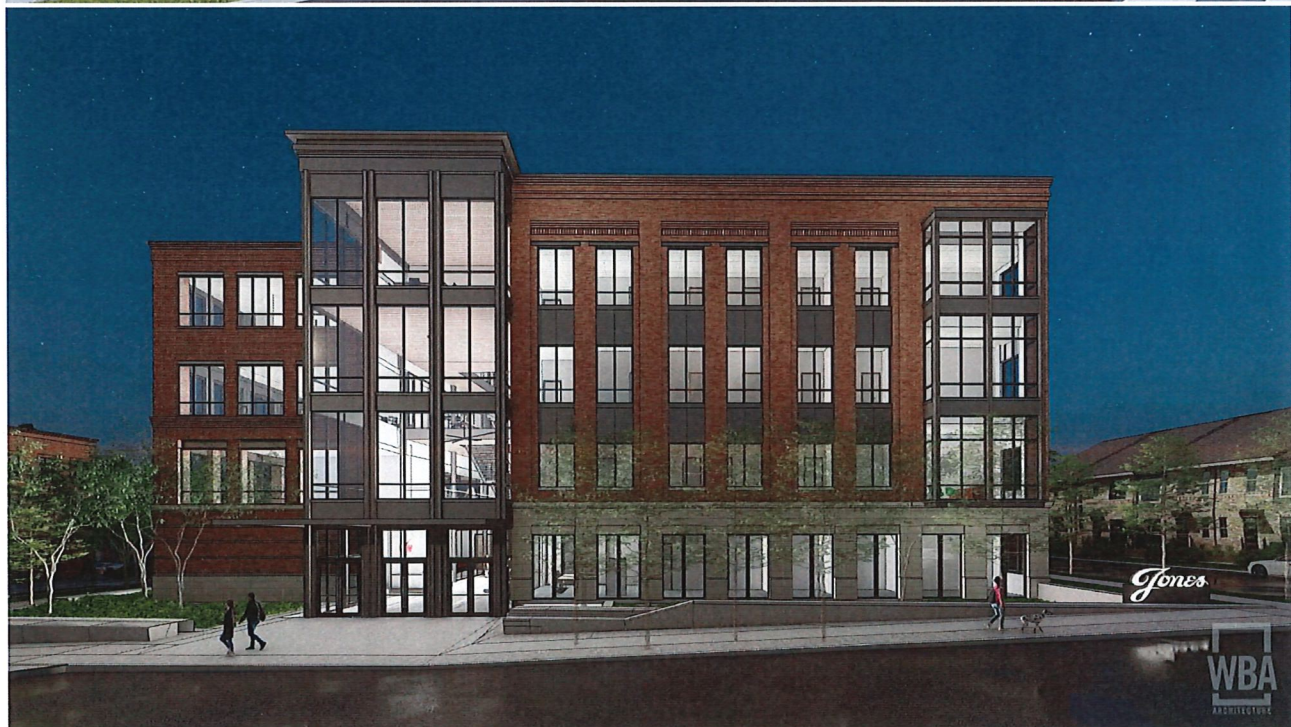
The Planning Commission should consider including the proposed "Future building sites" presented in the proposed site plan in a motion to secure developable space along S. 30th Ave. and S. 31st Ave.

SUBJECT PARCEL:

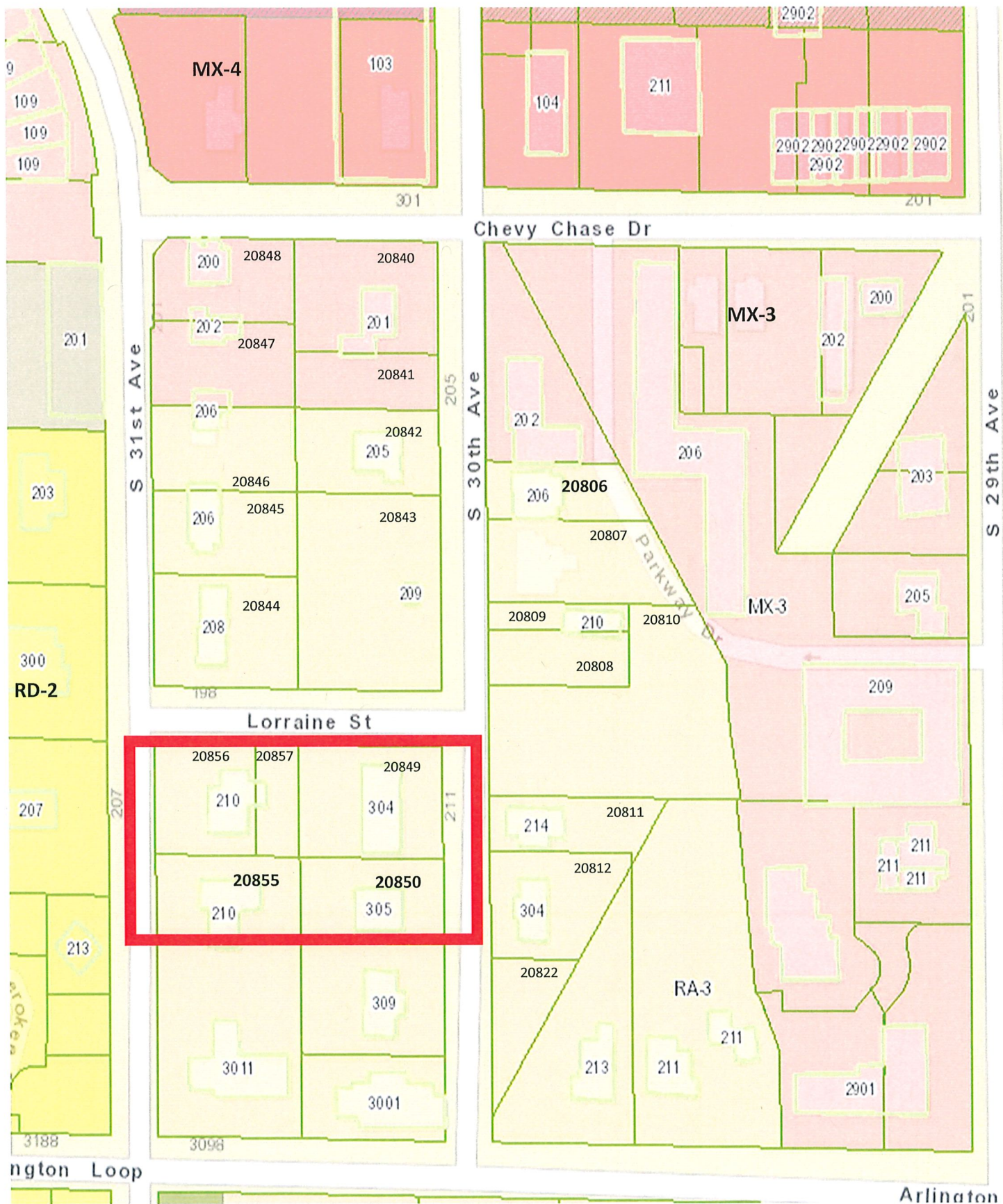
Midtown Location for Jones Company Headquarters

Reed Nelson, Representative, Midtown Montevista LLC, Owner

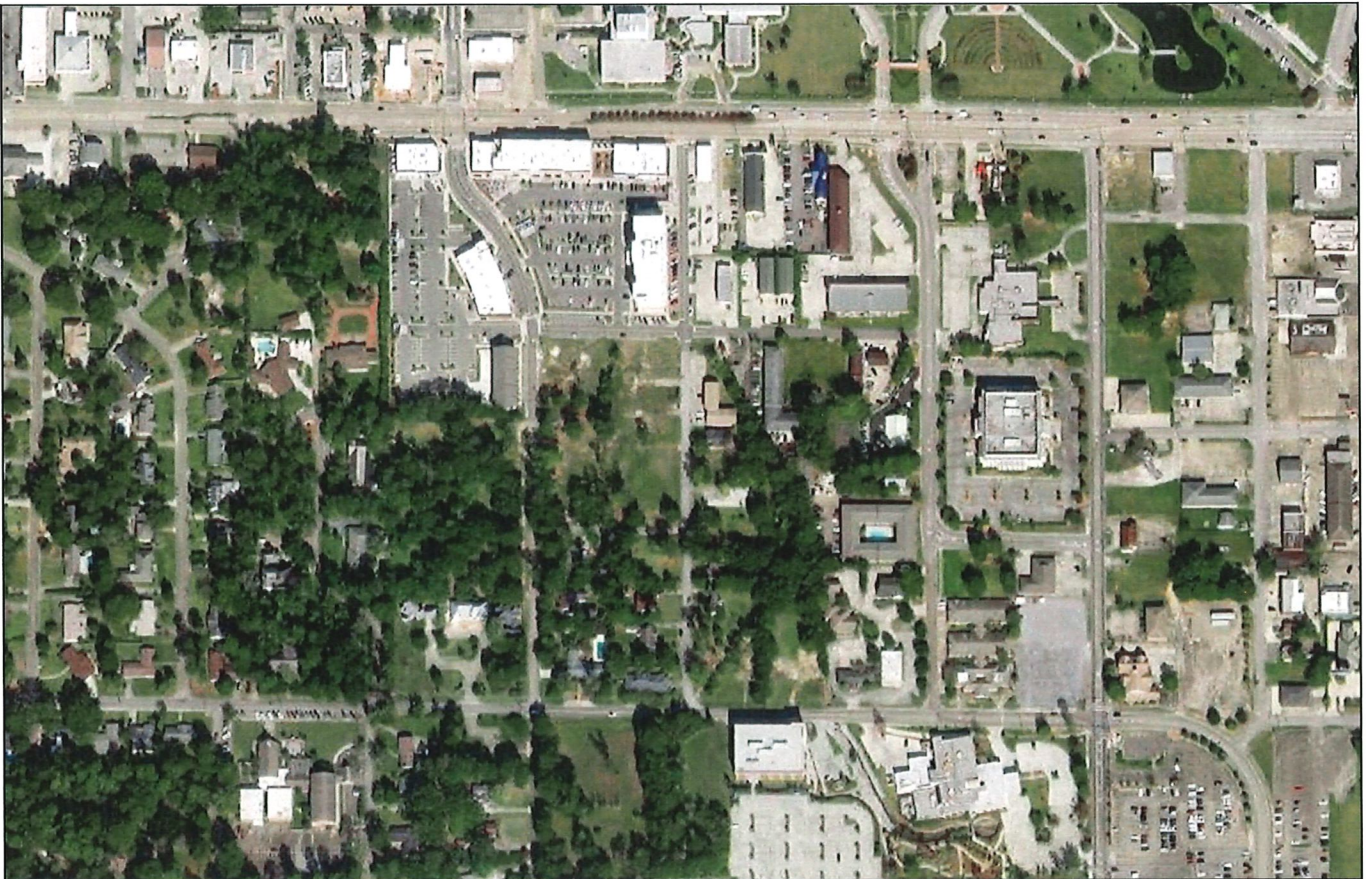
The petitioners request the use of "Parking lot or garage" as a primary use for certain properties located on Lorraine Street, S. 30th Avenue, and S. 31st Avenue (Parcel 2-028N-07-069.00, PPIN 20856; Parcel 2-028N-07-070.00, PPIN 20857; Parcel 2-028N-07-063.00, PPIN 20849; Parcel 2-028N-07-068.00, PPIN 20855; Parcel 2-028N-07-064.00, PPIN 20850; Ward 3).

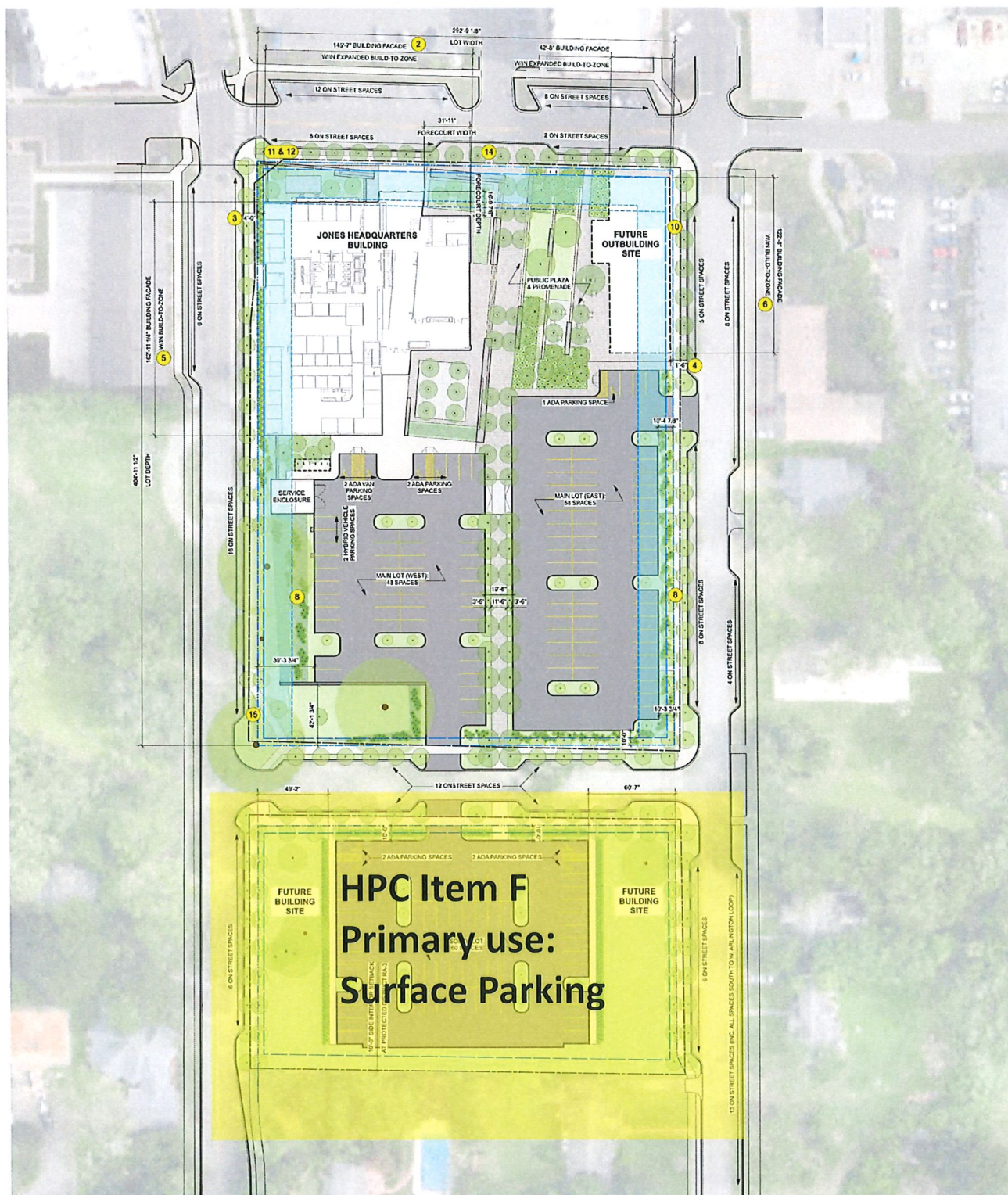


Subject Area for Use Request



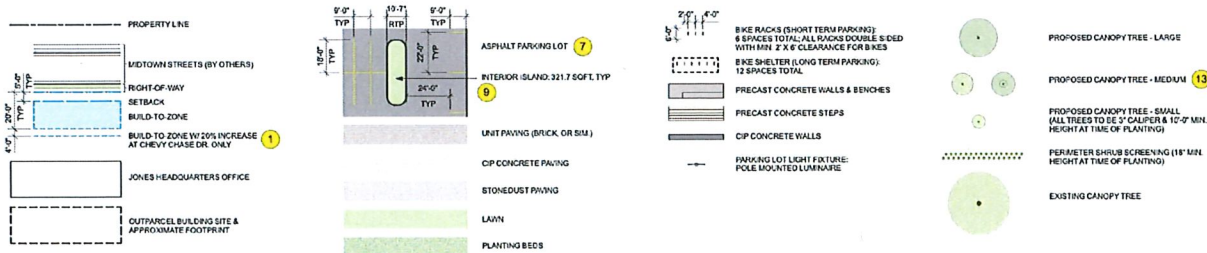
Site Aerial



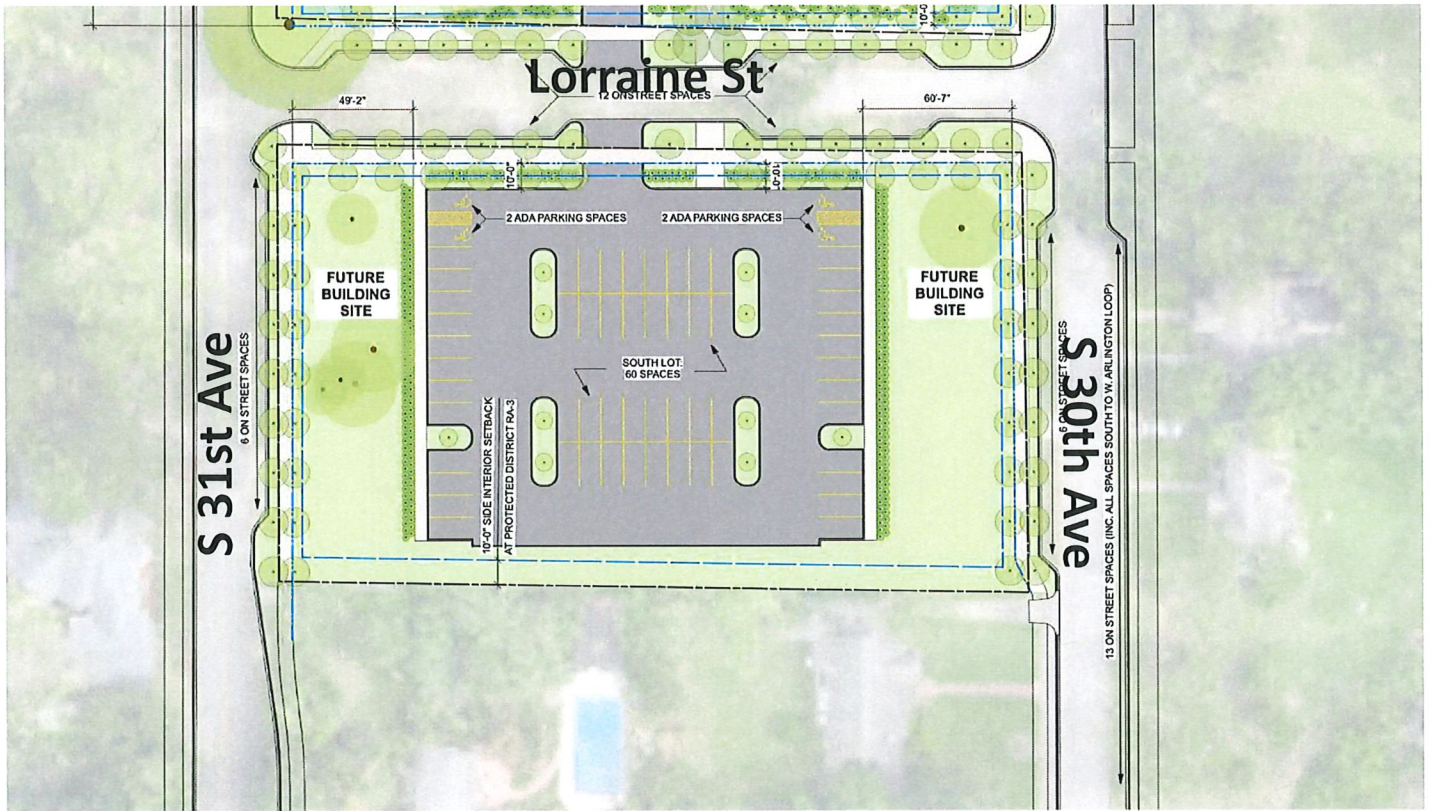


LEGEND & NOTES

REFER TO VARIANCE REQUEST WRITTEN MEMO FOR DESCRIPTION AND CODE REFERENCE



Site Plan



NOTES

SUBJECT PROPERTIES

Vacant Parcel South of Chevy Chase Drive



Subject property facing north from Lorraine St



Vacant Parcel on S 30th Ave



S 31st Ave Streetscape



SURROUNDING AREA

Current View of Midtown Mixed-Use Area



Streetscape of N 31st Ave



Midtown Townhomes on S 31st Ave

Indigo Hotel on S 30th Ave



Surrounding Area

206 Chevy Chase Drive—Apartment Complex



202 S 30th Ave—Apartment Complex

Streetscape at corner of S 30th and Chevy Chase Drive



309 S 30th Ave



SURROUNDING AREA

S 30th Streetscape View



3011 Arlington Loop



South 31st Streetscape

South 31st Streetscape (facing West)



Conditional Use Request
Jones Companies, LLC Headquarters Relocation

Applicant/Owner: Jones Companies, LLC (applicant) and Midtown Montevista, LLC (real property owner).

Applicant/Owner Address: 16 Office Park Drive, Suite 10, Hattiesburg, MS 39402.

Applicant/Owner Representative: Reed Nelson (reed.nelson@jones.com; 601-633-6578).

Counsel Representing Applicant/Owner: William D. Drinkwater (wdrinkwater@brunini.com; 601-960-6849), Brunini, Grantham, Grower & Hewes, PLLC, P.O. Drawer 119, Jackson, Mississippi 39205.

Property Address: 306 Chevy Chase Drive, Hattiesburg, MS. 39401

Conceptual Site Plan: See Exhibit 1.

CONDITIONAL USE REQUEST

Under Section 4.4 of the Midtown Hattiesburg Form-Base Code Code (Permitted Use Table), a “parking lot or garage” requires planning commission approval in MX districts. Jones is requesting a conditional use to construct the parking lot south of Lorraine Street depicted on the Conceptual Site Plan attached hereto as **Exhibit 1**. This use will not have any impact on utilities or facilities in the community, as it will be a parking lot. The lot will be used by Jones’s employees and customers and is accessory to the primary building and lot located just to the North. Allowing this use will discourage spillover parking into other establishments’ parking spaces, and therefore, should be beneficial to Jones’s neighbors. The lot is of more than adequate size to accommodate this use, as well as future commercial uses as indicated in the Conceptual Site Plan. Jones does not anticipate this use causing elevated noise levels and does not anticipate it generating any additional traffic beyond the traffic generated by its employees and customers coming and going from its headquarters building. Jones anticipates 124 full-time employees upon opening its headquarters location, and those employees will primarily use the lot North of Lorraine. The parking lot will be buffered by numerous canopy trees and shrubs, as well as significant green space on the eastern and western borders pending future development.