

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

Planning Commission

AGENDA

7/6/2022

I. Business Meeting

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

II. Public Hearing

1. Presentation of Petitions for Public Hearing

A. A petition has been filed by Barbara Hamilton, Representative, as required in the Land Development Code, Ord. No. 3209, to rename the public street presently known as County Drive to "Tommy King Drive" (beginning at the intersection of William Carey Parkway and ending at the intersection of and Edward Street, Ward 2 and Ward 5, Forrest County).

B. A petition has been filed by Quinby Chunn, owner, as required in the Land Development Code, Ord. No. 3209, to request a conditional use for "Horticulture-for profit and research-related" in a B-5 Zone (Regional Business) for a certain property located at 314 E 3rd Street (Parcel 2-029J-10-025.00, PPIN 15714, Ward 4).

C. A petition has been filed by Andy Stetelman, owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for a property located at 3207 Hardy St (Parcel 2-028K-07-034.00, PPIN 23004, Ward 1) from Section 5.4.9 Neighborhood Business District B-2 and Section 4.5.7 Multi-Family Residential District R-3 to Section 5.4.10 Community Business District B-3.

III. Other Business

IV. Adjournment

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 - A. A petition has been filed by Barbara Hamilton, Representative, as required in the Land Development Code, Ord. No. 3209, to rename the public street presently known as County Drive to "Tommy King Drive" (beginning at the intersection of William Carey Parkway and ending at the intersection of and Edward Street, Ward 2 and Ward 5).
 - B. A petition has been filed by Quinby Chunn, owner, as required in the Land Development Code, Ord. No. 3209, to request a conditional use for "Horticulture-for profit and research-related" in a B-5 Zone (Regional Business) for a certain property located at 314 E 3rd Street (Parcel 2-029J-10-025.00, PPIN 15714, Ward 4).
 - C. A petition has been filed by Andy Stetelman, owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for a property located at 3207 Hardy St (Parcel 2-028K-07-034.00, PPIN 23004, Ward 1) from Section 5.4.9 Neighborhood Business District B-2 and Section 4.5.7 Multi-Family Residential District R-3 to Section 5.4.10 Community Business District B-3.

III. Other Business

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION
June 1st, 2022**

The Hattiesburg Planning Commission did meet in a regular session on June 1st, 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
Amy Hinton, Vice-Chair
Elayne Lockett
Luke McNair (via GoToMeeting)
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Carlos Wilson

Commissioners Absent: Michael Dickerson
Jeff Keysear

Also Present: Ginger M. Lowrey, AICP, Planning Div. Manager
Jim Gladden, Esq.
Nathan Satcher, Planner
Kevin Bates, Building Official
Wiley Quinn, Code Enforcement Division Manager
Betsy Mercier, Assistant to the Mayor

AGENDA REVIEW

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

Commissioners voting aye: Dick Conville

Amy Hinton, Vice-Chair
Elayne Lockett
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Carlos Wilson

Commissioners voting nay: None

Commissioners absent: Luke McNair
Charles Dawe

MINUTES REVIEW

There came the matter of the April 6, 2022 minutes and the special called May 16, 2022 minutes. A motion was made by Commissioner Lockett to approve the minutes. Commissioner Hinton seconded the motion.

Commissioners voting aye: Dick Conville
Amy Hinton, Vice-Chair
Elayne Lockett
Luke McNair (via GoToMeeting)
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Carlos Wilson

Commissioners voting nay: None

Commissioners absent: Charles Dawe

REPORTS

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for May 2022. 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 April 19, 2022, City Council approved the historic flood variance for 100 Hardy Street. City Council upheld the approval for a zoning change of a portion of land located on

Bonhomie Road from B-3 to R-1A and for a Conditional Use as a “Solar Farm”. The request to rezone the property on the northwest corner of Dabbs St and Hall Avenue was withdrawn by the applicant while it was tabled by the Planning Commission. City Council upheld the approval for a text amendment to the Midtown Form-Based Code section 3.17.C.3.b.v. Additionally, City Council upheld the Conditional Use approval request by Reed Nelson, Jones Company, for a surface parking lot as a primary use for property located south of Lorraine Street. Finally, City Council upheld the LDC text amendment presented in the May 16 Special Called meeting which adds Medical Cannabis regulations to the code.

CHAIR’S REPORT

None

INTRODUCTIONS

The Commissioners introduced themselves.

PUBLIC HEARING – PLANNING COMMISSION

There came the matter of Item A (Rezone), filed by David Lee, owner, Charles Dawe, representative, and Forrest Dungan, Engineer as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for certain properties located south of Lincoln Road (Parcel 056L-23-015.000, PPIN 17642, and Parcel 056L-23-004.000, PPIN 29025 Lamar County, Ward 3) from Section 5.4.10 Community Business District B-3 to Section 5.4.3 Residential District R-1A.

	<u>Name</u>	<u>Address</u>	<u>City/State</u>
<u>Presented by:</u>	Forrest Dungan	1574 Hwy 98	Hattiesburg, MS 39402

Proponents: None

Opponents: None

Charles Dawe recused himself from the room due to his ownership of the project. Forrest Dungan, engineer for the project, presented the application. Forrest described the project, including the major subdivision to follow, the Lincoln Road facing parcels that will remain, and future phases. Access to the site was discussed, including potential access from unincorporated Lamar County. Commissioner Miller asked about the future land use map and the intent of the area to be mixed-use. Forrest answered that future phases intend to include different

development types.

Chair Miller then declared the public hearing portion of this request closed. A motion was made by Commissioner Conville to approve the request and seconded by Commissioner Hinton. Commissioner Conville noted precedence by development on Beverly Hills Road to consider changes up to 10 years prior, noting the extension of Lincoln Road as a substantial change to the neighborhood. A roll call vote was then conducted.

Commissioners voting aye: Dick Conville
Amy Hinton, Vice-Chair
Elayne Lockett
Luke McNair (via GoToMeeting)
Mark Miller, Chair (via GoToMeeting)
Rebekah Ray
Rhoda A. Pickett
Carlos Wilson

Commissioners voting nay: None

Commissioners recused: Charles Dawe

PUBLIC HEARING – PLANNING COMMISSION

There came the matter of Item B and C (Conditional Use), filed by De'Broski R. Herbert, owner, as required in the Land Development Code, Ord. No. 3209, to request a conditional use for "Horticulture-for profit and research-related" in an I-1 Zone (Light Industrial) for a certain property located at 88 Academy Drive (Parcel 2-042I-36-006.00, PPIN 7069, Forrest County, Ward 5).

	<u>Name</u>	<u>Address</u>	<u>City/State</u>
<u>Presented by:</u>	De'Broski R. Herbert	857 N 28 th St	Philadelphia, PA 19130

Proponents: None

Opponents: None

Mrs. Lowrey noted that work began before Dr. Herbert contacted the city and knew what permits and approvals were needed to develop this parcel as "horticulture for profit". The City permitted Dr. Herbert to continue with the minimum necessary work to not lose any bamboo inventory with the understanding that the Conditional Use would be subject to approval. De'Broski R. Herbert, owner, presented the application. He explained his deep ties to the land and community, the benefits of bamboo, and the desire to develop a low-maintenance crop. The Commissioners

discussed the use of the crop yield, concerns about invasiveness, farming practices, access to the site, and concerns over Dr. Herbert starting development before approval. All concerns raised by the commissioners were addressed by Dr. Herbert.

Chair Miller then declared the public hearing portion of the request closed. Commissioner Hinton made a motion to approve the request. The motion was seconded by Commissioner Ray. A roll call vote was then conducted.

Commissioners voting aye: Dick Conville
Charles Dawe
Amy Hinton, Vice-Chair
Elayne Lockett
Luke McNair (via GoToMeeting)
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Carlos Wilson

Commissioners voting nay: None

PUBLIC HEARING – PLANNING COMMISSION

There came the matter of Item C (Rezone), filed by Andy Stetelman, owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for a property located at 3207 Hardy St (Parcel 2-028K-07-034.00, PPIN 23004, Forrest County, Ward 3) from Section 5.4.9 Neighborhood Business District B-2 and Section 4.5.7 Multi-Family Residential District R-3 to Section 5.4.10 Community Business District B-3.

	<u>Name</u>	<u>Address</u>	<u>City/State</u>
<u>Presented by:</u>	None		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

No representative attended the hearing. Chair Miller asked for a motion to table since there was not a representative present, noting the lack of attendance. He also noted the application materials provided were inadequate and nearly insulting, given the extensive commercial real estate experience of the applicant. Commissioner Hinton made a motion to table the item. The motion was seconded by Commissioner Pickett. A roll call vote was then conducted to lay on the

table Item C.

Commissioners voting aye: Dick Conville
Charles Dawe
Amy Hinton, Vice-Chair
Elayne Lockett
Luke McNair (via GoToMeeting)
Mark Miller, Chair
Rebekah Ray
Rhoda A. Pickett
Carlos Wilson

Commissioners voting nay: None

BUSINESS MEETING

Having no further business, Commissioner Conville made a motion to adjourn. The motion was seconded by Commissioner Ray and the public meeting was adjourned at 2:35 PM.

Mark Miller, Chair

Ginger Lowrey, Planning Division Manager



**Planning Commission
Case Fact Sheet**

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

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

Request: **Street Renaming**

Purpose of Request: To consider an application to **to rename the public street** presently known as County Drive to "Tommy King Drive" (beginning at the intersection of William Carey Parkway and ending at the intersection of and Edward Street, Ward 2 and Ward 5).

Applicant Summary: * See Attached *

Present Adjacent Zoning: R-1A Single-Family Residential, R-1B Single-Family Residential, R-1C Single-Family Residential, R-2 Two-family Residential, R-3 Multi-Family Residential District, A-2 Agricultural Residential

Most Nearly Bounded By (streets): This location is presently known as County Drive, beginning at the intersection of William Carey Parkway (formerly Helveston Road, renaming approved in 2015) and ending at the intersection of Edwards Street.

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case, as of June 28, 2022. Multiple phone calls have been received inquiring about the street renaming. None have indicated they were in opposition.

Comments:

William Carey University is the primary property owner along County Drive, owning a majority of the parcels along that street. They have also reached out to all other property owners who have properties that are directly adjacent to County Drive. Approval letters and documentation of their correspondence have been included at the end of this report.

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

Options:

Recommend approval or denial of the request to **rename the public streets** presently known as County Drive (beginning at the intersection of William Carey Parkway and ending at the intersection of Edwards Street, Ward 2 & Ward 5) to **Tommy King Drive**.

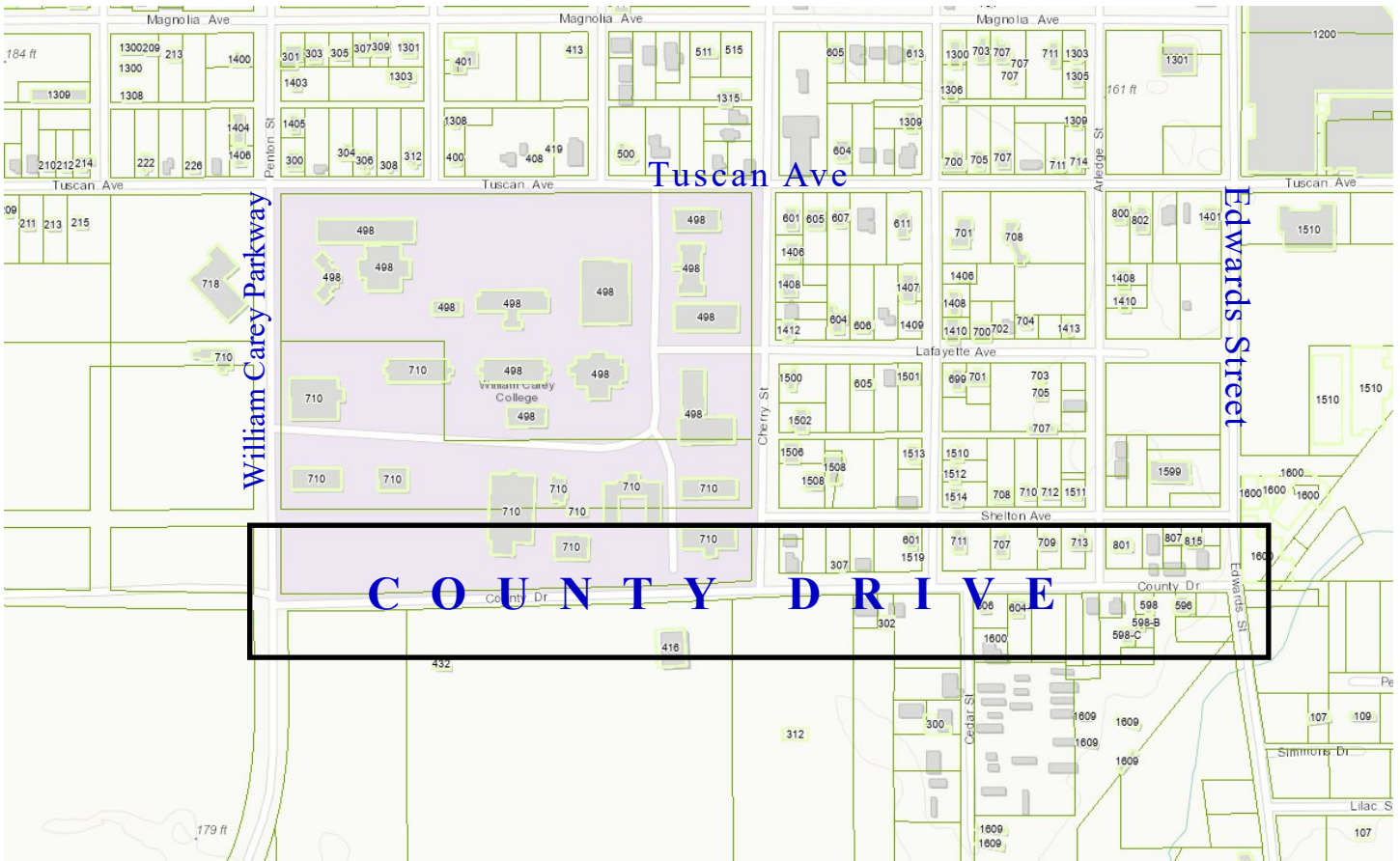
SUBJECT STREET: County Drive—Proposed renaming to “Tommy King Drive”

Barbara Hamilton, on behalf of William Carey University,

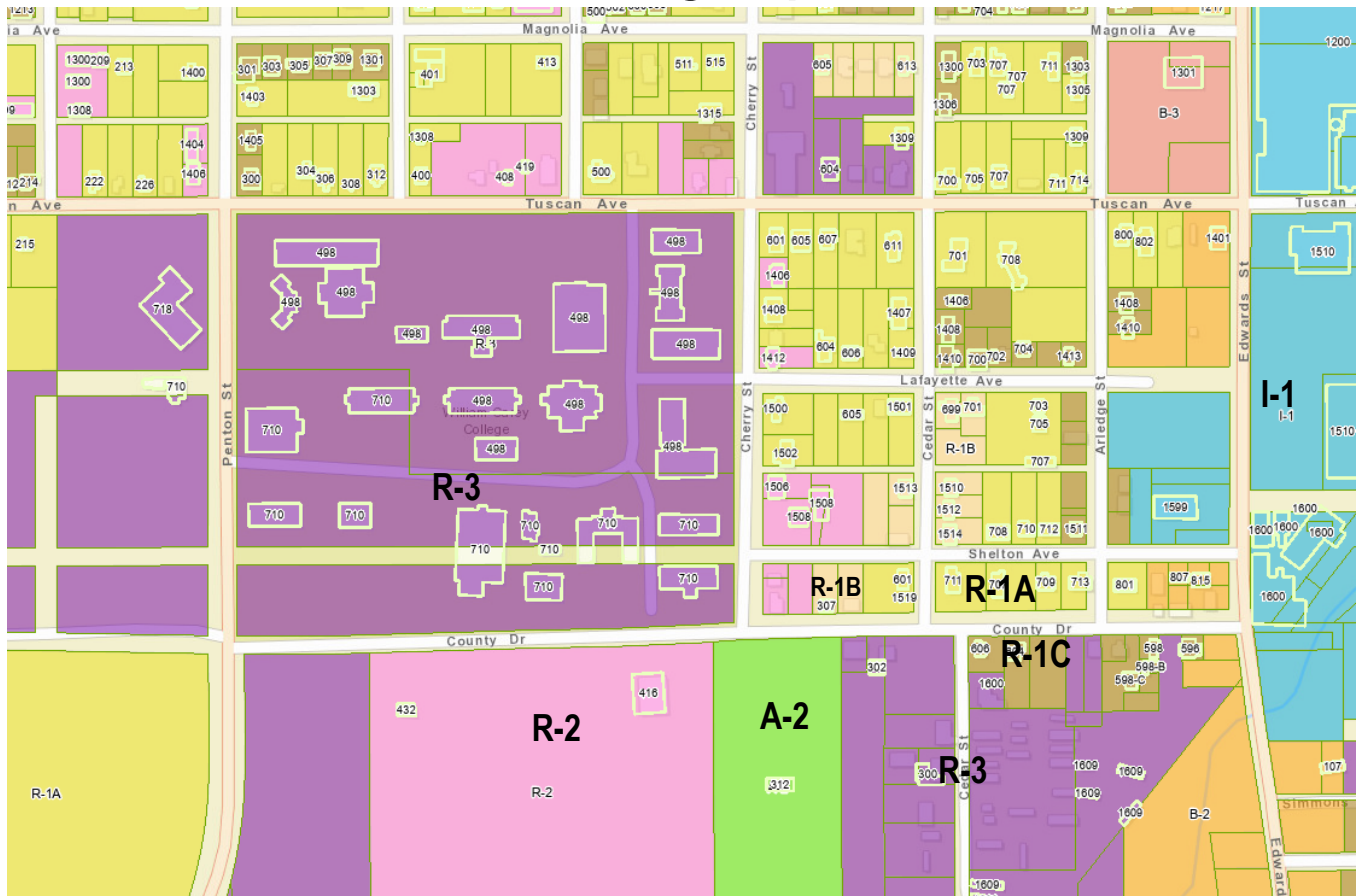
The applicant requests to consider an application to rename the public street presently known as County Drive to “Tommy King Drive” (beginning at the intersection of William Carey Parkway and ending at the intersection of and Edward Street, Ward 2 and Ward 5).



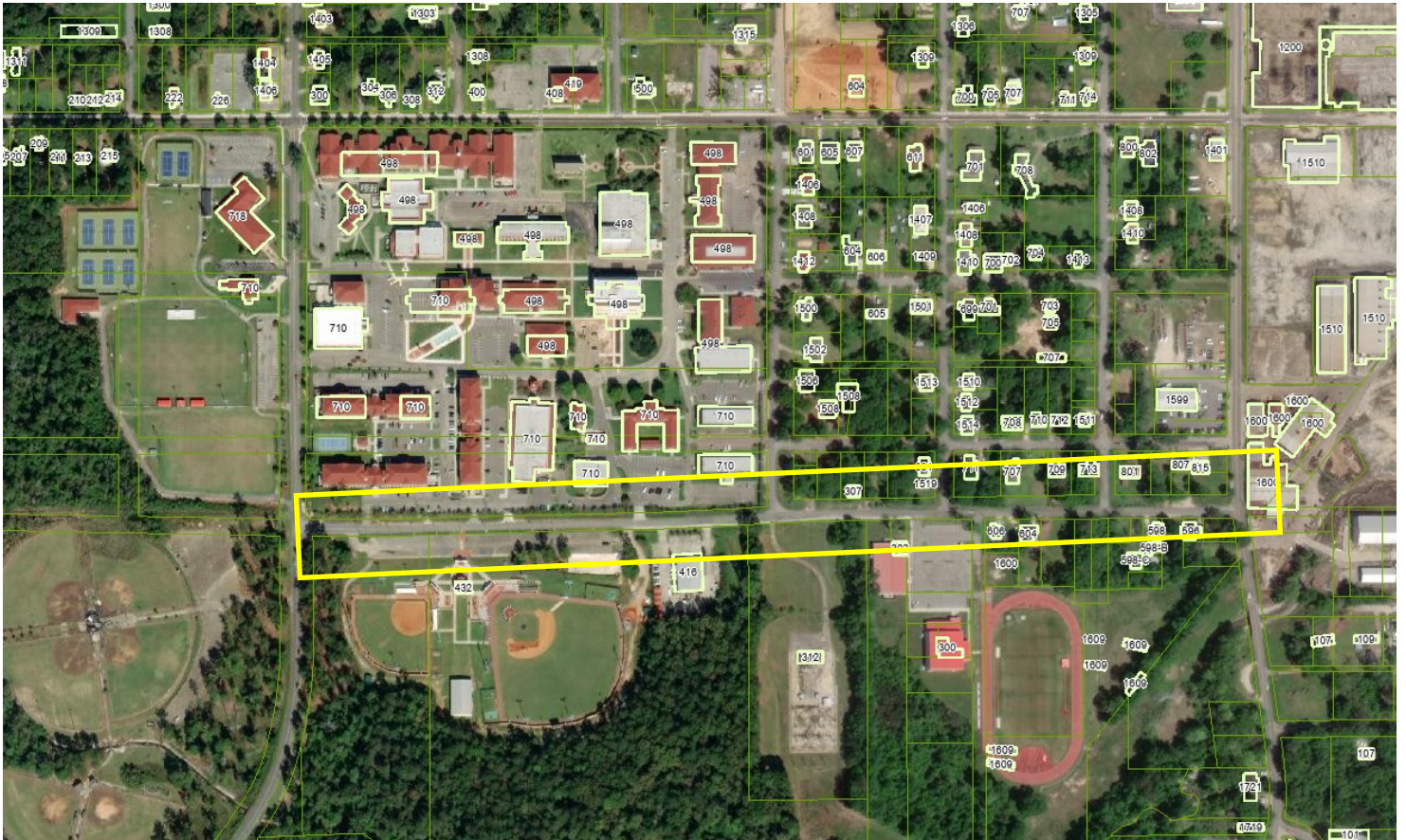
Vicinity Map—Ward 2 and Ward 5



Zoning Map



Aerial of Subject Area



Subject Area

Intersection of County Drive and
William Carey Parkway



County Drive Facing William Carey
University (facing North)



County Drive near Cherry Street
Intersection facing East



Existing Single-Family homes on
County Drive near Edwards St



Subject Area

Larry W. Kennedy Sports Complex
on County Drive (WCU)



Ben Waddle Volleyball Facility on
County Drive (WCU)



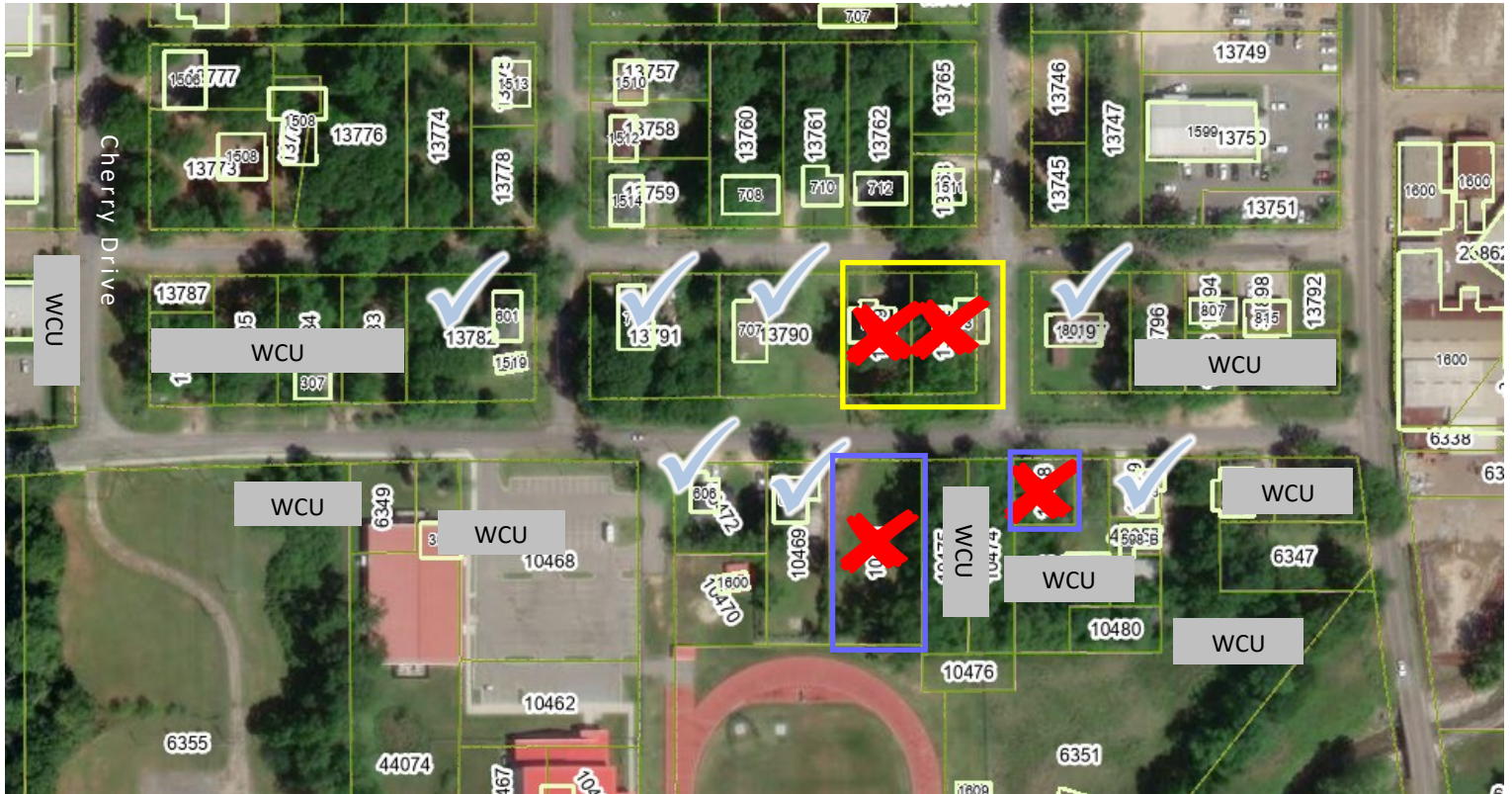
Recently Demolished home at corner
of Edwards St and County Drive
(WCU property)



Futral Hall—Davis Hall on County
Drive



Acknowledge of Approval for Street Renaming



Acknowledgement of property owners adjacent to street/alley renaming required

- WCU William Carey Owned Property
-  Approval for Name Change on file
-  Attempted to reach, but did not receive approval
- Address not affected by name change; property faces Shelton Ave
- Vacant Lot

NOTE: All properties east of Cherry Drive are owned by WCU

Attempts to reach and contact all adjacent property owners were made

See next page for documentation

Contacts with residents on County Drive (Cherry Street to Edwards Street)
and Both Sides of Shelton Avenue (Cherry Street to Edwards Street)

by Barbara Hamilton, William Carey University

May 17, 2022: Mailed 10 notifications/hand delivered two notifications of renaming request to County Drive residents and Shelton Avenue residents whose backyards adjoin County Drive:

May 25, 2022: Mailed five letters to Shelton Avenue residents with non-adjoining property or no response residents on Shelton Avenue

From May 16 to May 31 made numerous visits throughout the County Drive and Shelton Avenue neighborhoods, visiting each home.

As of June 1, 2022, this is the report of the residents' actions:

County Drive:

596 County Drive, PPin 6345 Cassie Robinson, deceased; home purchased by William Carey University

598 County Drive, PPin 10479 Eddie Thomas, SIGNED APPROVAL

598A County Drive, Frances French, SIGNED APPROVAL

604 County Drive, PPin 10469 Frances French, SIGNED APPROVAL

606 County Drive, PPin 10472 Frances French, SIGNED APPROVAL

Vacant lot, PPin 10478 HL&C Hattiesburg/MLK LLC, sent two letters; no response

Also, on Country Drive, Cherry Street to Edwards Street:

William Carey University Track/Field

William Carey University Volley Ball Facility

William Carey University Multi-Purpose Building

11 empty parcels of land and others behind County Drive

Shelton Avenue:

600 block is owned by William Carey University except 601 Shelton Avenue

601 Shelton Avenue, PPin 13782 Vermester Bester, SIGNED APPROVAL
(backyard adjoins County Drive)

711 Shelton Avenue, PPin 13791 Clarence Jones, SIGNED APPROVAL
(backyard adjoins County Drive)

707 Shelton Avenue, PPin 13790 James and Susie Thigpen-deceased-sons
live in home; SIGNED APPROVAL (backyard adjoins County Drive)

708 Shelton Avenue, Cassie Hicks, SIGNED APPROVAL

706 Shelton Avenue, empty home; sent letter May 25 and visited home

709 Shelton Avenue, empty home; sent letters May 17 and May 25; visited
home (backyard adjoins County Drive)

713 Shelton Avenue, PPin 13788, vacant lot, Dewayne B. John, sent letters
May 17 and May 25 (backyard adjoins County Drive)

801 Shelton Avenue, PPin 13797 Rose Mary Armstrong, SIGNED APPROVAL



WILLIAM CAREY
UNIVERSITY

OFFICE OF EXTERNAL RELATIONS

May 17, 2022

Dear neighbor,

I am writing this letter to let you know that the trustees of William Carey University are requesting a name change for County Drive. They propose that the street name from William Carey Parkway to Edward Street be changed to "Tommy King Drive" in honor of the current president, Dr. Tommy King. Dr. King has served the university for 22 years, 15 years as President in a visionary manner. As a nearby resident, you have witnessed the growth on our campus and the progress in many other areas. Dr. King will retire later this year.

At the request of the trustees I am handling this matter and need your approval to move forward with the City of Hattiesburg on the change of the street name. If a change is made, I will provide more information related to mail delivery. I will also assist in any manner needed.

Please call me at 601-520-1648 by this Friday, May 20, with your feedback of this matter. Or, I can schedule a meeting with you at my office in Tatum Court on campus.

Blessings on you,

Barbara Hamilton

Barbara Hamilton

Director of External Relations



WILLIAM CAREY
UNIVERSITY

*To Shelton Avenue
residents*

OFFICE OF EXTERNAL RELATIONS

May 25, 2022

Dear neighbor,

I am writing this letter to let you know that the trustees of William Carey University are requesting a name change for County Drive. They propose that the street name be changed to "Tommy King Drive" from Edwards Street to William Carey Parkway in honor of the current president, Dr. Tommy King. Dr. King has served the university for 22 years, 15 years as President in a visionary manner. As a nearby resident, you have witnessed the growth on our campus in enrollment and facilities. Dr. King will retire later this year.

At the request of the trustees I am handling this name change. I have been by your home several times but have not found anyone in. If you want to give feedback on this matter, please call me at 601-318-6524 or 601-520-1648. If a name change is made, it will not affect your address in any way. Or, I can schedule a meeting with you at my office in Tatum Court on campus if you wish further discussion.

Blessings on you,

Barbara Hamilton

Barbara Hamilton

Director of External Relations



WILLIAM CAREY
UNIVERSITY

OFFICE OF EXTERNAL RELATIONS

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Barbara Hamilton

Director of External Relations



WILLIAM CAREY
U N I V E R S I T Y

*To Shelton Avenue
residents*

OFFICE OF EXTERNAL RELATIONS

May 25, 2022

Dear neighbor,

I am writing this letter to let you know that the trustees of William Carey University are requesting a name change for County Drive. They propose that the street name be changed to "Tommy King Drive" from Edwards Street to William Carey Parkway in honor of the current president, Dr. Tommy King. Dr. King has served the university for 22 years, 15 years as President in a visionary manner. As a nearby resident, you have witnessed the growth on our campus in enrollment and facilities. Dr. King will retire later this year.

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Blessings on you,

Barbara Hamilton

Barbara Hamilton

Director of External Relations



**Planning Commission
Case Fact Sheet**

Names of Petitioner: Quinby Chunn, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
88 Academy Drive	2-029J-10-025.00	15714	4

Request: **Warehousing and Distribution**

Purpose of Request: To consider an application to request a conditional use for "Horticulture-for profit and research-related" in a B-5 Zone (Regional Business) for a certain property located at 314 E 3rd Street (Parcel 2-029J-10-025.00, PPIN 15714, 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.

12.3.3.4 Reestablishment Restricted. A legal Conditional Use, as approved by the Governing Authority (City Council), when discontinued or abandoned, shall not be resumed.

Discontinuance or abandonment shall be defined as:

- i. When land used for a legal conditional use ceases to be used in a bona fide manner or a period of six consecutive calendar months;
- ii. When a building designed or arranged for a Conditional Use ceases to be used in a bona fide manner as a legal nonconforming use for continuous period of six consecutive calendar months;

iii. When a building designed or arranged for a conforming use shall cease to be used in a bona fide manner as a Conditional Use for a period of six consecutive calendar months.

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

Present Use: Vacant Warehouse Building

Future Land Use: Downtown District

Surrounding Zoning and Land Use:

North: B-5 (Regional Business) District
South: B-5 (Regional Business) District
East: B-5 (Regional Business) District
West: B-5 (Regional Business) District / R-1C (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 June 28th, 2022.

History / Background: Planning Staff met with the property owner, architect, and contractor in an exploratory meeting to discuss establishing a mushroom grow facility within the existing, vacant warehouse at 314 E 3rd St. Staff reviewed all relevant codes with the property owner that would need to meet for the proposed change of use for the structure. The owners noted that the method of mushroom harvesting they are proposing would have minimal impact, as only a few employees would be needed on-site and small trucks would be needed to move their final product for distribution. The mushrooms would be grown entirely indoors as a climate-controlled environment is necessary for the proposed form of commercial production. The current exterior layout of the building will serve the needs of the mushroom grow facility and will only require minor changes for ADA accessibility. Mushroom growing, even though it will be done completely indoors, is classified as horticulture-for-profit in our Land Development Code, and requires a conditional use for a B-5 Zoning.

Option: **Basis for approval:**

12.3.3.2 Additional Approval Criteria. 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.

SUBJECT PARCEL:

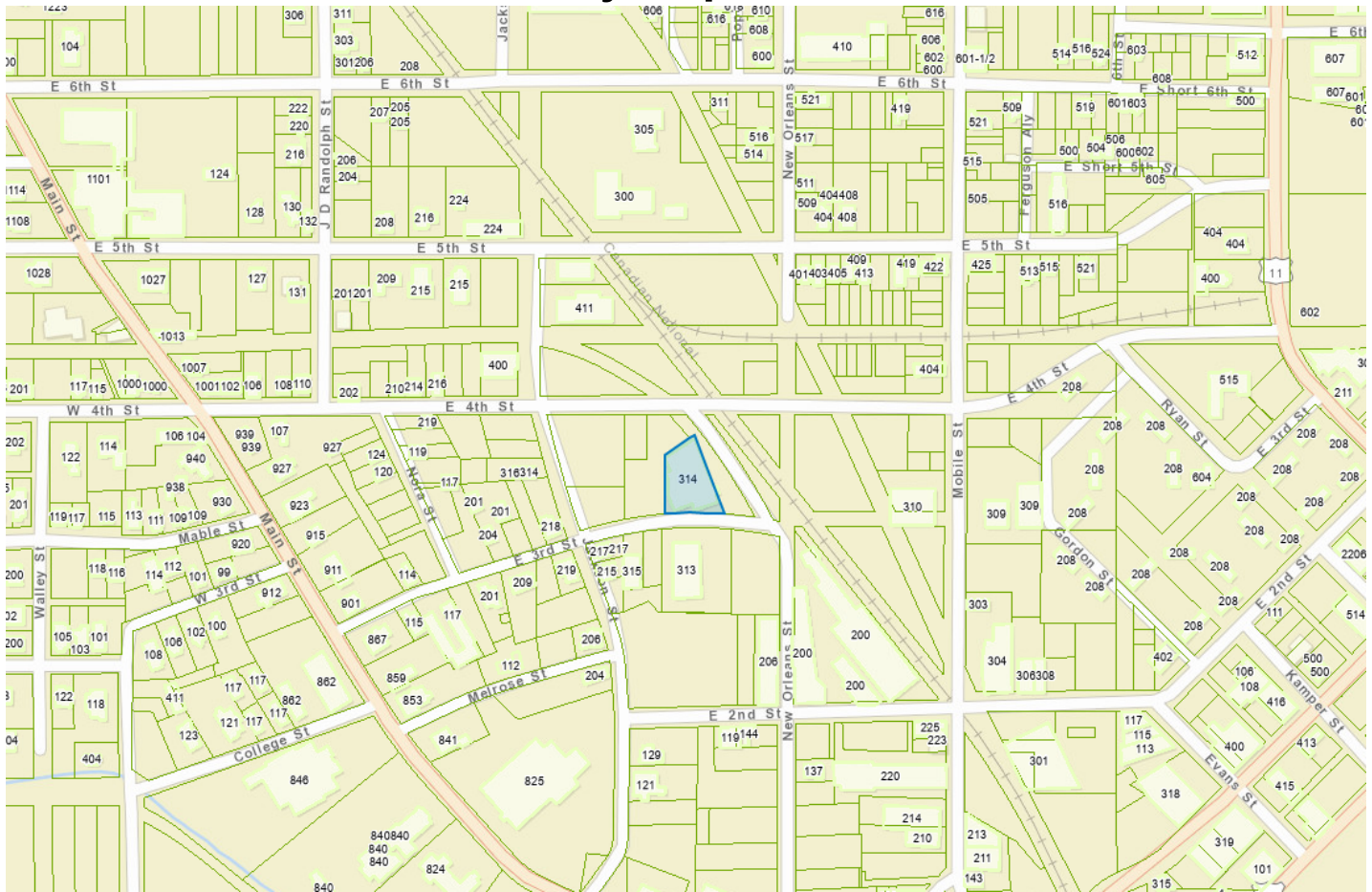
314 E 3rd Street

Quinby Chunn, Owner

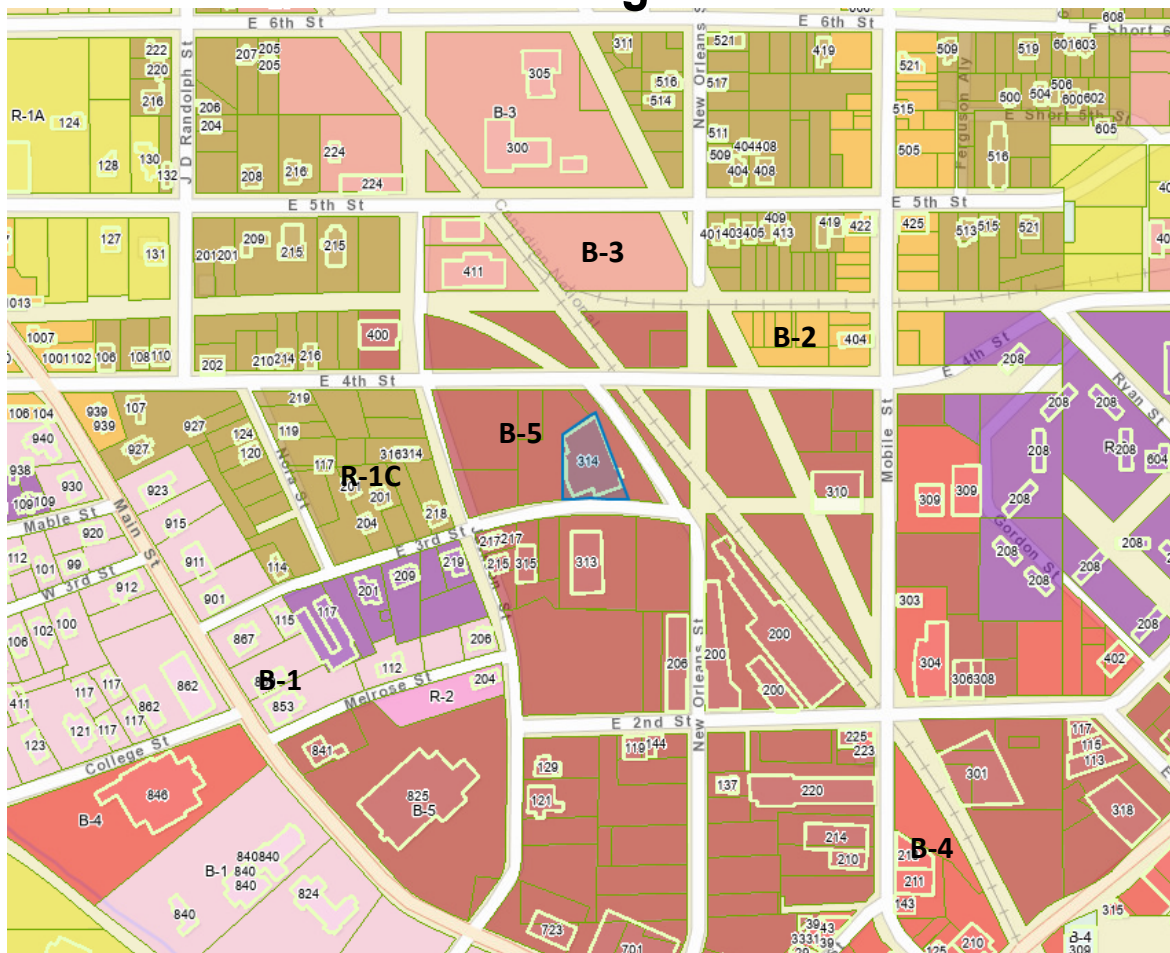
To consider an application to request a conditional use for “Horticulture-for profit and research-related” in a B-5 Zone (Regional Business) for a certain property located at 314 E 3rd Street (Parcel 2-029J-10-025.00, PPIN 15714, Ward 4).



Vicinity Map—Ward 4



Zoning B-5



Site Aerial



SURROUNDING AREA

**Northern Direction: B-5 Regional
Business**

Vacant/Undeveloped



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

Storage/Warehouse



**Eastern Direction: B-5 Regional
Business**

Vacant / Railroad ROW



**Western Direction: B-5 Regional
Business**

Vacant/Undeveloped

Site Plan

[illegible]
SITE PLAN
 SCALE: 1" = 30'-0"verb
architecture

BOB SCHENBERG, Architect
 1001 Northridge
 603 227-9447

STYAN HANSEN, B
 styandesign-ny.com
 603 272-8560

GROW HOUSE
1224 MAIN STREET | HATTIESBURG, MS 39401

TOPICS:
 Allowing, controlling, and
 structural earth elements for planning
 and construction projects.
 Features to be aware that allow
 compliance of projects with
 standards, and best practices.

CASE **ANALYSIS**

SITE PLAN

SCALE	$N = 2047$
Observed α	84
Observed β	85

Floor Plan

A1.0

[illegible]

Mushroom Consulting LLC
6646 Sierra Vista Ln
Carson City, NV 89701
Tel: (775) 230-8975

CONCEPT BUILDING
SOUTHERN PROHIBITION
BREWING

APN NO.:
HSA PANEL:
DEPARTMENT/STATION:
FSA/GE:
SCHOOLING REGION:
COUNCIL/DEPARTMENT:
CONTACT PERSON(S):
CITY:
STATE/ZIP/PHONE NO.:
COUNTRY:
SCHOOLING REGION:
CITY/TOWN:
COUNTRY:
CITY/STATE:

Issue Date:	Drawn By:
3/18/22	JHG

CONCERT

CONCEPT
FLOORPLAN

DRAWING NUMBER:

A2.0

Conditional Use (2 pages)

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

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

NO;

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

MINIMAL, IF ANY, COMMUNITY IMPACT OTHER THAN THE
BUILDING BEING OCCUPIED AND MAINTAINED. DELIVERIES
WILL HAPPEN BUT BE MINIMAL

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

ALL OF THE REQUIRED OPERATIONS ARE CONFINED TO
THE INTERIOR OF THE FACILITY OTHER THAN DELIVERIES.
AMPLE GREEN SPACE AROUND BUILDING TO PROVIDE
ADEQUATE BUFFER.

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

If yes, please explain:

DELIVERIES TO FACILITY.

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

If yes, please explain:

6. What is the expected number of customers/employees per day? 1-2 EMPLOYEES

7. Parking Requirements:

Commercial/Industrial: Paved parking will be provided for 3 vehicles, and
1 ADA vehicle(s); with 1 loading spaces.

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



**Planning Commission
Case Fact Sheet**

Name of Petitioner: Andy Stetelman, Owner

Address of Property: 3207 Hardy St **Tax Parcel:** 2-028K-07-034.00 **PPIN:** 23004 **Ward:** 1

Request: Zoning Change

Purpose of Request: To consider an application to change the zoning classification for a property located at 3207 Hardy St (Parcel 2-028K-07-034.00, PPIN 23004, Forrest County, Ward 1) from Section 5.4.9 Neighborhood Business District B-2 and Section 4.5.7 Multi-Family Residential District R-3 to Section 5.4.10 Community Business District B-3

Applicant Summary: See Attached
Applicable Regulations:

SECTION 4 Zoning Districts Established

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.

4.5.9 B-2 Neighborhood Business District: The purpose of the B-2 District is to provide for retail and personal service uses in locations convenient to residential neighborhoods consistent with comprehensive planning policies. This district is consistent with the Neighborhood Business District in the Comprehensive Plan.

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 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: The parcel is currently split-zoned, with an R-3 zoning on a northern portion of the property and B-2 zoning on a southern portion.

Present Use: Vacant building, previously occupied by Century First Federal Credit Union (formerly Southern Mississippi Federal Credit Union)

Future Land Use: Community Business Corridor

Surrounding Zoning and Land Use:
 North: R-3 Multi-Family Residential
 South: B-3 Community Business
 East: B-3 Community 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 May 18, 2022.

History / Background:

The petitioner met with administration to discuss rezoning the property to B-3 to better align with the surrounding Hardy Street Corridor. The petitioner noted that the market demand for the area is better served as a B-3.

A change to B-3 is consistent with the majority of properties fronting Hardy Street between Downtown and Hwy 59. The most recent zoning change consistent with this request was 3703 Hardy Street, approximately 1,700 feet to the west.

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:

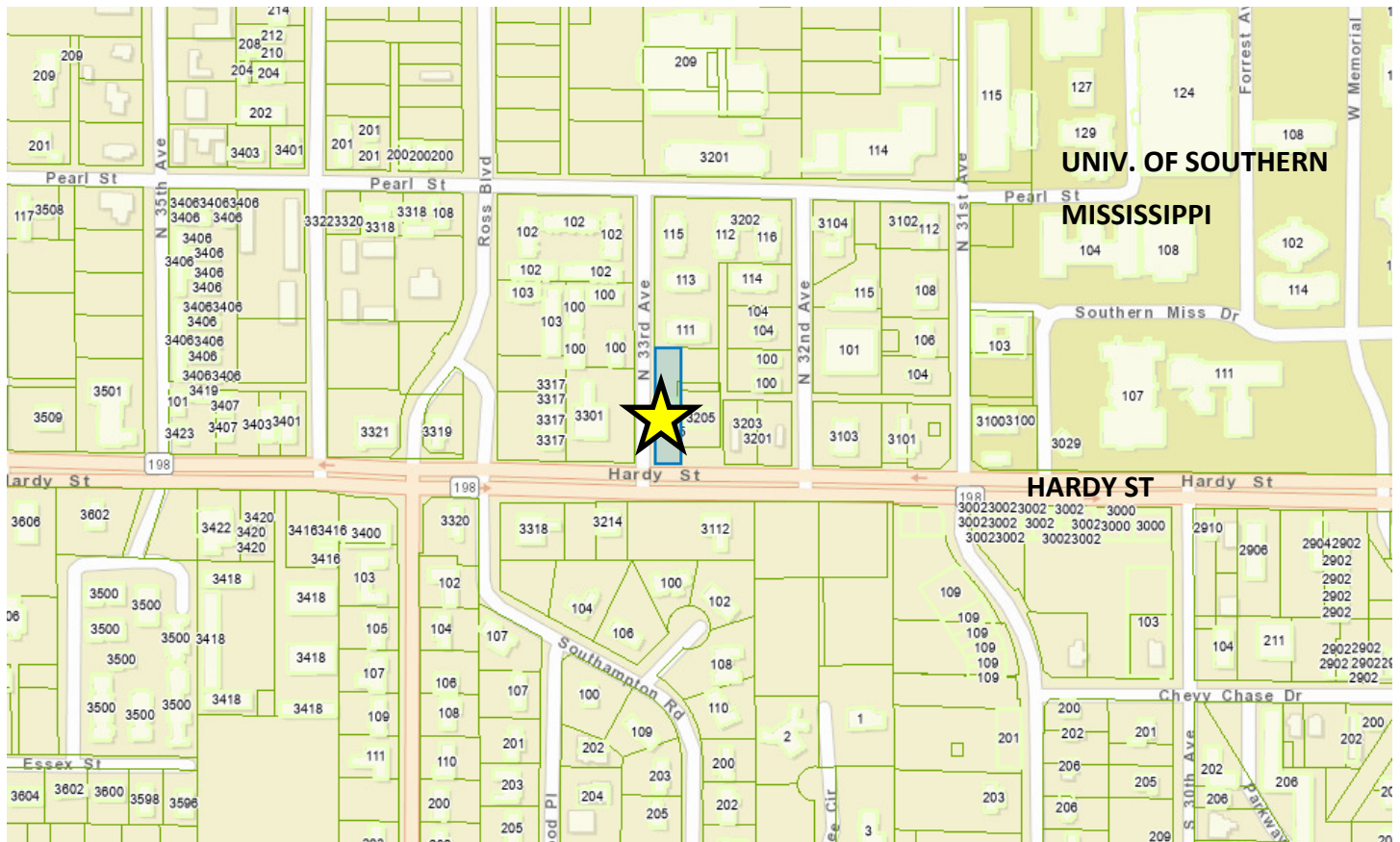
3207 Hardy St

Andy Stetelman, Owner

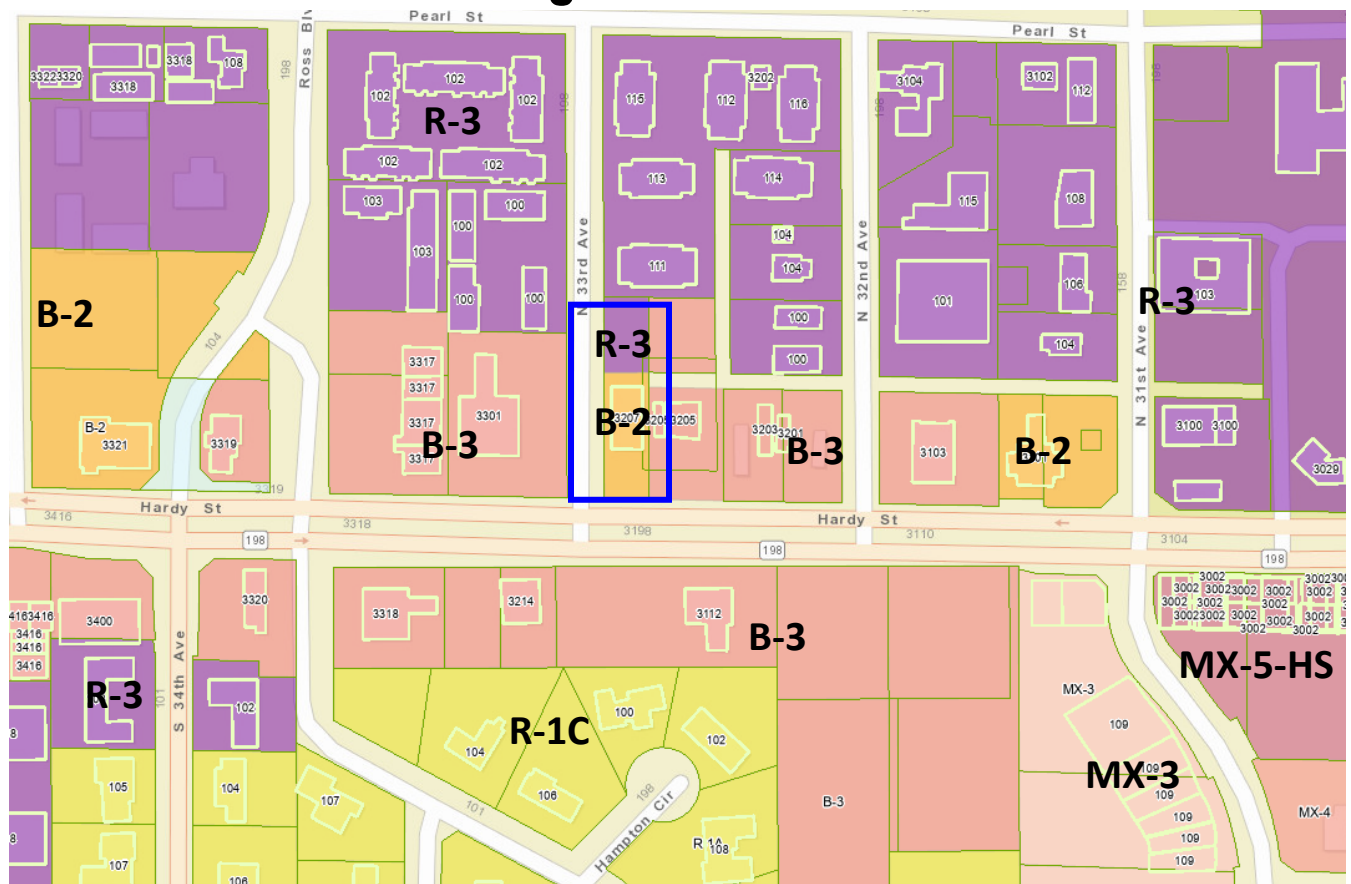
The petitioners request to consider an application to change the zoning classification for a property located at 3207 Hardy St (Parcel 2-028K-07-034.00, PPIN 23004, Forrest County, Ward 1) from Section 5.4.9 Neighborhood Business District B-2 and Section 4.5.7 Multi-Family Residential District R-3 to Section 5.4.10 Community Business District B-3



Vicinity Map—Ward 1



Zoning—R-3 and B-2



Site Aerial



SURROUNDING AREA

North: R-3 Multi Family Residential



**South: B-3 Community Business
Financial Institution**



**West: B-3 Community Business
Financial Institution**

**East: B-3 Community Business
Restaurants**



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.)

Summing by B-3 & our B-2 class may
be by mistake Area is currently a
B-3 market as we view this corner
from our experience