

HATTIESBURG
PLANNING COMMISSION
PUBLIC HEARING AGENDA AND STAFF REPORTS

July 5th, 2023



DEPARTMENT OF URBAN DEVELOPMENT
PLANNING DIVISION



URBAN DEVELOPMENT PLANNING DIVISION

MEMORANDUM

TO: Hattiesburg Planning Commission and Board of Adjustment
FROM: Planning Staff
DATE: June 27th, 2023
SUBJECT: July 5th, 2023 - Hattiesburg Planning Commission and Board of Adjustment

The Hattiesburg Planning Commission will meet in regular session at 1:00 PM, Wednesday, July 5th, 2023 in the dining room of the Jackie Dole Sherrill Community Center. The Planning Commission agenda contains one item: the tabled request from the June 2023 Planning Commission for a major subdivision.

The Board of Adjustment will not meet in regular session in July, as no variance applications were received.

The public and members may attend remotely via GoToMeeting:

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

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

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

If you have any questions regarding the agenda or need information related to the virtual meeting option, please do not hesitate to call the Planning Division at (601)-545-4599 or email at planning@hattiesburgms.com.

Additionally, the Planning Commission, Board of Adjustment, and Hattiesburg Conservation Commission Agendas and Agenda Packets are published online at <https://hattiesburgms.portal.civicclerk.com/>

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Planning Commission Agenda
Place: Jackie Dole Sherrill Community Center (Dining Room)
Time: 1:00 PM
July 5th, 2023

I. Business Meeting

1. Review and approval of July meeting's agenda
2. Review and approval of the minutes of the May 3rd, 2023 Planning Commission Meeting and the June 7th, 2023 Planning Commission Meeting
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

- B. Tabled Item From June Agenda: Sherry Cox Underwood, owner, and Casey Benedict, Representative, and Allen Russell, Representative, request approval for a preliminary plat for a major subdivision for the Woodhaven Lake Estates Subdivision located off of Richburg Road (Parcel No.: 2-040C-30-041.00, 2-025P-36-007.03, 2-040E-30-022.00, and 2-040F-30-008.00; PPIN 6989, 7006, and 7014, Forrest County, Ward 5, and Parcel: 057H-25-002.000, 057H-25-006.000, and 057H-25-007.000 PPIN: 4953, 24642, and 24643, Lamar County, Ward 5).

III. Other Business

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION**

June 7th, 2023

Board Members Roll Call:

Members Present:

1. Mark Miller (Chair, Online)
2. Amy Hinton (Vice Chair)
3. Rebekah Ray
4. Rhoda Pickett
5. Elayne Lockett
6. Jeff Keyseear (Online)
7. Charles Dawe (Online)
8. Michael Dickerson (Online)
9. Carlos Wilson (Online)

Members Absent

1. Dick Conville

Staff Present:

1. Nathan Satcher, Planner II
2. Wiley Quinn, Director of Urban Development
3. Jim Gladden, Esq.
4. Kevin Bates, Building Official
5. Cory Long, AICP, Planning Manager
6. Andrea Garcia, Planner I

Ms. Hinton, Vice Chair, declared the Hattiesburg Planning Commission meeting open and in session at 1:00 p.m.

AGENDA REVIEW

There came the matter of the May 2023 Agenda. Commissioner Ray made a motion to accept the agenda, seconded by Commissioner Pickett. All members present were in favor.

Motion:

Made by Commissioner Ray

Second:

Made by Commissioner Hinton

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson	X		
Charles Dawe	X		
Carlos Wilson			ABSENT

MINUTES REVIEW

Vice Chair Hinton made a motion to table the minutes' review to the next Planning Commission Hearing.

Motion:

Vice Chair Hinton

Second:

Commissioner Pickett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson	X		
Charles Dawe	X		
Carlos Wilson	X		

BUSINESS MEETING

1. Building Report
2. Planning Report
3. Chair's Report

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for May, 2023. He shared that the total number of residential repair permits increased compared to the previous month, from 61 to 82 permits. A small increase in sign permits was observed as well, with 50 permits more compared to May of last year.

PLANNING REPORT

There came the matter of the Planning Report by Nathan Satcher, Planner. He shared that the request for alley closure at Lurlyne Street, and the request to rezone a property at 496 N Hattiesburg Avenue was approved by City Council. The major subdivision request for the Hattiesburg Market Place case is still tabled by City Council to explore additional conditions for approval. He also shared that a special called meeting is being considered for mid-July for the Bridging Divides, Building Opportunities plan. Also, the May 9th commissioner training was brought to this portion of the meeting and documentation will be provided for the members that were not able to attend.

CHAIR'S REPORT

Vice Chair Hinton did not have a report for this meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Item A:

A petition has been filed by Gerry & Jennifer Mallory representative for Jimmie Jones, owner, as required in the Land Development Code, Ord. No. 3209, to request a conditional use for “Lodging–bed and breakfast inn” in an R-1A Zone (Residential District) for a property located at 416 Bay Street, (Parcel No. 2-029P-10-286.00; PPIN 19204, Forrest County, Ward 4).

Comments:

The planning staff introduced the case. Comments were made by the planning staff. Vice Chair Hinton opened the public hearing portion of the meeting. The applicant Gerry Mallory came to speak on behalf of this proposal. Commissioner Ray asked if the original name for this property (Ross House) will be considered for this new business. Mr. Mallory replied that the name Ross will remain for the new business. Ms. Marshall and Mr. White came to speak in favor of this case. No opponents were present and the public hearing was closed for this case. Commissioner Hinton expressed her appreciation for the interest and commitment to preserving the historic significance of this property. A second opinion was offered by Commissioner Dawe, who noted that it is difficult to find someone interested in preserving and enhancing these properties. Commissioner Pickett then asked the planning staff about parking requirements. Mr.

Satcher stated that on-street parking is allowed for this use, however, some conditions in the Land Development Code regulate parking for this case. No more comments were made to the staff. Commissioner Ray made a motion to approve this case.

Presented by:

Gerry Mallory, Applicant

Proponents:

1. Carole Marshall
2. Joe White

Opponents:

1. None

Motion:

Made by Commissioner Ray

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson	X		
Charles Dawe	X		
Carlos Wilson	X		

Item B:

Sherry Cox Underwood, owner, Casey Benedict and Allen Russell, representatives, request approval for a preliminary plat for a major subdivision for the Woodhaven Lake Estates Subdivision located off of Richburg Road (Parcel No.: 2-040C-30-041.00, 2-025P-36-007.03, 2-040E-30-022.00, and 2-040F-30-008.00; PPIN 6989, 7006, and 7014, Forrest County, Ward 5, and Parcel: 057H-25-002.000, 057H-25-006.000, and 057H-25-007.000 PPIN: 4953, 24642, and 24643, Lamar County, Ward 5).

Comments:

The planning staff introduced the case. Comments were made by staff. Vice Chair Hinton asked if part of the subdivision was located within the City limits and Lamar County. Planning Manager Long answered in the affirmative. Then Vice Chair Hinton opened the public hearing portion of the meeting. Allen Russell came to speak on behalf of the proposal. He stated that each subdivided lot will meet the Land Development Code requirements and that the survey that

was provided to planning staff matched the subdivision plat that was made in the 1980s.

Mr. William Jade Peters came to speak in opposition to this project, expressing his concerns about the possible gentrification that the subdivision will bring if approved. Mr. Jonmark Edwards also came to speak in opposition, explaining that placing public signs around the neighborhood did not provide enough information to the community and inquired about the originality of the presented subdivision plat. Mr. Long explained that the presented plat was the original layout presented to the County during the 1980s. Ms. Stephanie Knudsen joined the opposition, stating that there are still lots and houses available that have not been sold for a long time and an expansion in the neighborhood is unnecessary.

Another person in the opposition, Mr. Elwin Hoda, also expressed that an expansion is unnecessary because of the existing lots that are not being sold. Vice Chair Hinton then asked Mr. Jim Gladden if it is permissible to mandate home sizes in covenants if the subdivision would be formally platted today. Mr. Gladden responded affirmative and explained that most covenants state that the declarant owns the lots until they are sold, the covenants may be admitted by a certain percentage of lot ownership, and until the subdivision reaches maturity usually the declarant owns most of the lots, therefore they have the percentage in which to change the covenants as they see fit regardless of the number of houses that are present.

Mr. Thomas Martin from the public, raised a question about the size of the houses that are yet to be built and asked for transparency about the size of the houses that will be present in the vacant lots. At the end of the public hearing portion, the representative Mr. Russell stated that this plan is not an expansion and that the presented subdivision plat existed since the 1980s. Then Vice Chair Hinton closed the public hearing portion. Commissioner Pickett made a motion to table the request to the next Planning Commission Hearing.

Presented by:

Allen Russell, Applicant

Proponents:

2. None

Opponents:

1. William J. Pierce
2. Jonmark Edwards
3. Stephanie Knudsen
4. Elwin Hoda

Motion:

Made by Commissioner Ray

Second:

Made by Commissioner Pickett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)		X	
Mark Miller (Chair)			ABSENT

Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear		X	
Michael Dickerson			ABSENT
Charles Dawe		X	
Carlos Wilson	X		

Item C:

A petition has been filed by the City of Hattiesburg to request a Flood Variance per Article 6, Section E of the Flood Damage Prevention Ordinance (No. 3294), which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or floodproof the structure, for a structure located at 526 Forrest St (Hawkins Elementary School, Parcel No.: 2-029J-10-135.00; PPIN: 21838, Forrest County, Ward 4).

Comments:

The planning staff introduced the case. Comments were made by the planning staff. The public hearing portion of the meeting was not opened for this case since there were no longer any members of the public present. Commissioner Lockett raised a question about the determination of flood zones in this area. Mr. Satcher explained that FEMA determines flood zones and maps are regularly updated as flood zones are modified. Vice Chair Hinton made the motion to approve and Commissioner Lockett seconded this motion.

Presented by:

City of Hattiesburg

Proponents:

3. None

Opponents:

3. None

Motion:

Made by Commissioner Ray

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)			ABSENT
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson			ABSENT

Charles Dawe	X		
Carlos Wilson	X		

BUSINESS MEETING

No items were presented in the business meeting.

Adjournment:

The meeting was adjourned at 2:36 p.m.

Motion:

Made by Vice Chair Hinton

Second:

Made by Commissioner Ray

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)			ABSENT
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson			ABSENT
Charles Dawe	X		
Carlos Wilson	X		

Amy Hinton, Vice Chair

Cory Long, AICP, Planning Division Manager

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION**

June 7th, 2023

Board Members Roll Call:

Members Present:

1. Mark Miller (Chair, Online)
2. Amy Hinton (Vice Chair)
3. Rebekah Ray
4. Rhoda Pickett
5. Elayne Lockett
6. Jeff Keyseear (Online)
7. Charles Dawe (Online)
8. Michael Dickerson (Online)
9. Carlos Wilson (Online)

Members Absent

1. Dick Conville

Staff Present:

1. Nathan Satcher, Planner II
2. Wiley Quinn, Director of Urban Development
3. Jim Gladden, Esq.
4. Kevin Bates, Building Official
5. Cory Long, AICP, Planning Manager
6. Andrea Garcia, Planner I

Ms. Hinton, Vice Chair, declared the Hattiesburg Planning Commission meeting open and in session at 1:00 p.m.

AGENDA REVIEW

There came the matter of the May 2023 Agenda. Commissioner Ray made a motion to accept the agenda, seconded by Commissioner Pickett. All members present were in favor.

Motion:

Made by Commissioner Ray

Second:

Made by Commissioner Hinton

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson	X		
Charles Dawe	X		
Carlos Wilson			ABSENT

MINUTES REVIEW

Vice Chair Hinton made a motion to table the minutes' review to the next Planning Commission Hearing.

Motion:

Vice Chair Hinton

Second:

Commissioner Pickett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson	X		
Charles Dawe	X		
Carlos Wilson	X		

BUSINESS MEETING

1. Building Report
2. Planning Report
3. Chair's Report

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for May, 2023. He shared that the total number of residential repair permits increased compared to the previous month, from 61 to 82 permits. A small increase in sign permits was observed as well, with 50 permits more compared to May of last year.

PLANNING REPORT

There came the matter of the Planning Report by Nathan Satcher, Planner. He shared that the request for alley closure at Lurlyne Street, and the request to rezone a property at 496 N Hattiesburg Avenue was approved by City Council. The major subdivision request for the Hattiesburg Market Place case is still tabled by City Council to explore additional conditions for approval. He also shared that a special called meeting is being considered for mid-July for the Bridging Divides, Building Opportunities plan. Also, the May 9th commissioner training was brought to this portion of the meeting and documentation will be provided for the members that were not able to attend.

CHAIR'S REPORT

Vice Chair Hinton did not have a report for this meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Item A:

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Comments:

The planning staff introduced the case. Comments were made by the planning staff. Vice Chair Hinton opened the public hearing portion of the meeting. The applicant Gerry Mallory came to speak on behalf of this proposal. Commissioner Ray asked if the original name for this property (Ross House) will be considered for this new business. Mr. Mallory replied that the name Ross will remain for the new business. Ms. Marshall and Mr. White came to speak in favor of this case. No opponents were present and the public hearing was closed for this case. Commissioner Hinton expressed her appreciation for the interest and commitment to preserving the historic significance of this property. A second opinion was offered by Commissioner Dawe, who noted that it is difficult to find someone interested in preserving and enhancing these properties. Commissioner Pickett then asked the planning staff about parking requirements. Mr.

Satcher stated that on-street parking is allowed for this use, however, some conditions in the Land Development Code regulate parking for this case. No more comments were made to the staff. Commissioner Ray made a motion to approve this case.

Presented by:

Gerry Mallory, Applicant

Proponents:

1. Carole Marshall
2. Joe White

Opponents:

1. None

Motion:

Made by Commissioner Ray

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson	X		
Charles Dawe	X		
Carlos Wilson	X		

Item B:

Sherry Cox Underwood, owner, Casey Benedict and Allen Russell, representatives, request approval for a preliminary plat for a major subdivision for the Woodhaven Lake Estates Subdivision located off of Richburg Road (Parcel No.: 2-040C-30-041.00, 2-025P-36-007.03, 2-040E-30-022.00, and 2-040F-30-008.00; PPIN 6989, 7006, and 7014, Forrest County, Ward 5, and Parcel: 057H-25-002.000, 057H-25-006.000, and 057H-25-007.000 PPIN: 4953, 24642, and 24643, Lamar County, Ward 5).

Comments:

The planning staff introduced the case. Comments were made by staff. Vice Chair Hinton asked if part of the subdivision was located within the City limits and Lamar County. Planning Manager Long answered in the affirmative. Then Vice Chair Hinton opened the public hearing portion of the meeting. Allen Russell came to speak on behalf of the proposal. He stated that each subdivided lot will meet the Land Development Code requirements and that the survey that

was provided to planning staff matched the subdivision plat that was made in the 1980s.

Mr. William Jade Peters came to speak in opposition to this project, expressing his concerns about the possible gentrification that the subdivision will bring if approved. Mr. Jonmark Edwards also came to speak in opposition, explaining that placing public signs around the neighborhood did not provide enough information to the community and inquired about the originality of the presented subdivision plat. Mr. Long explained that the presented plat was the original layout presented to the County during the 1980s. Ms. Stephanie Knudsen joined the opposition, stating that there are still lots and houses available that have not been sold for a long time and an expansion in the neighborhood is unnecessary.

Another person in the opposition, Mr. Elwin Hoda, also expressed that an expansion is unnecessary because of the existing lots that are not being sold. Vice Chair Hinton then asked Mr. Jim Gladden if it is permissible to mandate home sizes in covenants if the subdivision would be formally platted today. Mr. Gladden responded affirmative and explained that most covenants state that the declarant owns the lots until they are sold, the covenants may be admitted by a certain percentage of lot ownership, and until the subdivision reaches maturity usually the declarant owns most of the lots, therefore they have the percentage in which to change the covenants as they see fit regardless of the number of houses that are present.

Mr. Thomas Martin from the public, raised a question about the size of the houses that are yet to be built and asked for transparency about the size of the houses that will be present in the vacant lots. At the end of the public hearing portion, the representative Mr. Russell stated that this plan is not an expansion and that the presented subdivision plat existed since the 1980s. Then Vice Chair Hinton closed the public hearing portion. Commissioner Pickett made a motion to table the request to the next Planning Commission Hearing.

Presented by:

Allen Russell, Applicant

Proponents:

2. None

Opponents:

1. William J. Pierce
2. Jonmark Edwards
3. Stephanie Knudsen
4. Elwin Hoda

Motion:

Made by Commissioner Ray

Second:

Made by Commissioner Pickett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)		X	
Mark Miller (Chair)			ABSENT

Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear		X	
Michael Dickerson			ABSENT
Charles Dawe		X	
Carlos Wilson	X		

Item C:

A petition has been filed by the City of Hattiesburg to request a Flood Variance per Article 6, Section E of the Flood Damage Prevention Ordinance (No. 3294), which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or floodproof the structure, for a structure located at 526 Forrest St (Hawkins Elementary School, Parcel No.: 2-029J-10-135.00; PPIN: 21838, Forrest County, Ward 4).

Comments:

The planning staff introduced the case. Comments were made by the planning staff. The public hearing portion of the meeting was not opened for this case since there were no longer any members of the public present. Commissioner Lockett raised a question about the determination of flood zones in this area. Mr. Satcher explained that FEMA determines flood zones and maps are regularly updated as flood zones are modified. Vice Chair Hinton made the motion to approve and Commissioner Lockett seconded this motion.

Presented by:

City of Hattiesburg

Proponents:

3. None

Opponents:

3. None

Motion:

Made by Commissioner Ray

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)			ABSENT
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson			ABSENT

Charles Dawe	X		
Carlos Wilson	X		

BUSINESS MEETING

No items were presented in the business meeting.

Adjournment:

The meeting was adjourned at 2:36 p.m.

Motion:

Made by Vice Chair Hinton

Second:

Made by Commissioner Ray

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair)			ABSENT
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear	X		
Michael Dickerson			ABSENT
Charles Dawe	X		
Carlos Wilson	X		

Amy Hinton, Vice Chair

Cory Long, AICP, Planning Division Manager

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION**

May 3rd, 2023

Board Members Roll Call:

Members Present:

1. Mark Miller (Chair)
2. Amy Hinton (Vice Chair)
3. Rebekah Ray
4. Rhoda Pickett
5. Dick Conville
6. Carlos Wilson
7. Jeff Keyseear (Online)
8. Charles Dawe (Online)

Members Absent

1. Michael Dickerson
2. Elayne Lockett
3. Luke McNair

Staff Present:

1. Nathan Satcher, Planner II
2. Wiley Quinn, Director of Urban Development
3. Jim Gladden, Esq.
4. Kevin Bates, Building Official
5. Cory Long, AICP, Planning Manager
6. Andrea Garcia, Planner I

Mark Miller, Chair, declared the Hattiesburg Planning Commission meeting open and in session at 1:00 p.m.

AGENDA REVIEW

There came the matter of the April 2023 Agenda. Commissioner Ray made a motion to accept the agenda, seconded by Commissioner Wilson. All members present were in favor.

Motion:

Made by Rebekah Ray

Second:

Made by Carlos Wilson

Vote:

Board Member	Yea	Nay	Other
Dick Conville	X		
Charles Dawe	X		
Amy Hinton (Vice Chair)	X		
Jeff Keyseear	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Carlos Wilson	X		

MINUTES REVIEW

The minutes were reviewed. Rebekah Ray noted a spelling error in one of the commissioner's names and included the correction as part of the motion. The motion was seconded by Commissioner Hinton. All members present were in favor.

Motion:

Made by Rebekah Ray

Second:

Made by Amy Hinton.

Vote:

Board Member	Yea	Nay	Other
Dick Conville	X		
Charles Dawe	X		
Amy Hinton (Vice Chair)	X		
Jeff Keyseear	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Carlos Wilson	X		

BUSINESS MEETING

1. Building Report
2. Planning Report
3. Chair's Report

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for April 2023. He shared there was an increase in residential building permits compared to the previous month, half of

those were roofing permits. Commercial building permits increased as well. Overall, single-family residential building permits increased by 200 compared to last year.

PLANNING REPORT

There came the matter of the Planning Report by Nathan Satcher, Planner. He shared that the request to rezone a property on Mamie St was tabled by City Council. Commissioner Conville asked if the decision on 1601 Hardy St was appealed. Mr. Satcher replied that this was approved under certain conditions. Planning Manager Long mentioned that there was an upcoming commissioner training on May 19th. He also shared that subdivision regulations will be addressed.

CHAIR'S REPORT

There came the matter of the Chair's Report. Chair Miller thanked the commissioners for their continued work.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Item A:

A petition has been filed by Earl Clayburn, owner, as required in the Land Development Code, Ord. No. 3209, to close and vacate an undeveloped alley, which is located north of Lurlyne Street and East of Edwards Street between 1924 Edwards Street and 9 Lurlyne Street (Forrest County, Ward 5).

Comments:

The planning staff introduced the request. Commissioner Hinton asked if there were some plans for development once the alley is closed, however, no plans were made at the moment. Chair Miller asked about the surrounding parcels. Mr. Satcher replied that the owner contacted the surrounding property owners for their approval on this process. No more comments were made to the staff. Chair Miller opened the public hearing. The owner Earl Clayburn came to speak on behalf of the proposal. No opponents were present and the public hearing was closed for this case.

Presented by:

Earl Clayburn

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Commissioner Conville

Second:

Made by Vice Chair Hinton

Vote:

Board Member	Yea	Nay	Other
Dick Conville	X		
Charles Dawe	X		
Amy Hinton (Vice Chair)	X		
Jeff Keyseear	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Carlos Wilson	X		

Item B:

A petition has been filed by Gerry & Jennifer Mallory representative for Jimmie Jones, owner, as required in the Land Development Code, Ord. No. 3209, to request a conditional use for “Lodging – bed and breakfast inn” in an R-1A Zone (Residential District) for a property located at 416 Bay Street, (Parcel No. 2-029P-10-286.00; PPIN 19204, Forrest County, Ward 4).

Comments:

Staff noted the applicant was unable to attend the hearing and had requested the item be presented at the June Planning Commission Hearing. Commissioner Conville made a motion to table the request to the next Planning Commission Hearing.

Motion:

Made by Commissioner Conville

Second:

Made by Vice Chair Hinton

Vote:

Board Member	Yea	Nay	Other
Dick Conville	X		
Charles Dawe	X		
Amy Hinton (Vice Chair)	X		

Jeff Keyseear	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Carlos Wilson	X		

Item C:

A petition has been filed by Hunter Andrews representative for Graham Development, LLC, owner, as required in the Land Development Code, Ord. No. 3209, to request a Major Subdivision in a B-5 Zone (Regional Business District) for a property located at Lamar Boulevard and Highway 98, (Parcel No. 052Q-10-044.000, 052Q-10-044.002, 055B-15-001.000; PPIN 24497, 37027, 12113 Lamar County, Ward 3).

Comments:

The planning staff introduced the case. The objective of the request was to request preliminary plat approval for a major subdivision, as well as the construction of a road located near U.S Hwy 98 and Lamar Boulevard. Comments were made by the planning staff. A question was raised by Chair Miller about whether the road was built under the correct standards, Planning Manager Long stated that this road had the minimum requirements according to the Land Development Code. Commissioner Conville inquired about the street trees, and Mr. Long answered that the list of native species was being considered for this purpose. Commissioner Pickett asked if the new road had a center turn lane, Mr. Long stated that there were located in U.S Hwy 98 (right in and right out).

Then Chair Miller opened the public hearing portion of the meeting. Representative Billy Andrews (Attorney) came to speak on behalf of the project. He stated that the process began in June 2021, with an initial proposal for a minor subdivision; however, the idea changed over time and it is now being considered as a major subdivision. According to him, this project had been administratively approved by the City's Engineering Department. Commissioner Ray asked if any feedback had been received and representative Andrews replied that no feedback or complaints had been received. Commissioner Conville questioned the Conceptual Master Plan shown on the presentation, and expressed his concerns about the areas destined for stormwater retention. Mr. Andrews explained that such plan was just a concept and each owner will be responsible for their own stormwater retention areas.

Commissioner Hinton asked about the location of the Starbucks building. She expressed her concerns about the current situation with this business in Midtown, and asked if the part of Hwy 98 will face the same traffic issues. Mr. Satcher stated that this Starbucks location will not create the same problem seen in midtown area. Then, Hunter Andrews (Engineer) joined to the public hearing. Commissioner Conville expressed his concerns regarding the conceptual plan, which displays 10 turn lanes for entering the different businesses, and considered that even though the plan was conceptual, this situation will become real overtime. Mr. Andrews stated

that the only turn lanes approved were located on Lamar Blvd and U.S Hwy 98. In order to prevent traffic issues in this area, Commissioner Conville explained that the whole picture must be considered. Mr. Satcher responded that these intersections will need to meet the design standards and requirements in the LDC that will help mitigate these issues.

Then Chair Miller closed the public hearing. Commissioner Keysear asked the staff if there were any traffic studies in the Lamar Blvd intersection. Mr. Satcher replied that no studies were available but perhaps MDOT had information regarding the traffic flow in that intersection. Vice Chair Hinton suggested a traffic study for this location. Mr. Andrews questioned the reliability of the study (if performed) since it is still unknown what types of business will be present in this area and the changes in traffic flow that these may create. Commissioner Pickett asked if the interior of the road could be widened to address possible traffic problems on the turn lanes. Mr. Andrew replied that this road is not supposed to allow high speed and is designed according to the LDC standards. According to Mr. Long, the Planning Commission might have been able to influence the design of this subdivision if the meeting had been held before construction began. However, every single development to be made in this major subdivision will have to be approved by the Planning Commission.

Commissioner Keysear made the motion to approve with the recommendation that a traffic study will be performed for the Lamar Blvd intersection. Mr. Satcher stated that additional traffic studies should be completed before the final plat is approved. Commissioner Conville seconded this motion but suggested additional traffic studies in the future as new businesses establish in the area.

Presented by:

Mr. Billy Andrews (Attorney) and Hunter Andrews (Engineer)

Proponents:

1. Hunter Andrews (Engineer)

Opponents:

1. None

Motion:

Made by Commissioner Keysear

Second:

Made by Commissioner Conville

Vote:

Board Member	Yea	Nay	Other
Dick Conville	X		
Charles Dawe	X		
Amy Hinton (Vice Chair)	X		
Jeff Keysear	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		

Rhoda Pickett		X	
Carlos Wilson	X		

Item D:

A petition has been filed by Constance Burnside representative for Bengie Leatherwood, owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification from an A-1 Zone (Agricultural District) to an A-2 (Agricultural Residential District) for a property located at 496 N. Hattiesburg Avenue, (Parcel No. 2-042D-26-104.00; PPIN 6760, Forrest County, Ward 5).

Comments:

The planning staff introduced the case. Comments were made by the planning staff Commissioner Hinton asked under what circumstances an A-1 parcel could be surrounded by several residential zones. In Mr. Satcher's opinion, the current location may have been considered low-density and designated as an agricultural zone by the City when they established zones for this area. Vice Chair Hinton asked if this situation could be resolved with a variance instead of rezoning. Mr. Long said that this is not allowed through conditional use and variance would change the density of this zone with no real hardship. Rezoning was the least invasive approach. Chair Miller mentioned that if this could be managed through a variance, everyone else would like to do this as well. Then Chair Miller opened the public hearing; the applicant Constance Burnside came to speak in behalf of this proposal.

Vice Chair Hinton asked the applicant if she would have access to all the utilities once she gets the necessary permits. Chair Miller closed the public hearing portion. Commissioner Dowe expressed his concern about facilitating mobile homes. Commissioner Hinton mentioned that this situation should not be looked as facilitating mobile homes. Everything around this location is residential (high density) and the transition from A-1 to A-2 is not a problem since the character of the neighborhood is changing. Additionally, mobile homes are only allowed in agricultural zones. Vice Chair Hinton made the motion to approve based on changes of the surrounding area of the neighborhood. Dr Miller seconded this motion as well as Commissioner Wilson.

Presented by:

Constance Burnside, Applicant

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Vice Chair Hinton

Second:

Made by Mark Miller (Chair) and Commissioner Wilson

Vote:

Board Member	Yea	Nay	Other
Dick Conville	X		
Charles Dawe	X		
Amy Hinton (Vice Chair)	X		
Jeff Keyseear	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Carlos Wilson	X		

BUSINESS MEETING

No items were presented in the business meeting.

Adjournment:

The meeting was adjourned at 3:15 p.m.

Motion:

Made by Vice Chair Hinton

Second:

Made by Commissioner Conville

Vote:

Board Member	Yea	Nay	Other
Dick Conville	X		
Charles Dawe	X		
Amy Hinton (Vice Chair)	X		
Jeff Keyseear	X		
Mark Miller (Chair)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Carlos Wilson	X		

Mark Miller, Chair

Cory Long, AICP, Planning Division Manager

HPC Item: B

Casey Benedict, Representative, Sherry Cox Underwood, Owner

Request for: **Preliminary Plat Approval for Major Subdivision**



URBAN DEVELOPMENT PLANNING DIVISION

Planning Commission Case Fact Sheet

Name of Petitioner: Casey Benedict, Representative, Sherry Cox Underwood, Owner

Address of Property:	Tax Parcel	PPIN:	Ward:
Off of Richburg Rd	2-040C-30-041.00	6989	5
Forrest County Parcels	2-040E-30-022.00	7006	5
	2-040F-30-008.00	7014	5
Lamar County Parcels	057H-25-002.000	4953	5
	057H-25-006.000	24642	5
	057H-25-007.000	24643	5

Request: Preliminary Plat Approval for Major Subdivision

Purpose of Request: To request preliminary plat approval for a Major Subdivision for the Woodhaven Lake Estates Subdivision located off of Richburg Road (Parcels: 2-040C-30-041.00, 2-025P-36-007.03, 2-040E-30-022.00, and 2-040F-30-008.00; PPIN 6989, 7006, and 7014, Forrest County, Ward 5, and Parcels: 057H-25-002.000, 057H-25-006.000, and 057H-25-007.000 PPIN: 4953, 24642, and 24643, Lamar County, Ward 5).

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4 Zoning Districts Established

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 institutional uses and open space.

HPC Item: B
Casey Benedict, Representative, Sherry Cox Underwood, Owner
Request for: **Preliminary Plat Approval for Major Subdivision**

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			
R-1A	10,000/ 50	1 per lot	-	30	-	10	25	35 feet or 3 stories	50%	-

SECTION 11

Administration and Enforcement

11.10.1.8 Subdivision Violations. The owner of a subdivision shall not transfer title to any lot in such subdivision until such time as the final plat has been approved by the appropriate authority as outlined in this Code and duly recorded in the office of the Chancery Clerk of Forrest County or Lamar County, Mississippi. Transfers prior to such approval and recording shall be deemed a violation of this Code and shall be subject to any and all remedies available to the City.

11.10.1.9 Recording Violations.

The Chancery Clerks of Forrest County and Lamar County, Mississippi shall not receive, file or record a plat of a subdivision within the jurisdiction of this Land Development Code without prior approval of the appropriate authority as outlined in this Code. Plats recorded prior to such approval shall be deemed unlawful and invalid

SECTION 12

Process and Procedures

Categories of Development Approvals

12.3.2 Preliminary Plat Approval for Major Subdivisions

12.3.2.1 Approval Criteria.

- Conformance with the Hattiesburg Comprehensive Plan.
- Conformance with the standards of the zoning district.
- Conformance with other standards and requirements of this Code and other City policies and regulations.
- Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
- Determination that the project will have little or no adverse or negative impacts upon the natural environment.

12.3.2.4 Final Plat.

HPC Item: B

Casey Benedict, Representative, Sherry Cox Underwood, Owner

Request for: **Preliminary Plat Approval for Major Subdivision**

i. No Significant Change. Final plats of major subdivisions that are substantially the same as the approved preliminary plat, as determined by the Site and Design Review Committee, shall be approved administratively.

ii. Significant Change. Final plats that exhibit any significant deviation from the approved preliminary plat, as determined by the Site Plan Review Committee, shall require approval by the Planning Commission.

12.3.2.5 Recording.

In order to be an official and legal plat, the final approved plat must be recorded along with all applicable covenants, deed restrictions and property owners' association documents with the Chancery Clerk of Forrest or Lamar County, as appropriate. The City Engineer shall ensure that the City records this information in a timely fashion.

Present Zoning: The undeveloped parcels are currently zoned R-1A, Residential District

Present Use: Major Residential Subdivision, Lakewood Estates

Future Land Use: Neighborhood Conservation District

Surrounding Zoning and Land Use:
North: A-1 Agricultural District
South: B-5 Regional Business District / A-1 Agricultural District
East: B-5 Regional Business District
West: B-3 Community Business District / A-1 Agricultural District

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of May 24th, 2023

History / Background: An application to build a new single-family home through a lot split started a review of this development. The subdivision started around the early 1980's on the border of Lamar and Forrest Counties though it was never formally platted, and eventually annexed into the City in 1992. Significant undivided land exists and this Major Subdivision plat will allow all of the proposed lots to be sold along platted lot lines without further Land Development Code Reviews.

Roadways and infrastructure have already been in place since the development of the subdivision. The streets and roads have already been conveyed to the City of Hattiesburg, where they have been maintained by the City. No new streets are included as part of this major subdivision. The final subdivision of the remaining undeveloped parcels are included as part of the major subdivision. The remaining lots to be subdivided include approximately 68 acres to be subdivided into 86 new lots. Each of the lots will meet the

HPC Item: B

Casey Benedict, Representative, Sherry Cox Underwood, Owner

Request for: **Preliminary Plat Approval for Major Subdivision**

minimum 10,000ft² lot dimensional requirement for the R-1A zoning. The existing properties within the subdivision were divided by using metes and bounds and not through a formal subdivision. If the Woodhaven Lake Estates Subdivision is adopted, each lot will have a lot of record.

The subdivision spans across Forrest and Lamar County, where if approved by City Council, the applicant will be required to file the major subdivision plat with both counties as part of the final approvals.

Option:

Approve or deny a preliminary plat for a major subdivision in the City of Hattiesburg.

Planning Commission must deem that all of the following approval criteria must be met before granting approval for the Preliminary Plat for a Major Subdivision:

12.3.2 Preliminary Plat Approval for Major Subdivisions

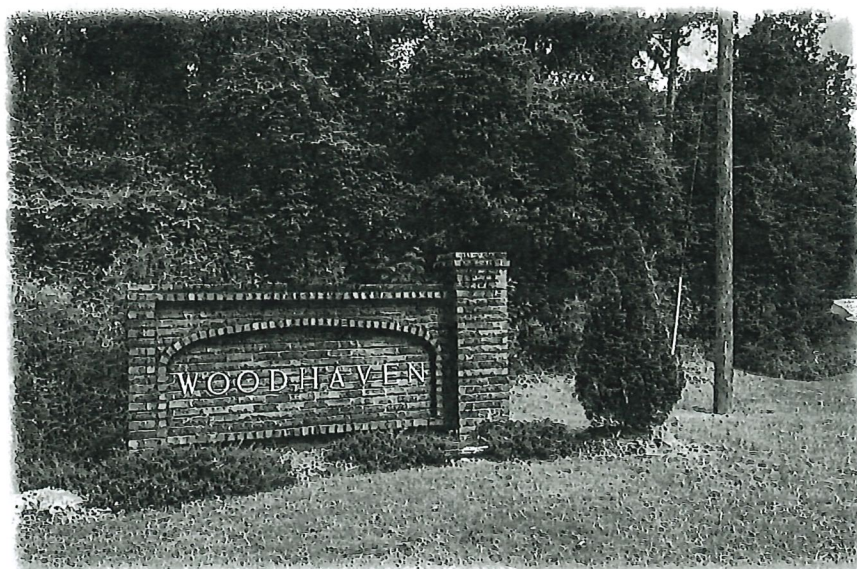
12.3.2.1 Approval Criteria.

- i. Conformance with the Hattiesburg Comprehensive Plan.
- ii. Conformance with the standards of the zoning district.
- iii. Conformance with other standards and requirements of this Code and other City policies and regulations.
- iv. Determination that adequate public facilities and services will be available concurrent with the impacts of the subdivision.
- v. Determination that the project will have little or no adverse or negative impacts upon the natural environment.

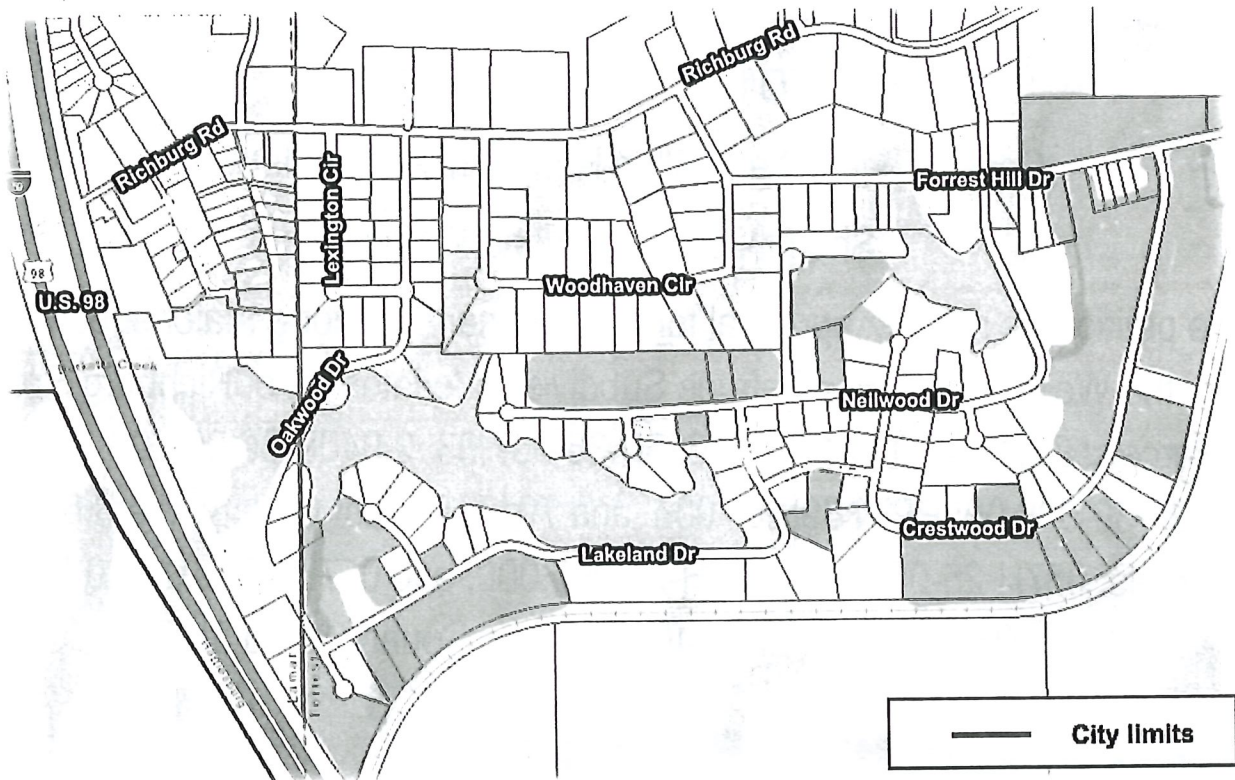
SUBJECT PARCEL:
Woodhaven Lake Estates Subdivision
(Off of Richburg Road)

Casey Benedict and Allen Russell, Representatives,
Sherry Cox Underwood, Owner.

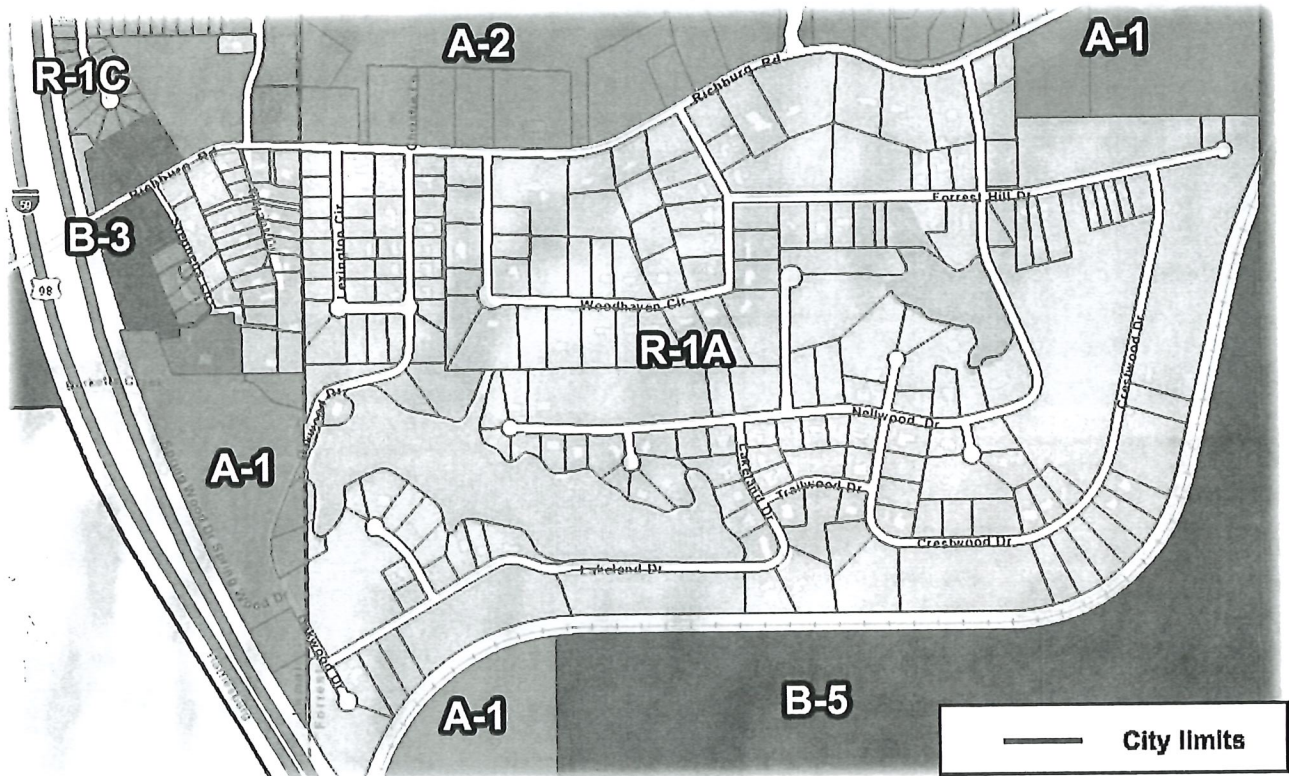
The petitioners request approval for a preliminary plat for a major subdivision for the Woodhaven Lake Estates Subdivision located off of Richburg Road (Parcels: 2-040C-30-041.00, 2-025P-36-007.03, 2-040E-30-022.00, and 2-040F-30-008.00; PPIN 6989, 7006, and 7014, Forrest County, Ward 5, and Parcels: 057H-25-002.000, 057H-25-006.000, and 057H-25-007.000 PPIN: 4953, 24642, and 24643, Lamar County, Ward 5).



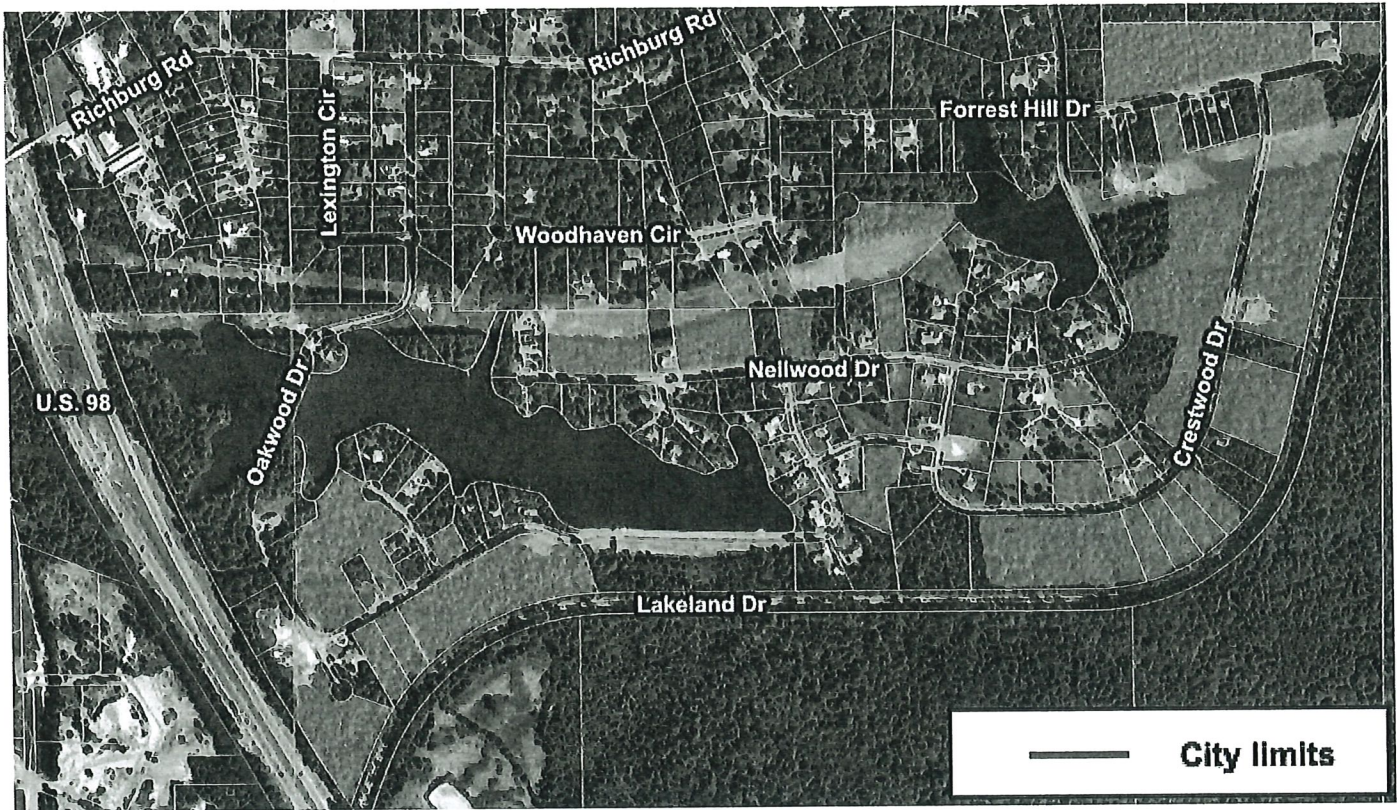
Vicinity Map—Ward 5



Surrounding Zoning



Site Aerial



Surrounding Area

Northern Direction: A-1 Agricultural District (Residential Units)



Southern Direction: R-1A
Residential District



Surrounding Area

Eastern and Western Direction: R-1A Residential District



Proposed Master Plan (not approved)

