

HATTIESBURG
PLANNING COMMISSION
PUBLIC HEARING AGENDA AND STAFF REPORTS

August 2nd, 2023



DEPARTMENT OF URBAN DEVELOPMENT
PLANNING DIVISION



URBAN DEVELOPMENT PLANNING DIVISION

MEMORANDUM

TO: Hattiesburg Planning Commission and Board of Adjustment
FROM: Planning Staff
DATE: July 25th, 2023
SUBJECT: August 2nd, 2023 - Hattiesburg Planning Commission and Board of Adjustment

The Hattiesburg Planning Commission will meet in regular session at 1:00 PM, Wednesday, August 2nd, 2023 in the dining room of the Jackie Dole Sherrill Community Center. The Planning Commission agenda contains four items: a street renaming, a major subdivision, zoning change/conditional use, as well as a request to amend and make changes in the Land Development Code (Ord. No. 3209).

The Board of Adjustment will not meet in regular session in August, 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/>

Or Scan the QR below using your smartphone:



Planning Commission Agenda

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

August 2nd, 2023

I. Business Meeting

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

II. Public Hearing

- A. Erik M. Lowrey, petitioner, requests the renaming of "East Hardy Street" to "River Ave", where East Hardy Street begins at the Leaf River and ending at the intersection of River Ave. The proposed renaming would connect to the existing River Ave that ends at the intersection of Newman Street. (Forrest, County, Ward 2).
- B. Bennett V. York, owner, and Ronald T. Blackwell, engineer, request approval for a preliminary plat for a major subdivision located along Cross Creek Parkway in Lamar County, Ward 3 (PPIN 7622, 38013; Parcel No.: 051M-11-011.000, 051M-11-011.011).
- C. Ken Thronson, applicant, and John Guice, applicant, request a rezoning of the property located at 408 Broadway Drive from a B-5, Regional Business to a B-3, Community Business. The applicants also request a conditional use for a "Group Care Facility/Home" in a B-3, contingent upon the approval of the rezone request for the same property (PPIN 21766, Parcel No.: 2-038D-16-026.00, Forrest County, Ward 4).
- D. The City of Hattiesburg requests to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 1, 5, 7, 9, 10, 11, 12, and 13. More specifically for the purpose of amending language as it related to the intent and purpose of the code, allowable land uses and conditions for use, standards of design, environmental regulations, sign regulations, administrative and enforcement regulations, subdivision regulations, and definitions. This is an abbreviated summary of the topics addressed in the proposed amendment, and interested parties are encouraged to contact City Hall to review the proposed amendment in its entirety.

III. Other Business

IV. Adjournment

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

July 5th, 2023

Board Members Roll Call:

Members Present:

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

Members Absent:

1. Michael Dickerson
2. Luke McNair
3. Michael Dickerson
4. Charles Dawe

Staff Present:

1. Nathan Satcher, Planner II
2. Jim Gladden, Esq.
3. Kevin Bates, Building Official
4. Andrea Garcia, Planner I

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

AGENDA REVIEW

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

Motion:

Made by Commissioner Ray

Second:

Made by Vice Chair Hinton

Vote:

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

MINUTES REVIEW

For May 3rd and June 7th, 2023 minutes, Commissioner Ray made a motion to approve after corrections and revisions have been made. Commissioner Lockett seconded this motion.

Motion:

Commissioner Ray

Second:

Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton (Vice Chair)	X		
Mark Miller (Chair, Online)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keyseear (Online)	X		
Dick Conville	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 June 1st, 2023. He reported that sign and single-family residential house permits had a slight increase compared to last year.

PLANNING REPORT

There came the matter of the Planning Report by Nathan Satcher, Senior Planner. He stated that City Council approved Hattiesburg Market Place subdivision, with the recommendation given by the Planning Commission of providing a traffic study for any future subdivisions and additional stipulations, including bond requirements and a master sign plan. A conditional use request for 416 Bay St was also approved without additional conditions and the historic flood variance was acknowledged by the council. In addition, it was announced that there is a space available for a new Commissioner in Ward 1, where Commissioner McNair stepped down at the end of the term he was filling in for. Mr. Satcher also noted a few other commissioner's terms were ending that would need to be addressed in the next month.

Mr. Satcher also clarified a few procedural items on motions and reported that a new office manager had been hired for the planning office and would attend the next meeting for introductions.

CHAIR'S REPORT

The chair did not have a report for the meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Item A:

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 reintroduced the case. Commissioner Pickett made a motion to take from the table this item. Then Vice Chair Hinton made a motion to open the public portion of the meeting, seconded by Commissioner Conville. Mr. Casey Benedict came to speak on behalf of the case. He started by explaining the history behind this subdivision and how it was divided back around 1985 when the recording procedures were different than they are today. He stated that the plat presented to the planning commission for approval is the same plat the original owner has used for marketing and selling the lots since the subdivision began. The proposed division would be the same as what was originally created, but filed to meet the current codes

and subdivision requirements of the City of Hattiesburg. He also stated that the master plan and the covenants would remain without changes. Then Commissioner Conville asked Mr. Benedict if the current covenants were expired and if these have been renewed. Mr. Benedict replied that the covenants were renewed in 2020.

Armendia Pierce, resident of the subdivision on Nellwood Drive, came to speak in opposition to the proposal. Before deciding on the case, she suggested the commissioners take into account three main concerns: sidewalks, utilities, and traffic problems on Richburg Rd during school hours. She noted her concerns were not in opposition to the development, but in making sure these concerns were addressed before moving forward. Then Commissioner Conville asked the opponent to provide more details about utilities. Ms. Pierce spoke about drainage, sewage, and an issue with dams in the neighborhood and making sure they were meeting the minimum standards for a dam.

Diane Jeske, a resident of the subdivision on Crestwood, spoke on the matter and raised a question regarding a piece of vacant land on the northern side of the subdivision. Mr. Benedict provided his rebuttal and replied that when this place was developed, no specific plans were made for this area but it was part of the plat. Then he addressed the dam situation by stating that it was brought into compliance to DEQ [department of environmental quality] standards in 2014 or 2015, and it is subject to inspection by a licensed engineer every year.

Vice Chair Hinton closed the public portion of the meeting. In her comments, she noted that this proposal attempts to bring the recorded plat into compliance with the Land Development Code and did not see this as an expansion of the subdivision. Mr. Conville asked if the plats could be revised and if sidewalks could be installed at this point. Jim Gladden replied that plats could be revised by the property owners and if sidewalks were to be installed retroactively, the residents would need to pay for it and coordinate it through their covenants and neighborhood association. In addition, Mr. Satcher replied that according to the Land Development Code, sidewalks would only be required on new development, and the sidewalks are installed at a cost to the developer/property owner. Commissioner Conville noted that many of the issues brought up by the opponents can be resolved privately by the property owners of the subdivision, and do not appear to be a plat issue. Commissioner Pickett made the motion to approve the preliminary plat for the major subdivision, Commissioner Conville seconded this motion.

Presented by:

Casey Benedict

Proponents:

1. None

Opponents:

Armendia Pierce; 657 Nellwood Drive

Diane Jeske; 1217 Crestwood Drive

Motion:

Made by Commissioner Pickett

Second:

Made by Commissioner Conville

Vote:

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

BUSINESS MEETING

No items were presented in the business meeting.

Adjournment:

The meeting was adjourned at 2:12 p.m.

Motion:

Made by Commissioner Pickett

Second:

Made by Commissioner Conville

Vote:

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

Vice Chair, Hinton

Cory Long, AICP, Planning Division Manager



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Erik M. Lowrey, petitioner

Address of Property: East Hardy Street **Tax Parcels/Ward:** - **PPIN:** - **Ward:** 2

Request: **Street Renaming**

Purpose of Request: To consider an application **to rename the public street** presently known as East Hardy Street to "River Ave" where East Hardy Street begins at the Leaf River and ends at the intersection of River Ave. The proposed renaming would connect to the existing River Ave that ends at the intersection of Newman Street. (Forrest, County, Ward 2).

Applicant Summary: * See Attached *

Present Adjacent Zoning: The East Hardy Street Corridor is primarily fronted by B-3 (Community Business) zoned properties along the main corridor starting and the Unetta Street Intersection to the Old River Avenue Intersection. Parcels closest to the river are zoned Agricultural (A-1,2). The intersection of East Hardy and the existing River Ave is surrounded by a mixture of residentially zoned properties and light commercial zoning.

Most Nearly Bounded By (streets): This location is presently known as East Hardy Street, beginning at the intersection of the existing street named River Ave (which if the name is approved, would be an extension of that street) and ending at the Leaf River and the end of the City of Hattiesburg Limits.

Letters or Concerns stated: The Planning Division Office has received multiple petitions in support of the street renaming to River Avenue. Multiple citizens who would be affected by the street renaming have also inquired to the Planning Office regarding the street renaming and stated their support. There has been no opposition to the renaming as of the writing of this report. Petitions are included as an attachment to this report.

Comments:

East Hardy Street serves as the primary entryway to the City of Hattiesburg from Main Street in Petal. The street begins at the Leaf River and continues until it turns into River Ave. East Hardy, which was originally named River Avenue and was a continuation of the existing River Avenue, was renamed in 1966. A petition was filed by Kaiser Runnels at that time to rename the street to East Hardy as the original naming of the street held negative connotations. A memo from the Historic Planner is included at the end of this report providing more detail on the history of River Avenue and East Hardy Street.

The idea to rename the street was originally presented to staff in a community workshop by the petitioner in June of 2022. The community workshop was part of the Bridging Divides, Building Opportunities master plan, which is currently ongoing and projected to be completed in the next few months. The focus of the master plan is to provide a community-driven blueprint for East Hardy Street & Hall Avenue. This plan is also part of the overall improvements to the corridor, where multiple infrastructure projects are currently underway. This includes a new bridge, street improvements, and the construction of two new overpasses on Hall Avenue, where traffic entering Hattiesburg from the Leaf River bridge can bypass the active train lines in the downtown area.

The goal of the master plan will be to provide a clear vision for the areas affected by the infrastructure improvements, which will include zoning recommendations for the East Hardy, Hall Avenue, and Edwards Street corridors. Mixed-use zonings are currently being considered for portions of these areas, and the complete details of the plan will be presented in the next few months.

As of the writing of this letter, staff have received no opposition to the proposed name change. According to the Forrest County Emergency Management District, there are 52 structures points on East Hardy, which would all require a change of address if approved. The numbering in place would remain the same and line up with the numbering in place for the existing River Avenue

Options:

Recommend approval or denial of the request to **rename the public streets** presently known as East Hardy Street to "River Ave" where East Hardy Street begins at the Leaf River and ends at the intersection of River Ave. The proposed renaming would connect to the existing River Ave that ends at the intersection of Newman Street. (Forrest, County, Ward 2).

SUBJECT PARCEL:

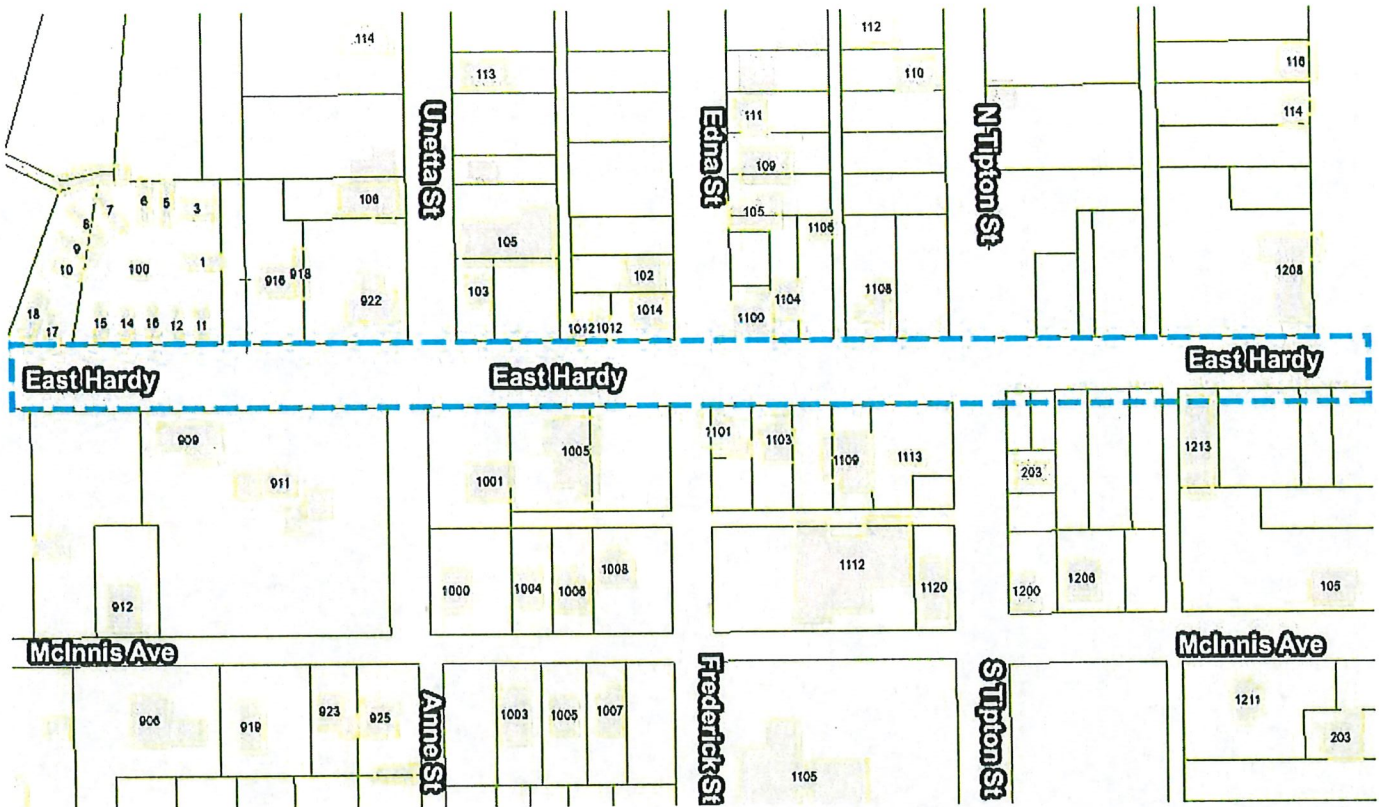
Renaming East Hardy Street to “River Ave”

Erik M. Lowrey, Applicant.

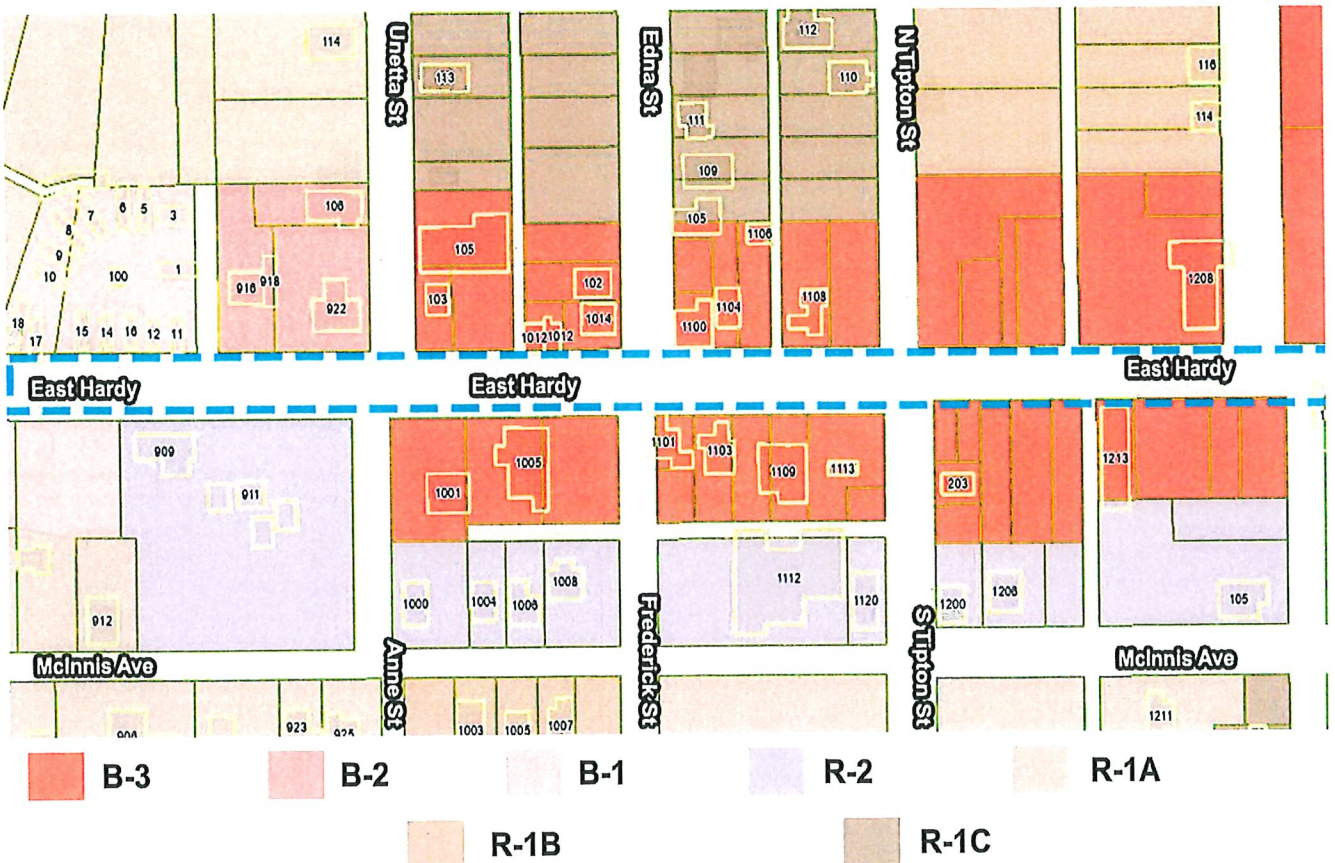
The petitioners request the renaming of “East Hardy Street” to “River Ave”, where East Hardy Street begins at the Leaf River and ending at the intersection of River Ave. The proposed renaming would connect to the existing River Ave that ends at the intersection of Newman Street. (Forrest, County, Ward 2).



Vicinity Map—Ward 2



Zoning



Site Aerial



Surrounding Area

**Western Direction: R-1A Single-Family Residential, B-1
Professional Business**



East Hardy St and Williams St Intersection

Surrounding Area

**Eastern Direction: B-3 Community Business and A-1
General Agricultural**



**East Hardy Bridge
construction
(Leaf River)**



Surrounding Area

East Hardy St Businesses



Surrounding Area

East Hardy St Businesses





PETITION FOR RENAMING STREET

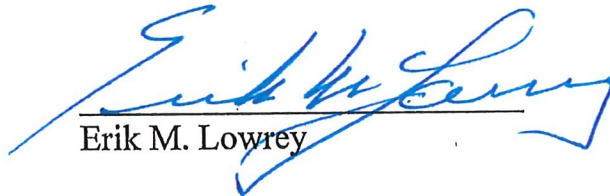
COMES NOW, Erik M. Lowrey and others, and files this their Petition to Rename East Hardy Street to it's original name, being River Avenue, and for cause would submit the following:

1. Attached hereto is a history of the name River Avenue which is the historical true name of the road;
2. In 1966, Kaiser Runnels, a business owner on River Avenue (one of the first burger houses in Hattiesburg) lead a Petition to change the name to East Hardy Street believe that the name would be a "drag on progress" as well as the belief that one day an overpass would connect the original Hardy Street with the existing East Hardy Street.
3. With the two new overpasses, the idea of another overpass downtown will not be needed.
4. Petitioner has used his best effort to find all of the owners on Hardy Street but some are not responsive or extremely difficult to find.
5. There is one church on East Hardy, and one residential site. The remainder are business (either in operation or closed).
6. The effect of the proposed change is to restore the proper and historical

name back to the road which most residents of the area (Hattiesburg and Petal) still refer to as River Road.

7. While visiting with the citizens on East Hardy, ALL are for the change as they struggle with the GPS problems of Google and Apple Maps send their clients and friends to West Hardy. Apparently the like and similar names cause the wrong instructions to be sent out. Returning the name to River Avenue will solve that problem.

Respectfully submitted, this the 12th day of June, 2023.


Erik M. Lowrey

Note:

Petitioner is a lifetime resident of Forrest County, a prior voter in Hattiesburg, presently owner of business property in Hattiesburg and residing in Sunrise, East of the River and daily traveler on River Avenue.

STATE OF MISSISSIPPI

COUNTY OF FORREST

Personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within name Erik M. Lowrey, who, after being by me first duly sworn, states on oath that the facts and matter set forth and stated in the above and foregoing Petition To Rename Street are true and correct as therein stated.



SWORN TO AND SUBSCRIBED before me this the 12th day of June,
2023.



Peggy A. Knowles
Notary Public

Research Notes for River Avenue

- First printed reference in Hattiesburg News (March 1903). "Three valuable lots on River Ave. for sale. For particulars: J.C. Gridley, Poplarville.
- Aug 1907 ad: H.R. Graham, Staple and Fancy Groceries. 1200 River Ave.
- April 1908 ad: For rent, two rooms furnished at corner of Williams St. and River Ave.
- Jan 1909 - new telephone service for A.S. Bailey at 1309 River Ave.
- Feb 1909 – Mr. J.W. Bowden of TX visits his sister, Mrs. J. H. King, on River Ave.
- Jun 1909 – reference for Mrs. L.S. Platt 1113 River Ave.
- Jun 1909 – Westminster Aid of Bay Street Presbyterian to meet at the home of Andrew D. Draughn on River Ave. (907 River Ave. not extant)
- Aug 1909 – bids received for paving of Bouie St. and River Ave.
- Dec 1909 – new telephone service for Mrs. A.C. Lofton of River Ave.
- Jan 1910 – new telephone service for A.W. Milner of River Ave.
- Feb 1910 – reference to Mr. and Mrs. A. Polk of River Ave. (Abner)
- Feb 1910 – Fred Korndoffer of New Orleans visiting his mother, Mrs. Korndoffer, on River Ave.
- Feb 1910 – for sale, two-acre lot with 88 yards of frontage on River Ave. Apply to Rubenstein Bros.
- April 1910 – new telephone service for I.M. Boney, Grocer, on River Ave.
- May 1910 – ad for desirable rooms for boarding at 728 River Ave.
- Sept 1910 – reference to Mrs. J.T. Shoemaker of River Ave.
- Nov 1910 – new telephone service for E.H. Weaver of River Ave.
- Jan 1911 – Maud E. Hixon, 19, dies by suicide after drinking carbolic acid at the home of Mrs. F.P. Davis, with whom Ms. Hixon was boarding. (1003 River Ave.)
- Apr 1911 – new telephone service for Prentiss Hanna (920 River Ave.) and J.H. King (1202 River Ave)
- June 1911 – new telephone service for J.M. Gandy (corner of River Ave. and McSwain)
- Dec. 1934 – references to repairs made to River Ave. bridge.
- Dec. 1938 – Food-related businesses referenced: Bennett's Groc. (114 River), Bingham Groc. (1100 River), Kaiser's Groc., Lewis Food Store (906), O.K. Grocery (1115), River Ave. Fruit, Standard Grocery, Thornton Sandwich Shop
- 1937 – Kaiser Runnels, a 21 yr old, just out of the CCC, opens a small grocery business at 1011 River Ave. Over the next ten years, he builds the business into a major grocery store for the east side of Hattiesburg.
- 1948 City Map shows River Ave. Bapt. Church (north side), Eaton School (south side) and Riverview Cemetery (notated as a black cemetery.)
- June 1949 businesses referenced: Walter J. Barrett store (1405), Bradley Britton store (1113), Bethea's Food Market (1100), Kaiser's (1015), Clyde E. Sharp (1012 River Ave.), Wilkinson Groc. (1101), Donnie Zachary store (602).
- September 1966 – Kaiser Runnels leads a petition to change the name of River Ave. to East Hardy St., stating that he and 20 other property owners "are of the opinion that the River Ave. designation is redolent of unfortunate connotations and that the very name is a drag on progress."

River Ave. name change approved

By ELLIOTT CHAZE

River Ave. today is only two blocks long.

The city fathers shrank it Wednesday afternoon when they granted a request that the one-mile stretch from Williams St. to the river be known in future as East Hardy St. rather than River Ave.

The two blocks from Williams to Newman St. remain under the River Ave. designation, since they do not line up with Hardy St. on the map and would not present a logical extension of Hardy St. if ever it is hooked up with East Hardy.

Kaiser Runnels, local businessman, headed the petitioners in their campaign to change the name of River Ave. Runnels and 20-odd other property owners are of the opinion that the River Ave. designation is re-dolent of unfortunate connotations and that the very name is a drag on progress.

Actually the change of name does not become official for about 30 days, but for all practical purposes the switch is in effect.

Circus tax

Paul Shows of the Hattiesburg Exchange Club visited with the city council Wednesday seeking some means of getting around the city privilege tax in connection with Monday's circus which will be sponsored by Ex-changites. This was taken under advisement, since the club does some fine work of a charitable and civic nature with whatever funds it raises in various projects.

Commissioner W. P. (Smokie) Harrington and his secretary Mrs. Frances Mendor recalled that during the mayoral tenure

(Continued on Page 10)

Judge throws out Bucklew indictment

LAUREL, Miss. (AP)—A circuit court judge has thrown out a grand jury indictment charging Laurel Mayor Henry Bucklew with misappropriating a \$50,000 gift from a Virginia couple.

Judge Lunsford Casey today ruled that the indictment as presently written contains ambiguities and parts of the indictment are in variance with the law . . . causing "the indictment to be defective."

Bucklew was indicted by a grand jury after Mr. and Mrs. Bruce Dustan of Virginia gave Bucklew's Magnolia Boys Town \$50,000 to purchase 240 acres of land.

The couple said the land was never purchased.

The judge in tossing out the indictment left the door open to another indictment by the grand jury, however.

Bucklew was indicted in April for allegedly defrauding the city of an \$815 auto repair bill. A total on that indictment is scheduled in October.



MERLE KIRKWOOD (McMillan), on left, and Alice Mae Taylor (Hackney) ride tricycles across street from the River Avenue Mercantile Co., which was operated by Gaines A. Calhoun at the corner of River Ave. and Unetta St. The picture, taken about 1924, was loaned by Mrs. McMillan.

PETITION TO RENAME EAST HARDY STREET TO RIVER AVENUE

A petition to rename East Hardy Street to River Avenue is being filed by Erik M. Lowrey, and others, to be presented to the Hattiesburg Planning Commission and City Council for their consideration. River Avenue was the original name of East Hardy and the effect of the proposed change is to restore the property and historical name back to the road which most residents of the area (Hattiesburg and Petal) still refer to as River Ave.

By signing below, I hereby agree to the changing of the name of East Hardy Street to River Avenue. The renaming of the street will affect addressing of all properties currently addressed to East Hardy Street in Hattiesburg Mississippi and if my property will be affected, I approve of the changes.

Name: Linda Hinton Phone: 601-544-3704

Address of property on East Hardy: 1605 East Hardy St, Hattiesburg, Ms.

Signature: Linda Hinton

Name: Danny Hinton Phone: 601-544-3704

Address of property on East Hardy: 1605 East Hardy St. Hattiesburg, Ms.

Signature: Danny Hinton

Name: Mark Hinton Phone: 601-544-3704

Address of property on East Hardy: 1605 East Hardy St. Hattiesburg, Ms.

Signature: Mark Hinton

Name: Timothy Hinton Phone: 601-544-3704

Address of property on East Hardy: 1605 East Hardy St. Hattiesburg Ms.

Signature: Timothy Hinton

Name: Margaret Simlin Phone: 601-325-3878

Address of property on East Hardy: 108 Klondyke St. Hattiesburg Ms.

Signature: Margaret Simlin

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Name: Joseph COHEN Phone: 858-356-8838

Address of property on East Hardy: 1008, 1012 1014 E HARDY
102 EDINA 106 EDINA

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

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Name: Brad J. Craft Phone: 601-544-2801

Address of property on East Hardy: 909 + 911

Signature: Brad J. Craft

Name: Jay D. Craft Phone: 601-544-2801

Address of property on East Hardy: 909 + 911

Signature: Jay D. Craft

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

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Name: KEVIN LOTT Phone: 601.917.2172

Address of property on East Hardy: 0 E HARDY ST

Signature: 

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

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Name: Lisa Le Phone: 601-584-0438

Address of property on East Hardy: 1005 E. Hardy St.

Signature: Lisa Le

Name: GARY WALTERS Phone: 601 545-7355

Address of property on East Hardy: 1400 1/2 EAST HARDY ST.

Signature: GARY WALTERS

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

Name: _____ Phone: _____

Address of property on East Hardy: _____

Signature: _____

PETITION TO RENAME EAST HARDY STREET TO RIVER AVENUE

A petition to rename East Hardy Street to River Avenue is being filed by Erik M. Lowrey, and others, to be presented to the Hattiesburg Planning Commission and City Council for their consideration. River Avenue was the original name of East Hardy and the effect of the proposed change is to restore the property and historical name back to the road which most residents of the area (Hattiesburg and Petal) still refer to as River Ave.

By signing below, I hereby agree to the changing of the name of East Hardy Street to River Avenue. The renaming of the street will affect addressing of all properties currently addressed to East Hardy Street in Hattiesburg Mississippi and if my property will be affected, I approve of the changes.

Name: Karen Altm Phone: 601-520-3413

Address of property on East Hardy: 105 Bayberry LP S, PUNTS MS 39425

Signature: 

Name: Thomas Lewis Phone: 601-788-7628

Address of property on East Hardy: 285 Hintonville Rd, Richton, MS 39476

Signature: Thomas Lewis

Name: Cornelia Bennett Phone: 601-310-2798

Address of property on East Hardy: 100 Linden Court Hburg, Ms 39402

Signature: Cornelia Bennett

Name: Baudalaire Kerr Phone: 601-730-4674

Address of property on East Hardy: 912 Main St. Hburg, MS 396401

Signature: Baudalaire Kerr

Name: Akeelah Jones Phone: 601 310 2537

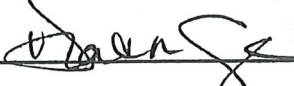
Address of property on East Hardy: 912 Main St Hburg MS. 39401

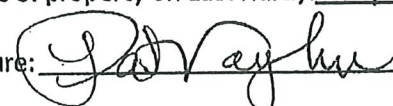
Signature: Akeelah Jones

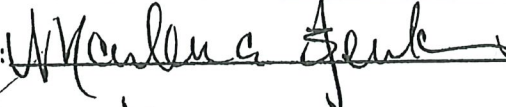
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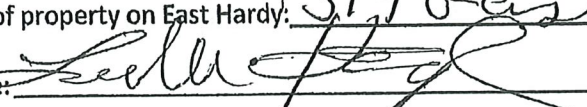
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Name: Deanna James Phone: 561-260-1709
Address of property on East Hardy: 1715 Mamie St - Hattiesburg 39401
Signature: 

Name: Dat Vaughn Phone: 601-913-0500
Address of property on East Hardy: 141 River Rd Hbung Ms 39401
Signature: 

Name: Marlena Jenkins Phone: 601-467-3805
Address of property on East Hardy: 912 N Main Street H'burg, ms 39401
Signature: 

Name: Lucille Hayes Phone: 601 596 7870
Address of property on East Hardy: 319 Gaskin Loop
Signature: 

Name: _____ Phone: _____
Address of property on East Hardy: _____
Signature: _____

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Name: Allena Royal Phone: 601-273-2152
Address of property on East Hardy: 1208 E. Hardy St.
Signature: Allena Royal

Name: Joe Williamson Phone: 601-467-7523
Address of property on East Hardy: 1208 E Hardy St.
Signature: Joe Williamson

Name: ~~Carol Brice~~ Phone: ~~601-434-2546~~
Address of property on East Hardy: ~~1208 E Hardy St~~
Signature: ~~Carol Brice~~

Name: Pearl Tatum Phone: (601) 549-4322
Address of property on East Hardy: 1208 E. Hardy St.
Signature: Pearl Tatum

Name: Charles West Phone: 601 402 0836
Address of property on East Hardy: 1208 E Hardy
Signature: Charles West

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Name: Kizzie Kelly Phone: 601 913-5245
Address of property on East Hardy: 13 Old Airport Rd Lot 203

Signature: Kizzie Kelly

Name: Dorothy McDowell Phone: 769-223-6127

Address of property on East Hardy: 223 Mary Magdalene Rd H'burg MS 39401

Signature: Dorothy McDowell

Name: Lodah Perry Phone: 601-818-3298

Address of property on East Hardy: 21 Bayberry Loop Purvis, MS 39475

Signature: Lodah Perry

Name: Larry McAdoo Phone: 601.454.1500

Address of property on East Hardy: 1208 E. Hardy St.

Signature: Larry McAdoo

Name: Dorinda McAdoo Phone: 601-668-5535

Address of property on East Hardy: 1208 E. Hardy Hattiesburg, MS

Signature: Dorinda McAdoo

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Name: Lisa West Phone: _____
Address of property on East Hardy: 1208 E Hardy St 515 James St
Petals MS 39405
Signature: [Signature]

Name: Michael Owens Phone: 601 408 4006
Address of property on East Hardy: 849 Luther Carter Rd Petal MS
Signature: Michael Owens

Name: Ardesia Exor Phone: _____
Address of property on East Hardy: 1413 Arledge
Signature: Ardesia Exor

Name: Brenda Bell Phone: _____
Address of property on East Hardy: 408 N. 19th Ave, Hattiesburg, MS 39401
Signature: Brenda Bell

Name: Jo Ann Whisenant Phone: _____
Address of property on East Hardy: 269 Ryan Rd Hattiesburg MS 39401
Signature: Jo Ann Whisenant

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Name: Carol Buie Phone: _____

Address of property on East Hardy: 36 Banner Rd Lot 17

Signature: Carol Buie

Name: Ray Payton Phone: 601-310-9917

Address of property on East Hardy: 315 Buccoer Dr.

Signature: Ray Payton

Name: Alan Butner Phone: 601-520-4609

Address of property on East Hardy: 912 Sunrise Rd Petal MS 39465

Signature: Alan P Butner

Name: Vicki Butner Phone: 601-270-6074

Address of property on East Hardy: 912 Sunrise Rd. Petal, MS, 39465

Signature: Vicki Butner

Name: Janet McLelland Phone: 601-297-0558

Address of property on East Hardy: 1208 East Hardy

Signature: Janet McLelland

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Name: Janette L. Murry Phone: 601.818-3298
Address of property on East Hardy: 21 Bayberry Loop
Signature: Janette L. Murry

Name: Allen West Phone: 601 402 0836
Address of property on East Hardy: 515 James St Petal, MS
Signature: Allen West

Name: Bridgett Stewart Phone: 601 408 3011
Address of property on East Hardy: _____
Signature: Bridgett Stewart

Name: Pennie Allen Phone: 601 543-8661
Address of property on East Hardy: 34 South Hills Drive
Signature: Pennie Allen

Name: Ethel Payton Phone: 601-297-0329
Address of property on East Hardy: 315 Buchanan Dr.
Signature: Ethel Payton

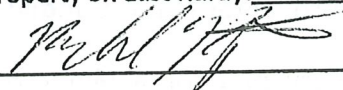
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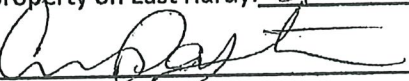
Name: Rachel Payton Phone: 601-543-8434

Address of property on East Hardy: 315 Buccaneer Drive Hattiesburg, MS 39402

Signature: 

Name: Andrew Payton Phone: 601-264-0468

Address of property on East Hardy: 315 Buccaneer Dr Hattiesburg

Signature: 

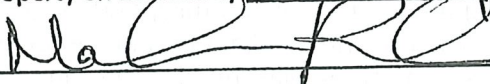
Name: John Williams Phone: 601-587-6245

Address of property on East Hardy: _____

Signature: _____

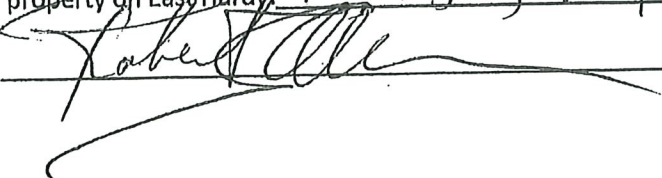
Name: Malinda Printis Phone: 601-550-5866

Address of property on East Hardy: 700 Beverly Hills Rd, Hattiesburg Ms 39401

Signature: 

Name: Robert S Allen Phone: 228-297-1117

Address of property on East Hardy: 105 Bayberry Ln S, Purvis Ms 39475

Signature: 



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner:	Bennett V. York, petitioner		
Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
Cross Creek Parkway	051M-11-011.000	7622	3
	051M-11-011.011	38013	3
Request:	Preliminary Plat Approval for Major Subdivision		
Purpose of Request:	To request preliminary plat for a Major Subdivision located along Cross Creek Parkway (PPIN 7622, 38013; Parcel No.: 051M-11-011.000, 051M-11-011.011) (Lamar County, Ward 3).		
Applicant Summary:	* See Attached *		
Applicable Regulations:			
SECTION 4	Zoning Districts Established		
	<u>B-5 Regional Business District:</u> 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. <u>R-3 Multi-Family Residential District:</u> 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.		

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-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-
B-5	No minimum/ 100	-	1.50	30	150	0 or 10	0	72 feet or 6 stories	90%	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.

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

12.3.2.4 Final Plat.

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 B-5 Regional Business District and R-3 Multi-Family Residential District

Present Use: Vacant / Undeveloped

Future Land Use: Neighborhood Center Mixed-Use District and Regional Business

Surrounding Zoning and Land Use:
North: B-3 Community Business District (City Limits)
South: B-5 Regional Business District
East: B-5 Regional Business District / R-3 Multi-Family Residential District
West: B-5 Regional Business District / R-3 Multi-Family Residential District

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

History / Background: The petitioner met with staff in Pre-Application to discuss resolving an existing issue with parcels that were subdivided into multiple parcels, both through a collection of minor subdivisions that were never acknowledged by the City of Hattiesburg and some that were completed as minor subdivisions with the City. The parcels were originally part of a continuous tract of land that fronted Cross Creek Parkway. As the area was developed, the parcel was subsequently subdivided through metes and bounds and not formally platted as a major subdivision. Platting of the remaining parcels and street is a method to resolve the ongoing subdivision issues with the parcel in question.

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

The existing "Market Place Drive" is currently privately owned and with the filing of the platted subdivision, the street would then be formally transferred to the City of Hattiesburg. There are no proposed improvements with the filing of the major subdivision nor are there any proposed utility improvements or additions.

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:

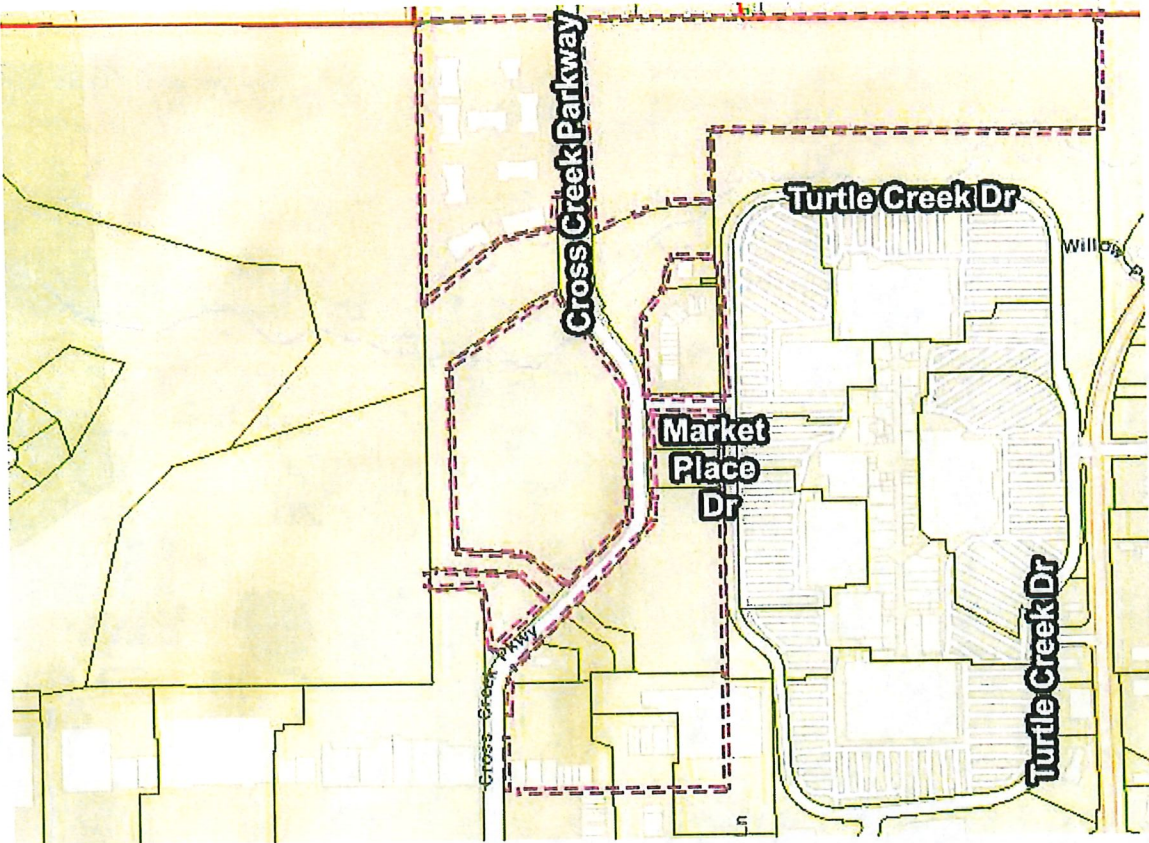
Cross Creek Parkway— Major Subdivision

Bennett V. York, Owner, Ronald T. Blackwell, Engineer

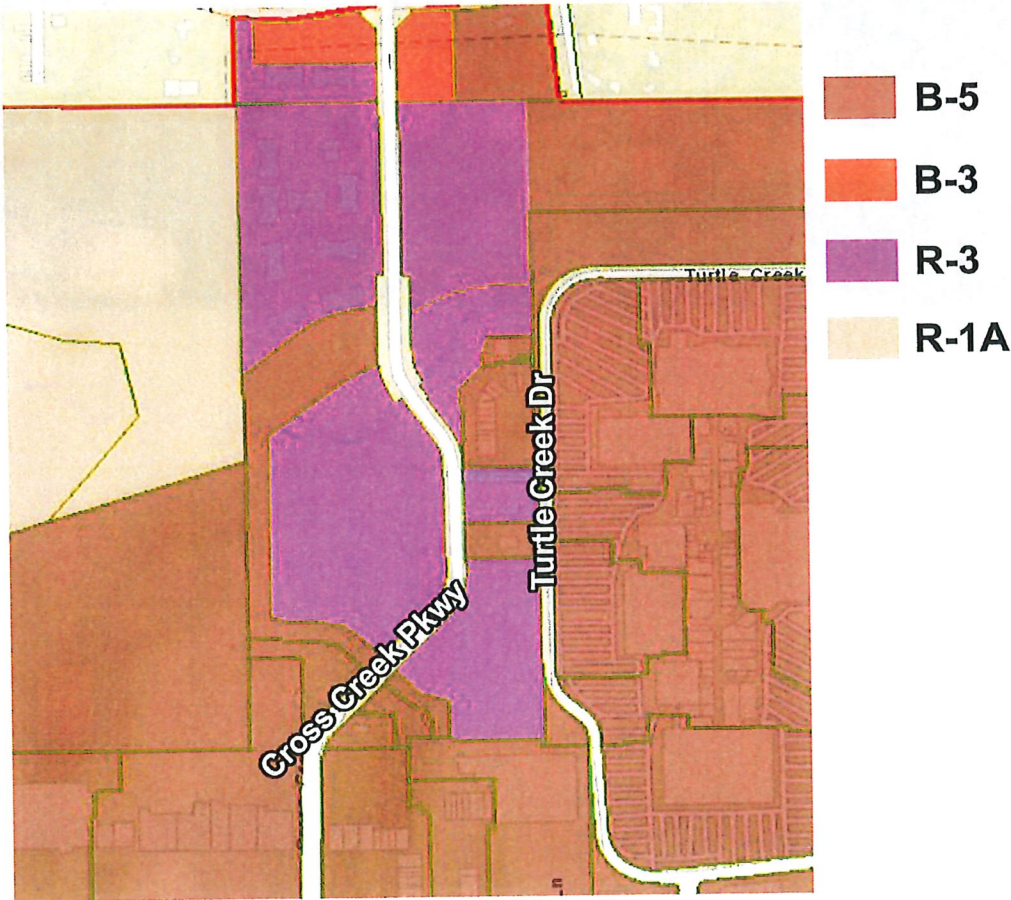
The petitioners request approval for a preliminary plat for a major subdivision located along Cross Creek Parkway in Lamar County, Ward 3 (PPIN 7622, 38013; Parcel No.: 051M-11-011.000, 051M-11-011.011).



Vicinity Map—Ward 4



Zoning—B-5 and R-3



Site Aerial



Surrounding Area



**Northern Direction: R-3
Multi-Family Residential**

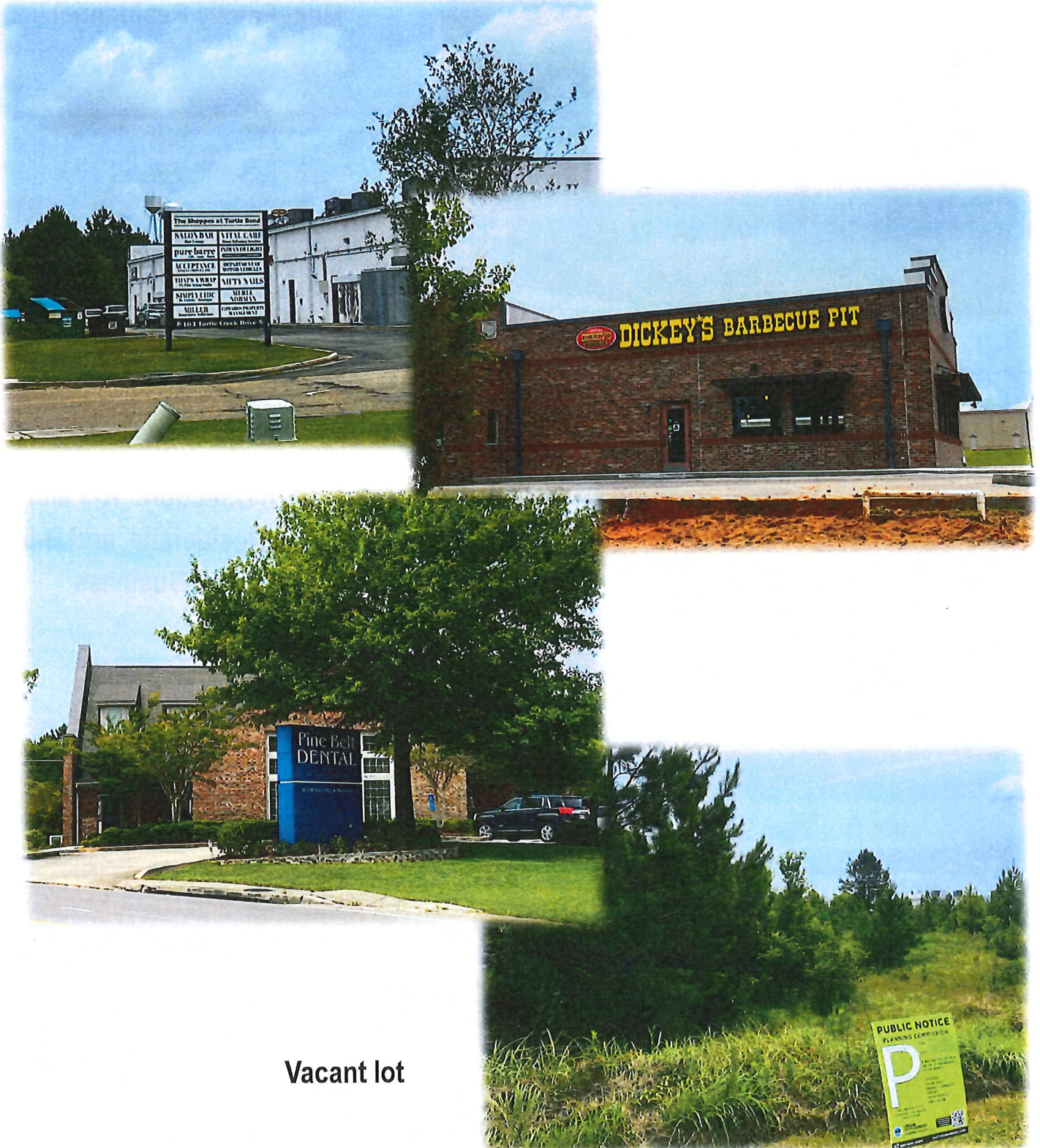


**Southern Direction: R-3 Multi-
Family Residential and B-5
Regional Business**



Surrounding Area

East and Western Directions: Southern Direction: R-3 Multi-Family
Residential and B-5 Regional Business



Vacant lot

TURTLE CREEK

DANIEL'S CERTIFICATE

[illegible]

Witness her Signature(s) on this, the _____ day of _____, 2023.

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Dr. Everett V. Yates

2

CONCLUSION

100

[illegible]

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DOI: 10.1177/1056492614528211
jmi.sagepub.com

NOTARY PUBLIC

My Commission expires

Personally appeared before me, the undersigned notary in and for the jurisdiction aforesaid, the within named Ronald T. [Redacted], a Mississippi Registered Professional Engineer and Land Surveyor, who acknowledged to me that he is the author of the Certificate upon this plat on the day and year herein mentioned.

the commission on

VERIFICATION

Centre of Mathematics

This is to certify that Ronald T. Blackwell, a Mississippi Registered Professional Engineer and Land Surveyor, as related in the map of TURTLE CREEK subdivision, have compared this the _____ with the _____ and find the same to be exact copies of each other.

Abstract

100

City of Houston

Survey checked on this, the _____ day of _____, 2023, by Ronald T. Blackall, and approved _____ day of _____, 2023.

City Engineer

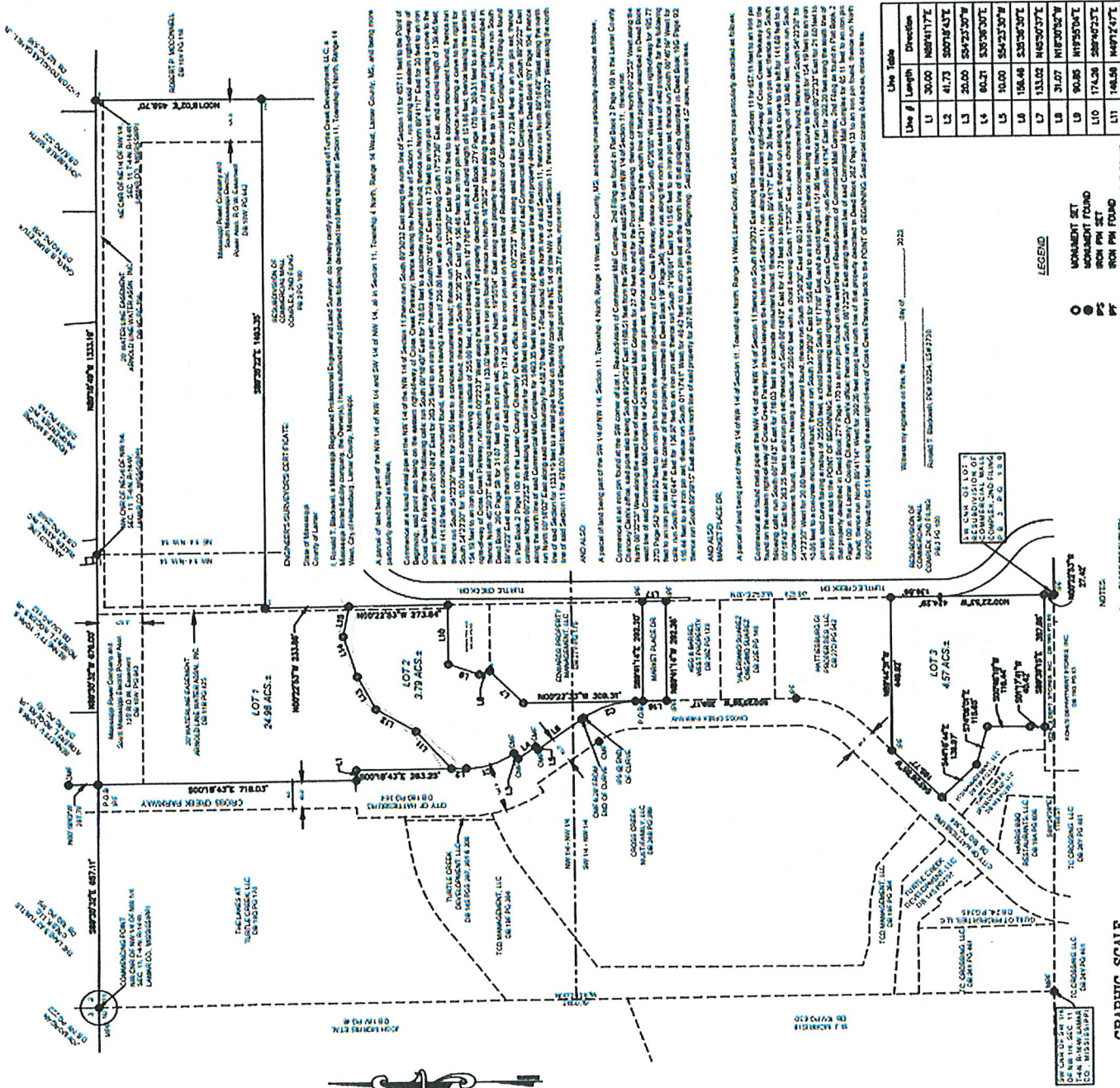
The authors have no financial or personal relationships with other people or organizations that could inappropriately influence or bias the work reported.

day of www.dayof.com

FILMS AND RECORDS

State of Missouri

State of Missouri



ALCOA CORPORATION

P45

Subdividing of Lot, Parcel or Tract Information (1 page)

1. Property data:

Parent Parcel / Existing lot/parcel/tract contains 33.34 Square Footage/Acres

Lot Area Requirement: _____

Lot Frontage Requirement: _____

Existing use of lot/parcel/tract VACANT

To be subdivided into 3 lots/parcels (including parent parcel) – outlined below.

Newly subdivide d Parcels	New lot size in square footage (sf) or acres (A)	New lot has public road frontage (yes / no)	New lot has private road frontage (yes / no)	Indicate name of public or private road(s)	Staff - Lot area & frontage requirements comply?	
					Yes	No
1.	24.98 A	yes	—	Cross Creek Parkway		
2.	3.79 A	yes	—	" " "		
3.	4.57 A	yes	—	" " "		
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel	0					
	33.34	Total square footage of new lots (verify total matches existing parcel prior to splits)				

Use extra copies of this form if needed for additional lots.

2. Infrastructure required:

Water/Sewer ___ Gas ___ Electric ___ Telephone ___ Cable ___ Streets ___

(None - All Currently Existing)



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Ken Thronson and John Guice, petitioners

Address of Property: 408 Broadway Dr
Tax Parcels/Ward: 2-038D-16-026.00
PPIN: 21766
Ward: 4

Request: **Zoning Change of one parcel from B-5 to B-3 and Conditional Use request.**

Purpose of Request: To request a rezoning of the property located at 408 Broadway Drive from a B-5, Regional Business to a B-3, Community Business. The applicants also request a conditional use for a "Group Care Facility/Home" in a B-3, contingent upon the approval of the rezone request for the same property (PPIN 21766, Parcel No.: 2-038D-16-026.00, Forrest County, Ward 4).

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

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.

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 5

Use Regulations

Table 5.1 Table of Uses															
Use		Agricultural		Residential				Business				Industrial		Additional Use Conditions Cross Reference	
■	Permitted														
□	Permitted with conditions	A-1	A-2	R-1A	R-1B	R-1C	R-2	R-3	B-1	B-2	B-3	B-4	B-5	I-1	I-2
◆	Conditional Use														
*	Not Permitted														
Group facility		◆	◆	x	x	x	x	◆	◆	◆	◆	x	x	x	x
															5.4.24

5.4.25 Group Care Home; Group Care Center

5.4.25.1 A group home shall be located in a structure originally constructed as and designed for a single-family dwelling which shall be the principal structure on the lot. The structure shall not be altered nor the site used in any manner which diminishes its value as a single-family dwelling or which changes its exterior residential character.

5.4.25.2 Group care centers serving individuals who are deemed to be a danger to themselves or others must be identified by the applicant during Site Plan Review. Care centers may not serve more than 20 residents; however, in order to protect the health and safety of the community, the Planning Commission has the right to further restrict the location of facilities and the number of residents, and to require increased buffering, screening, and fencing.

Present Zoning: The parcel is currently zoned B-5

Present Use: Vacant property

Future Land Use: Community Business Corridor

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

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

History / Background: The petitioner met with staff in Pre-Application to discuss the use of the existing structures/facility at 408 Broadway Drive as a group

care facility. The petitioner currently operates the Lighthouse Rescue Mission located at 204 Eupora Street in Hattiesburg, and the group care facility would operate similarly to the Lighthouse Rescue Mission, but for men only. The petitioner proposed no changes to the layout of the property or any additions that would trigger a site plan review. There is also no intent by the petitioner to remove any of the existing fencing that surrounds the property as a way to maintain privacy for the occupants.

Group Care Facilities are not permitted in a B-5 Zoning district, where the highest commercial classification they can be conditionally approved in is a B-3, Community Business District. Group care facilities and homes require conditional use approvals and are not permitted by right in any zone.

Downzoning of the property to a B-3 aligns better with the future land use map for the entire Broadway Corridor, which calls it to develop as a "Community Business Corridor." Multiple properties that front Broadway Drive now are also zoned B-3, but a large portion of the corridor is zoned B-5. Commissioners can add conditions for use as needed for the proposed use. The Commission can further restrict the number of residents if deemed necessary. All aspects of how a business operates should be taken into consideration for conditional use requests in regards to the location and surrounding neighborhood.

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

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

Request for: **Zoning Change and Conditional Use**

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:

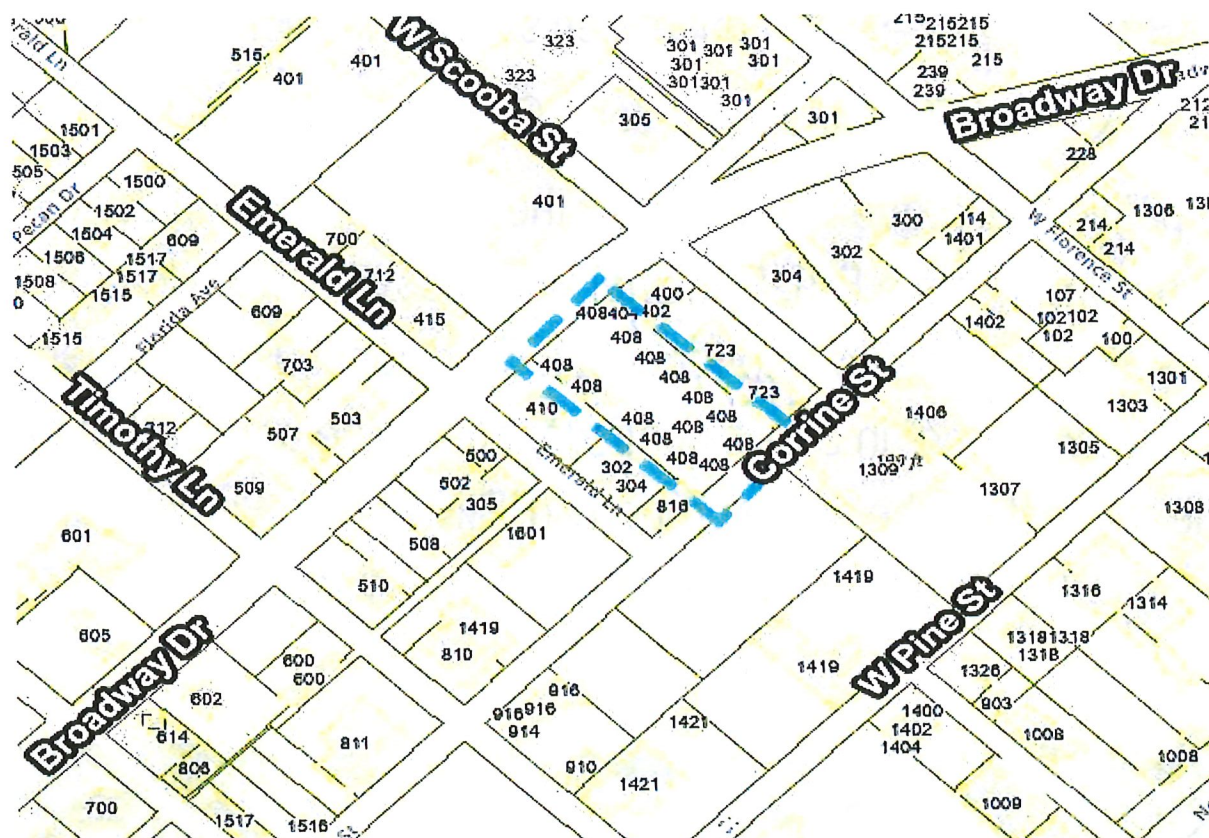
408 Broadway Dr—Lighthouse Men's Rehabilitation Program

Kenneth Thronson and John Guice, Applicants.

The petitioners request rezoning of the property located at 408 Broadway Drive from a B-5, Regional Business to a B-3, Community Business. The applicants also request a conditional use for a "Group Care Facility/Home" in a B-3, contingent upon the approval of the rezone request for the same property (PPIN 21766, Parcel No.: 2-038D-16-026.00, Forrest County, Ward 4).



Vicinity Map—Ward 4



Zoning—B-5



Site Aerial



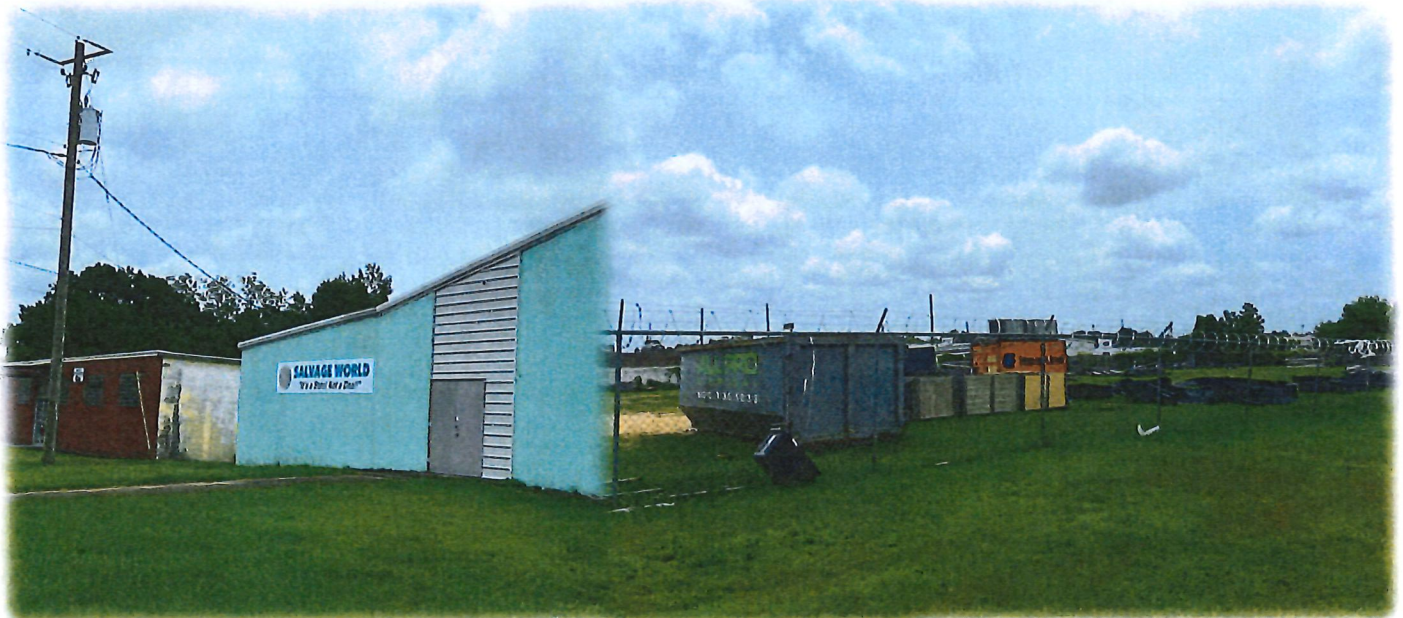
Surrounding Area



**Northern Direction: B-5
Regional Business and
B-3 Community
Business**



Southern Direction: B-5 Regional Business



Surrounding Area

East and Western Directions: B-5
Regional Business



Rezoning Information *(1 page)*

One of the following conditions must be met before a rezoning can be recommended. Check the condition(s) most applicable to your request and explain in writing.

- A. There is a material change in the circumstances and conditions of the neighborhood and area surrounding the petitioned property and there is a public need for the change in question, based on the Comprehensive Plan.
- B. There is a mistake in the original zoning.
- C. Annexation

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

A Material Change and public need. See attached Exhibit A for answer.

Exhibit A

For zoning change:

On behalf of The Lighthouse Rescue Mission, a 501(c)(3) Christian-based charity, we extend our gratitude for your consideration of this significant proposal. Our mission is to provide crucial support to individuals grappling with drug addiction, and we are poised to extend our impact within the community. We seek to acquire a property currently zoned as B-5, a site that boasts a notable history as a rehabilitation center. Our aim is to honor and revitalize this legacy by transforming this property into a center for recovery.

Although the existing B-5 zoning permits the operation of rehabilitation centers, it does not directly cater for the model that the city's pre-application committee has defined for our proposal. The committee designated our planned use as a "group facility." However, it's crucial to note that our intended model, which includes providing individual cottages within a supportive community, is essentially an evolution of the property's original purpose as a rehabilitation center.

The neighborhood has experienced considerable transformation in recent years, marked primarily by the departure of various businesses and car dealerships. This has left a number of properties vacant, disrupting community dynamics and leading to unfortunate instances of property misuse, as evidenced by the recent break-ins and vandalism at the property in question.

This shift in circumstances and the ensuing problems associated with vacant properties illustrate a material change in the neighborhood's conditions, fulfilling the necessary criteria for rezoning. They underscore the urgent need for the positive and productive use of such properties. Our proposed project aims to breathe new life into this vacant property, fulfilling a critical community need and actively mitigating the negative trends that have emerged recently.

The property's historical role as a rehabilitation center makes it ideally suited for our intended use. The existing structures and the neighborhood's familiarity with the property's function are significant advantages. We do not plan to construct new buildings; instead, we intend to renovate and repair the existing infrastructure to reverse the damage it has sustained and ensure the facility meets our standards for safety and comfort.

Looking at the broader context, our proposed facility responds to a pressing community need. The widespread effects of drug addiction impact individuals, families, and the wider community.

Our facility will provide a structured environment for recovery, serving as a beacon of hope for those striving to overcome addiction.

Moreover, our facility will significantly contribute to alleviating the strain on healthcare systems, law enforcement, and social services. It serves a dual purpose: providing vital resources for individuals on their journey to recovery and helping mitigate the broader social and economic issues associated with addiction.

In conclusion, the rezoning of this property to accommodate its use aligns with the property's history and responds to the evolving needs of our community. By transforming this vacant property into a center of recovery and hope, we can restore its function and contribute positively to the community.

We kindly request your support for this endeavor, as we remain steadfast in our commitment to enhancing the wellbeing of our community. Thank you for your time and consideration.

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.

Please see Exhibit for Written Answers.

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

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

4. Will there be any additional pedestrian or vehicular traffic generated by the proposed use? ____
If yes, please explain:

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

If yes, please explain:

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

7. Parking Requirements:

Commercial/Industrial: Paved parking will be provided for 30 vehicles, and
_____ ADA vehicle(s); with _____ loading spaces.

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

EXHIBIT A

For conditional use:

1. Yes or N/A, there are no listed use conditions in the Hattiesburg land code for group facility.
2. Upon rehabilitating the existing structures on the property, we can expect a reasonable increase in the usage of utilities such as water, electricity, and waste disposal systems. This increase will be proportional to the demand associated with any occupied property and should be comfortably accommodated by the existing municipal systems.

Moreover, our mission to transform this property into a recovery center will significantly benefit public facilities. By providing a structured environment for those battling drug addiction, we anticipate a decrease in emergency room visits, police encounters, and the strain on other social services often burdened by untreated addiction. Essentially, our services will work to alleviate the pressure on public facilities and resources, offering a supportive pathway to recovery for those in need. In terms of safety and community well-being, transforming the property into a recovery center will prevent it from remaining vacant, thus mitigating the potential for vandalism and other illicit activities. This proactive measure can help reduce the strain on law enforcement and community resources.

3. The size of the site is indeed well-suited for our proposed use as a recovery center. This conclusion is drawn not only from our careful assessment but also from the property's successful past utilization as a rehabilitation center by Pine Grove.

The property's existing layout, including individual cottages and common areas, aligns seamlessly with our intended model of providing a supportive living community for individuals on their journey to recovery. The individual cottages offer residents a level of privacy and personal space crucial for recovery, while the common areas facilitate community building, group therapy, and shared activities - all vital components of the recovery process.

Importantly, we have no plans to construct new buildings, as the existing structures adequately serve our needs. We will, however, undertake necessary updates and repairs to ensure the facility is safe, comfortable, and conducive to recovery. The size of the property allows for these renovations without necessitating any significant changes to the site's footprint.

In summary, the size and layout of the site are inherently conducive to its proposed use. The property's past successful operation under Pine Grove as a rehabilitation center further underlines its suitability. Our vision for the site is essentially an extension of its

historical purpose, optimally utilizing the existing structures and space to provide a much-needed service to our community.

4. Given the nature of the proposed use of the site as a recovery center, there will indeed be additional vehicle traffic associated with the facility's operation. This will mainly consist of staff arrivals and departures, deliveries of goods and supplies, and transportation for residents to and from their workplaces in the later stages of their recovery program.

While residents themselves will not have personal vehicles on-site, transport will be arranged as needed for work, medical appointments, and other necessary outings. However, it will be minimal impact on local traffic patterns.

It's important to mention that the property's previous use as a rehabilitation center implies that the local traffic infrastructure is already equipped to handle this level of activity. Moreover, our traffic will be spread throughout the day to avoid contributing to peak hour congestion. As for pedestrian traffic, given the nature of our program and the restrictions on residents' movement, we do not anticipate any significant increase.

In summary, while there will be some additional vehicle traffic due to the facility's operation, we anticipate it will be well within the capacity of the existing infrastructure, and we will take measures to minimize any potential impact on local traffic.

5. No

6. At its peak capacity, the recovery center anticipates hosting up to 65 individuals daily. This figure encompasses both employees working at the center and the men in the recovery program. This number aligns with the historical usage of the property when it functioned as a rehabilitation center under Pine Grove, thus we do not anticipate exceeding its previous maximum capacity.

Given the property's layout and previous function, there is ample parking available to accommodate the anticipated traffic without causing congestion or requiring any additional construction. The site boasts parking spaces in front of the individual cottages and adjacent to the main building, ensuring a smooth flow of vehicle movement.

In summary, while we anticipate a regular flow of individuals, both employees and those in recovery, the property is adequately prepared to handle this level of occupancy. Its prior successful operation as a rehabilitation center provides a valuable benchmark for our proposed use, and the existing parking facilities are more than sufficient to cater to our needs.

Memo

To: Planning Commission

From: Cory Long, AICP – Planning Manager

Date: July 25, 2023

Re: Case Item D, Code updates

The Planning Division advertised for code changes in the event the changes were ready to be presented to the Planning Commission for a vote. Currently, staff are not ready to present a draft of the items to the Commission and will prepare for a presentation in September.

