

Planning Commission Agenda

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

September 6th, 2023

I. Business Meeting

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

II. Public Hearing

- A. Dennis Pierce, owner, request approval for a preliminary plat for a major subdivision as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard in Lamar County. The extension will be known as "Cottages at Turtle Creek: Phase IV", located in Lamar County, Ward 3. (PPIN 7898, 7899, and 13368; Parcel No.: 051L-11-001.000, 051K-12-006.000, and 051L-11-040.000).
- B. Ming Ming Lin, representative, Martin Tovrea, architect, and Beverly Land, LLC., owner, request approval for a Planned Mixed-Used Development as an extension of the existing development known as the "Village at the Beverly", which is located on Old Airport Road in Forrest County, Ward 5. The Planned Mixed-Use Development will be known as "Village at the Beverly III". (PPIN 29647 Parcel No.: 2-041H-27-017.00).
- C. Safari Timberlands, LLC, owner, and Jeff Diamond, representative, and Mark Willie, representative, request approval for a preliminary plat for a major subdivision located on J. Ed Turner Road in Lamar County. The proposed name of the subdivision is "Mandalay Villas of Graystone", located in Lamar County, Ward 1. (PPIN 31718, 31719, 31720, 31721, 31722, 31723, 31724, 31725, 31726, 31727, 31728, 31729, 31730, 31731, 31732, 31733, 31734, 31735, 31736, 31737, 31738, 31739, 31740, 31741, 31742, 31743, 31744, 31745, 31746, 31747, 31748, 31749, 31750, 31751, 31752, 31753, 31754, 31755, 31756, 31757, 31758, 31759, 31760, 31761, 31762, 31763, 31764, 31765, 31766, 31767, 31768, 31769, 31770).
- 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.~~
- E. Tabled from August 2023 Planning Commission: 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).

III. Other Business

IV. Adjournment

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

August 2nd, 2023

Board Members Roll Call:

Members Present:

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

Members Absent:

1. Jeff Keyseear
2. Luke McNair
3. Charles Dawe
4. Carlos Wilson

Staff Present:

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

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

AGENDA REVIEW

There came the matter of the July 2023 Agenda. Commissioner Ray made a motion to accept the agenda, seconded by Vice Chair Hinton. 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)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Michael Dickerson (Online)	X		
Dick Conville	X		
Charles Dawe (Online)	X		

MINUTES REVIEW

For July 5th, 2023 minutes, Commissioner Ray made a motion to approve and 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)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Michael Dickerson (Online)	X		
Dick Conville	X		
Charles Dawe (Online)	X		

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for July 1st, 2023.

PLANNING REPORT

There came the matter of the Planning Report by Nathan Satcher, Senior Planner, and Cory Long, Planning Manager. Mr. Long stated that a Planning Report for 2023 has been under development. 143 Pre-Application and 69 Site Plans have been reviewed so far this year, and

there is an increase in items presented to Planning Commission in comparison with 2022. The number of items has decreased for Board of Adjustment. Mr. Long also made an announcement regarding Land Development Code updates as well as a special call meeting for BDBO project.

CHAIR'S REPORT

Chair Miller apologized for being absent in previous meeting and thanked Vice Chair Hinton for her hard work.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Item 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).

Comments:

The planning staff introduced the case. Chair Miller opened the public hearing portion of the meeting. Mr. Erik Lowrey came to speak on behalf of the case. He provided some anecdotal stories from his past on his time spent on East Hardy when it was originally named River Ave. He provided a brief overview of the history of River Ave and why he believed the name had been changed to East Hardy. He noted that the original naming is still being used by many locals who experienced the road when it was known as River Ave. Mr. Lowrey also noted that there are issues with online mapping services, that often direct people to addresses on Hardy Street instead of to East Hardy Street, where renaming would resolve that issue.

Ms. Jannette Furry, past of Victory Church on East Hardy St, came to speak in favor of the proposal. She also shared that she still refers to it as River Ave and felt it was a better name for the street. She also expressed concern about the difficulty encountered with the delivery of packages, as they sometimes are delivered to properties on Hardy Street. Moreover, she stated that both she and the members of the church are in support of renaming the street.

Ms. Ursula Jones came to speak in favor as well. She too remembered when the street was known as River Ave and did not agree with the reason to change the name to East Hardy Street. She noted that with her involvement with the Hattiesburg Historical Society, people have trouble finding addresses from historic records on East Hardy Street because of the name change.

Chair Miller closed the public portion of the meeting. Commissioner Ray made the motion to approve the request for renaming “East Hardy Street” to “River Ave”, Commissioner Lockett seconded this motion.

Presented by:

Erik M. Lowrey

Proponents:

1. Jannette Furry
2. Ursula Jones

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		
Michael Dickerson (Online)	X		
Dick Conville	X		
Charles Dawe (Online)	X		

Item 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).

Comments:

The planning staff introduced the case. Chair Miller then opened the public hearing portion of the meeting, and asked for a history of the development and to explain how the proposed subdivision fits into the overall plan for the area from the petitioners. Price McWilliams from ClearPoint Engineers, presented the case on behalf of York Development (owner) and Ronnie Blackwell (Engineer from ClearPoint Engineers). He read a prepared statement, noting that some of the parcels in the development were not correctly subdivided through the City's subdivision process. He noted that the proposed plat would reflect the parcels that were not properly subdivided and sold in a manner that would not cloud the title of those parcels. He also noted that the proposed subdivision would then convey over the existing street "Market Place Dr." formally to the City of Hattiesburg, which is currently under private

ownership.

Chair Miller then asked again the petitioner if they could address the future of this site and how it will integrate into the existing development. Price responded that he was unable to, as he was only presenting on behalf of the petitioners since they were unable to join for the meeting. Chair Miller then closed the public hearing and noted the lack of information provided by the petitioner for the future of the area. Commissioner Conville then noted that he felt this was more or less housekeeping and this would help make the subdivision legal. Chair Miller noted he felt a little blind in making a decision without an idea of what the future plans were. Vice Chair asked if platting the subdivision would convey the street to the City with this subdivision, and staff answered in the affirmative.

Commissioner Conville noted that he did not see zoning being changed and should have an idea of what the final development would be based on the existing zoning. Chair Miller responded on the importance of clearly presenting a request. Commissioner Pickett then made a motion to table, seconded by Lockett. All present voted in favor of tabling the request.

Presented by:

Price McWilliams

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Commissioner Pickett

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		
Michael Dickerson (Online)	X		
Dick Conville	X		
Charles Dawe (Online)	X		

Item 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).

Comments:

The planning staff introduced the case. Chair Miller noted that the commission is cautious of what may be considered “spot zoning” and that the petitioner should keep that in mind. He also noted that they are not arguing the value of the particular use and the first decision is solely on the zoning change. Ken Thronson presented the case. He noted that Pine Grove was previously there and feels their use is similar to how they operated, in they would operate as a men’s addiction rehabilitation program. He noted they filed the request as a “group care facility” by staff’s recommendation in the Pre-Application meeting. He provided details on how their organization functions, noting they are faith-based. Men would come in and work and go through a series of programs, including bible studies and life-skill programs. He noted they would also partner with PRCC in providing marketable skills that they could use to make a living with. Mr. Thronson shared that they are not a homeless shelter, but rather about making productive citizens through their programs. He provided statistics on drug use but did not provide his sources. He stated that once men are in, it is not a come-and-go program and that they must stay for 6 months before they can leave.

Commissioner Ray asked about the intention of the buildings, referencing the historic importance of the structure and memo provided by Russell Archer, Historic Planner for the City of Hattiesburg. Thronson noted they planned on renovating the interiors of the buildings only. Commissioner Conville asked on how he received the men for the programs. Thronson noted they come through court and alcohol and drug programs.

John Guice, attorney and representative of Mr. Thronson, noted that the property is currently zoned for a rehabilitation center and that is what they felt they should have been classified as. He noted the other classifications in the code of “Group Care Home” and “Group Care Facility” and did not feel this met the criteria for a “Group Care Home.” He viewed the use more as a “group care facility”, if it was not going to be classified as a rehabilitation center. He noted that he felt that this would be a good use of the historical property. Chip Glenn, realtor for Mr. Thronson, spoke in favor of the requests. He noted that one of the structures on site had burned while the property sat vacant. He also shared this would lead to the restoration of the historic site.

Tommy Teepell, owner of Grin Coffee at 415 Broadway Drive, spoke in opposition to the request. He noted his history on Broadway as a business owner and when he originally opened on Broadway in 2018, and how it had become a corridor for vagabonds and drug users. He noted he recently opened a new shop on Broadway and it has become a destination coffee shop and hoped that the entire corridor would become a destination corridor. He noted he was not opposed

to Mr. Thronson's Ministry, but opposed to what he felt was a half-way house coming in on Broadway. He shared that in order for the corridor to improve, more businesses that bring in traffic need to open. He shared that the proposed property at 408 Broadway Drive is a beautiful property and should not be walled off to the public.

Wyche McMullan, property owner on Broadway Drive, spoke in opposition to the request. He noted inconsistencies with the intended use of the property from discussions with Mr. Thronson, and raised concerns towards that. He noted that he believed the City had planned to invest in this corridor, and did not feel that this would be the best direction for the property with the proposed plans for Broadway Drive. Todd Jackson, of the Area Development Partnership, spoke in opposition to the request. He noted his concerns with the collective vision for Broadway Drive and his role in economic development, did not feel that bringing this use to Broadway Drive is a step in the right direction for this corridor. Andrea Saffle, the representative of the Hattiesburg Historic Downtown Association, spoke in opposition to the request. She reiterated the points that Tommy and Todd previously made. She felt that a true plan for the Broadway Corridor should be considered.

Mr. Thronson provided a rebuttal and noted that if there were any questions on how they operated, they should visit their website. He also firmly stated that he believed he was operating in the same way as Pine Grove and is not a halfway house or group home. He reiterated that this was not a come-and-go operation and men would stay there for 6-8 months before returning to their communities. Chair Miller then closed the public hearing portion of the meeting.

Commissioners then asked for clarification on the definitions of the various uses mentioned throughout the meeting. Staff provided definitions from the Land Development Code and why they were classified as a "Group Care Facility". Commissioner Hinton asked for further clarification on different uses and why staff had not considered other classifying them for other uses that were permitted with conditions. Mr. Long shared that during the Pre-Application consultation, staff advised the applicant that the city had classified them as a "group care facility" and the applicant did not appeal that decision, and continued on with the application process for the conditional use where they were classified as a "group care facility."

Commissioner Hinton asked if staff would consider revisiting the classification of the proposed business, as a zoning change is a much bigger concern than placing conditions on a specific use. Commissioner Conville noted that the city should avoid piecemeal development along Broadway Drive and it should be addressed through a larger comprehensive plan, not a singular zoning change. Commissioner Ray questioned whether the applicant had considered other locations, as there are quite a lot of vacant B-3 zoned properties. Commissioner Hinton noted that she felt the zoning change did feel as though they were "spot zoning" and made a motion to deny the petition to rezone the property. Commissioner Pickett then seconded the motion.

Commissioner Dickerson then asked for further clarification on the use and if medical professionals were administering medication would that change their use? Staff responded that an additional Pre-Application would be needed before they could do that. A roll call vote was

then conducted.

Presented by:

Mr. Ken Thronson and Mr. John Guice.

Proponents:

1. Chip Grenn

Opponents:

1. Tommy Teepell
2. Wyche McMullan
3. Todd Jackson
4. Andrea Saffle

Motion:

Made by Vice Chair Hinton

Second:

Made by 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		
Michael Dickerson (Online)	X		
Dick Conville	X		
Charles Dawe (Online)			Recused from discussison

The request for conditional use for a “Group Care Facility” in a B-3 was not voted on, as it was contingent upon approval of the rezoning request for the property and therefore could not be heard.

OTHER BUSINESS

No items were presented as other business.

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)	X		
Rebekah Ray	X		
Rhoda Pickett	X		
Elayne Lockett	X		
Jeff Keysear (Online)	X		
Dick Conville	X		
Charles Dawe			Not present for vote

Mark M. Miller, Chair

Cory Long, AICP, Planning Division Manager



**Planning Commission
Case Fact Sheet**

Names of Petitioner: Dennis Pierce, petitioner

Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
Methodist Blvd	051L-11-001.000	7898	3
	051K-12-006.000	7899	3
	051L-11-040.000	13368	3

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

Purpose of Request: To request a **preliminary plat for a Major Subdivision** as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard in Lamar County. The extension will be known as "Cottages at Turtle Creek: Phase IV", located in Lamar County, Ward 3. (PPIN 7898, 7899, and 13368; Parcel No.: 051L-11-001.000, 051K-12-006.000, and 051L-11-040.000).

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

R-3 Multi-Family Residential District: The purpose of the R-3 District is to permit medium and high density residential uses including multi-family, two-family, and single-family structures with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected residential neighborhoods with only compatible supporting institutional uses and open space.

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

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-2	4,000/ 100	-	0.75	0	10	0 or 10	0	35 feet or 3 stories	80%	20

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.

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-3 Multi-Family Residential District and B-2 Neighborhood Business District.

Present Use: Vacant / Undeveloped

Future Land Use: Neighborhood Center Mixed-Use District

Surrounding Zoning and Land Use:
North: B-2 Neighborhood Business District (City Limits)
South: B-5 Regional Business District
East: R-3 Multi-Family Residential District
West: B-5 Regional Business District / B-2 Neighborhood Business District

Letters or Concerns stated: The Planning Division Office has received multiple phone calls and office visits from surrounding property owners with questions regarding the subdivision request.

History / Background: The petitioner met with staff in Pre-Application to discuss the expansion of the existing subdivision known as "The Cottages at Turtle Creek" for phase IV. The petitioner has proposed 52 new lots on the existing R-3 zoned parcel and has indicated that the proposed lots would be developed as single-family residential but at the lot dimensions allowed by the R-3 zoned parcel. R-3 Zoned parcels require a minimum lot size of 7500 ft² with a 40-ft width at the required setback. The petitioner has discussed the new 52 lots as an expansion of the existing subdivision and would connect directly into the existing dead-end roads of the subdivision, which were stubbed out with the intention of a future expansion of the subdivision. The previously approved subdivision was approved in the previous Land Development Code, where sidewalks were not required. The current code will require sidewalks be installed as part

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

of the development and staff suggest including conditions of approval that includes the guarantee of their installation or that they be bonded. Staff also suggest the same requirements for all infrastructure in the subdivision, in order to guarantee their completion upon dedication to the City of Hattiesburg.

The development of the subdivision on this site will require the mitigation of wetlands through the US Army Corps of Engineers. The petitioner will be responsible for providing the proper documentation that they have been mitigated or any other alternative that the USACE approves before the Site Design and Review Committee can approve the final site plan for the subdivision. The petitioner is also exploring an alternative entrance to the subdivision, where a secondary entrance is required based on the length of the existing streets in the current development. As shown in this request, the petitioner is showing an entrance off of Weathersby Road, but may explore an alternative entrance off of Methodist Boulevard. Staff suggest the requirement of including the roadway entrance from Weathersby Boulevard as part of the road to be dedicated to the City of Hattiesburg as a public street in this request. Any alternative entrances to the subdivision will require an additional review by the Hattiesburg Planning Commission and City Council before they can be approved by the Site and Design Review Committee, as relocation to the entrance of the subdivision would be considered a significant change in the proposed plat.

Any structure built in the subdivision will need to adhere to all applicable building codes as adopted by the City of Hattiesburg at the time of their construction and adhere to all applicable elements of the Land Development Code. Any additional higher standards beyond what is addressed by the City of Hattiesburg would need to be addressed and enforced by private covenants.

The City of Hattiesburg has not received any information regarding the proposed infrastructure for the subdivision at this time. If the preliminary plat is approved by City Council, the petitioner will then be required to provide all plans for the infrastructure, including sidewalks, drainage and stormwater calculations, and, if required by the City Council, guarantees that all required infrastructure will be approved before the final plat is signed and filed with the county.

Option:

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

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

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.

Conditions to consider with an approval:

1. Plat Conditions, & Restrictions – add to the plat the following notes:

- a) The common area(s) parcel's ad valorem tax value shall be assessed to each lot owner on a prorated basis as part of each lot owner's total assessment.
 - b) The common area(s) of this subdivision shall be owned and maintained by the owner's, commercial owner's association, and/or by the property owner(s) of the lots. In the event any lot becomes subdivided into additional lots or individual site plans, said site plans conforming to the city's Land Development Code, each property owner shall own their pro rata share, by area percentage of their lot, of the common areas. Such maintenance shall be performed so as to ensure that the common area operates in accordance the City's Land Development Code and Property Maintenance Code. Such maintenance shall include, but not be limited to repair of structures, and maintenance of sign tenants, and maintenance of the property. The city shall have a "right of access" to use the drives, parking areas, and yards of this property to make inspections of the common areas to ensure that said maintenance has been properly performed. In the event that the property owner(s) have not properly performed maintenance on the facilities, to the extent that the facility(s) poses a threat to public health, safety, or welfare, the city shall retain the right to perform emergency repairs to the facility. The cost of any such repairs will remain the responsibility of the property owner(s) and may be added as a lien on the next year's tax bill.
- 2. Streets** - Street identifications and traffic control signs/markings shall be installed by the developer to City specifications.
- 3. Utilities** - Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) are to be installed underground.
- 4. Bonds** – Bonds, in a form satisfactory to the City Engineer and the City Attorney, will be required as follows:
- a) Performance bond – Acceptance of the plat before the street and infrastructure are completed will require a bond based on the developer's engineer's estimated cost of unfinished work, verified by the staff engineer, plus 10% until complete. Renewed annually and adjusted for inflation.
 - b) Maintenance – Upon acceptance of the plat and the completion of streets and infrastructure a bond in the amount of 5% of the total cost of all work must be remitted to the city for the duration of 1 year.

September 2023 HPC Item: A

Dennis Pierce

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

SUBJECT PARCEL

The Cottages of Turtle Creek — Major Subdivision

Dennis Pierce, Owner

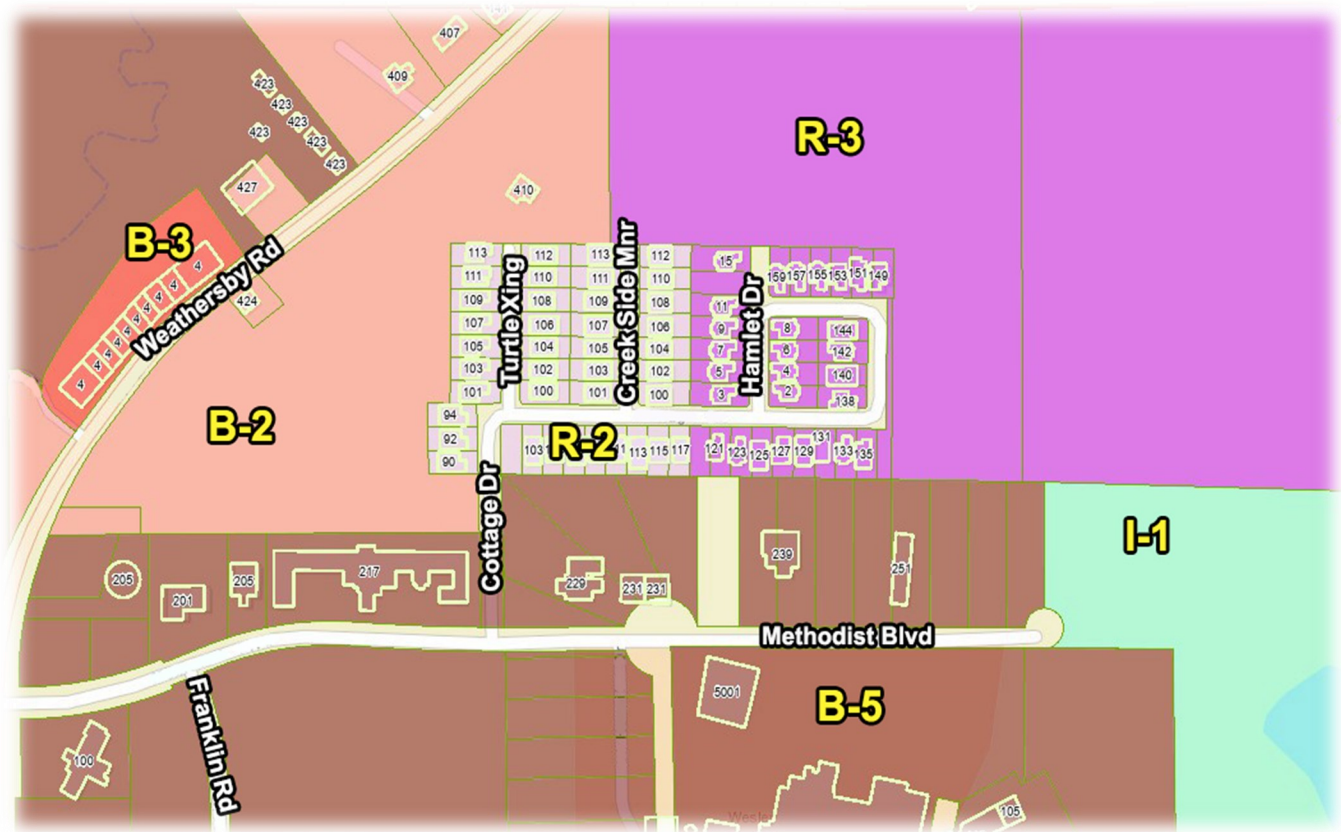
The petitioner requests approval for approval for a preliminary plat for a major subdivision as an extension of The Cottages of Turtle Creek, located on Methodist Boulevard in Lamar County. The extension will be known as “Cottages at Turtle Creek: Phase IV”, located in Lamar County, Ward 3. (PPIN 7898, 7899, and 13368; Parcel No.: 051L-11-001.000, 051K-12-006.000, and 051L-11-040.000).



Vicinity Map: Ward 3



Zoning: R-3 and B-2



Site Aerial



Site Aerial

Northern Direction: City Limits



Pictures of The Cottages of Turtle Creek neighborhood

Southern Direction: B-5 Regional Business



Site Aerial

East and Western Directions: B-5 Regional Business



Preliminary Plat

Cottages at Turtle Creek Phase IV

Preliminary Plat

This plat is preliminary in nature and is for the purpose of providing a conceptual representation of the proposed plat. The Owners reserve the right to make minor modifications on conditions precedent prior to recording the final plat.

LEGEND
Utility & Drainage
Easement Line
Setback Line
Iron Pin Set (IPS)
Iron Pin Found (IPF)

Owner:
Dennis & Jennifer
23 Liberty Place
Hattiesburg, MS 39402



REFERENCE MATERIALS:
1. Record Plat for The Cottages of Turtle Creek, Phase I
2. Record Plat for The Cottages of Turtle Creek, Phase II
3. Record Plat for The Cottages of Turtle Creek, Phase III

Clearpoint
CONSULTING ENGINEERS, P.A.
6652 US Highway 90 Hattiesburg, MS 39402
1.601.261.2609 | 1.601.261.5533 | clearpointengineers.com

Cover	Length	Width	Area	Perimeter
C1	18.44	20.00	368.80	78.88
C2	18.44	20.00	368.80	78.88
C3	18.44	20.00	368.80	78.88
C4	18.44	20.00	368.80	78.88
C5	18.44	20.00	368.80	78.88
C6	18.44	20.00	368.80	78.88
C7	18.44	20.00	368.80	78.88
C8	18.44	20.00	368.80	78.88
C9	18.44	20.00	368.80	78.88
C10	18.44	20.00	368.80	78.88
C11	18.44	20.00	368.80	78.88
C12	18.44	20.00	368.80	78.88
C13	18.44	20.00	368.80	78.88
C14	18.44	20.00	368.80	78.88
C15	18.44	20.00	368.80	78.88
C16	18.44	20.00	368.80	78.88
C17	18.44	20.00	368.80	78.88
C18	18.44	20.00	368.80	78.88
C19	18.44	20.00	368.80	78.88
C20	18.44	20.00	368.80	78.88
C21	18.44	20.00	368.80	78.88
C22	18.44	20.00	368.80	78.88
C23	18.44	20.00	368.80	78.88
C24	18.44	20.00	368.80	78.88
C25	18.44	20.00	368.80	78.88
C26	18.44	20.00	368.80	78.88
C27	18.44	20.00	368.80	78.88
C28	18.44	20.00	368.80	78.88
C29	18.44	20.00	368.80	78.88
C30	18.44	20.00	368.80	78.88
C31	18.44	20.00	368.80	78.88
C32	18.44	20.00	368.80	78.88
C33	18.44	20.00	368.80	78.88
C34	18.44	20.00	368.80	78.88
C35	18.44	20.00	368.80	78.88
C36	18.44	20.00	368.80	78.88
C37	18.44	20.00	368.80	78.88
C38	18.44	20.00	368.80	78.88
C39	18.44	20.00	368.80	78.88
C40	18.44	20.00	368.80	78.88
C41	18.44	20.00	368.80	78.88
C42	18.44	20.00	368.80	78.88
C43	18.44	20.00	368.80	78.88
C44	18.44	20.00	368.80	78.88
C45	18.44	20.00	368.80	78.88
C46	18.44	20.00	368.80	78.88
C47	18.44	20.00	368.80	78.88
C48	18.44	20.00	368.80	78.88
C49	18.44	20.00	368.80	78.88
C50	18.44	20.00	368.80	78.88
C51	18.44	20.00	368.80	78.88
C52	18.44	20.00	368.80	78.88
C53	18.44	20.00	368.80	78.88
C54	18.44	20.00	368.80	78.88
C55	18.44	20.00	368.80	78.88
C56	18.44	20.00	368.80	78.88
C57	18.44	20.00	368.80	78.88
C58	18.44	20.00	368.80	78.88
C59	18.44	20.00	368.80	78.88
C60	18.44	20.00	368.80	78.88
C61	18.44	20.00	368.80	78.88
C62	18.44	20.00	368.80	78.88
C63	18.44	20.00	368.80	78.88
C64	18.44	20.00	368.80	78.88
C65	18.44	20.00	368.80	78.88
C66	18.44	20.00	368.80	78.88
C67	18.44	20.00	368.80	78.88
C68	18.44	20.00	368.80	78.88
C69	18.44	20.00	368.80	78.88
C70	18.44	20.00	368.80	78.88
C71	18.44	20.00	368.80	78.88
C72	18.44	20.00	368.80	78.88
C73	18.44	20.00	368.80	78.88
C74	18.44	20.00	368.80	78.88
C75	18.44	20.00	368.80	78.88
C76	18.44	20.00	368.80	78.88
C77	18.44	20.00	368.80	78.88
C78	18.44	20.00	368.80	78.88
C79	18.44	20.00	368.80	78.88
C80	18.44	20.00	368.80	78.88
C81	18.44	20.00	368.80	78.88
C82	18.44	20.00	368.80	78.88
C83	18.44	20.00	368.80	78.88
C84	18.44	20.00	368.80	78.88
C85	18.44	20.00	368.80	78.88
C86	18.44	20.00	368.80	78.88
C87	18.44	20.00	368.80	78.88
C88	18.44	20.00	368.80	78.88
C89	18.44	20.00	368.80	78.88
C90	18.44	20.00	368.80	78.88
C91	18.44	20.00	368.80	78.88
C92	18.44	20.00	368.80	78.88
C93	18.44	20.00	368.80	78.88
C94	18.44	20.00	368.80	78.88
C95	18.44	20.00	368.80	78.88
C96	18.44	20.00	368.80	78.88
C97	18.44	20.00	368.80	78.88
C98	18.44	20.00	368.80	78.88
C99	18.44	20.00	368.80	78.88
C100	18.44	20.00	368.80	78.88

LEGAL DESCRIPTION:
The undersigned Owner and Registered Land Surveyor do hereby declare and certify that this said plat, designated as The Cottages at Turtle Creek Phase IV, Plan 14, West, Lamar County, Mississippi, and being more particularly described as follows:

A parcel of land being located in the Northeast 1/4 of the Northeast 1/4 of Section 11 and the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 4 North, Range 14 West, Lamar County, Mississippi, and being more particularly described as follows:

Commence and Begin at the Northwest corner of the Northeast 1/4 of said Section 11 and run East for 182.78 feet, along the south line of said Section 12 to the south line of said Section 12 and run South 00 degrees 00 minutes 21 seconds West for 185.51 feet to a iron pin, thence run South 89 degrees 00 minutes 30 seconds East for 20.06 feet to an iron pin, thence run South 00 degrees 00 minutes 21 seconds West for 403.37 feet to an iron pin, thence run North 89 degrees 00 minutes 30 seconds West for 175.00 feet to an iron pin, thence run South 01 degrees 28 minutes 06 seconds West for 21.63 feet to an iron pin, thence run North 89 degrees 00 minutes 30 seconds West for 460.19 feet to an iron pin found at the Northwest corner of The Cottages of Turtle Creek Phase I Subdivision, as plotted in the Lamar County Chancery's Clerk Office, thence having said Northwest corner of The Cottages of Turtle Creek Phase I run North 24 degrees 56 minutes 33 seconds East for 303.23 feet to an iron pin, thence run North 41 degrees 41 minutes 24 seconds East for 218.12 feet to an iron pin, thence run North 41 degrees 28 minutes 13 seconds East for 247.97 feet to an iron pin on the north line of Section 11, run East for 403.95 feet along the north line of said Section 11 back to the POINT OF BEGINNING. Said parcel contains 11.74 acres, more or less.

ACKNOWLEDGMENT

METHODS BOULEVARD

OWNER'S CERTIFICATE

- NOTES:**
1. 1/2" SUBMIT
 2. DATE OF FIELD SURVEY: JUNE 2023
 3. IRON PINS SET ARE 1/2" X 18" REBAR AT ALL NEW PROPERTY CORNERS.
 4. PROPERTY IS LOCATED IN FLOOD ZONE "X" AS PER PANEL NO. 2803502010 DATED MARCH 2, 2010 AND FLOOD ZONE "AC" AS PER PANEL NO. 2807202010 DATED MARCH 2, 2010.
 5. AREA OF SUBJECT PROPERTY: 20.88 ACRES MORE OR LESS
 6. PROPERTY IS LOCATED IN ZONE R-3
 7. 5.0' UTILITY AND DRAINAGE EASEMENTS FROM ALL LOT LINES UNLESS OTHERWISE NOTED.
 8. WATER SUPPLY BY ARKANSAS WATER ASSOCIATION.



PUBLIC HEARING APPLICATION
P O BOX 1898 (200 Forrest Street/39401)
HATTIESBURG, MS 39403-1898
 Department of Urban Development
 545-4599 or FAX (601) 545-1962

**PUBLIC HEARING TYPE REQUESTED:****Application for (check all appropriate types):**

- ☐ Variance (details below) ☐ Conditional Use (details below) ☐ Re-Zoning (details below)
☒ Subdividing of Lot, Parcel or Tract ☐ Overlay District
☐ Street or Alley Renaming ☐ Vacating Street or Alley
☐ Planned Mixed-Use District ☒ Planned Residential Development

FOR VARIANCE ONLY:

Check all appropriate variance types:

- ☐ Sign ☐ Setback (front, side or rear _____) ☐ Off-site Parking
☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space
☐ Other _____

Land Development Code Section No. _____

Section No. _____

Section No. _____

**Staff
Information –
do not complete**

FOR CONDITIONAL USE PERMIT ONLY:

Check Applicable Type:

- ☐ Automotive filling station ☐ Group facility or home ☐ Care Center (type _____)
☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Solar Farm
☐ Restaurant ☐ Telecommunications ☐ Other _____

Land Development Code Section No. _____

Staff Information

FOR RE-ZONING ONLY:

Existing Zoning: _____

Proposed Zoning: _____

Public Hearing Contact Information Form

City of Hattiesburg - Planning Division

Note: A Pre-Application submittal must contain a completed application form and a concept plan drawn to scale.

Pre-Application Date: Click here to enter a date.

Planner:

Today's Date: Click here to enter a date. June 29, 2023

Project Name:

Proposed Use(s): Residential Subdivision

Project Street Address: Methodist Blvd

PPIN Number(s) (If unknown, can be found on tax receipt):

Parcel Number(s): 051K-12-006.000

Flood Zone(s):

Historic District(s): N/A

Zoning District(s): R-2

Proposed Cost of the Project: \$ 215,000

Project Representative Information

Name: Dennis Pierce

☐ Applicant ☒ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (Specify):

Phone: 601-264-6800

Fax:

Email: Dennis@DennisPierce.com

Mailing Address: 23 Liberty Place, Hattiesburg, MS 39402

Name:

☐ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (Specify):

Phone:

Fax:

Email:

Mailing Address:

Name:

☐ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (Specify):

Phone:

Fax:

Email:

Mailing Address:

OWNER AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **OWNER(S)** OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the **OWNER(s)** of the subject property located at

0 Park Hattiesburg, MS
Street Address City State

on this the 13th day of July, 2023.

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

Dennis Pierce

on this the 13th day of July, 2023.

Dennis Pierce, Inc
Property Owner (print)

Dennis L. Pierce, Pres
Property Owner (signature)

STATE OF

Mississippi

COUNTY OF

Lamar

Personally came and appeared before me, the within named

Dennis L Pierce

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 19th day of July, 2023.

Tabatha A. Johnson
NOTARY PUBLIC



My Commission Expires:

PLANNING COMMISSION & BOARD OF ADJUSTMENT - PETITIONER REQUIRED SUBMITTAL INFORMATION

Deadline for applicant to file petition: July 24, 2023 5:00 p.m. (End of business day)

Hattiesburg Planning Commission & Board of Adjustment Meeting Date: September 6, 2023 Time: 1:00 p.m.
(Always the first Wednesday of each month - you or your representative MUST attend)

There is a 10 day appeal period, required by State Law, between the Planning Commission Meeting and/or Board of Adjustment Meeting and the City Council Meeting – appeals must be filed within this 10-day period.

City Council Agenda Review Meeting Date- (you or your representative should attend): _____ Time: 4:00 p.m.

City Council Meeting (Vote) Date - (you or your representative may attend): _____ Time: 5:00 p.m.

There is an additional 10 day appeal period, required by State Law, after City Council Meeting, for all Variances and Conditional Use Permit which ends _____ and a 30 day appeal period for Zoning or Street closing/ re-naming, PMUs, PRDs, PUDs which ends _____. So, if approved by City no final site plan review approvals or building permits could be issued prior to these dates.

If an appeal is filed or the petition is tabled for any reason at any stage, the above listed dates would need to be revised.

The following paperwork MUST be attached to this application:

☒ Site Diagram (11"x 17" preferred size): Drawing to scale prepared by professional engineer/surveyor showing lot dimensions, existing/proposed buildings, signs, parking areas, etc. (Different standard may be accepted only per approval from Staff)

☐ Site & Design Review Committee, if needed.

☒ Copy of entire Warranty Deed (filed and recorded at courthouse) with legal description granting title to current owner. (If the Warranty Deed covers a larger piece of property than the current project, a legal description for this project site only may also be required.)

☒ Electronic/Digital copy of legal description REQUIRED for all public notices, saved as Word or text document OR emailed to glowrey@hattiesburgms.com or planning@hattiesburgms.com.

☒ An affidavit (page 3 & 4) attesting that the applicant or representing party (if other than owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be separate document)

☐ A letter of approval/denial from all adjoining property owners must be obtained and submitted with application (Variance application only).

☐ Other documents needed (per Planning Division).

☐ Maps of Digital Billboard Removal Sites

☐ Maps of Digital Billboard Replacement sites

☐ Documentation on measurements

☐ Other _____

☐ Payment to the City of Hattiesburg for filing application in the amount of \$ 775.00

***You may be responsible for posting a sign (prepared by Planning Division staff)
a minimum of fifteen (15) days prior to the hearing date.***

You will be responsible for maintaining the sign for the duration of the public hearing process.

Required Fees

All fees adopted by Ordinance Number 2977, adopted January 22, 2008, as amended. This is an excerpt from that ordinance:

Public Hearing Fees:

Variance (includes Concept Site Plan Review) -----	\$ 175.00 per application and one Variance request; plus \$50.00 for each additional variance request within same application	
Street/Alley Naming or Re-Naming -----	\$300.00 per application, plus \$100.00 per required street name sign if approved*	
* Fees for replacement street signs shall be paid after City Council approval, but prior to effective date.		
Street/Alley Closing -----	\$300.00 per application	
[Conditional] Use Permit -----	\$200.00 per application	
Zoning Change -----	\$400.00 per application* (*see PUD or PRD & zoning package rate)	
Planned Unit Development (PUD) or Planned Residential Development (PRD), & [Planned Mixed-Use District PMU] -----	\$400.00 per application	52 lots
(*see PUD or PRD & zoning \package rate) Or (**see PUD or PRD & Subdivision of Land package)		
Planned Unit Development (PUD) or Planned Residential Development (PRD) with Zoning Change package* -----	\$600.00 per package application	225 + 520
Subdivision of Land (Preliminary Plats) -----	\$225.00 per application, plus \$10.00 for each created lot (**see PUD or PRD & Subdivision of Land package rate)	\$775
Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.		
Planned Unit Development (PUD) or Planned Residential Development (PRD) with Subdivision of Land package ** -----	\$500.00 per application, plus \$10.00 for each created lot (**see PUD or PRD & Subdivision of Land package rate)	
Change in Land Development Code Text -----	\$200.00 per application	
Appeal Fees for Proponent or Opponent appeals to City Council ---	\$50.00 per appeal	
Exempt from fees – Established Neighborhood Associations		
Cancellation / Re-notification fee on any public hearing process (Planning Commission or City Council) that is tabled or cancelled at the owner/developer's request -----	\$50.00 (per each 100 mailing labels)	

*Description
of Phase IV*

Legal Description

The undersigned Owner and Registered Land Surveyor do hereby declare and certify that this said plat, designated as The Cottages at Turtle Creek Phase IV, embraces and covers the following described land by metes and bounds.

A parcel of land being located in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 11 and the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ Section 12, Township 4 North, Range 14 West, Lamar County, Mississippi, and being more particularly described as follows:

Commence and Begin at the Northeast corner of the Northeast $\frac{1}{4}$ of said Section 11 and run East for 157.78 feet along the north line of said Section 12 to and iron pin; thence leaving the north line of Section 12 run South 00 degrees 50 minutes 21 seconds West for 185.01 feet to a iron pin; thence run South 89 degrees 09 minutes 39 seconds East for 20.06 feet to an iron pin; thence run South 00 degrees 50 minutes 21 seconds West for 403.37 feet to an iron pin; thence run North 89 degrees 09 minutes 39 seconds West for 175.00 feet to and iron pin; thence run South 01 degrees 29 minutes 06 seconds West for 21.63 feet to an iron pin; thence run North 89 degrees 09 minutes 39 seconds West for 860.19 feet to an iron pin found at the Northwest corner of The Cottages of Turtle Creek Phase II Subdivision, as platted in the Lamar County Chancery's Clerk Office; thence leaving said Northwest corner of The Cottages of Turtle Creek Phase II run North 24 degrees 56 minutes 33 seconds East for 303.23 feet to an iron pin; thence run North 41 degrees 41 minutes 24 seconds East for 218.12 feet to an iron pin; thence run North 49 degrees 28 minutes 13 seconds East for 241.97 feet to an iron pin on the north line of Section 11; run East for 409.56 feet along the north line of said Section 11 back to the POINT OF BEGINNING. Said parcel contains 11.74 acres, more or less.

Deed

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STATE OF MISSISSIPPI
COUNTY OF LAMAR

FILED

2004 SEP 27 PM 12 08

WARRANTY DEED

WAYNE SMITH
CHANCERY CLERK

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable considerations, not herein mentioned, the receipt and sufficiency of all of which are hereby acknowledged, **ASBURY FOUNDATION OF HATTIESBURG, INC.**, a Mississippi not-for-profit corporation, the Grantor herein, does hereby grant, bargain, sell, convey and warrant unto, **DENNIS L. PIERCE**, the Grantee herein, the following described lands, said lands in Lamar County, Mississippi, being more particularly described as follows, to-wit:

A part of the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 11 and part of the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 12, all in Township 4 North, Range 14 West, in the City of Hattiesburg, County of Lamar, State of Mississippi and being more particularly described as Beginning at the Northeast Corner of the Northwest $\frac{1}{4}$ of said Northwest $\frac{1}{4}$ of Section 12, thence run N88°54'58"E along the North line of the said Northwest $\frac{1}{4}$ of Section 12 for 81.97 feet; thence run S00°10'35"E for 453.57 feet to a Point on the Centerline of Mixon's Creek, thence run S22°26'15"W along the said Centerline of Mixon's Creek for 56.39 feet; thence run N65°54'52"W along the said Centerline of Mixon's Creek for 19.99 feet, thence run N18°20'18"W along the said Centerline of Mixon's Creek for 38.30 feet, thence run N63°34'40"W along the said Centerline of Mixon's Creek for 37.95 feet, thence run N88°48'52"W along the said Centerline of Mixon's creek for 82.00 feet, thence run N02°49'09"E along the said Centerline of Mixon's Creek for 55.15 feet, thence run N08°47'42"W along the said Centerline of Mixon's Creek for 88.07 feet, thence run N85°35'23"W along the said Centerline of Mixon's Creek for 32.20 feet, thence run S34°06'23"W along the said Centerline of Mixon's Creek for 40.04 feet, thence run S65°18'20"W along the said Centerline of Mixon's Creek for 99.85 feet, thence run S47°49'31"W along the said Centerline of Mixon's Creek for 34.08 feet, thence run N58°59'19"W along the said Centerline of Mixon's Creek for 31.10 feet, thence run N11°27'45"E along the said Centerline of Mixon's Creek for 32.46 feet, thence run N06°47'33"W along the said Centerline of Mixon's Creek for 63.88 feet, thence run N43°26'54"W along the said Centerline of Mixon's Creek for 54.14 feet, thence run N89°21'23"W along the said Centerline of Mixon's Creek for 31.46 feet, thence run S61°05'40"W along the said Centerline of Mixon's Creek for 37.37 feet, thence run N87°17'33"W along the said Centerline of Mixon's Creek for 34.40 feet, thence run S02°37'97"W along the said Centerline of Mixon's Creek for 31.65 feet, thence run S50°21'53"W along the said Centerline of Mixon's Creek for 50.08 feet, thence run

S38°16'03"E along the said Centerline of Mixon's Creek for 45.37 feet, thence run S00°12'15"W for 860.78 feet to a Point on the Northern Line of a Mississippi Power Company Easement, thence run N89°06'37"W along the said Northern Line of the said Mississippi Power Company Easement for 1733.33 feet to the Southeast Corner of the Cottages of Turtle Creek Subdivision, thence run N00°46'34"E along the East Line of the said Cottages of Turtle Creek Subdivision for 574.91 feet, thence run N89°13'40"W along the North Line of the said Cottages of Turtle Creek Subdivision for 495.76 feet, thence run S00°46'46"W along the West Line of the said Cottages of Turtle Creek Subdivision for 399.97 feet to a Point on the West Line of the Northeast ¼ of the said Northeast ¼ of Section 11, thence run N89°13'25"W along the said West Line of the Cottages of Turtle Creek Subdivision for 60.02 feet, thence run S01°07'00"E along the said West line of the Cottages of Turtle Creek Subdivision for 329.26 feet to a Point on the South line of the Northwest ¼ of the said Northeast ¼ of Section 11, thence run N89°37'28"W along the said South Line of the Northwest ¼ of the Northeast ¼ for 912.99 feet, thence run N00°38'53"E for 59.69 feet to a Point on the Southern Line of the said Mississippi Power Company Easement, thence run N89°13'51"W along the said Southern Line of the Mississippi Power Company Easement for 196.14 feet to a Point on the Eastern Right of Way Line of Weathersby Road, thence run N28°57'35"E along the said Eastern Right of Way line of Weathersby Road for 104.83 feet to a Found Concrete Monument on the Northern Line of the said Mississippi Power Company Easement, thence run N27°07'37"E along the said Eastern Right of Way Line of Weathersby Road for 26.78 feet to a Found Concrete Monument, thence run N27°06'33"E along the said Eastern Right of Way Line of Weathersby Road for 19.99 feet to a Found Concrete Monument, thence run N37°18'55"E along the said Eastern Right of Way Line of Weathersby Road for 100.02 feet to a Found Concrete Monument, thence run N42°55'50"E along the said Eastern Right of Way Line of Weathersby Road for 331.74 feet, thence run N53°01'31"E along the said Eastern Right of Way Line of Weathersby Road for 691.81 feet, thence run N48°41'18"E along the said Eastern Right of Way Line of Weathersby Road for 566.54 feet to a Point on the North Line of the said Northeast ¼ of Section 11, thence run N89°41'55"E along the said North Line of the Northeast ¼ of Section 11 for 1193.36 feet to the Northeast Corner of said Section 11, thence run N89°23'21"E along the said North line of the Northwest ¼ of the Section 12 for 644.41 feet, thence run N88°56'17"E along the said North Line of the Northwest ¼ of Section 12 for 658.23 feet to the Point of Beginning, Comprising 75.06 Acres, more or less.

Subject to those certain Subdivision Regulations from the Lamar County Board of Supervisors.

Subject to that certain Assignment of Option Agreement between MDV, LLC as grantor and Flanagan Construction Company and Leslie McInnis Granberry, as Grantees, dated September 4, 2003 and recorded August 13, 2004 in Book 17D at page 197, whereby Grantors assigned an option described in a letter dated July 23, 2003 from Asbury Foundation of Hattiesburg, Inc.

Subject to that certain Temporary Sewer Construction Easement from Asbury Foundation, Inc. to the City of Hattiesburg, dated January 20, 2004 and recorded March 30, 2004 in Book 16W at page 495, Book 16W at page 497, and Book 16W at page 499.

Subject to that certain Right-of-Way Easement from Asbury Foundation of Hattiesburg, Inc. to Pearl River Valley Electric Power Association, dated September 18, 2003 and recorded December 12, 2003 in Book 16R at page 280.

Subject to that certain Access Easement and Right of First Refusal granted by Wesley Health System, Inc. to Wesley Health System, LLC, dated September 1, 1997 and recorded August 29, 1997 in Book 12Y at page 366.

Subject to that certain Sanitary and Sewer Easement from Hercules, Incorporated to The City of Hattiesburg, dated May 2, 1980 and filed of record on May 14, 1980 in Book 6-L at Page 363 in the Office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that certain Construction Easement from Hercules, Incorporated to The City of Hattiesburg, dated May 2, 1980 and filed of record on May 14, 1980 in Book 6-L at Page 365 in the Office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that certain Easement from C. B. McIntosh to Mississippi Power Company, date May 11, 1930 and filed of record on May 20, 1930 in Book AA at Page 469 in the Office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that certain Easement from C. B. McIntosh to Mississippi Power Company, date May 11, 1930 and filed of record on May 20, 1930 in Book AA at Page 480 in the Office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that certain Right of Way Deed and Construction Easement from Thomas L. Price and wife, Jeanette W. Price to the City of Hattiesburg, Forrest and Lamar Counties, Mississippi, dated August 10, 1994 and filed for record on September 22, 1994 in Book 11-H at Page 658-E in the Office of the Chancery Clerk of Lamar County, Mississippi; said Right of Way Deed and Construction Easement has been re-recorded in Book 11-H at Page 658-J in the above mentioned office.

Subject to that certain Easement from Thomas L. Price and wife, Jeanette W. Price to Bellsouth Telecommunications, dated August 9, 1994 and filed for record on August 22, 1994 in Book 11-G at Page 394 in the Office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that certain Easement Agreement from Thomas L. Price and wife, Jeanette W. Price to CAT Partnership, dated August 23, 1991 and filed for record on August 29, 1991 in Book 9-U at Page 293 in the Office of the Chancery Clerk of Lamar County, Mississippi.

Subject to that certain Right of Way from Mrs. W. H. Weathersby, by R. E. Weathersby by and through Power of Attorney to Pearl River Valley Electric Power Association, dated July 20, 1988 and filed for record on July 27, 1988 in Book 8-Q at Page 561 in the Office of the Chancery Clerk of Lamar County, Mississippi. This Easement is limited to retiring one pole and guy and installing one pole with guys in two different directions.

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Subject to that certain Right of Way Easement from Mrs. W. H. Weathersby to Pearl River Valley Electric Power Association, dated January 7, 1983 and filed for record on January 24, 1983 in Book 7-A at Page 240 in the Office of the Chancery Clerk of Lamar County, Mississippi.

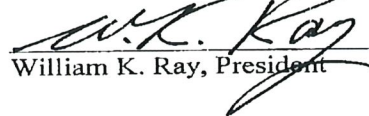
Subject to that certain Right of Way from Mrs. W. E. Weathersby to Arnold Line Water Association, dated June 7, 1967 and filed for record on June 9, 1967 in Book 4-J at Page 348 in the Office of the Chancery Clerk of Lamar County, Mississippi.

For the same consideration ASBURY FOUNDATION OF HATTIESBURG, INC., successor by change of name to Wesley Health Services, LLC does hereby quitclaim and relinquish its right of first refusal to purchase all or any portion of the above-described property or any portion thereof or interest therein, sold or otherwise transferred by this Warranty Deed. Said right of first refusal originating in that certain Access Easement and Right of First Refusal between Wesley Health Systems, LLC and Wesley Health Systems, Inc. dated August 28, 1997 and recorded August 29, 1997 in Book 12Y at page 366 of the records in the office of the Chancery Clerk of Lamar County, Mississippi.

WITNESS OUR SIGNATURE on this the 24th day of September, A.D., 2004.

ASBURY FOUNDATION OF HATTIESBURG, INC.

BY:


William K. Ray, President

STATE OF MISSISSIPPI
COUNTY OF LAMAR

PERSONALLY came and appeared before me, the undersigned authority in and for said County and State, on this 24th day of September, 2004, within my jurisdiction, the within named WILLIAM K. RAY, who acknowledged that he is President of Asbury Foundation of Hattiesburg, Inc., a Mississippi not-for-profit corporation, and that for and on behalf of said corporation, and as its act and deed, he executed the above and foregoing instrument on the day and year therein mentioned, after first having been duly authorized by said corporation so to do.

William Scott Phillips
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____



GRANTOR'S ADDRESS:
Post Office Box 17797
Hattiesburg, MS 39404-7797
(601) 296-3555

GRANTEE'S ADDRESS:
23 Liberty Place
Hattiesburg, MS 39402
(601) 264-6800

Please Index:

Northeast Quarter of the Northeast Quarter and Northwest Quarter of the Northeast Quarter of Section 11, Township 4 North, Range 14 West Lamar County, Mississippi.
And

Northeast Quarter of the Northwest Quarter and Northwest Quarter of the Northwest Quarter of Section 12, Township 4 North, Range 14 West Lamar County, Mississippi.

This Deed Prepared by:
PHILLIPS LAW FIRM, P.A.
326A Second Street
Post Office Box 3
Columbia, Mississippi 39429
(601) 736-9301
C:\mydocuments\deeds\pierce,dennis 1 04092578

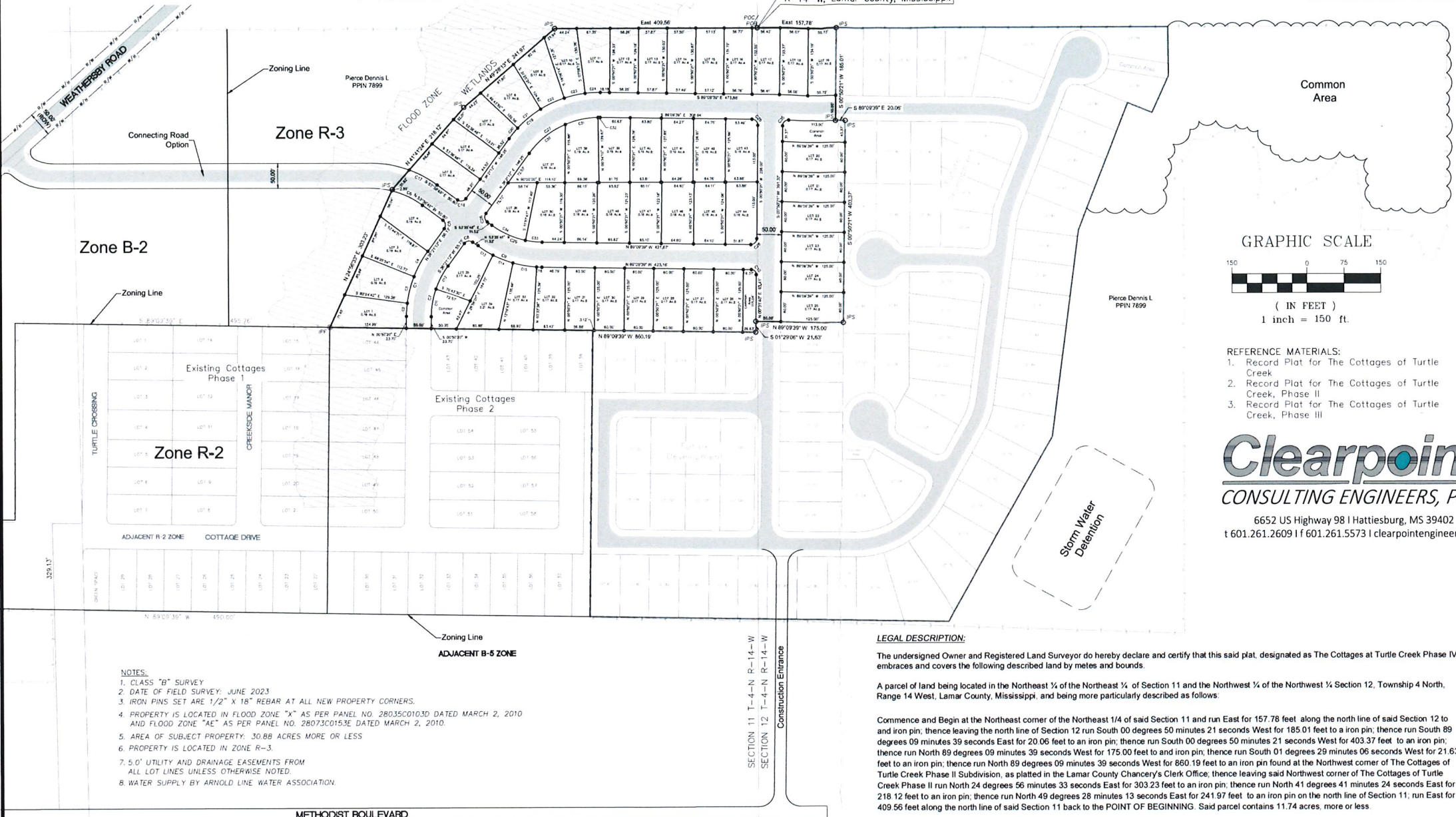


CERTIFICATE OF FILING AND RECORDING
STATE OF MISSISSIPPI • LAMAR COUNTY
WAYNE SMITH, CHANCERY CLERK
BOOK 17-E PAGE 301
INDEXED ✓ RECORDED ✓ ABSTRACTED ✓
Shirley Bloome D.C.

Cottages at Turtle Creek
Phase IV

Preliminary Plat

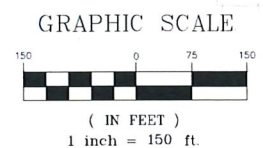
This plat is preliminary in nature and is for the purpose of providing a conceptual representation of the proposed layout. The Owners reserve the right to make minor modifications as conditions warrant prior to recording the final plat.



LEGEND

- Utility & Drainage Easement Line
- Setback Line
- Iron Pin Set (IPS)
- Iron Pin Found (IPF)

Name of Owner:
Dennis Pierce, Member
23 Liberty Place
Hattiesburg, MS 39402



- REFERENCE MATERIALS:
- Record Plat for The Cottages of Turtle Creek
 - Record Plat for The Cottages of Turtle Creek, Phase II
 - Record Plat for The Cottages of Turtle Creek, Phase III

Clearpoint
CONSULTING ENGINEERS, P.A.

6652 US Highway 98 | Hattiesburg, MS 39402
t 601.261.2609 | f 601.261.5573 | clearpointengineers.com

Curve Table				
Curve #	Length	Radius	Chord Bearing	Chord Length
C1	136.464	225.000	N18°35'46"10"E	137.24
C2	26.505	225.000	N04°12'46"25"E	26.46
C3	54.889	225.000	N04°34'42"10"E	54.76
C4	57.696	225.000	N08°54'47"44"E	57.53
C5	18.650	12.000	N60°56'48"00"W	18.97
C6	68.922	175.213	N64°55'46"41"W	69.46
C7	106.472	175.000	S18°35'46"10"W	106.74
C8	18.650	12.000	S60°56'48"00"W	18.97
C9	136.464	225.000	S71°24'13"36"E	137.24
C10	15.664	10.000	N44°17'15"06"W	14.11
C11	96.306	175.000	S10°03'25"10"W	96.07
C12	52.163	175.000	S27°45'50"51"W	51.97
C13	36.861	225.000	N68°21'23"27"W	36.96
C14	43.234	225.000	N68°34'15"72"W	43.17
C15	48.553	225.000	N60°15'27"37"W	48.46
C16	10.667	225.000	N67°48'00"28"W	10.69
C17	63.796	225.000	S61°45'51"66"E	63.54
C18	18.650	12.000	N61°21'12"00"E	18.97
C19	213.695	225.000	S63°35'46"64"W	206.69
C20	27.154	225.000	N09°48'38"36"E	27.14
C21	80.121	225.000	N60°56'48"00"E	80.94
C22	52.301	225.000	N65°14'12"82"E	52.13
C23	43.199	225.000	N77°23'46"87"E	43.13
C24	31.190	225.000	N66°52'04"56"E	31.17
C25	18.650	12.000	N44°09'36"71"W	18.97
C26	18.650	12.000	S08°56'48"00"E	18.97
C27	186.418	175.000	N63°35'46"64"E	180.22
C28	18.650	12.000	N45°50'21"29"E	18.97
C29	106.472	175.000	N71°24'13"36"W	106.74
C30	93.866	175.000	S51°43'11"14"W	92.75
C31	88.247	175.000	S78°15'30"01"W	87.62
C32	4.303	175.000	N69°51'54"48"W	4.30
C33	33.975	175.000	S63°35'56"01"E	33.92
C34	74.496	175.000	S65°50'30"66"E	73.93
C35	18.650	12.000	N45°50'21"29"E	18.97

- NOTES:
- CLASS "B" SURVEY
 - DATE OF FIELD SURVEY: JUNE 2023
 - IRON PINS SET ARE 1/2" X 18" REBAR AT ALL NEW PROPERTY CORNERS.
 - PROPERTY IS LOCATED IN FLOOD ZONE "X" AS PER PANEL NO. 28035C01030 DATED MARCH 2, 2010 AND FLOOD ZONE "AE" AS PER PANEL NO. 28073C0153E DATED MARCH 2, 2010.
 - AREA OF SUBJECT PROPERTY: 30.88 ACRES MORE OR LESS
 - PROPERTY IS LOCATED IN ZONE R-3.
 - 5.0' UTILITY AND DRAINAGE EASEMENTS FROM ALL LOT LINES UNLESS OTHERWISE NOTED.
 - WATER SUPPLY BY ARNOLD LINE WATER ASSOCIATION.

LEGAL DESCRIPTION:

The undersigned Owner and Registered Land Surveyor do hereby declare and certify that this said plat, designated as The Cottages at Turtle Creek Phase IV, embraces and covers the following described land by metes and bounds.

A parcel of land being located in the Northeast 1/4 of the Northeast 1/4 of Section 11 and the Northwest 1/4 of the Northwest 1/4 Section 12, Township 4 North, Range 14 West, Lamar County, Mississippi, and being more particularly described as follows:

Commence and Begin at the Northeast corner of the Northeast 1/4 of said Section 11 and run East for 157.78 feet along the north line of said Section 12 to and iron pin; then leaving the north line of Section 12 run South 00 degrees 50 minutes 21 seconds West for 185.01 feet to an iron pin; then run South 89 degrees 09 minutes 39 seconds East for 20.06 feet to an iron pin; then run South 00 degrees 50 minutes 21 seconds West for 403.37 feet to an iron pin; then run North 89 degrees 09 minutes 39 seconds West for 175.00 feet to and iron pin; then run South 01 degrees 29 minutes 06 seconds West for 21.63 feet to an iron pin; then run North 89 degrees 09 minutes 39 seconds West for 860.19 feet to an iron pin found at the Northwest corner of The Cottages of Turtle Creek Phase II Subdivision, as platted in the Lamar County Chancery's Clerk Office; then leaving said Northwest corner of The Cottages of Turtle Creek Phase II Subdivision, run North 24 degrees 56 minutes 33 seconds East for 303.23 feet to an iron pin; then run North 41 degrees 41 minutes 24 seconds East for 218.12 feet to an iron pin; then run North 49 degrees 28 minutes 13 seconds East for 241.97 feet to an iron pin on the north line of Section 11; run East for 409.56 feet along the north line of said Section 11 back to the POINT OF BEGINNING. Said parcel contains 11.74 acres, more or less.

OWNER'S CERTIFICATE

State of Mississippi
County of Lamar

I, Dennis Pierce, the owner, do hereby certify that the aforementioned is the Owner of the land described in the foregoing Certificate of John C. Anglin, a Mississippi Registered Professional Engineer and Land Surveyor, and that I have caused the same to be subdivided and platted as shown hereon, and have designated the same as The Cottages of Turtle Creek, Phase IV. I do hereby dedicate the street rights-of-way, utilities, and easements as shown to public use forever.

Witness my Signature on this, the _____ day of _____, 2023.

Dennis Pierce—President
Dennis Pierce, Inc.

ACKNOWLEDGMENT

State of Mississippi
County of Lamar

Personally appeared before me, the undersigned notary in and for the jurisdiction aforesaid, the within named Dennis Pierce, of Dennis Pierce, Inc., the Owner, who acknowledged to me that he signed and delivered this plat and the Certificate thereon as his own act and deed for and in behalf of said Owner, after being authorized to do so.

Given under my hand and seal of office on this, the _____ day of _____, 2023.

My commission expires on: _____
Notary Public

ACKNOWLEDGEMENT

State of Mississippi
County of Lamar

Personally appeared before me, the undersigned notary in and for the jurisdiction aforesaid, the within named John C. Anglin, a Mississippi Registered Professional Engineer and Land Surveyor, who acknowledged to me that he executed the Certificate upon this plat on the day and year herein mentioned.

Given under my hand and seal of office on this, the _____ day of _____, 2023.

My Commission Expires _____

NOTARY PUBLIC

CITY APPROVAL AND ACCEPTANCE FORM

State of Mississippi
County of Lamar
City of Hattiesburg

Survey checked on this, the _____ day of _____, 2023, by John C. Anglin and approved by the City Engineer for the City of Hattiesburg on this, the _____ day of _____, 2023.

City Engineer

This subdivision is herein approved and accepted, and all street rights-of-way, utilities and easements contained therein to be dedicated to the City of Hattiesburg are hereby accepted for the City of Hattiesburg on this, the _____ day of _____, 2023.

City Clerk

Mayor

VERIFICATION

State of Mississippi
County of Lamar

This is to certify that I, John C. Anglin, a Mississippi Registered Professional Engineer and Land Surveyor, as maker of the map of The Cottages of Turtle Creek, Phase IV, have compared this the _____ with the _____ and the _____ and find the same to be exact copies of each other.

John C. Anglin

FILING AND RECORDATION

State of Mississippi
County of Lamar

I, _____, Clerk of the Chancery Court in and for said County and State, do hereby certify that the Final Plat of The Cottages of Turtle Creek, Phase IV, was filed for record in my office on this, the _____ day of _____, 20____, and was duly recorded in Plat Book _____, Page _____, Slide _____ of the records and maps and plats of land in the Chancery Court of Lamar County, Mississippi.

Given under my hand and seal of office on this, the _____ day of _____, 2023.

Chancery Clerk

September 2023 HPC Item: B

Ming Ming Lin, Representative, Martin Trovea, Architect, Beverly Land LLC, Owner

Request for: **Approval for Planned Mixed-Used Development**



URBAN DEVELOPMENT PLANNING DIVISION

Planning Commission Case Fact Sheet

Names of Petitioner: Ming Ming Lin, Representative, Martin Trovea, Architect, Beverly Land LLC, Owner

Address of Property:
Old Airport Rd

Tax Parcels/Ward:
2-041H-27-017.00

PPIN:
29647

Ward:
5

Request:

Approval for Planned Mixed-Used Development

Purpose of Request:

To request **approval for a Planned Mixed-Used Development** as an extension of the existing development known as the “Village at the Beverly”, which is located on Old Airport Road in Forrest County, Ward 5. The Planned Mixed-Use Development will be known as “Village at the Beverly III”. (PPIN 29647 Parcel No.: 2-041H-27-017.00).

Applicant Summary:

* See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

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.

PMU Planned Mixed-Use District (Proposed): The Planned Mixed-Use District is created to provide a regulatory framework for permitting mixed-use development projects in areas designated as mixed-use within the official Comprehensive Plan and any other specific plans subsequently approved. Specifically, the Planned Mixed-Use District serves to:

- Provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties.
- Encourage the preservation and enhancement of natural amenities and cultural resources; to protect the natural features of a site that relate to its topography, shape, and

- size; and to provide for a maximum amount of open space.
- Provide for a more efficient arrangement of land uses, buildings, circulation systems, and infrastructure.
- Encourage infill projects and the development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility, or topography.

SECTION 4.19.1

PMU Planned Mixed-Use District.

4.19.1.2 Eligibility. Eligibility for rezoning to a PMU is based on the City of Hattiesburg Comprehensive Plan as well as other specific plans adopted by the City. Areas generally eligible for rezoning to a Planned Mixed Use District are indicated as Neighborhood Business, General Business, and Planned Unit Development on the Future Land Use Map.

4.19.1.3 District Types. When requesting a rezoning to a new PMU district, the applicant must identify which Comprehensive Plan Area, or areas, applies. Each request for rezoning to a PMU must demonstrate substantial conformance with the characteristics, acceptable land uses and minimum project size as indicated in table 4.6-1.

4.19.1.4 Zoning Map Designation. If approved, all requests for a PMU rezoning shall carry the map designation of PMU along with the abbreviation for the Comprehensive Plan Area it is intended to implement. Abbreviations shall be as follows:

- PMU - NB (Neighborhood Business)
- PMU - GB (General Business)
- PMU - PD (Planned Unit Development)

4.19.1.5 District Regulations.

- i. Permitted Uses. There are no permitted uses in the PMU district.
- ii. Conditional Uses. All uses within a PMU are conditioned upon review and approval of a detailed site plan and other schematics required to prove consistency with specific regulations within this Code as well as the intent of the Comprehensive Plan. While use-specific conditions shall apply, other conditions required to mitigate incompatibilities and address site-specific conditions as imposed by the applicant or required by City Council shall apply and be binding.
- iii. Conditional uses within a PMU shall conform to the acceptable uses list for the Comprehensive Plan Area that is applicable; however, customary accessory uses shall also be permitted as conditional uses. Uses not substantially similar to the uses listed, as determined by the Director, shall be prohibited.
- iv. All requests for rezoning to a PMU-PD shall be accompanied by a detailed site plan indicating specific uses for each phase, parcel and structure. The site plan and the list of uses must conform to all applicable requirements of the LDC as well as rezoning application

requirements and shall, once approved, be binding on the property.

v. All requests for rezoning to any PMU except PMU-PD shall be accompanied by sufficient information to determine compliance with all applicable requirements of this Code. However, site plans and specified uses presented as part of the rezoning process shall not be binding on the property if the rezoning is approved and shall be prominently noted as such on any materials presented as part of a public process. Any property configuration or use that is consistent with the characteristics and acceptable uses for the Comprehensive Plan Area indicated shall be permitted upon review and approval by the Site and Design Committee as part of a zoning permit request.

vi. Mix of Uses Required. The PMU District is specifically intended to contain and support a mix of acceptable uses including residential, commercial, office and open spaces located within a walkable and bikable neighborhood.

vii. Change of Use. Subsequent to approval of a PMU-PD District, any change of use shall be reviewed and approved by the Director. Any requested change that is not substantially consistent with the approved plan shall require the applicant to submit a request for plan amendment. Such revision shall be reviewed and approved by the City Council following the same procedures and requirements for rezoning except that the Director may exempt any site plan requirements deemed inapplicable to the request. All changes of use in any other PMU District shall be reviewed and approved by the Site Design and Review Committee prior to issuance of a zoning permit.

viii. Dimensional Standards. The following dimensional standards shall apply to the PMU district unless otherwise approved by City Council as part of a site specific development plan. Any exception to these standards must be shown on the site plan and requested by the applicant in their presentation to the Council including an explanation for the exception. Any exception granted may require the applicant to incorporate conditions or design mitigation strategies imposed by the Council. Such conditions or strategies shall be presented by the Council and agreed to by the applicant prior to the action to rezone.

ix. Open Space. Open space shall be allocated, designed and maintained as an integral part of all PMU District areas. Open space shall be required as follows:

x. At its discretion, the City Council or Site and Design Committee, whichever has authority to approve the plan, may approve a decrease in the amount of required open space when the plan includes unique design features or amenities that achieve an especially attractive and desirable development such as, but not limited to, terraces, sculptures, water features, preservation and enhancement of unusual natural features, or landscape sculpture

(i.e., areas that are intensely landscaped). Open space may be held in common by a property owners association, dedicated to the City for use as a public amenity, or donated to a land conservationancy where it will be held and maintained for the intended use. Permanent ownership and maintenance responsibility of open space by the City is subject to approval by the City.

xi. Design Standards. All uses within a PMU district shall be subject to specific design standards as detailed in Section 6 Design Standards in addition to any other standards stipulated in adopted area plans. Where conflicts between standards exist between the two, standards in the adopted plan shall prevail.

xii. Design Mitigation. When submitting any application for rezoning to a PMU or any zoning permit request within an existing PMU, the applicant shall make a particular effort to mitigate potential incompatibilities with adjacent zoning districts. Such mitigation measures may include: the addition or increase of buffers, landscaping, open space, and screens; decreasing intensity, structure height, or bulk; reducing the amount of parking and restricting loading, solid and liquid waste collection (e.g. dumpsters, grease pits, and recyclable materials) adjacent to the perimeter; restricting access to local streets; and integration of other relevant design features that helps to merge the districts into a cohesive whole. Mitigation measures integrated into the application at time of submittal that exceed the standards of this Code shall be noted as binding conditions imposed by the applicant.

SECTION 11

Administration and Enforcement

11.2 City Council

11.2.9 Decide all requests for site and building design approval for properties located within a PMU district.

11.6 Site and Design Review Committee

11.6.2 Decide all requests for site and building design approval for properties located outside a designated historic district or PMU district

Present Zoning:	The undeveloped parcel is currently zoned B-3 Community Business District
Present Use:	Vacant / Undeveloped
Future Land Use:	Neighborhood Conservation District 1 and Community Business Corridor

**Surrounding Zoning
and Land Use:**

North: B-3 Community Business District
South: B-3 Community Business District / R-3 Multi-Family Residential District
East: B-3 Community Business District
West: B-3 Community 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 August 25th, 2023.

History / Background:

The Village at the Beverly was originally approved as a Planned Unit Development (PUD) under the previous Land Development Code, Ord. 2330, and additions and amendments since the adoption of the current code have approved expansions and amendments as Planned Mixed Use-Planned Developments. The original PUD was approved in August of 2013 by City Council. The current request is for the third and final phase of the Planned Mixed-Use Development.

Phase 1 of the development included 52 rental units, which was completed in 2016. Phase 2 was comprised of 40 rental units and completed in 2022. Phase three includes 30 rental units and a 2,000ft² commercial building. The final phase of the development also includes the addition of several amenities for residents, including a half-basketball court, a walking/jogging trail around a water feature, a fitness center, and a community business center. The proposed architectural style of the development will match the design and style of the existing buildings constructed in phase I and II.

The commercial component is a required part of a Planned Mixed-Use Development and must be included in the third phase of the development. The commercial space proposed includes 4 commercial spaces that are 500 ft² each, where the applicant is proposing they could be used for light retail. At this time, the applicant does not have a specified use for each of the commercial spaces. Staff suggests that the uses be limited to the permitted uses of a B-3 zoning district, which is consistent with the underlying zone for the area and the future land use designation as a Community Business Corridor. Staff also suggest including a timeline for when the commercial component is to be completed to guarantee the requirements of the PMU district are met in a reasonable timeframe. A memo from the previous Director of Urban Development has been included in this report, outlining the request to establish the development as a PMU, which included the requirement of a commercial or mixed-use type use as originally intended to make the whole of the development consistent with the PMU district.

Option: Recommend **approval** or **denial** of the request for a PMU-PD at 15 Airport Rd.

Conditions to consider with an approval:

1. **Mixed-use requirement** – The commercial or mixed-use component of the PMU must be completed at the same time as the residential component. The final Certificate of Occupancy for Phase III shall not be issued until the completion of commercial structures as shown on the site plan are complete.
2. **Allowable uses** – The commercial structures shall have the following uses that are allowed by right and do not need additional approval of the City Council. Any site changes or uses that are not as listed below will require conditional use approval as outlined in the requirements of the PMU District. The uses shall follow the definitions and requirements of table 5.1 of the Land Development Code and all other applicable codes and requirements:
 - a. Civic/Cultural/Community Center
 - b. Fitness Centers
 - c. Gallery, Museum, and Library
 - d. Medical or dental office
 - e. Other Professional Office
 - f. Personal and Professional Services, excluding tattoo parlors
 - g. Places of Assembly not otherwise listed in the table of uses
 - h. Restaurant, without a drive-through
 - i. Retail <10,000 ft²

SUBJECT PARCEL

Village at the Beverly — Planned Mixed-Used Development

Ming Ming Lin, Representative, Marin Tovrea, Architect

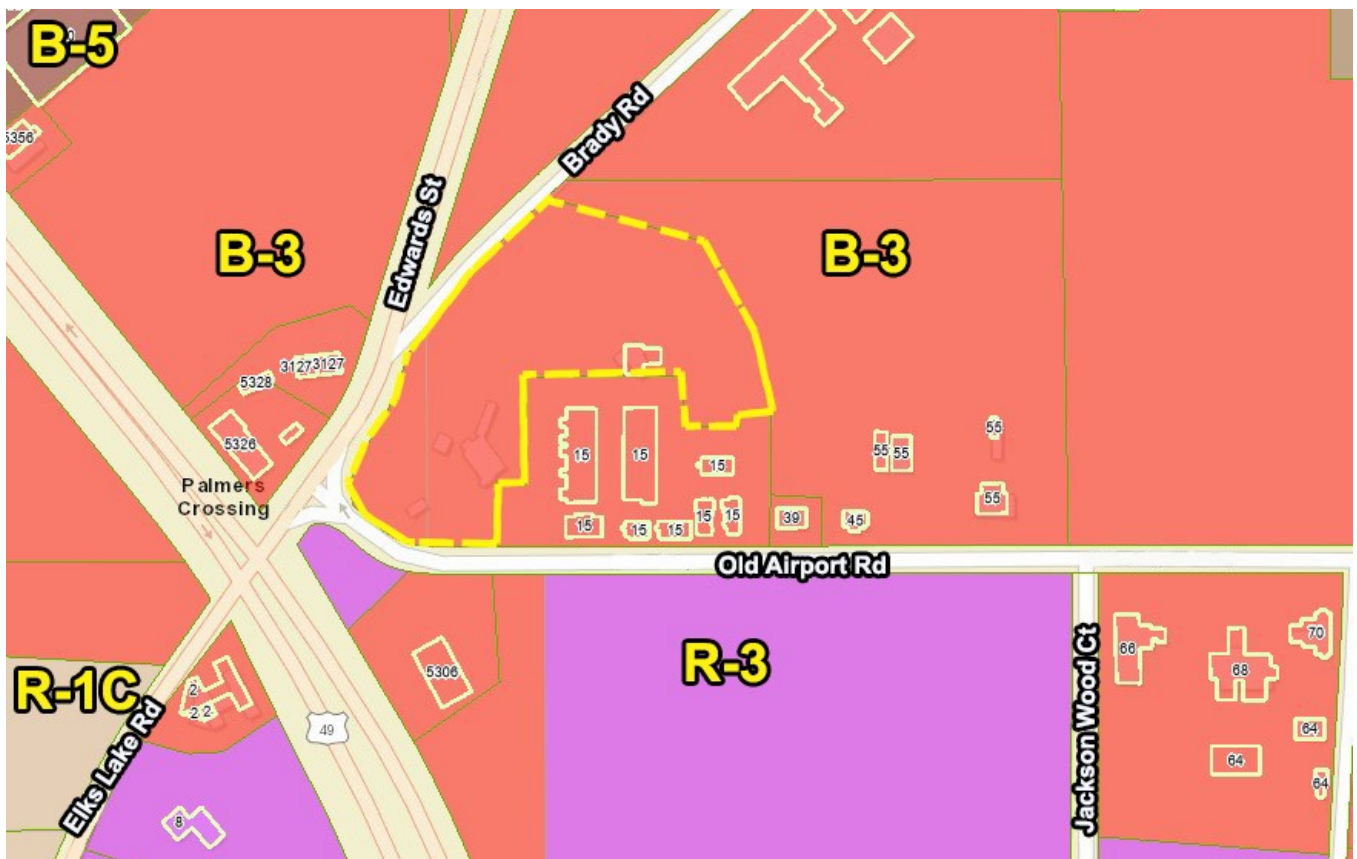
The petitioners request approval for a Planned Mixed-Used Development as an extension of the existing development known as the “Village at the Beverly”, which is located on Old Airport Road in Forrest County, Ward 5. The Planned Mixed-Use Development will be known as “Village at the Beverly III” (PPIN 29647 Parcel No.: 2-041H-27-017.00).



Vicinity Map: Ward 5



Zoning: B-3



Site Aerial



Site Aerial

Northern Direction: B-3 Community Business



Southern Direction: B-3 Community Business and R-3 (vacant)



Site Aerial

East and Western Directions: B-3 Community Business



Preliminary Plat



MEMORANDUM

TO: CITY COUNCIL MEMBERS; MAYOR BARKER
FROM: ANDREW ELLARD, DIRECTOR OF URBAN DEVELOPMENT
SUBJECT: BEVERLY PHASE II PMU-PD
DATE: 11/12/2019

Council Members:

The request to rezone the Phase II section of the project at the Beverly is in keeping with the prior plan to re-develop the site as a mixed use development. The project came through as a PUD under the previous code, but the site layout is changing considerably enough that procedurally, we preferred that it be sent through review of the Planning Commission and Council. Additionally, PUD does not exist under the new code in quite the same form. What we now call Planned Mixed Use (PMU), and more specifically, PMU-PD (Planned Development), is the most closely comparable zone/district overlay.

This request does not seek to change the previously approved use of the property, but will serve to define it according to the current code. With this in mind, the following terms are recommended to be incorporated as terms of the PMU-PD approval.

- Dimensions and measurable items shown on the presented site plan such as setbacks, drive aisle widths, impervious surface ratios, parking supplied, etc. may be changed as needed during the site plan review process with approval of the Site & Design Review Committee. Effort will be made to ensure that dimensions of Phase II are consistent with property zoned R-3, multi-family, with consideration that some details may need to adhere more closely to B-3 zoning as the underlying zone for the area.
- The site shall be designed to adhere to the Land Development Code requirements for R-3 or B-3, as appropriate, in all respects except for exceptions that are specifically listed in the approval.
- Phase II shall consist of multi-family housing with density no greater than that allowed in R-3 zoning districts and consist of site amenities common to, and required of, multi-family property, and shall include a private garage for each dwelling unit of a design complimenting the overall development.
- The site plan shall indicate that Phase III, when developed, shall include appropriate, commercial or mixed-use type uses as originally intended to make the whole of the development a mixed-use development consistent with the PMU-PD district and the prior PUD approval. Exact uses shall not be prescribed until development approval is pursued for Phase III.

ae

PUBLIC HEARING APPLICATION
P O BOX 1898 (200 Forrest Street/39401)
HATTIESBURG, MS 39403-1898
 Department of Urban Development
 545-4599 or FAX (601) 545-1962

**PUBLIC HEARING TYPE REQUESTED:****Application for (check all appropriate types):**

- | | | |
|--|--|--|
| ☐ Variance (details below) | ☐ Conditional Use (details below) | ☐ Re-Zoning (details below) |
| ☐ Subdividing of Lot, Parcel or Tract | ☐ Overlay District | |
| ☐ Street or Alley Renaming | ☐ Vacating Street or Alley | |
| ☒ Planned Mixed-Use District | ☐ Planned Residential Development | |

FOR VARIANCE ONLY:

Check all appropriate variance types:

- | | | |
|--------------------------------------|--|---|
| ☐ Sign | ☐ Setback (front, side or rear _____) | ☐ Off-site Parking |
| ☐ Lot Width | ☐ Lot Coverage Area | ☐ Buffer |
| ☐ Other _____ | | ☐ Open Space |

Land Development Code Section No. _____

Section No. _____

Section No. _____

Staff
Information –
do not complete

FOR CONDITIONAL USE PERMIT ONLY:

Check Applicable Type:

- | | | |
|---|---|---|
| ☐ Automotive filling station | ☐ Group facility or home | ☐ Care Center (type _____) |
| ☐ Digital Billboard, New | ☐ Digital Billboard, Replacement | ☐ Solar Farm |
| ☐ Restaurant | ☐ Telecommunications | ☐ Other _____ |

Land Development Code Section No. _____

Staff Information

FOR RE-ZONING ONLY:

Existing Zoning: _____

Proposed Zoning: _____

Public Hearing Contact Information Form

City of Hattiesburg - Planning Division

Note: A Pre-Application submittal must contain a completed application form and a concept plan drawn to scale.

Pre-Application Date: 4/11/2023

Planner: Nathan Satcher

Today's Date: 7/21/2023

Project Name: Village at the Beverly III

Proposed Use(s): Residential and commercial

Project Street Address: 15 Old Airport Rd, Hattiesburg, MS 34901

PPIN Number(s) (If unknown, can be found on tax receipt): 29647

Parcel Number(s): 2-041G-27-017.00

Flood Zone(s): X

Historic District(s): N/A

Zoning District(s): B-3 Community Business

Proposed Cost of the Project: \$8.9 Million Residential | \$500,000 Commercial

Project Representative Information

Name: Ming Ming Lin, Project Manager, Gulf Coast Housing Partnership

☐ Applicant ☐ Property Owner ☒ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (Specify):

Phone: 504-525-2505 ext 214

Fax:

Email: lin@gchp.net

Mailing Address: 1626 Oretha Castle Haley Blvd., Suite A, New Orleans, LA 70113

Name: Martin Tovrea, multistudio

☐ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☒ Architect ☐ Engineer

☐ Other (Specify):

Phone: 985-789-1614

Fax:

Email: martin.tovrea@multi.studio

Mailing Address: 3308A Magazine Street, New Orleans, LA 70115

Name: Beverly Land, LLC

☐ Applicant ☒ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (Specify):

Phone: 504-525-2505

Fax:

Email: laborde@gchp.net

Mailing Address: 1626 Oretha Castle Haley Blvd., Suite A, New Orleans, LA 70113

OWNER AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the **OWNER(s)** of the subject property located at

15 Old Airport Rd Hattiesburg MS
Street Address City State

on this the 24th day of July, 2023.

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

Ming Ming Lin, Martin Tovrea

on this the 24th day of July, 2023.

Beverly Land, LLC

Property Owner (print)

Property Owner (signature)

STATE OF LOUISIANA

COUNTY OF ORLEANS

Personally came and appeared before me, the within named

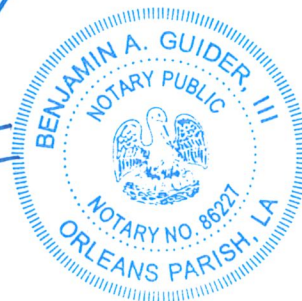
Kathleen F. Laborde

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 24th day of July, 2023.

Benjamin A. Guidet III
NOTARY PUBLIC

My Commission Expires: at death.



APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT** OF THIS PETITION,
ONLY IF DIFFERENT FROM THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the **APPLICANT(s)** of the subject property located at

15 Old Airport Rd Hattiesburg MS
Street Address City State

on this the 24th day of July, 2023.

Village at the Beverly III, LP

Applicant (print)

[Signature]
Applicant (signature)

STATE OF LOUISIANA

COUNTY OF ORLEANS

Personally came and appeared before me, the within named

Kathleen F. Laborde

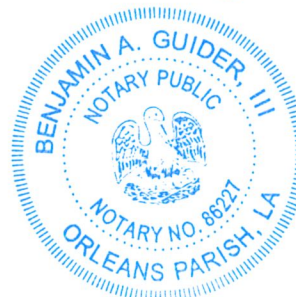
who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 24th day of July,
2023.

Benjamin A. Guider III
NOTARY PUBLIC

My Commission Expires:

at death.



PLANNING COMMISSION & BOARD OF ADJUSTMENT - PETITIONER REQUIRED SUBMITTAL INFORMATION

Deadline for applicant to file petition: _____ 5:00 p.m. (End of business day)

Hattiesburg Planning Commission & Board of Adjustment Meeting Date: 9/6/2023 Time: 1:00 p.m.
(Always the first Wednesday of each month - you or your representative **MUST** attend)

There is a 10 day appeal period, required by State Law, between the Planning Commission Meeting and/or Board of Adjustment Meeting and the City Council Meeting – appeals must be filed within this 10-day period.

City Council Agenda Review Meeting Date- (you or your representative should attend): _____ Time: 4:00 p.m.

City Council Meeting (Vote) Date - (you or your representative may attend): _____ Time: 5:00 p.m.

There is an additional 10 day appeal period, required by State Law, after City Council Meeting, for all Variances and Conditional Use Permit which ends _____ and a 30 day appeal period for Zoning or Street closing/ re-naming, PMUs, PRDs, PUDs which ends _____. So, if approved by City no final site plan review approvals or building permits could be issued prior to these dates.

If an appeal is filed or the petition is tabled for any reason at any stage, the above listed dates would need to be revised.

The following paperwork **MUST** be attached to this application:

☒ Site Diagram (11"x 17" preferred size): Drawing to scale prepared by professional engineer/surveyor showing lot dimensions, existing/proposed buildings, signs, parking areas, etc. (Different standard may be accepted only per approval from Staff)

☐ Site & Design Review Committee, if needed.

☒ Copy of entire Warranty Deed (filed and recorded at courthouse) with legal description granting title to current owner. (If the Warranty Deed covers a larger piece of property than the current project, a legal description for this project site only may also be required.)

☒ Electronic/Digital copy of legal description REQUIRED for all public notices, saved as Word or text document OR emailed to glowrey@hattiesburgms.com or planning@hattiesburgms.com.

☒ An affidavit (page 3 & 4) attesting that the applicant or representing party (if other than owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be separate document)

N/A A letter of approval/denial from all adjoining property owners must be obtained and submitted with application (Variance application only).

☐ Other documents needed (per Planning Division).

☐ Maps of Digital Billboard Removal Sites

☐ Maps of Digital Billboard Replacement sites

☐ Documentation on measurements

☐ Other _____

☒ Payment to the City of Hattiesburg for filing application in the amount of \$ 400.00.

***You may be responsible for posting a sign (prepared by Planning Division staff)
a minimum of fifteen (15) days prior to the hearing date.***

You will be responsible for maintaining the sign for the duration of the public hearing process.

owner:
Village at the Beverly, LP
1626A Oretha Castle Haley Boulevard
New Orleans, LA 70115
504.525.2505 Voice

architect:
Gould Evans Architects, P.C.
4200 Pennsylvania
Kansas City, MO 64111
504.681.6303 Voice

structural engineer:
John C. Bose, LLC
2113 Octavia Street
New Orleans, LA 70115
504.866.9941 Voice

mechanical/electrical engineer;
Lucien T. Vivlen, Jr., & Associates, Inc.
 3301 22nd Street
 Metairie, LA 70002
 504.218.5409 Voice

civil engineer:
Ford Engineering Services, PLLC
2010 Oak Grove Road, Bldg 4, Ste 1
Hattiesburg, MS 39402
601.408.7829 voice

NOT FOR
CONSTRUCTION

Gould Evans Architects, P.C.
Mississippi License No.:
Martin L. Towrea Date: MM/DD/YYYY
Architect License No.
Number Revision Description Date

Project No 1319-0010.01
Date: July 31, 2023
Sheet:

Architectural Site Plan
Phase 3

AS101-R1

Concept Site Plan





July 31, 2023

City of Hattiesburg
200 Forrest Street
Hattiesburg, MS 39401

RE: Village at the Beverly III – Planned Mixed-Use Planned Unit Development

To the City of Hattiesburg,

Village at the Beverly III is a proposed mixed-use development located at the site of the former Beverly Drive-In Theater on Edwards Street and Old Airport Road in Hattiesburg, Mississippi. The project implements Phase 3 of a multi-phased community impact strategy to create a holistic affordable community. Phase 1 consisting of 52 rental units was completed in 2016. Phase 2 consisting of 40 rental units was completed in 2022. Phase 3 continues to create high-quality affordable housing and appropriate amenities and will introduce complementary commercial space. The Phase 3 project consists of 30 affordable rental units housed in 2 buildings and a 2,000SF commercial building constructed at a neighborhood appropriate scale for Palmer's Crossing.

Village at the Beverly aligns with the intent of a Planned Mixed-Use -Planned Unit Development zoning to efficiently transform a vacant site into a coherent community of affordable housing and commercial space through arrangement of buildings, roads, and amenities. The site, in accordance with sections 4.19.1 and 4.19.1.5 regarding Planned Mixed-Use in the Hattiesburg Land Development Code, will be compactly laid out to complement the existing phases and adjacent properties. Village at the Beverly III will provide a variety of amenities including a community clubhouse, a business center, a fitness center, a walking/jogging path, a playground, a half basketball court, and gazebo as amenities for residents. Walking pathways, roads and parking connect the whole site such that tenants can easily access the commercial uses and amenities of the multi-phased site. The commercial space will be located toward the prominent corner of Old Airport Road and Edwards Street with physical and visual access. This location takes into consideration the rest of Edwards Street, Old Airport Road, and US-49 junction where other commercial uses are positioned.

Village at the Beverly is focused on creating safe, healthy, affordable housing in a traditional neighborhood setting. All Village at the Beverly III units will be affordable to residents with incomes at 60% of the area median income or less. Village at the Beverly III responds to the demand for affordable, high-quality housing in Hattiesburg with a holistic approach to development contributing a mixed-use neighborhood to the Palmer's Crossing community.

Thank you for your consideration for our request. Please contact me at 504-525-2505, ext. 214 or at lin@gchp.net with any questions.

Sincerely,

Ming Ming Lin
Project Manager



August 21, 2023

City of Hattiesburg
Planning Division
200 Forrest Street
Jackson, MS 39401

RE: Village at the Beverly III– Pre-Application Meeting Summary Feedback

Dear Planning Team,

The notes provided by Planning Division staff dated April 27, 2023 and general feedback from staff have been valuable to the development design and planning. Please see below for the development design and ownership team's thoughts to address feedback provided.

- Site design should create a sense of “neighborhood”. Commercial developments are oriented towards the highway, these should be facing the residential structures (LDC 5.4.18.2).

Development Team: The commercial development is oriented to face both the residential structures and the commercial corridors to find a balance between its connectivity within the Village at the Beverly overall community as well as the greater Palmer's Crossing community. Residents of Village at the Beverly will be able to walk to the commercial development through the network of pedestrian pathways similar to the access provided to the many amenities on site. The commercial development must also consider the adjacencies of uses and visibility for users who do not live in the residential community but have business with the commercial tenants. We must also consider the continued growth of the commercial corridor and how this mixed-use development contributes to that. The operating entrance and storefront elevation face the residential structures and connect to the parking routes while the elevation facing the commercial corridor is for visibility and signaling of the commercial development.

- Consolidate the two dumpsters that are located next to the residential structures.

Development Team: Residential dumpsters are consolidated to be adjacent to each other.

- Provide elevations for commercial spaces. East elevation not appropriate to be considered “mixed-use” development; clearly segregates the commercial component from the residential portion.
 - o Provide building elevation of structures

Development Team: As noted above, the east elevation will be the operating entrance and storefront elevation, please see the elevations attached. The positioning and orienting of the mixed-use components considers many factors including: neighborhood characteristics of Palmer's Crossing with free standing low elevation buildings, circulation of residential pedestrians and commercial users/visitors, relationship of residential and non-residential structures across the entire development, real estate legal and financing structures, and the balance of the mixed-use development with its neighbors and the larger district.

- Provide connectivity to playground. Show internal pedestrian connectivity on site plan (refer to Pedestrian Circulation req in LDC 7.6)

Development Team: Pathway connectivity included in plans.

- Establish ADA parking spaces. Show this on site plan (7.5.4).

Development Team: ADA parking spaces shown and identified with accessible symbol.



- Mixed-use buildings would satisfy requirements for PMUs (4.19.1)

Development Team: The Village at the Beverly development will provide a mix of residential, commercial/office, and open spaces in a small walkable neighborhood for residents with considerations of non-residential users and the larger community in mind.

- Provide Storm water, curbing, SWPPP calculations as well as sewer maintenance agreement.

Development Team: Additional civil information to be provided following Planning Commission feedback.

Thank you for your time in reviewing and providing feedback. Please contact GCHP Project Manager, Ming Ming Lin, at 504-525-2505, ext. 214 or at lin@gchp.net with any questions.

September 2023 HPC Item: C
Safari Timberlands LLC, Jeff Diamond and Mark Willie
Request for: **Preliminary Plat Approval for Major Subdivision**



**Planning Commission
Case Fact Sheet**

Names of Petitioner: Safari Timberlands LLC, owner, Jeff Diamond and Mark Willie, representatives

Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
J Ed Turner Rd	See image sheet attached		1

Request: Preliminary Plat Approval for Major Subdivision

Purpose of Request: To request **preliminary plat for a Major Subdivision** located on J Ed Turner Road in Lamar County. The proposed name of the subdivision is "Mandalay Villas of Graystone", located in Lamar County, Ward 1.

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.

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.

- 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.

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 R-1A Single-Family Residential District.

Present Use: Vacant / Undeveloped

Future Land Use: Neighborhood Conservation District 2

Surrounding Zoning and Land Use:
North: A-1 General Agricultural District
South: A-2 Agricultural Residential District
East: R-1A Residential District
West: R-1A Residential District

Letters or Concerns stated: The Planning Division Office has received multiple phone calls regarding the proposed subdivision. Concerns were stated regarding the potential traffic increase on the corridor with the addition of 45 new parcels. There were also questions regarding the final constructed structures and their minimum square footage from surrounding property owners.

History / Background: The petitioner met with staff in Pre-Application to discuss resolving the existing subdivision known as "Mandalay Villas." The subdivision was previously completed while it was still under the jurisdiction authority of Lamar County, prior to annexation by the City of Hattiesburg. After annexation, the property owner abandoned the plat and sought approval of a slightly modified plat, either at the same time or shortly after with the Lamar County Board of Supervisors. Given that the property was then under the jurisdiction of the City of Hattiesburg, the new plat was never recognized formally by the City of Hattiesburg, as the plat did not meet the minimum requirements of the Land Development Code at that time.

Initial infrastructure improvements had begun with the development, but was never completed, including curb, gutter, and some water/sewer lines. Given the existing layout, the applicant is seeking

September 2023 HPC Item: C
Safari Timberlands LLC, Jeff Diamond and Mark Willie
Request for: **Preliminary Plat Approval for Major Subdivision**

to request a major subdivision using the previous layout of the Mandalay Villas subdivision, but has reduced the number of lots so that each lot meets the minimum required standards for an R-1A Zoning (10,000 ft² with a 50 ft width at setback).

The proposed subdivision includes a total of 44 developable lots for single-family residential homes, with three common areas. One of the common areas is to be used as a stormwater detention area. During the last Pre-Application meeting, but after the applicant had submitted for the public hearing, the applicant had discussed converting two of the lots (denoted as lots 18, and 19 on the preliminary plat) as a common area for subdivision amenities, connecting the subdivision directly to the Longleaf Trace and vegetated park-like space with associated structures. The applicant had discussed presenting those modifications as an exhibit for the Planning Commission and public to review at the public hearing.

Any structure built in the subdivision will need to adhere to all applicable building codes as adopted by the City of Hattiesburg at the time of their construction and adhere to all applicable elements of the Land Development Code. Any additional higher standards beyond what is addressed by the City of Hattiesburg would need to be addressed and enforced by private covenants.

The City of Hattiesburg has not received any information regarding the proposed infrastructure for the subdivision at this time. If the preliminary plat is approved by City Council, the petitioner will then be required to provide all plans for the infrastructure, including sidewalks, drainage and stormwater calculations, and, if required by the City Council, guarantees that all required infrastructure will be approved before the final plat is signed and filed with the county.

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.

Conditions to consider with an approval:

1. **Plat Conditions, & Restrictions** – add to the plat the following notes:
 - a) The common area(s) parcel's ad valorem tax value shall be assessed to each lot owner on a prorated basis as part of each lot owner's total assessment.
 - b) The common area(s) of this subdivision shall be owned and maintained by the owner's, commercial owner's association, and/or by the property owner(s) of the lots. In the event any lot becomes subdivided into additional lots or individual site plans, said site plans conforming to the city's Land Development Code, each property owner shall own their pro rata share, by area percentage of their lot, of the common areas. Such maintenance shall be performed so as to ensure that the common area operates in accordance the City's Land Development Code and Property Maintenance Code. Such maintenance shall include, but not be limited to repair of structures, and maintenance of sign tenants, and maintenance of the property. The city shall have a "right of access" to use the drives, parking areas, and yards of this property to make inspections of the common areas to ensure that said maintenance has been properly performed. In the event that the property owner(s) have not properly performed maintenance on the facilities, to the extent that the facility(s) poses a threat to public health, safety, or welfare, the city shall retain the right to perform emergency repairs to the facility. The cost of any such repairs will remain the responsibility of the property owner(s) and may be added as a lien on the next year's tax bill.
2. **Streets** - Street identifications and traffic control signs/markings shall be installed by the developer to City specifications.
3. **Utilities** - Unless otherwise specified, all utilities and services (electric, telephone, cable, etc.) are to be installed underground.
4. **Bonds** – Bonds, in a form satisfactory to the City Engineer and the City Attorney, will be required as follows:
 - a) Performance bond – Acceptance of the plat before the street and infrastructure are completed will require a bond based on the developer's engineer's estimated cost of unfinished work, verified by the staff engineer, plus 10% until complete. Renewed annually and adjusted for inflation.
 - b) Maintenance – Upon acceptance of the plat and the completion of streets and infrastructure a bond in the amount of 5% of the total cost of all work must be remitted to the city for the duration of 1 year.
5. **Invalid Plat** - Abandon Mandalay Villas of Graystone Subdivision plat with Lamar County as it is not recognized by the City of Hattiesburg as valid.

SUBJECT PARCEL

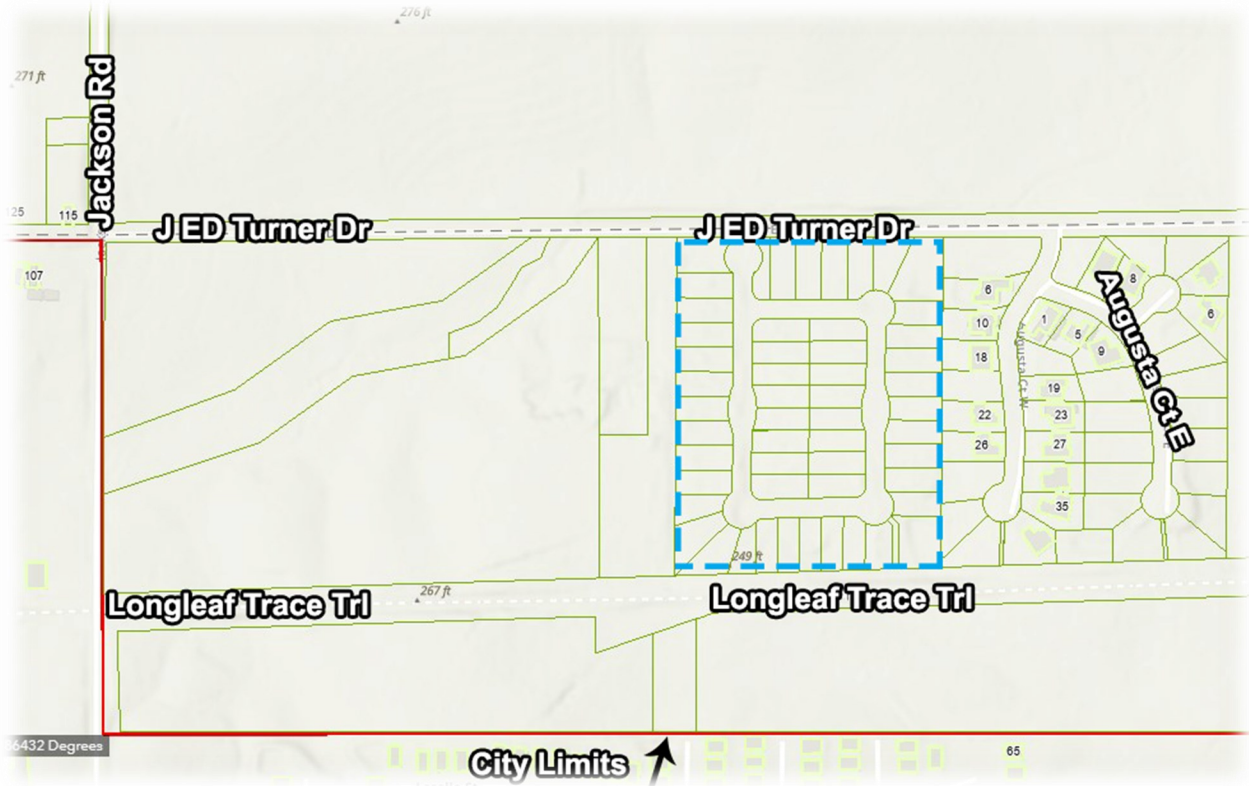
Mandalay Villas — Major Subdivision

Safari Timberlands LLC, Owner, Jeff Diamond and Mark Willie,
Representatives

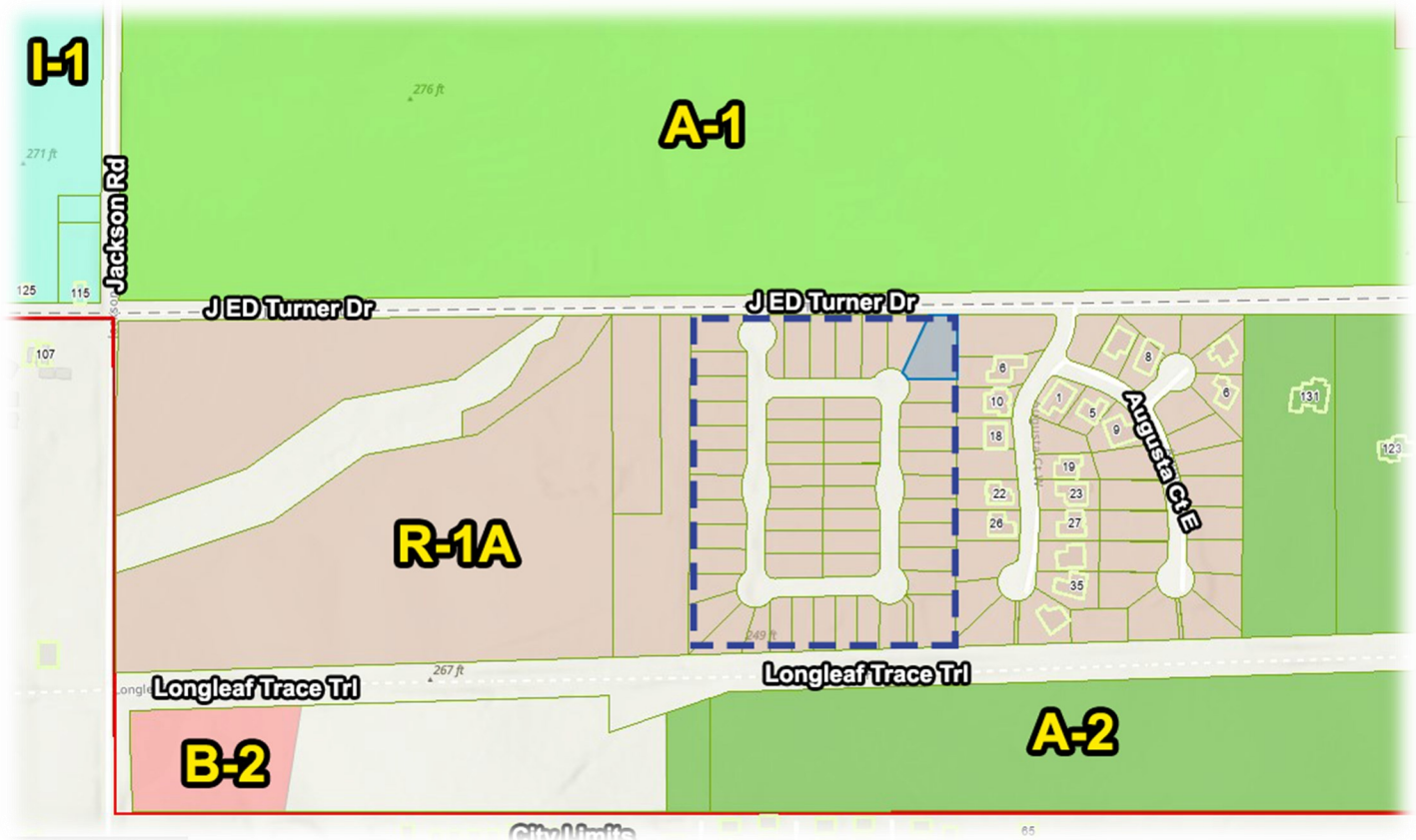
The petitioners request approval for a preliminary plat for a major subdivision located on J. Ed Turner Road in Lamar County. The proposed name of the subdivision is “Mandalay Villas of Graystone”, located in Lamar County, Ward 1. (PPIN 31718, 31719, 31720, 31721, 31722, 31723, 31724, 31725, 31726, 31727, 31728, 31729, 31730, 31731, 31732, 31733, 31734, 31735, 31736, 31737, 31738, 31739, 31740, 31741, 31742, 31743, 31744, 31745, 31746, 31747, 31748, 31749, 31750, 31751, 31752, 31753, 31754, 31755, 31756, 31757, 31758, 31759, 31760, 31761, 31762, 31763, 31764, 31765, 31766, 31767, 31768, 31769, 31770).



Vicinity Map: Ward 1



Zoning: R-1A



Site Aerial



Site Aerial

Northern and Southern Directions: A-1 General Agricultural and A-2



Site Aerial

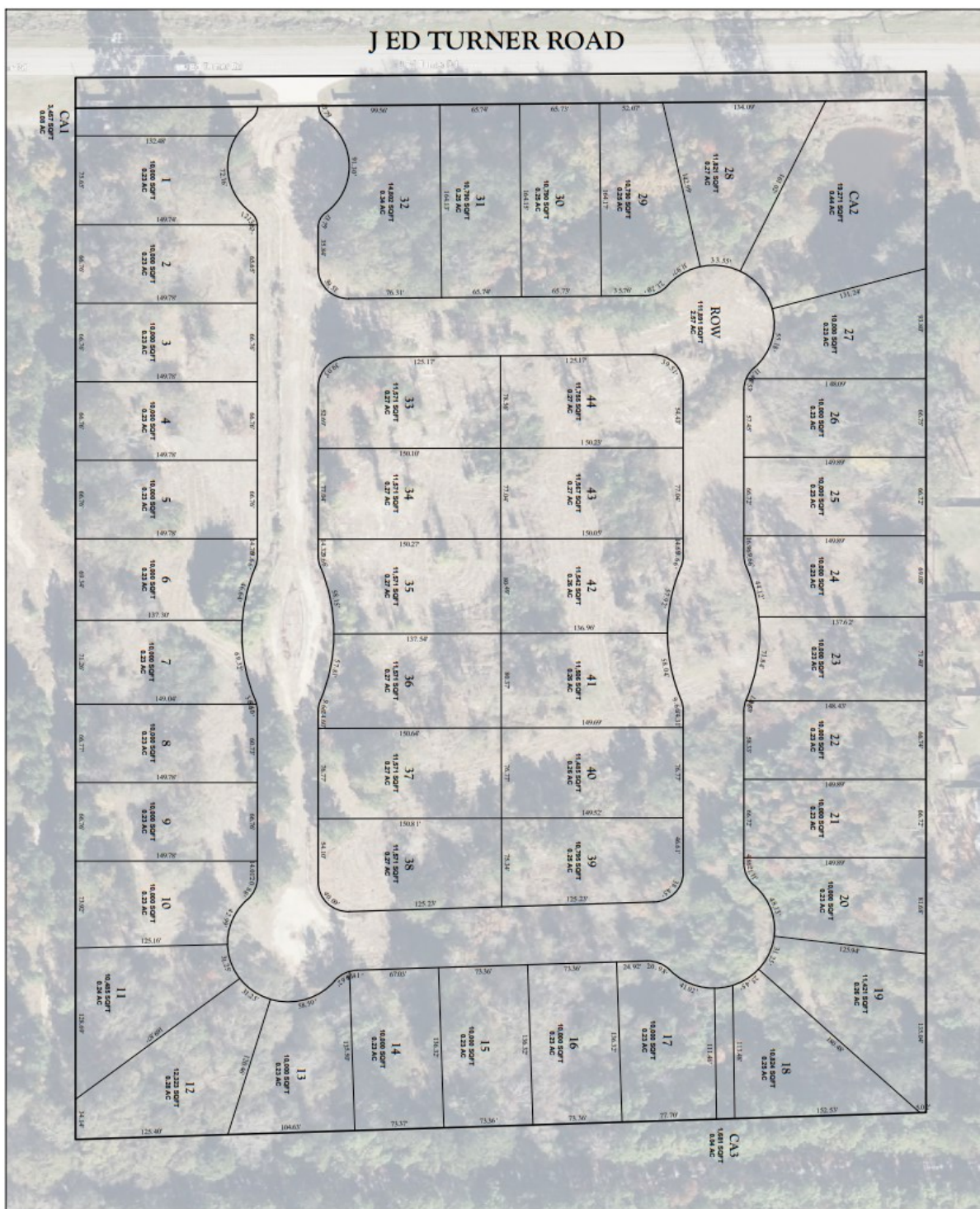
Eastern and Western Directions: R-1A Single-Family Residential (West side vacant)



Augusta Ct East and West



Preliminary Plat



CONCEPTUAL ZONING CONFORMED LAYOUT





URBAN DEVELOPMENT PLANNING DIVISION

Public Hearing Application

P.O. BOX 1898 (200 Forrest Street/39401)

Hattiesburg, MS 39403-1898

Department of Urban Development

(601) 545-4599 or FAX (601) 545-1962

APPLICANT:

Applicant Name: Safari Timberlands, LLC

Project Name: Mandalay Villas of Graystone

Proposed Use(s): Single Family Residential

Project Street Address: No address is available - lies west of and adjacent to Augusta Court West.

PPIN Number(s) (if unknown, can be found on tax receipt): 31718 - 31770

Application for (check all appropriate types):

- | | |
|--|--|
| ☐ Variance (see below) | ☐ Conditional Use (see below) |
| ☒ Subdividing of Lot, Parcel, or Tract (see p. 12) | ☐ Re-Zoning (see below) |
| ☐ Street or Alley Renaming (see pp. 13-14) | ☐ Overlay District |
| ☐ Vacating Street or Alley (see pp. 13-14) | ☐ Planned Mixed-Use District |

For Variance Only (check all appropriate variance types), see pp. 7 & 8:

- | | | |
|---------------------------------------|---|---|
| ☐ Sign | ☐ Setback (front, side, or rear _____) | ☐ Off-Site Parking |
| ☐ Lot Width | ☐ Lot Coverage Area | ☐ Buffer |
| ☐ Other: _____ | ☐ Open Space | |

For Conditional Use Permit Only (check applicable type), see pp. 9 & 10:

- | | |
|---|---|
| ☐ Automotive Filling Station | ☐ Telecommunications |
| ☐ Digital Billboard, New | ☐ Digital Billboard, Replacement |
| ☐ Restaurant | ☐ Solar Farm |
| ☐ Other: _____ | |

For Re-Zoning Only, see p. 11:

Existing Zoning: _____

Proposed Zoning: _____

PLEASE BE SURE TO FILL OUT PP. 1-5 AND SEE FEES ON P. 6

STAFF USE ONLY – Do Not Complete:

Pre-Application Date: _____ Planner: _____

Parcel Number(s): _____ Historic District(s): _____

Flood Zone(s): _____ Zoning District(s): _____

Project No.: _____

Code Sections:

LDC Section No. _____

Section No. _____

Section No. _____

Section No. _____

Section No. _____

RECIVED DATE & INITIALS:

PROJECT REPRESENTATIVE INFORMATION:

Primary:

Name: <u>Jeff Diamond</u>
☐ Applicant ☐ Property Owner ☒ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer
☐ Other (please specify): _____
Phone: <u>225-933-7324</u> Fax: _____ Email: <u>jdiamond@gesla.com</u>
Mailing Address: <u>18320 Hwy 42, Port Vincent, Louisiana, 70726</u>

Secondary:

Name: <u>Mark Willie</u>
☐ Applicant ☐ Property Owner ☒ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer
☐ Other (please specify): _____
Phone: <u>225-413-3575</u> Fax: _____ Email: <u>mark@buildhomesouth.com</u>
Mailing Address: <u>11412 Lake Sherwood Ave. N. Suite B Baton Rouge, LA 70816</u>

Other(s):

Name: _____
☐ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer
☐ Other (please specify): _____
Phone: _____ Fax: _____ Email: _____
Mailing Address: _____

Name: _____
☐ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer
☐ Other (please specify): _____
Phone: _____ Fax: _____ Email: _____
Mailing Address: _____

OWNER AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the OWNER(s) of the subject property located at

Street Address J. Ed Turner Drive City Hattiesburg State MS 39402

on this the 9th day of August, 2023

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

Mark Willie and/or Jeff Diamond
on this the 9th day of August, 2023.



Safari Timberlands, LLC By Joshua Sims
Property Owner (print)

Joshua Sims on behalf of
Property Owner (signature) Safari Timberlands, LLC

STATE OF Mississippi
COUNTY OF Pearl River

Personally came and appeared before me, the within named

Joshua Sims
who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 9th day of August, 2023.

Tracy S. Mieger 8/9/23
NOTARY PUBLIC

My Commission Expires:

9-17-25

OWNER AFFIDAVIT PAGE

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on this the 9th day of August, 2023.

Michael Ashley Robinson
Property Owner (print)

[Signature]
Property Owner (signature)

STATE OF MS

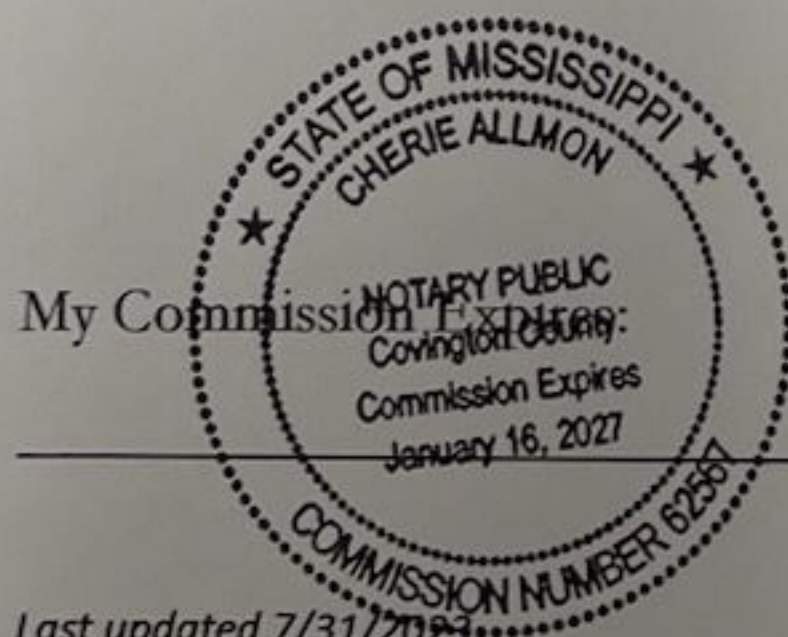
COUNTY OF Covington

Personally came and appeared before me, the within named

Ashley Robinson
who signed and delivered the above and foregoing instrument as and for their free act and deed on
the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the
subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 10th day of
August, 2023.

Cherie Allmon
NOTARY PUBLIC



PLANNING COMMISSION & BOARD OF ADJUSTMENT – PETITIONER
REQUIRED SUBMITTAL INFORMATION

Deadline for applicant to file petition: _____ 5:00pm (End of business day)
Hattiesburg Planning Commission Meeting Date: _____ Time: 1:00pm
Hattiesburg Board of Adjustment Meeting Date: _____ Time: 3:30pm

There is a 10-day appeal period, required by State Law, between the Planning Commission Meeting and/or Board of Adjustment Meeting and the City Council Meeting – appeals must be filed within this 10-day period.

City Council Agenda Review Date – (you or your representative should attend): _____ Time: 4:00pm
City Council Meeting (Vote) Date – (you or your representative may attend): _____ Time: 5:00pm

There is an additional 10-day appeal period, required by State Law, after City Council Meeting, for all Variances and Conditional Use Permit which ends _____ and a 30-day wait period for Zoning or Street closing/re-naming, PMUs, PRDs, PUDs which ends _____. So, if approved by the City, no final site plan review approvals or building permits could be issued prior to these dates.

****Dates and times are subject to change****

If an appeal is filed or the petition is tabled for any reason at any stage, the above listed dates would need to be revised.

The following paperwork MUST be attached to this application:

- ☒ Site Diagram (11" x 17" preferred size): Drawing to scale prepared by professional engineer/surveyor showing lot dimensions, existing/proposed building, signs, parking areas, etc. (Different standard may be accepted only per approval from staff)
- ___ Site & Design Review Committee, if needed.
- ☒ Copy of entire Warranty Deed (filed and recorded at courthouse) with legal description granting title to current owner. (If the Warranty Deed covers a larger piece of property than the current project, a legal description for this project site only may also be required)
- ☒ Electronic/Digital copy of legal description REQUIRED for all public notices, saved as Word or text document OR emailed to planning@hattiesburgms.com
- ☒ An affidavit (pages 3 & 4) attesting that the applicant or representing party (if other than the owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be a separate document)
- ___ Variance application only: A letter of approval/denial from all adjoining property owners must be obtained and submitted with application.
- ___ Other documents needed (per Planning Division):
___ Maps of digital billboard removal sites ___ Maps of digital billboard replacement sites
___ Documentation on measurements ___ Other: _____
- ___ Payment to the City of Hattiesburg for filing application in the amount of \$_____.

**You may be responsible for posting a sign (prepared by Planning Division staff)
a minimum of fifteen (15) days prior to the hearing date.**

You will be responsible for maintaining the sign for the duration of the public hearing process.

Required Fees

All fees adopted by Ordinance No. 2977, adopted January 22, 2008, as amended. This is an excerpt from that ordinance:

Public Hearing Fees:

Variance (includes Concept Site Plan Review) -----	\$175.00 per application and one Variance request; plus \$50.00 for each additional variance request within same application
Street/Alley Naming or Re-Naming-----	\$300.00 per application, plus \$100.00 per required street name sign if approved* (*Fees for replacement street signs shall be paid after City Council approval, but prior to effective date.)
Street/Alley Closing -----	\$300.00 per application
(Conditional) Use Permit -----	\$200.00 per application
Zoning Change -----	\$400.00 per application* (*see PUD or PRD & zoning package rate)
Planned Unit Development (PUD) or Planned Residential Development (PRD), & (Planned Mixed-Use District PMU) -----	\$400.00 per application (*see PUD or PRD zoning package rate) or (**see PUD or PRD & Subdivision of Land package rate)
Planned Unit Development (PUD) or Planned Residential Development (PRD) with zoning change package -----	\$600.00 per package application
Subdivision of Land (Preliminary Plats) -----	\$225.00 per application, plus \$10.00 for each created lot (** see PUD or PRD & Subdivision of Land package rate) Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.
Planned Unit Development (PUD) or Planned Residential Development with Subdivision of Land Package** -----	\$500.00 per application, plus \$10.00 for each created lot (**see PUD or PRD & Subdivision of Land package rate)
Change in Land Development Code Text -----	\$200.00 per application
Appeal Fees for Proponent or Opponent appeals to City Council -----	\$50.00 per appeal Exempt from fees – Established Neighborhood Associations
Cancellation/Re-notification fee on any public hearing process (Planning Commission or City Council) that is tabled or cancelled at the owner/developer's Request -----	\$50.00 (per each 100 mailing labels)

OTHER PROCESSES MAY HAVE ADDITIONAL FEES

Make all checks payable to the City of Hattiesburg

FOR VARIANCE APPLICANTS:

The Board of Adjustment has the responsibility to hear and make recommendation on requests for variances to the requirements of this Code (per Section 11.4). **Section 12.4.1** Variances are departures from the standards of the Land Development Code, except land use, which will not be contrary to the public interest and where, owing to conditions peculiar to the property and not as a result of the action of the applicant, a literal enforcement of this Code would result in unnecessary and undue hardship.

The following conditions must be met before a variance can be recommended. Not all criteria must be met. However, a strong application will meet multiple criteria.

Approval Criteria.

A variance is not a right, but a privilege that property owners meeting the following criteria may request. These criteria are to be used to consider all variance requests. It shall be the burden of the applicant to prove that the request meets these criteria. Use this worksheet or format your own to demonstrate the following criteria.

1. **Hardship.** (a) the hardship is unique to the property and is not or will not be caused by the actions or inactions of the applicant. (b) There are exceptional conditions creating an undue hardship applicable only to the property involved or the intended use which do not apply generally to the other land areas or uses within the same zoning district.

2. **Special Privilege.** A variance shall not confer any special privilege that is denied to other lands or structures in the same zoning district.

3. **Literal Interpretation.** The literal interpretation of the provision of the regulation would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would cause unnecessary and undue hardship on the applicant.

4. **Reasonable Use.** The applicant cannot make reasonable use of the property without the requested variance.

5. **Minimum Required.** The granting of a variance is the minimum variance that will make possible the reasonable use of the land or structure.

6. **Conformance with Purpose of this Code.** The granting of a variance will not conflict with the purposes and intent expressed or implied in the Land Development Code.

12.4.1.2 Conditions of Approval. In recommending the granting of a variance, the Board of Adjustment may require appropriate conditions and safeguards in conformity with this Code. Violation of such conditions and safeguards, when made a part of the terms under which a variance is granted, shall be deemed a violation of the Code. The recommendation of the Board Adjustment shall be presented to the City Council for final action.

FOR CONDITIONAL USE APPLICANTS:

Section 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 of the LDC for the requested use? If yes, please explain:

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. Is proposed use compatible with surrounding uses and design? If yes, please explain:

8. Parking requirements:

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

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

FOR RE-ZONING APPLICANTS:

As stated in Section 12.3 in the Land Development Code, 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.

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

Detailed explanation of condition(s) most applicable to your request:

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Subdividing of Lot, Parcel or Tract Information

1. Property data:

Parent Parcel / Existing lot/parcel/tract contains 14.37 acres Square Footage/Acres

Lot Area Requirement: 10,000 square feet

Lot Frontage Requirement: 50.00 feet

Existing use of lot/parcel/tract Vacant

To be subdivided into 45 lots/parcels (including parent parcel) – outlined below.

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

Newly subdivided 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.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
2.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
3.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
4.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
5.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
6.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
7.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
8.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
9.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
10.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
11.	10,485 SF	Yes (proposed)		Topanga Trail (proposed)		
12.	12,323 SF	Yes (proposed)		Topanga Trail (proposed)		
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel						
		Total square footage of new lots (verify total matches existing parcel prior to splits)				

2. Infrastructure required:

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

Subdividing of Lot, Parcel or Tract Information

1. Property data:

Parent Parcel / Existing lot/parcel/tract contains 14.37 acres Square Footage/Acres

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					Yes	No
13.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
14.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
15.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
16.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
17.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
18.	10,824 SF	Yes (proposed)		Topanga Trail (proposed)		
19.	11,421 SF	Yes (proposed)		Topanga Trail (proposed)		
20.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
21.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
22.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
23.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
24.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel						
		Total square footage of new lots (verify total matches existing parcel prior to splits)				

2. Infrastructure required:

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

Subdividing of Lot, Parcel or Tract Information

1. Property data:

Parent Parcel / Existing lot/parcel/tract contains 14.37 acres Square Footage/Acres

Lot Area Requirement: 10,000 square feet

Lot Frontage Requirement: 50.00 feet

Existing use of lot/parcel/tract Vacant

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

Newly subdivided 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
25.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
26.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
27.	10,000 SF	Yes (proposed)		Topanga Trail (proposed)		
28.	11,821 SF	Yes (proposed)		Topanga Trail (proposed)		
29.	10,790 SF	Yes (proposed)		Topanga Trail (proposed)		
30.	10,790 SF	Yes (proposed)		Topanga Trail (proposed)		
31.	11,790 SF	Yes (proposed)		Topanga Trail (proposed)		
32.	14,802 SF	Yes (proposed)		Topanga Trail (proposed)		
33.	11,571 SF	Yes (proposed)		Topanga Trail (proposed)		
34.	11,571 SF	Yes (proposed)		Topanga Trail (proposed)		
35.	11,571 SF	Yes (proposed)		Topanga Trail (proposed)		
36.	11,571 SF	Yes (proposed)		Topanga Trail (proposed)		
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel						
		Total square footage of new lots (verify total matches existing parcel prior to splits)				

2. Infrastructure required:

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

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1. Property data:

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

Newly subdivided 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
37.	11,571 SF	Yes (proposed)		Topanga Trail (proposed)		
38.	11,571 SF	Yes (proposed)		Topanga Trail (proposed)		
39.	10,795 SF	Yes (proposed)		Topanga Trail (proposed)		
40.	11,485 SF	Yes (proposed)		Topanga Trail (proposed)		
41.	11,506 SF	Yes (proposed)		Topanga Trail (proposed)		
42.	11,542 SF	Yes (proposed)		Topanga Trail (proposed)		
43.	11,567 SF	Yes (proposed)		Topanga Trail (proposed)		
44.	11,755 SF	Yes (proposed)		Topanga Trail (proposed)		
CA1	3,457 SF	Yes (proposed)		Topanga Trail (proposed)		
CA2	19,271 SF	Yes (proposed)		Topanga Trail (proposed)		
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel						
		Total square footage of new lots (verify total matches existing parcel prior to splits)				

2. Infrastructure required:

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

Street/Alley Renaming, Closing, or Vacating Information

1. Please indicate specific request(s): ☐ Street ☐ Alley
☐ Closing ☐ Vacating ☐ Naming ☐ Re-Naming
2. Current name of street/alley to be named/re-named, vacated, or closed:

3. Proposed name of street/alley to be named or re-named (If applicable):

4. Describe the portion of the street/alley to be renamed, closed, or vacated (use all bounding or intersecting streets/alleys, from and to):

5. Tax Block(s) and Lot(s) involved in closing request

6. Describe existing land use of properties and number of residents affected by renaming the street/alley within 400 feet.

Type of Land Use of adjacent development	Number of properties adjacent to the existing street	Number of property owners adjacent to the existing street	Number of residents affected by the change of address	
Businesses				
Residences				
Apartments				
Churches/Schools				
Other				

Any additional Information: _____

5. Describe the effect the proposed change will have on existing development and the transportation system within the affected area.

6. Have applications for zoning, variance, building permit, or other applications been filed?

_____ Yes _____ No

If yes, provide reference numbers and dates: _____

7. Acknowledgment of property owners affected by the street/alley renaming. Include all names and addresses.

8. Obtain from the City's Engineering Department the legal description of the street/alley or portion thereof to be closed, vacated, named or re-named (need electronic copy)

Attach Acknowledgement of Affected residents/business

As Additional Page(s)

431

FILED

2016 DEC 15 AM 10 02

WAYNE SMITH
CHANCERY CLERK

Index: N of NW, 3, T4N, R14W
Lots 1-40, mandalay Villas of Graystone

Prepared by:

Robert T. Jackson, Sr.
Jackson & Arrington, PLLC
Post Office Box 15517
Hattiesburg, MS 39404-5517
(601) 264-3309

Return to:

Robert T. Jackson, Sr.
✓ Jackson & Arrington, PLLC
Post Office Box 15517
Hattiesburg, MS 39404-5517
(601) 264-3309

STATE OF MISSISSIPPI
COUNTY OF LAMAR

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt, adequacy and sufficiency of all of which is hereby irrevocably acknowledged and confessed,

POC HOLDINGS, INC., a Mississippi corporation
6276 US-98
Hattiesburg, MS 39402
Telephone: 601-261-0053

does hereby grant, bargain, sell, convey and warrant unto

SAFARI TIMBERLANDS, LLC, a Mississippi limited liability company
1196 Grantham Road
Sumrall, MS 39482
Telephone: 601-788-7661

and

ASHLEY ROBINSON BUILDERS, LLC, a Mississippi limited liability company

6612 US Hwy 98
Hattiesburg MS 39402
Telephone: 601 850 3027

as tenants in common, in the following described real property lying and being situated in Lamar County, Mississippi, and being more particularly described as follows, to-wit:

SEE EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS IF FULLY COPIED AND SET OUT AT LENGTH IN WORDS AND FIGURES HEREIN.

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INDEXING INSTRUCTIONS:

NE ¼ of NW ¼ Section 3, Township 4 North, Range 14 West
Lots 1-40, Mandalay Villas of Greystone

This conveyance and the warranty hereof is subject to any and all prior and outstanding leases, exceptions, reservation and/or conveyances of oil, gas and/or other minerals and any geothermal energy resources lying in, on and under the above described real property.

This conveyance and the warranty hereof is subject to any environmental condition existing upon the subject property which would cause said property to be in violation of any State and/or Federal Environmental Protection Act.

This conveyance and the warranty hereof is subject to any and all other easements and rights-of-way, whether of record or of use, which affect the real property hereby conveyed, including but not limited to that certain Right of Way to Dixie Pipeline Company filed in Book 3U at Page 15 and the encroachment agreement filed in Book 19P at Page 227 and also that certain Sanitary Sewer Easement to the City of Hattiesburg filed in Book 22C at Page 631.

This conveyance and the warranty hereof is subject to any and all Covenants and Restrictions of record.

All County and State ad valorem taxes for the current year shall be prorated between Grantor and Grantee and paid by Grantee.

WITNESS THE SIGNATURE of the Grantors on this, the 9 day of December, A.D., 2016.

GRANTOR:

POC HOLDINGS, INC.

W. Macko VP - POC
W. Macko, Vice President

STATE OF MISSISSIPPI
COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for the said county and state, on this 9 day of December, 2016, within my jurisdiction, the within named W. Macko, who acknowledged that he is Vice President of POC Holdings, Inc., a Mississippi corporation, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Michelle M. Robinson
NOTARY PUBLIC

My Commission Expires:

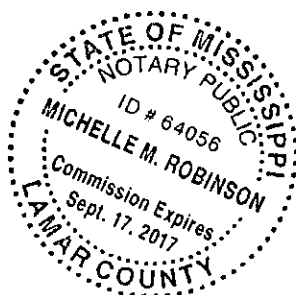


EXHIBIT "A"

A part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 4 North, Range 14 West, Lamar County, Mississippi being more particularly described as: Commencing at the Northeast corner of said Section 3; thence run S89°35'03"W along the North line of said Section 3 for 3,069.76 feet to the Point of Beginning; thence run South for 885.33 feet to a point on the North Right of Way line of Longleaf Trace (Rails to Trails); thence Run S88°07'46"W along said North Right of Way line for 700.37 feet; thence run North for 903.11 feet to a point on the said North line of said Section 3; thence run N89°35'03"E along said North line for 700.02 feet to the Point of Beginning, comprising 14.37 acres, more or less.



CERTIFICATE OF FILING AND RECORDING
STATE OF MISSISSIPPI
LAMAR COUNTY

Wayne Smith, Chancery Clerk

LD Book 25-A Page 431

Indexed # Recorded ✓ Abstracted ✓

Sharon Ferrin D.C.

INDEXING INSTRUCTIONS: Lots 1,3,5,7,9,11,13,15,17,19,21,23,25,27,29,31,33,35,37,39,41,43,45,47, and 49 of Mandalay Villas of Greystone in the NE ¼ of NW ¼, Section 3, Township 4N, Range 14W of Lamar County, Mississippi

STATE OF MISSISSIPPI
COUNTY OF LAMAR

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

SAFARI TIMBERLANDS, LLC and
56 Pavillion Dr.
Hattiesburg, MS 39402
(601) 788-7661,

ASHLEY ROBINSON BUILDERS, LLC
6612 US Hwy 98
Hattiesburg, MS 39402
(601) 850-3027,

Together as Grantors do hereby convey and quitclaim to:

ASHLEY ROBINSON BUILDERS, LLC
6612 US Hwy 98
Hattiesburg, MS 39402
(601) 850-3027,

the Grantee herein, the following described property situated in Lamar County, Mississippi, to-wit:

Lots 1,3,5,7,9,11,13,15,17,19,21,23,25,27,29,31,33,35,37,39,41,43,45,47, and 49 of Mandalay Villas of Greystone Subdivision, as per the official map or plat thereof on file in the Office of the Chancery Clerk of Lamar County, Mississippi; together with all improvements thereon and appurtenances thereunto belonging.

WITNESS the signature of said corporation, on this the 4th day of May, 2018.

SAFARI TIMBERLANDS, LLC, a Mississippi limited liability company

By: Joshua M. Sims (Member/Manager)

**STATE OF MISSISSIPPI
COUNTY OF LAMAR**

Personally appeared before me the undersigned authority in and for the said county and state, on the 20th day of March, 2018 acknowledged that he is a Member/Manager of **Safari Timberlands, LLC**, and that for and on behalf of the said corporation, and as its act and deed, he executed the above and foregoing Warranty Deed for the purposes mentioned on the day and year therein mentioned, after first having been duly authorized by said corporation so to do.

Notary Public

My Commission Expires:_____

ASHLEY ROBINSON BUILDERS, LLC, a Mississippi limited liability company

By: Ashley Robinson (Member/Manager)

**STATE OF MISSISSIPPI
COUNTY OF LAMAR**

Personally appeared before me the undersigned authority in and for the said county and state, on the 20th day of March, 2018 acknowledged that he is a Member/Manager of **Ashley Robinson Builders, LLC**, and that for and on behalf of the said corporation, and as its act and deed, he executed the above and foregoing Warranty Deed for the purposes mentioned on the day and year therein mentioned, after first having been duly authorized by said corporation so to do.

Notary Public

My Commission Expires:_____

INDEXING INSTRUCTIONS: Lots 2,4,6,8,10,12,14,16,18,20,22,24,26,28,30,32,34,36,38,40,42,44,46 and 48 of Mandalay Villas of Greystone in the NE ¼ of NW ¼, Section 3, Township 4N, Range 14W of Lamar County, Mississippi

STATE OF MISSISSIPPI
COUNTY OF LAMAR

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

SAFARI TIMBERLANDS, LLC and
56 Pavillion Dr.
Hattiesburg, MS 39402
(601) 788-7661

ASHLEY ROBINSON BUILDERS, LLC
6612 US Hwy 98
Hattiesburg, MS 39402
(601) 850-3027

Together as Grantors do hereby convey and quitclaim to:

SAFARI TIMBERLANDS, LLC
56 Pavillion Dr.
Hattiesburg, MS 39402
(601) 788-7661

the Grantee herein, the following described property situated in Lamar County, Mississippi, to-wit:

Lots 2,4,6,8,10,12,14,16,18,20,22,24,26,28,30,32,34,36,38,40,42,44,46 and of Mandalay Villas of Greystone Subdivision, as per the official map or plat thereof on file in the Office of the Chancery Clerk of Lamar County, Mississippi; together with all improvements thereon and appurtenances thereunto belonging.

WITNESS the signature of said corporation, on this the 4th day of May, 2018.

SAFARI TIMBERLANDS, LLC, a Mississippi limited liability company

By: Joshua M. Sims (Member/Manager)

**STATE OF MISSISSIPPI
COUNTY OF LAMAR**

Personally appeared before me the undersigned authority in and for the said county and state, on the 20th day of March, 2018 acknowledged that he is a Member/Manager of **Safari Timberlands, LLC**, and that for and on behalf of the said corporation, and as its act and deed, he executed the above and foregoing Warranty Deed for the purposes mentioned on the day and year therein mentioned, after first having been duly authorized by said corporation so to do.

Notary Public

My Commission Expires:_____

ASHLEY ROBINSON BUILDERS, LLC, a Mississippi limited liability company

By: Ashley Robinson (Member/Manager)

**STATE OF MISSISSIPPI
COUNTY OF LAMAR**

Personally appeared before me the undersigned authority in and for the said county and state, on the 20th day of March, 2018 acknowledged that he is a Member/Manager of **Ashley Robinson Builders, LLC**, and that for and on behalf of the said corporation, and as its act and deed, he executed the above and foregoing Warranty Deed for the purposes mentioned on the day and year therein mentioned, after first having been duly authorized by said corporation so to do.

Notary Public

My Commission Expires:_____

431

FILED

2016 DEC 15 AM 10 02

WAYNE SMITH
CHANCERY CLERK

Index: N of NW, 3, T4N, R14W
Lots 1-40, mandalay Villas of Graystone

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STATE OF MISSISSIPPI
COUNTY OF LAMAR

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt, adequacy and sufficiency of all of which is hereby irrevocably acknowledged and confessed,

POC HOLDINGS, INC., a Mississippi corporation

6276 US-98
Hattiesburg, MS 39402
Telephone: 601-261-0053

does hereby grant, bargain, sell, convey and warrant unto

SAFARI TIMBERLANDS, LLC, a Mississippi limited liability company

1196 Grantham Road
Sumrall, MS 39482
Telephone: 601-788-7661

and

ASHLEY ROBINSON BUILDERS, LLC, a Mississippi limited liability company

6612 US Hwy 98
Hattiesburg, MS 39402
Telephone: 601 830 3027

as tenants in common, in the following described real property lying and being situated in Lamar County, Mississippi, and being more particularly described as follows, to-wit:

SEE EXHIBIT "A" WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS IF FULLY COPIED AND SET OUT AT LENGTH IN WORDS AND FIGURES HEREIN.

432

INDEXING INSTRUCTIONS:

NE ¼ of NW ¼ Section 3, Township 4 North, Range 14 West
Lots 1-40, Mandalay Villas of Greystone

This conveyance and the warranty hereof is subject to any and all prior and outstanding leases, exceptions, reservation and/or conveyances of oil, gas and/or other minerals and any geothermal energy resources lying in, on and under the above described real property.

This conveyance and the warranty hereof is subject to any environmental condition existing upon the subject property which would cause said property to be in violation of any State and/or Federal Environmental Protection Act.

This conveyance and the warranty hereof is subject to any and all other easements and rights-of-way, whether of record or of use, which affect the real property hereby conveyed, including but not limited to that certain Right of Way to Dixie Pipeline Company filed in Book 3U at Page 15 and the encroachment agreement filed in Book 19P at Page 227 and also that certain Sanitary Sewer Easement to the City of Hattiesburg filed in Book 22C at Page 631.

This conveyance and the warranty hereof is subject to any and all Covenants and Restrictions of record.

All County and State ad valorem taxes for the current year shall be prorated between Grantor and Grantee and paid by Grantee.

WITNESS THE SIGNATURE of the Grantors on this, the 9 day of December, A.D., 2016.

GRANTOR:

POC HOLDINGS, INC.

W. Macko VP - POC
W. Macko, Vice President

STATE OF MISSISSIPPI
COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for the said county and state, on this 9 day of December, 2016, within my jurisdiction, the within named W. Macko, who acknowledged that he is Vice President of POC Holdings, Inc., a Mississippi corporation, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Michelle M. Robinson
NOTARY PUBLIC

My Commission Expires:

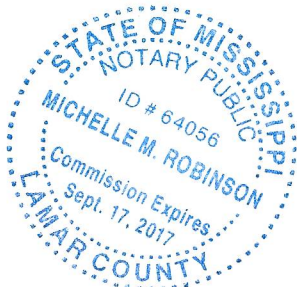


EXHIBIT "A"

A part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3, Township 4 North, Range 14 West, Lamar County, Mississippi being more particularly described as: Commencing at the Northeast corner of said Section 3; thence run S89°35'03"W along the North line of said Section 3 for 3,069.76 feet to the Point of Beginning; thence run South for 885.33 feet to a point on the North Right of Way line of Longleaf Trace (Rails to Trails); thence Run S88°07'46"W along said North Right of Way line for 700.37 feet; thence run North for 903.11 feet to a point on the said North line of said Section 3; thence run N89°35'03"E along said North line for 700.02 feet to the Point of Beginning, comprising 14.37 acres, more or less.



CERTIFICATE OF FILING AND RECORDING
STATE OF MISSISSIPPI
LAMAR COUNTY

Wayne Smith, Chancery Clerk

LD Book 25-A Page 431

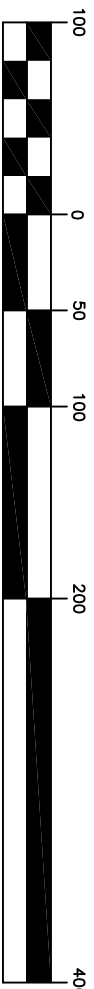
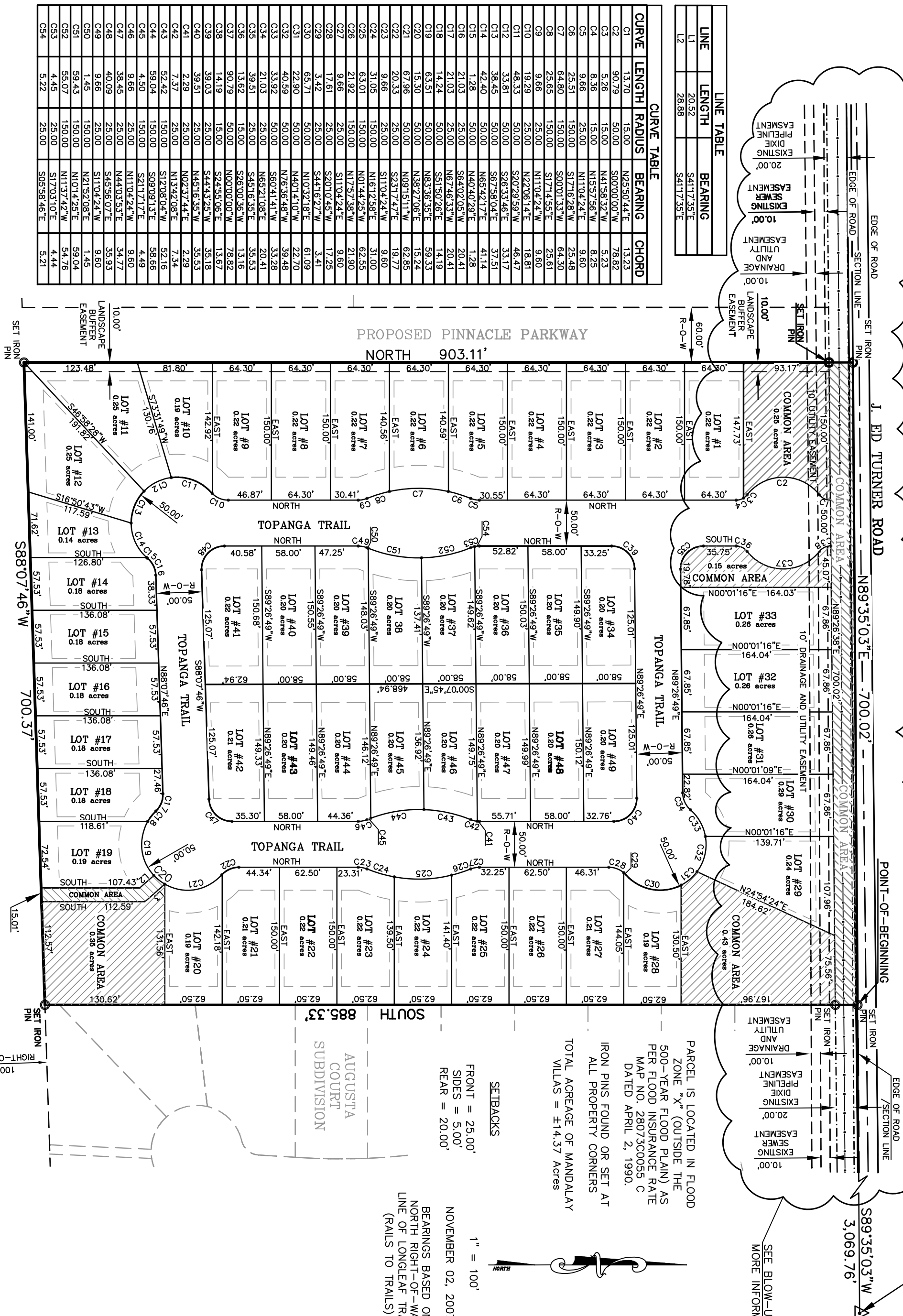
Indexed ✓ Recorded ✓ Abstracted ✓

Sharon Ferrin D.C.

WALTON & WILSON CREYSTONES

SEE BLOW-UP DETAIL FOR
MORE INFORMATION

NORTHEAST CORNER OF SECTION 3,
TOWNSHIP 4 NORTH, RANGE 14 WEST,
LAMAR COUNTY, MISSISSIPPI



(IN FEET)
1 inch = 100 ft.

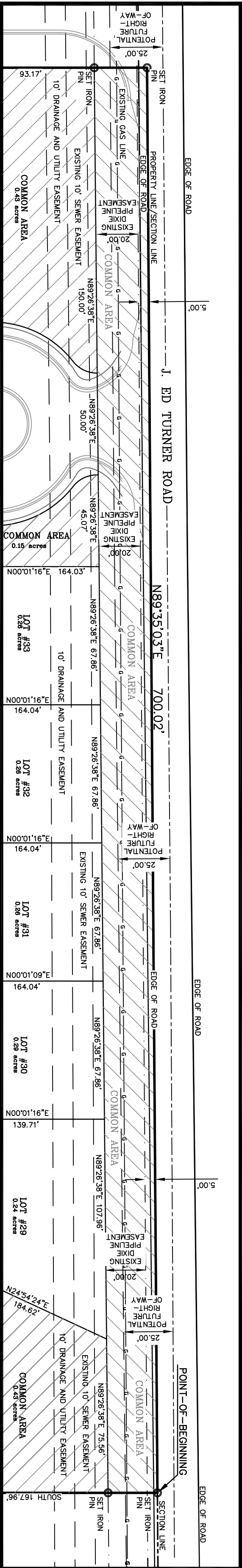
GRAPHIC SCALE

LONGLEAF TRACE (RAILS TO TRAILS)



Waits Engineering Consultants, INC

5031-A Old Highway 11
Hattiesburg, MS 39402
Phone: (601) 544-4009 Fax (601) 544-4995
William F. (Billy) Waits, P.E., R.L.S.



BLOW-UP DETAIL ALONG J. ED TURNER ROAD

SCALE: 1" = 40'

STATE OF MISSISSIPPI
COUNTY OF LAMAR

A part of the Northeast 1/4 of the Northwest 1/4 of Section 3, Township 4 North, Range 14 West, Lamar County, Mississippi, being more particularly described as: Commencing at the Northeast corner of said Section 3; thence run S89°35'03"W along the North line of said Section 3 for 3,069.76 feet to the Point of Beginning; thence run South for 885.33 feet to a point on the North Right-of-Way line of Longleaf Trace (Rails to Trails); thence run S88°07'46"W along said North Right-of-Way line for 700.37 feet; thence run North for 903.11 feet to a point on the said North line of said Section 3; thence run N89°35'03"E along said North line for 700.02 feet to the Point of Beginning, comprising 14.37 Acres, more or less.

STATE OF MISSISSIPPI, COUNTY OF LAMAR

This is to certify that I, the undersigned owner of the property shown hereon, and/or on behalf of the corporation after first having been duly authorized by said corporation to do so, hereby adopt this plat as a plan for Mandalay Villas of Greystone and dedicate the street Right-of-Way, utilities, easements and common area as shown to public use forever.

Witness my signature on this, the _____ day of _____, 20____.

SEE BLOW-UP DETAIL FOR
MORE INFORMATION

STATE OF MISSISSIPPI, COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for said County and State, on this the _____ day of _____, 20____, within my jurisdiction, the within named M. Thomas Coggins who acknowledged that he is the Managing Member of The Chattel Group, LLC and that on behalf of the said corporation, has executed the above and foregoing instrument, after first having reviewed and approved it.

Chancery Clerk

Notary Public

STATE OF MISSISSIPPI, COUNTY OF LAMAR

This is to certify that I have surveyed the land shown on this plat and fully described above and have subdivided the same with lots and that the plat hereon is a correct representation of the said survey and subdivision. This is to certify that I have fully complied with the requirements of the rules and regulations of the subdivision laws of Lamar County and the State of Mississippi.

Witness my signature on this, the _____ day of _____, 20____.

STATE OF MISSISSIPPI, COUNTY OF LAMAR

This is to certify that I, a Mississippi Registered Professional Engineer and Land Surveyor, and as maker of this map of Mandalay Villas of Greystone and the Chancery Clerk of Lamar County have compared this the copy with the original, and find the same to be exact copies of each other.

Witness my signature on this, the _____ day of _____, 20____.

Chancery Clerk

William F. Waits, P.E., R.L.S.
Civil Engineer No. 12261
Land Surveyor No. 2639
5031-A Old Highway 11
Hattiesburg, MS 39402
(601) 544 - 4009

STATE OF MISSISSIPPI, COUNTY OF LAMAR
This is to certify that I, the undersigned County Planner, have received and reviewed this, the Final Plat, in accordance with the Lamar County Subdivision Regulations.

Witness my signature on this, the _____ day of _____, 20____.

STATE OF MISSISSIPPI, COUNTY OF LAMAR

County Planner

Final Approval of Plat for Recording Purposes Only:

Order of Board, Minute Book _____, Page _____.

Witness my signature on this, the _____ day of _____, 20____.

STATE OF MISSISSIPPI, COUNTY OF LAMAR

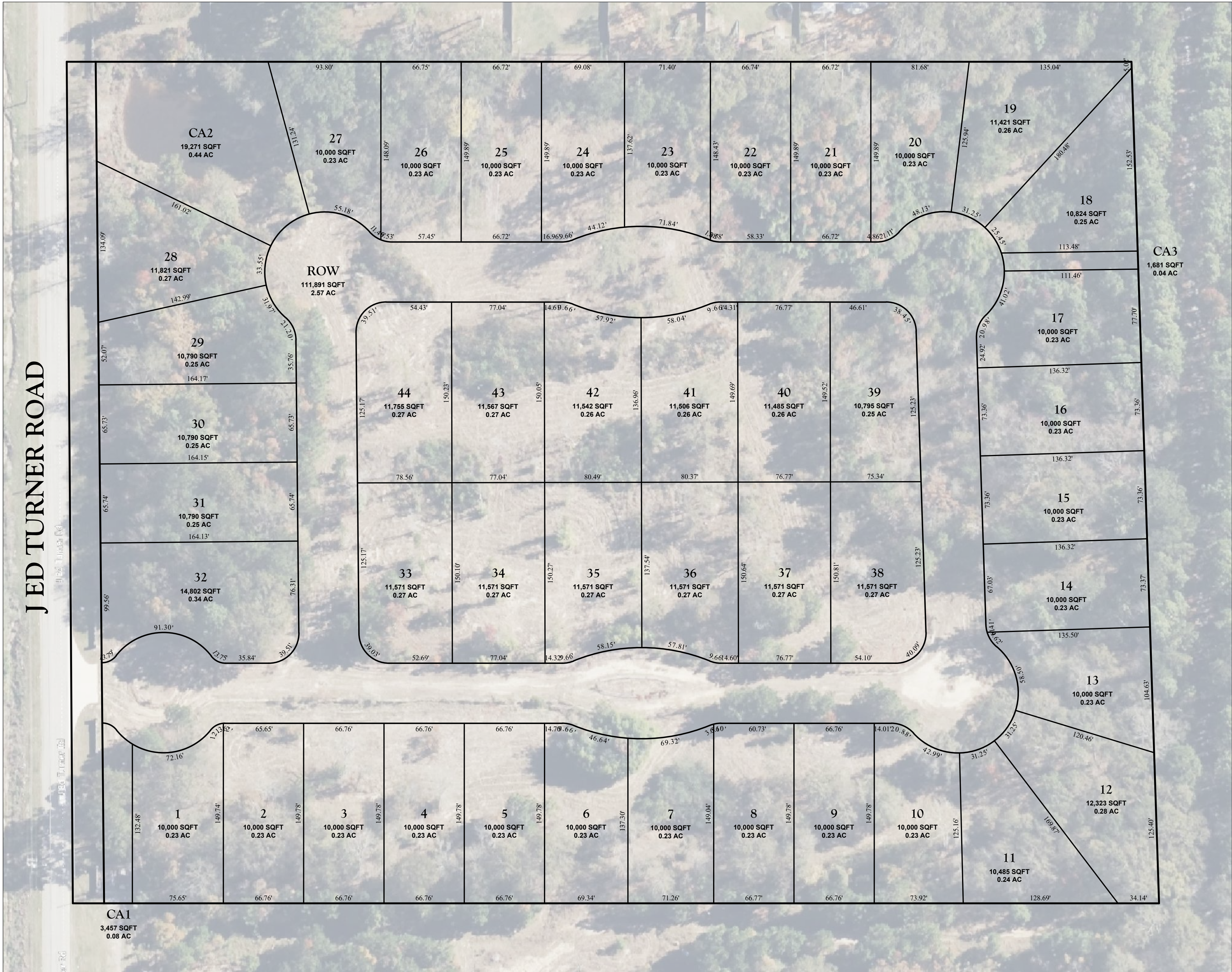
President, Lamar County
Board of Supervisors

I certify that this instrument was filed for record in my office on this, the _____ day of _____, 20____.
in Plat Book _____, Page _____, Slide _____.

Chancery Clerk

SITE SUMMARY:

EXISTING ZONING:	RA-1 (10,000 S.F MINIMUM)
PROPOSED ZONING:	N/A
AREA:	13.97 ACRES
NO. OF LOTS:	44
TOTAL LINEAR FOOTAGE:	N/A
MINIMUM SETBACKS:	
FRONT:	30'
REAR:	25'
SIDE:	10'
STREETS:	50' RIGHT OF WAY
	27" ASPHALT ROAD WITH CURB & GUTTER
SEWER:	HATTIESBURG SEWER
FIRE DISTRICT:	??
WASTE MANAGEMENT:	??
ELECTRIC COMPANY:	??
GAS COMPANY:	??
TELEPHONE:	??
CABLE TV:	??
WATER COMPANY:	??
SCHOOL DISTRICTS:	??



MANDALAY

HATTIESBURG, LAMAR COUNTY, MS
07/12/2023

CONCEPTUAL ZONING
CONFORMED LAYOUT

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31719

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A part of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, Township 4 North, Range 14 West, Lamar County, Mississippi being more particularly described as:
Commencing at the Northeast corner of said Section 3; thence run S $89^{\circ} 35' 03''$ W along the North line of said Section 3 for 3069.76 feet to the Point of Beginning; thence run South for 885.33 feet to a point on the North Right of Way line of Longleaf Trace (Rails to Trails); thence run S $88^{\circ} 07' 46''$ W along said North Right of Way line for 700.37 feet; thence run North for 903.11 feet to point on the said North line of said Section 3; thence run N $89^{\circ} 35' 03''$ E along said North line for 700.02 feet to Point of Beginning, comprising 14.37 acres, more or less.



**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

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.

R-3 Multi-Family Residential District: The purpose of the R-3 District is to permit medium and high density residential uses including multi-family, two-family, and single-family structures with related recreational, religious and educational facilities. This district is consistent with the Neighborhood Conservation 1 and 2 districts in the Comprehensive Plan. This zoning district encourages protected residential neighborhoods with only compatible supporting institutional uses and open space.

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.

12.3.2.4 Final Plat.

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 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.

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

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

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:

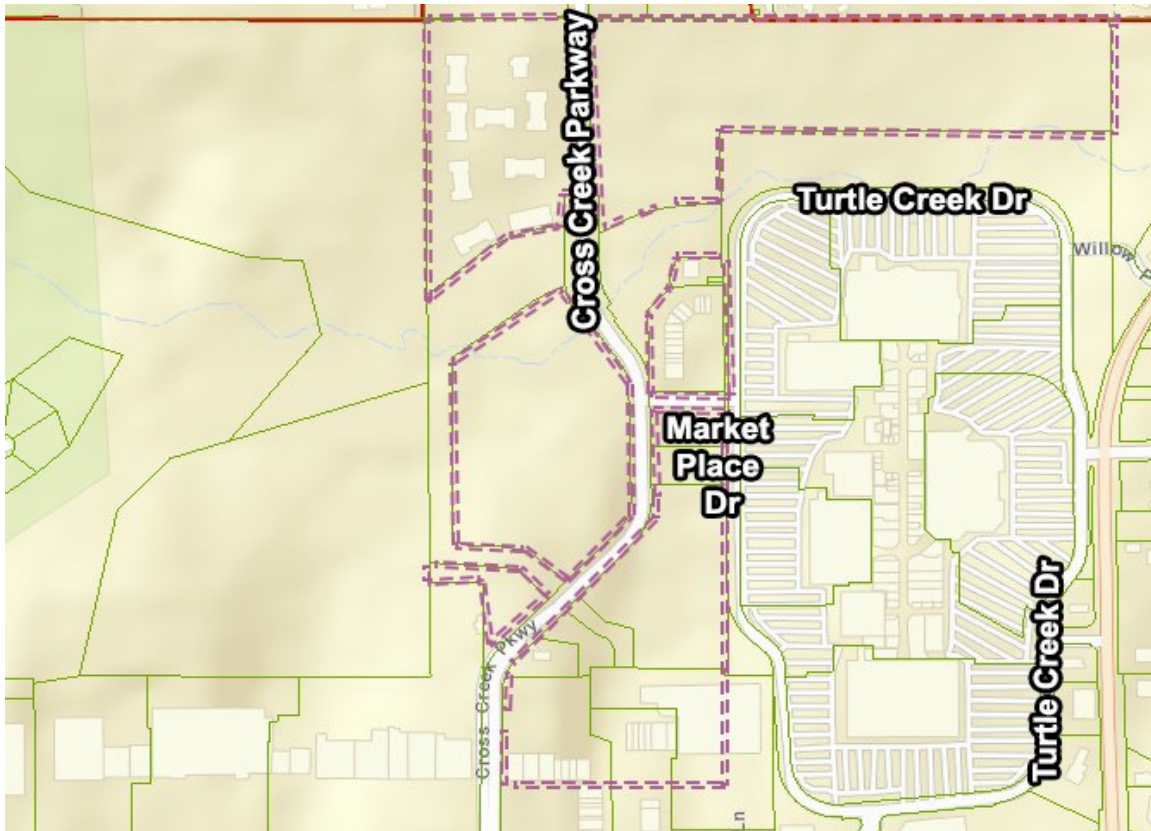
Cross Creek Parkway— Major Subdivision

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

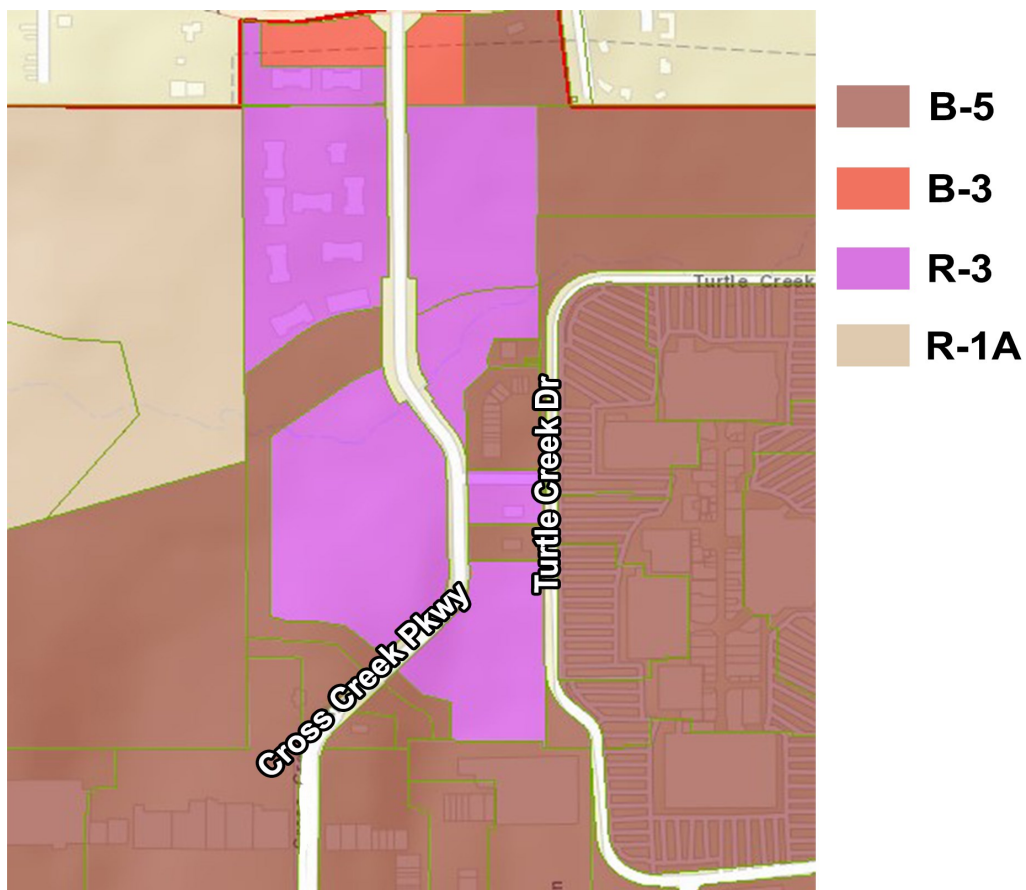
The petitioners request approval for a preliminary plat for a major subdivision located along Cross Creek Parkway in Lamar County, Ward 3 (PPIN 7622, 38013; Parcel No.: 051M-11-011.000, 051M-11-011.011).



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



Vacant lot

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.

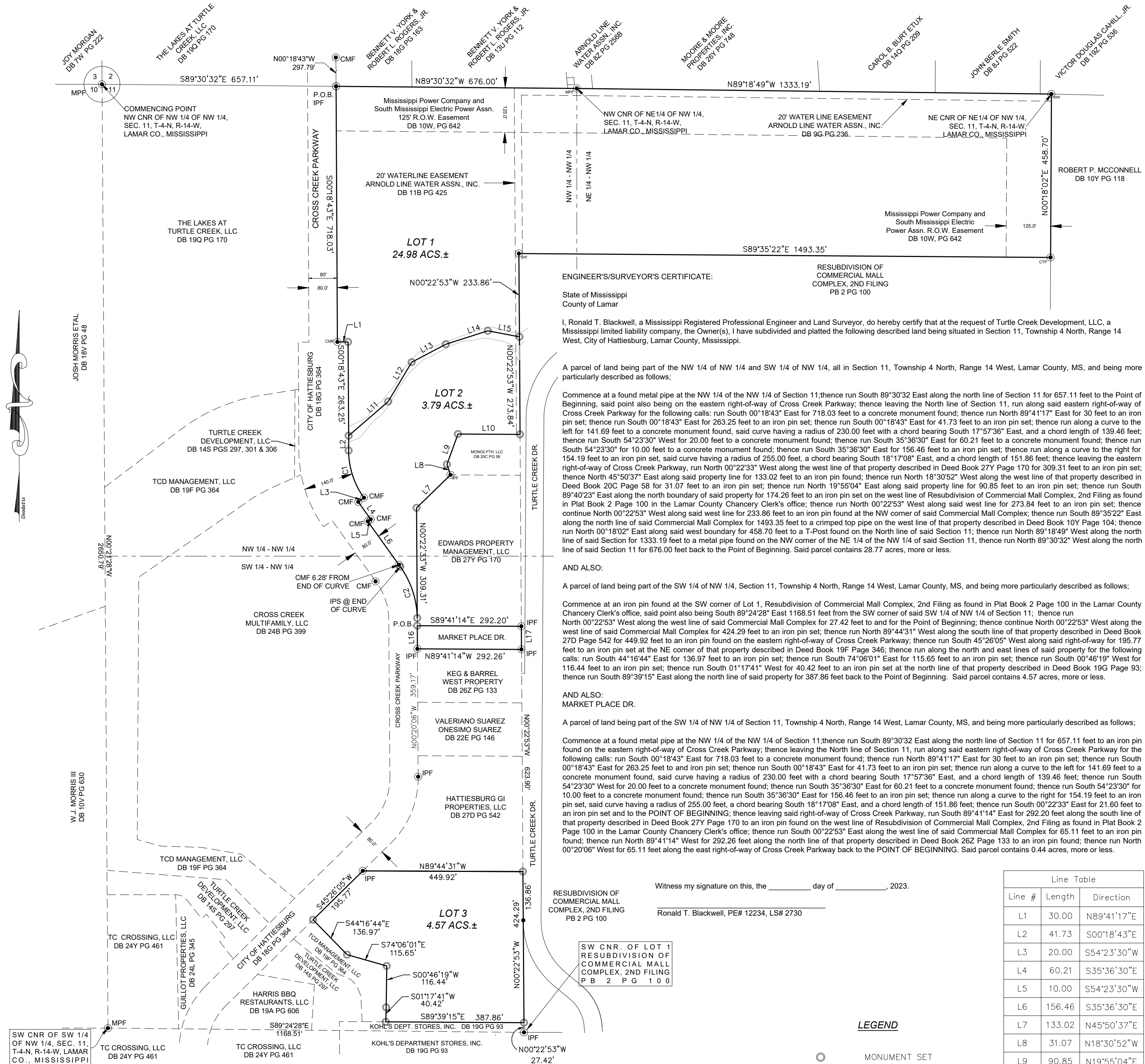
Newly subdivide d Parcels	New lot size in square footage (sf) or acres (A)	New lot has public road frontage (yes / no)	New lot has private road frontage (yes / no)	Indicate name of public or private road(s)	Staff - Lot area & frontage requirements comply?	
					Yes	No
1.	24.98 A	yes	—	Cross Creek Parkway		
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)



TURTLE CREEK

OWNER'S CERTIFICATE

State of Mississippi
County of Lamar

We, Turtle Creek Development, LLC, a Mississippi limited liability company, do hereby certify that the aforementioned are the Owner(s) of the land described in the foregoing Certificate of Ronald T. Blackwell, a Mississippi Registered Professional Engineer and Land Surveyor, and that acting as the duly authorized officials of the aforementioned have caused the same to be subdivided and platted as shown hereon, and have designated the same as TURTLE CREEK subdivision. We do hereby dedicate the streets as shown to public use forever.

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

Turtle Creek Development, LLC
Mississippi limited liability company

By: Bennett V. York
Its: Managing Member

By: _____
Its: Managing Member

ACKNOWLEDGEMENT

State of Mississippi
County of Lamar

Personally appeared before me, the undersigned notary in and for the jurisdiction aforesaid, the within named Bennett V. York, who acknowledged to me that he is Managing Member of Turtle Creek Development, LLC, a Mississippi limited liability company, and that for and on behalf of said limited partnership, and as the act and deed of said limited partnership, he acknowledged to me that he signed and delivered this plat and the Certificate thereon, after being authorized by said limited partnership so to do.

Given under my hand and seal of office on this, the ____ day of _____, 2023.

NOTARY PUBLIC

My commission expires: _____

State of _____
County of _____

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

Given under my hand and seal of office on this, the ____ day of _____, 2023.

NOTARY PUBLIC

My commission expires: _____

State of _____
County of _____

VERIFICATION

State of Mississippi
County of Lamar

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

Ronald T. Blackwell

CITY APPROVAL AND ACCEPTANCE FORM

State of Mississippi
County of Lamar
City of Hattiesburg

Survey checked on this, the ____ day of _____, 2023, by Ronald T. Blackwell, and approved by the City Engineer for the City of Hattiesburg on this, the ____ day of _____, 2023.

City Engineer

City Clerk

Mayor

FILING AND RECORDATION

State of Mississippi
County of Lamar

I, _____, Clerk of the Chancery Court in and for said County and State, do hereby certify that the Final Plat of TURTLE CREEK subdivision, was filed for record in my office on this, the ____ day of _____, 2023, and was duly recorded in Plat Book _____ Page _____ Slide _____ of the records and maps and plats of land in the Chancery Court of Lamar County, Mississippi.

Given under my hand and seal of office on this, the ____ day of _____, 2023.

Chancery Clerk

PRELIMINARY

ENGINEER'S/SURVEYOR'S CERTIFICATE:

State of Mississippi
County of Lamar

I, Ronald T. Blackwell, a Mississippi Registered Professional Engineer and Land Surveyor, do hereby certify that at the request of Turtle Creek Development, LLC, a Mississippi limited liability company, the Owner(s), I have subdivided and platted the following described land being situated in Section 11, Township 4 North, Range 14 West, City of Hattiesburg, Lamar County, Mississippi.

A parcel of land being part of the NW 1/4 of NW 1/4 and SW 1/4 of NW 1/4, all in Section 11, Township 4 North, Range 14 West, Lamar County, MS, and being more particularly described as follows;

Commence at a found metal pipe at the NW 1/4 of the NW 1/4 of Section 11;thence run South 89°30'32" East along the north line of Section 11 for 657.11 feet to the Point of Beginning, said point also being on the eastern right-of-way of Cross Creek Parkway; thence leaving the North line of Section 11, run along said eastern right-of-way of Cross Creek Parkway for the following calls: run South 00°18'43" East for 718.03 feet to a concrete monument found; thence run North 89°41'17" East for 30 feet to an iron pin set; thence run South 00°18'43" East for 263.25 feet to an iron pin set; thence run South 00°18'43" East for 41.73 feet to an iron pin set; thence run along a curve to the left for 141.69 feet to a concrete monument found, said curve having a radius of 230.00 feet with a chord bearing South 17°57'36" East, and a chord length of 139.46 feet; thence run South 54°23'30" West for 20.00 feet to a concrete monument found; thence run South 35°36'30" East for 60.21 feet to a concrete monument found; thence run South 54°23'30" for 10.00 feet to a concrete monument found; thence run South 35°36'30" East for 156.46 feet to an iron pin set; thence run along a curve to the right for 154.19 feet to an iron pin set, said curve having a radius of 255.00 feet, a chord bearing South 18°17'08" East, and a chord length of 151.86 feet; thence leaving the eastern right-of-way of Cross Creek Parkway, run North 00°22'33" West along the west line of that property described in Deed Book 27Y Page 170 for 309.31 feet to an iron pin set; thence North 45°50'37" East along said property line for 133.02 feet to an iron pin found; thence run North 18°30'52" West along the west line of that property described in Deed Book 20C Page 58 for 31.07 feet to an iron pin set; thence run North 19°55'04" East along said property line for 90.85 feet to an iron pin set; thence run South 89°40'23" East along the north boundary of said property for 174.26 feet to an iron pin set on the west line of Resubdivision of Commercial Mall Complex, 2nd Filing as found in Plat Book 2 Page 100 in the Lamar County Chancery Clerk's office; thence run North 00°22'53" West along said west line for 273.84 feet to an iron pin set; thence continue North 00°22'53" West along said west line for 233.86 feet to an iron pin found at the NW corner of said Commercial Mall Complex; thence run South 89°35'22" East along the north line of said Commercial Mall Complex for 1493.35 feet to a crimped top pipe on the west line of that property described in Deed Book 10Y Page 104; thence run North 00°18'02" East along said west boundary for 458.70 feet to a T-Post found on the North line of said Section 11; thence run North 89°18'49" West along the north line of said Section for 1333.19 feet to a metal pipe found on the NW corner of the NE 1/4 of the NW 1/4 of said Section 11, thence run North 89°30'32" West along the north line of said Section 11 for 676.00 feet back to the Point of Beginning. Said parcel contains 28.77 acres, more or less.

AND ALSO:

A parcel of land being part of the SW 1/4 of NW 1/4, Section 11, Township 4 North, Range 14 West, Lamar County, MS, and being more particularly described as follows;

Commence at an iron pin found at the SW corner of Lot 1, Resubdivision of Commercial Mall Complex, 2nd Filing as found in Plat Book 2 Page 100 in the Lamar County Chancery Clerk's office, said point also being South 89°24'28" East 1168.51 feet from the SW corner of said SW 1/4 of NW 1/4 of Section 11; thence run North 00°22'53" West along the west line of said Commercial Mall Complex for 27.42 feet to and for the Point of Beginning; thence continue North 00°22'53" West along the west line of said Commercial Mall Complex for 424.29 feet to an iron pin set; thence run North 89°44'31" West along the south line of that property described in Deed Book 27D Page 542 for 449.92 feet to an iron pin found on the eastern right-of-way of Cross Creek Parkway; thence run South 45°26'05" West along said right-of-way for 195.77 feet to an iron pin set at the NE corner of that property described in Deed Book 19F Page 346; thence run along the north and east lines of said property for the following calls: run South 44°16'44" East for 136.97 feet to an iron pin set; thence run South 74°06'01" East for 115.65 feet to an iron pin set; thence run South 00°46'19" West for 116.44 feet to an iron pin set; thence run South 01°17'41" West for 40.42 feet to an iron pin set at the north line of that property described in Deed Book 19G Page 93; thence run South 89°39'15" East along the north line of said property for 387.86 feet back to the Point of Beginning. Said parcel contains 4.57 acres, more or less.

AND ALSO:

MARKET PLACE DR.

A parcel of land being part of the SW 1/4 of NW 1/4 of Section 11, Township 4 North, Range 14 West, Lamar County, MS, and being more particularly described as follows;

Commence at a found metal pipe at the NW 1/4 of the NW 1/4 of Section 11;thence run South 89°30'32" East along the north line of Section 11 for 657.11 feet to an iron pin found on the eastern right-of-way of Cross Creek Parkway; thence leaving the North line of Section 11, run along said eastern right-of-way of Cross Creek Parkway for the following calls: run South 00°18'43" East for 718.03 feet to a concrete monument found; thence run North 89°41'17" East for 30 feet to an iron pin set; thence run South 00°18'43" East for 263.25 feet to and iron pin set; thence run South 00°18'43" East for 41.73 feet to an iron pin set; thence run along a curve to the left for 141.69 feet to a concrete monument found, said curve having a radius of 230.00 feet with a chord bearing South 17°57'36" East, and a chord length of 139.46 feet; thence run South 54°23'30" West for 20.00 feet to a concrete monument found; thence run South 35°36'30" East for 60.21 feet to a concrete monument found; thence run South 54°23'30" for 10.00 feet to a concrete monument found; thence run South 35°36'30" East for 156.46 feet to an iron pin set; thence run along a curve to the right for 154.19 feet to an iron pin set, said curve having a radius of 255.00 feet, a chord bearing South 18°17'08" East, and a chord length of 151.86 feet; thence run South 00°22'33" East for 21.60 feet to an iron pin set and to the POINT OF BEGINNING; thence leaving said right-of-way of Cross Creek Parkway, run South 89°41'14" East for 292.20 feet along the south line of that property described in Deed Book 27Y Page 170 to an iron pin found on the west line of Resubdivision of Commercial Mall Complex, 2nd Filing as found in Plat Book 2 Page 100 in the Lamar County Chancery Clerk's office; thence run South 00°22'53" East along the west line of said Commercial Mall Complex for 65.11 feet to an iron pin found; thence run North 00°20'06" West for 65.11 feet along the east right-of-way of Cross Creek Parkway back to the POINT OF BEGINNING. Said parcel contains 0.44 acres, more or less.

Witness my signature on this, the ____ day of _____, 2023.

Ronald T. Blackwell, PE# 12234, LS# 2730

SW CNR. OF LOT 1
RESUBDIVISION OF
COMMERCIAL MALL
COMPLEX, 2ND FILING
P B 2 P G 1 0 0

- NOTES:
- CLASS "B" SURVEY.
 - DATE OF PLAT: JANUARY, 2023
 - IRON PINS SET ARE 1/2" X 18" REBAR AT ALL NEW PROPERTY CORNERS.
 - PROPERTY SHOWN IS LOCATED IN FLOOD ZONES "X & AE". COMMUNITY PANEL NOS. 28035C0085D & 28035C0103D, DATED MARCH 2, 2010.
 - AREA OF SUBJECT PROPERTY: 33.34 ACRES, MORE OR LESS.
 - ORIENTATION IS BASED UPON GPS OBSERVATION.
- LEGEND
- MONUMENT SET
 - MONUMENT FOUND
 - IRON PIN SET
 - IRON PIN FOUND
 - CONCRETE MONUMENT FOUND
 - METAL PIPE FOUND
 - CRIMPED TOP PIPE
 - T POST FOUND
 - POINT OF COMMENCEMENT
 - POINT OF BEGINNING
 - BOUNDARY TIE LINE
 - SUBJECT PROPERTY LINE
 - GLO LINE

PUBLIC HEARING APPLICATION
P O BOX 1898 (200 Forrest Street/39401)
HATTIESBURG, MS 39403-1898
 Department of Urban Development
 545-4599 or FAX (601) 545-1962

PUBLIC HEARING TYPE REQUESTED:**Application for (check all appropriate types):**

- ☐ Variance (details below) ☐ Conditional Use (details below) ☐ Re-Zoning (details below)
☒ Subdividing of Lot, Parcel or Tract ☐ Overlay District
☐ Street or Alley Renaming ☐ Vacating Street or Alley
☐ Planned Mixed-Use District ☐ Planned Residential Development

FOR VARIANCE ONLY:

Check all appropriate variance types:

- ☐ Sign ☐ Setback (front, side or rear _____) ☐ Off-site Parking
☐ Lot Width ☐ Lot Coverage Area ☐ Buffer ☐ Open Space
☐ Other _____

Land Development Code Section No. _____

Section No. _____

Section No. _____

Staff
Information –
do not complete

FOR CONDITIONAL USE PERMIT ONLY:

Check Applicable Type:

- ☐ Automotive filling station ☐ Group facility or home ☐ Care Center (type _____)
☐ Digital Billboard, New ☐ Digital Billboard, Replacement ☐ Solar Farm
☐ Restaurant ☐ Telecommunications ☐ Other _____

Land Development Code Section No. _____

Staff Information

FOR RE-ZONING ONLY:

Existing Zoning: _____

Proposed Zoning: _____

Public Hearing Contact Information Form

City of Hattiesburg - Planning Division

Note: A Pre-Application submittal must contain a completed application form and a concept plan drawn to scale.

Pre-Application Date: 6/19/23 to enter a date.

Planner:

Today's Date: Click here to enter a date. 6/22/23

Project Name: Turtle Creek subdivision

Proposed Use(s): Commercial & Multi-Family

Project Street Address: Cross Creek Parkway

PPIN Number(s) (If unknown, can be found on tax receipt): 7622 & 38013

Parcel Number(s):

Flood Zone(s): X & AE

Historic District(s): N/A

Zoning District(s): B-5 & R-3

Proposed Cost of the Project: \$ Unknown

Project Representative Information

Name: Bennett V. York - Mgr. Turtle Creek Development, LLC

☒ Applicant ☒ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (Specify):

Phone: 601-264-0403

Fax: 601-264-0433

Email:

Mailing Address: 112 Sheffield Loop, Suite D Hattiesburg, MS 39402

Name: Ronald T. Blackwell

☐ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☒ Engineer

☐ Other (Specify):

Phone: 601-261-2609

Fax: 601-261-5573

Email: ronnie@clearpointengineers.com

Mailing Address:

Name:

☐ Applicant ☐ Property Owner ☐ Representative ☐ Agent ☐ Contractor ☐ Architect ☐ Engineer

☐ Other (Specify):

Phone:

Fax:

Email:

Mailing Address:

OWNER AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **OWNER(S)** OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the **OWNER(s)** of the subject property located at

Cross Creek Parkway
Street Address City State

on this the 22 day of June, 2023.

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

Ronald T. Blackwell, P.E., P.L.S.

on this the 22 day of June, 2023.

Bennett V. York
Property Owner (print)
[Signature]
Property Owner (signature)

STATE OF Mississippi
COUNTY OF Lamar

Personally came and appeared before me, the within named

Bennett V. York

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 22nd day of June, 2023.



My Commission Expires:

4-27-24

[Signature]
NOTARY PUBLIC

APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT** OF THIS PETITION,
ONLY IF DIFFERENT FROM THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the **APPLICANT(s)** of the subject property located at

Cross Creek Parkway
Street Address City State

on this the 22 day of June, 2023.

Bennett V. York
Applicant (print)
[Signature]
Applicant (signature)

STATE OF Mississippi
COUNTY OF Lamar

Personally came and appeared before me, the within named

Bennett V. York

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 22nd day of June, 2023

Barbara W Wilson
NOTARY PUBLIC

My Commission Expires:

4-27-24



PLANNING COMMISSION & BOARD OF ADJUSTMENT - PETITIONER REQUIRED SUBMITTAL INFORMATION

Deadline for applicant to file petition: _____ 5:00 p.m. (End of business day)

Hattiesburg Planning Commission & Board of Adjustment Meeting Date: _____ Time: 1:00 p.m.
(Always the first Wednesday of each month - you or your representative MUST attend)

There is a 10 day appeal period, required by State Law, between the Planning Commission Meeting and/or Board of Adjustment Meeting and the City Council Meeting – appeals must be filed within this 10-day period.

City Council Agenda Review Meeting Date- (you or your representative should attend): _____ Time: 4:00 p.m.

City Council Meeting (Vote) Date - (you or your representative may attend): _____ Time: 5:00 p.m.

There is an additional 10 day appeal period, required by State Law, after City Council Meeting, for all Variances and Conditional Use Permit which ends _____ and a 30 day appeal period for Zoning or Street closing/ re-naming, PMUs, PRDs, PUDs which ends _____. So, if approved by City no final site plan review approvals or building permits could be issued prior to these dates.

If an appeal is filed or the petition is tabled for any reason at any stage, the above listed dates would need to be revised.

The following paperwork MUST be attached to this application:

- _____ Site Diagram (11" x 17" preferred size): Drawing to scale prepared by professional engineer/surveyor showing lot dimensions, existing/proposed buildings, signs, parking areas, etc. (Different standard may be accepted only per approval from Staff)
- _____ Site & Design Review Committee, if needed.
- _____ Copy of entire Warranty Deed (filed and recorded at courthouse) with legal description granting title to current owner. (If the Warranty Deed covers a larger piece of property than the current project, a legal description for this project site only may also be required.)
- _____ Electronic/Digital copy of legal description REQUIRED for all public notices, saved as Word or text document OR emailed to glowrey@hattiesburgms.com or planning@hattiesburgms.com.
- _____ An affidavit (page 3 & 4) attesting that the applicant or representing party (if other than owner) is acting on behalf of the owner(s) of record. The affidavit must be sworn to before a notary public or other appropriate official. (Included in owners signature page, or may be separate document)
- _____ A letter of approval/denial from all adjoining property owners must be obtained and submitted with application (Variance application only).
- _____ Other documents needed (per Planning Division).
 - _____ Maps of Digital Billboard Removal Sites _____ Maps of Digital Billboard Replacement sites
 - _____ Documentation on measurements _____ Other _____
- _____ Payment to the City of Hattiesburg for filing application in the amount of \$_____.

***You may be responsible for posting a sign (prepared by Planning Division staff)
a minimum of fifteen (15) days prior to the hearing date.***

You will be responsible for maintaining the sign for the duration of the public hearing process.

Required Fees

All fees adopted by Ordinance Number 2977, adopted January 22, 2008, as amended. This is an excerpt from that ordinance:

Public Hearing Fees:

Variance (includes Concept Site Plan Review) -----	\$ 175.00 per application and one Variance request; plus \$50.00 for each additional variance request within same application
Street/Alley Naming or Re-Naming -----	\$300.00 per application, plus \$100.00 per required street name sign if approved*
*Fees for replacement street signs shall be paid after City Council approval, but prior to effective date.	
Street/Alley Closing -----	\$300.00 per application
[Conditional] Use Permit -----	\$200.00 per application
Zoning Change -----	\$400.00 per application* (*see PUD or PRD & zoning package rate)
Planned Unit Development (PUD) or Planned Residential Development (PRD), & [Planned Mixed-Use District PMU] -----	\$400.00 per application (*see PUD or PRD & zoning \package rate) Or (**see PUD or PRD & Subdivision of Land package)
Planned Unit Development (PUD) or Planned Residential Development (PRD) with Zoning Change package* -----	\$600.00 per package application
Subdivision of Land (Preliminary Plats) -----	\$225.00 per application, plus \$10.00 for each created lot (**see PUD or PRD & Subdivision of Land package rate)
Note: Final Plats should be submitted to the governing body for approval within 12 months of approval of preliminary plats.	
Planned Unit Development (PUD) or Planned Residential Development (PRD) with Subdivision of Land package ** -----	\$500.00 per application, plus \$10.00 for each created lot (**see PUD or PRD & Subdivision of Land package rate)
Change in Land Development Code Text -----	\$200.00 per application
Appeal Fees for Proponent or Opponent appeals to City Council ---	\$50.00 per appeal
Exempt from fees – Established Neighborhood Associations	
Cancellation / Re-notification fee on any public hearing process (Planning Commission or City Council) that is tabled or cancelled at the owner/developer's request -----	\$50.00 (per each 100 mailing labels)

**ALL ITEMS, EXCEPT SINGLE-FAMILY RESIDENTIAL SINGLE LOTS, MUST GO THROUGH SITE PLAN REVIEW PROCESS
UPON APPROVAL OF PUBLIC HEARING APPLICATIONS AND THE FOLLOWING ADDITIONAL FEES WILL APPLY:**

Plan Review Fees:

Site Plan Review is required for all development, EXCEPT owner/occupied single-family residential, and those determined by the Building Official to be inapplicable. Note: The public hearing fees include one Concept Review for those actions that require Site Review:

New construction reviews, including billboards/LED signs – (includes initial submittal and 2 re-submittals) -----	\$200.00 for first acre, plus \$30.00 for each additional acre, or fraction thereof, of development
Expansion or renovation construction reviews (includes initial submittal and 2 re-submittals) -----	\$100.00 for first acre, plus \$30.00 for each additional acre, or fraction thereof, of development
Fourth and subsequent new, expansion or renovation Construction reviews --	\$ 50.00 each additional submittal
Expedient Process Lot Subdivision (up to 3 commercial lots) -----	\$150.00
Concept Review (general layout review only) -----	\$ 50.00
New use type(s) in existing building(s) -----	\$ 50.00

Make all checks payable to the City of Hattiesburg