

HATTIESBURG
PLANNING COMMISSION
PUBLIC HEARING AGENDA
March 6th, 2024



DEPARTMENT OF URBAN DEVELOPMENT
PLANNING DIVISION

Planning Commission Agenda

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

March 6th, 2024

I. Business Meeting

1. Review and approval of the March 2024 meeting's agenda
2. Review and approval of the February 7th, 2024 meeting's minutes
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

III. Other Business

- A. Remanded Item from City Council and Postponed by applicant until March 2024
Planning Commission: 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).

IV. Adjournment

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

February 7th, 2024

The Hattiesburg Planning Commission met in regular session on February 7th, at 1:00 PM at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Amy Hinton, Chair, presided over the meeting. A quorum was indicated and the attendance was as follows:

Board Members Roll Call:

Members Present:

1. Amy Hinton, Chair
2. Rebekah Ray
3. Mike Pruitt
4. Rhoda Pickett, Vice Chair
5. Elayne Lockett
6. Carlos Wilson
7. Dick Conville
8. Jeff Keyseear (Online)
9. Michael Dickerson (Online)
10. Lee Anne Venable (Online)
11. Charles Dawe (Online)

Members Absent:

1. None

Staff Present:

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

Chair Hinton declared the Hattiesburg Planning Commission meeting open and in session at 1:08 p.m.

AGENDA REVIEW

There came the matter of the February 2024 Agenda. Commissioner Ray made a motion to accept the amended agenda, seconded by Vice Chair Pickett.

Motion:

Made by Commissioner Ray

Second:

Made by Vice Chair Pickett

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Mike Pruitt	X		
Elayne Lockett	X		
Carlos Wilson	X		
Dick Conville	X		
Jeff Keyseear (Online)	X		
Michael Dickerson (Online)	X		
Lee Anne Venable (Online)	X		
Charles Dawe (Online)	X		

MINUTES REVIEW

For the special called hearing on January 3rd, 2023 minutes, Commissioner Ray made a motion to approve the minutes after corrections had been made, and Commissioner Conville seconded this motion.

Motion:

Made by Commissioner Ray

Second:

Made by Commissioner Conville

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Mike Pruitt			ABSTAINED
Elayne Lockett	X		
Carlos Wilson	X		
Dick Conville	X		
Jeff Keyseear (Online)	X		
Michael Dickerson (Online)	X		

Lee Anne Venable (Online)	X		
Charles Dawe (Online)	X		

BUILDING REPORT

Mr. Kevin Bates, Building Official, presented the Building report for December 2023 and January 2024.

PLANNING REPORT

There came the matter of the Planning Report by Cory Long, Planning Manager. He announced that the Home Depot case had been approved by the City Council on February 6th, and informed the Commissioners of the latest updates concerning the Broadway corridor. Additionally, he announced that an updated comprehensive plan proposal is in the process of being prepared.

CHAIR'S REPORT

The Chair did not have a report for the meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

Item A:

Dennis Pierce, Owner, 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).

Discussion and Vote:

Commissioners were informed by Cory Long, Planning Manager, of the applicant’s intentions to postpone the current case. Then, Vice Chair Hinton opened the public portion of the meeting and Dennis Pierce, the applicant, came to speak on behalf of the proposal. Mr. Pierce explained that additional information is needed and a traffic study is currently in process, therefore, postponing the case is necessary. Additionally, Mr. Pierce explained that neither the City Council nor Planning Staff were requiring a traffic study but he was advised by engineers to perform one. Commissioner Conville and Vice Chair Pickett asked for clarification of the target area for the traffic study. Mr. Pierce mentioned that both current and proposed additional entrances to the subdivision will be considered in the traffic study.

Commissioners and Mr. Jim Gladen discussed the public hearing procedures for the case. Then

A motion was made by Commissioner Conville to postpone the meeting until the Planning Commission meeting on March 6th, following the completion of the traffic study, and Commissioner Dawe seconded this motion.

Presented by:

1. Dennis Pierce

Proponents:

1. None

Opponents:

1. None

Motion:

Made by Commissioner Conville to postpone

Second:

Made by Commissioner Dawe

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Mike Pruitt	X		
Elayne Lockett	X		
Carlos Wilson	X		
Dick Conville	X		
Jeff Keyseear (Online)	X		
Michael Dickerson (Online)	X		
Lee Anne Venable (Online)	X		
Charles Dawe (Online)	X		

OTHER BUSINESS

The Commissioners and Planning Staff discussed proposed changes to the By-laws.

Adjournment:

The meeting was adjourned at 2:22 p.m

Motion:

Made by Vice Chair Hinton

Second:

Made by Commissioner Wilson

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Mike Pruitt	X		
Elayne Lockett	X		
Carlos Wilson	X		
Dick Conville	X		
Jeff Keyseear (Online)	X		
Michael Dickerson (Online)	X		
Lee Anne Venable (Online)	X		
Charles Dawe (Online)	X		

Amy Hinton, Vice Chair

Cory Long, AICP, Planning Division Manager



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**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

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

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-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

Request for: Preliminary Plat Approval for Major Subdivision

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 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.

REQUEST UPDATE: This item was recommended for approval by the Planning Commission on September 6th, 2023, with conditions. After being presented to City Council on September 19th, 2023 the item was tabled and then remanded back to Planning Commission on October 3rd, 2023. Councilmember Carrol noted that the Planning Commission should consider alternative layouts

Request for: Preliminary Plat Approval for Major Subdivision

that do not have a connection through Hamlet Drive or any other street that is part of the existing subdivision known as "The Cottages of Turtle Creek."

The applicant has postponed past public hearings on November 1st 2023, January 3rd and February 7th 2024.

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.

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

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.

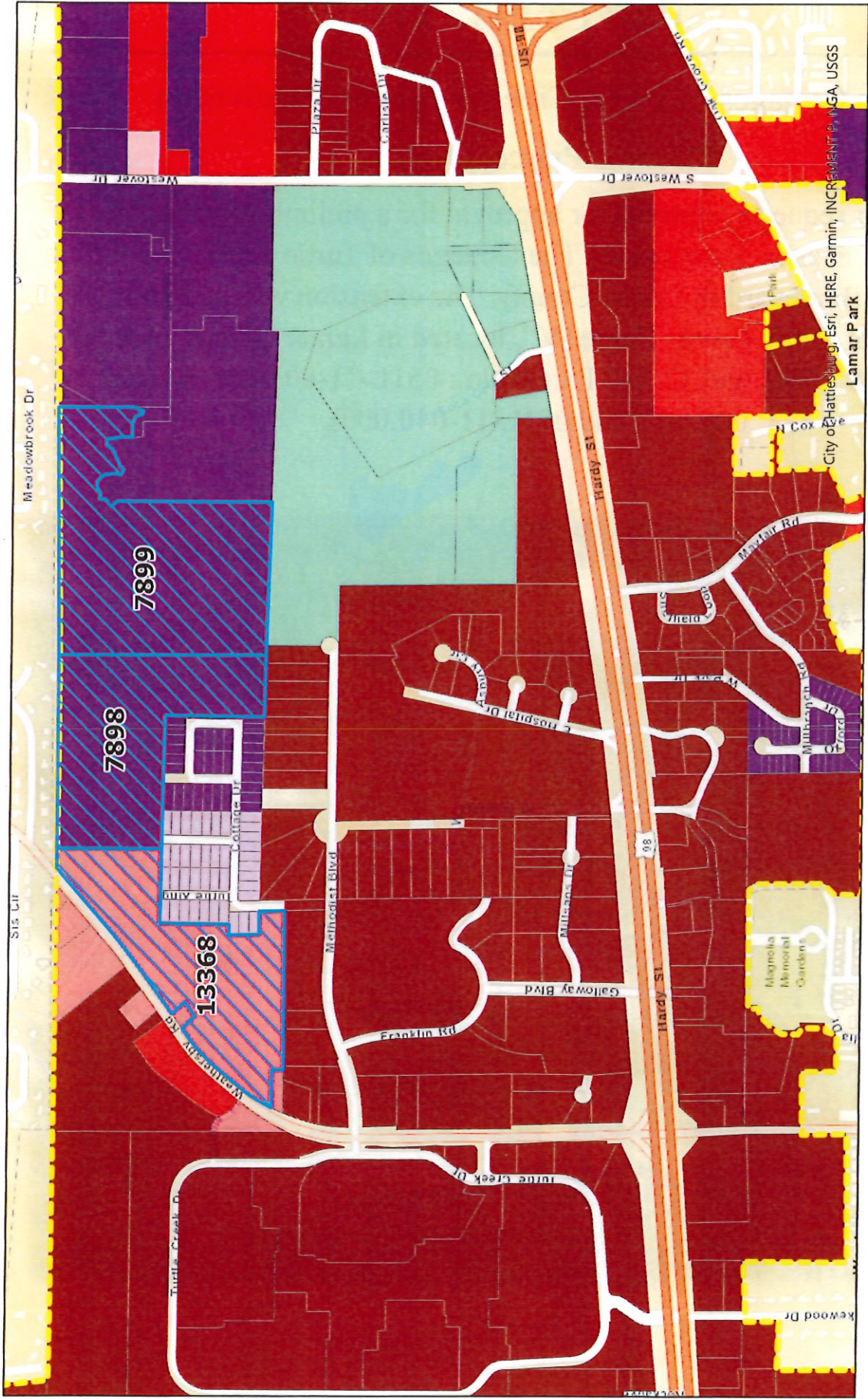
SUBJECT PARCEL

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).





URBAN DEVELOPMENT
PLANNING DIVISION



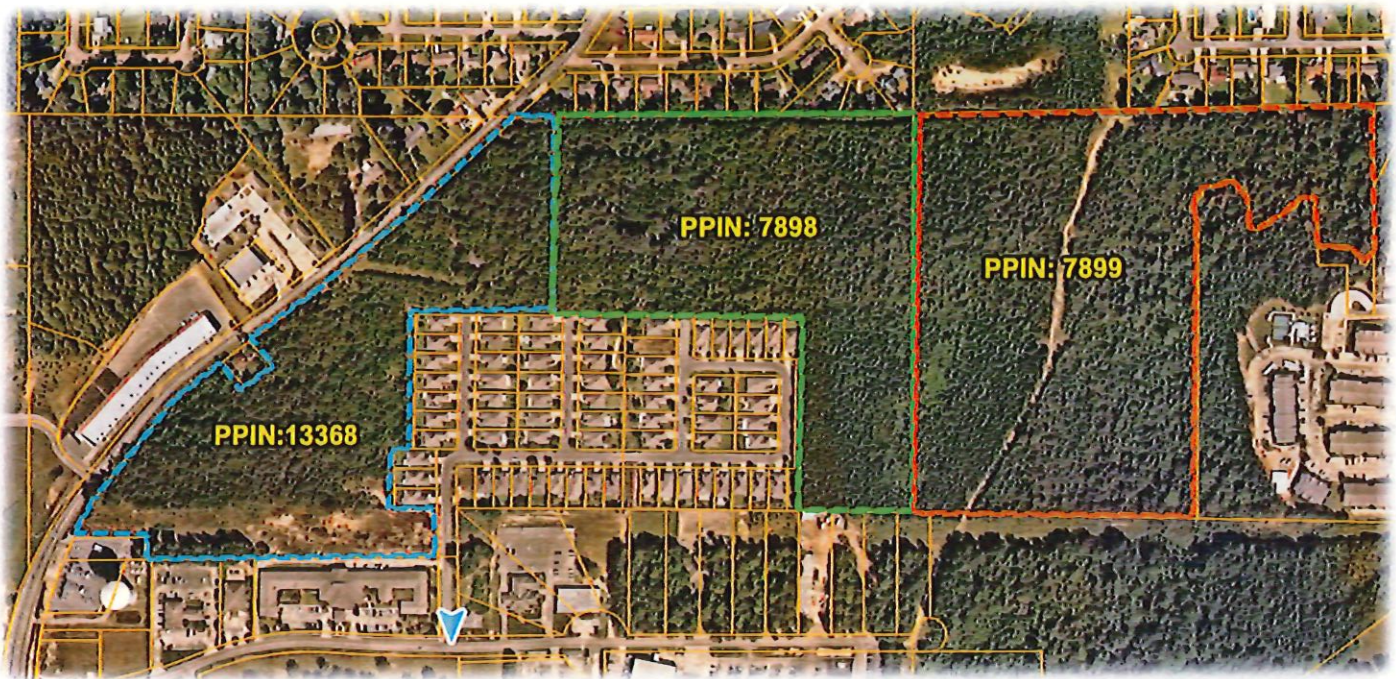
Site Information

Lamar County, Ward 3
PPIN 7898, 7899 (Multi-Family Residential), and 13368 (B-2 Neighborhood Business)
Parcel No.: 051L-11-001.000, 051K-12-006.000, and 051L-11-040.000



- Zoning**
- R-2
 - R-3
 - B-1
 - B-2
 - B-3
 - B-5
 - I-1
 - City Limits
 - Site

Site Aerial



Northern Direction: City Limits



Pictures of The Cottages of Turtle Creek neighborhood

Southern Direction: B-5 Regional Business



East and Western Directions: B-5 Regional Business



