



URBAN DEVELOPMENT

PLANNING DIVISION

HATTIESBURG PLANNING COMMISSION

PUBLIC HEARING STAFF REPORTS

April 3rd, 2024

Planning Commission

Place: Jackie Dole Sherrill Community Center (Dining Room)

Time: 1:00 PM

April 3rd, 2024

I. Business Meeting

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

II. Public Hearing

- A. **Conditional Use Request** - Tina Bruce, representative, and owner, requests conditional use approval for a "Group Care Facility" for a property located at 1306 Hardy Street, zoned B-3 (PPIN 20045, Ward 4, Forrest County).
- B. **Major Subdivision Request** - Cliff Norman, owner and representative for High Cotton Properties, LLC., and Chris Johnson, Engineer, request approval for a preliminary plat for a major subdivision for a property located at 100 South Founders Way. The proposed subdivision will be phase 3 of the Vintage Springs Subdivision. (PPIN 41844, Ward 5, Forrest County).
- C. William Carey University – (Multiple Requests)
 1. **Zoning Change Request** - William Carey University, applicant, Kevin P. Lewis, architect and Robert Blevins, representative, request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for properties located at 1506 and 1508 ½ Cherry St. (PPIN 13777, 13779, 13776, 13787, 13786, and 13785, Ward 2, Forrest County).
 2. **Zoning Change Request** - William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at 1412 Cherry St (PPIN 13715, Ward 2, Forrest County).
 3. **Zoning Change Request** - William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at 1406 Cherry St (PPIN 13713, Ward 2, Forrest County).
 4. **Zoning Change Request** - William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request approval for rezoning from R-2 (Two-

family residential) to R-3 (Multi-family residential) for a property located at the intersection of Cherry Avenue and Tuscan Ave (PPIN 13651, 13652, 13653, 13654, and 13655, Ward 2, Forrest County).

5. **Zoning Change Request** - William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at the intersection of Franklin Street and Magnolia Avenue (PPIN 13647, 13648, 13656, Ward 2, Forrest County).
 6. **Land Development Code Text Amendment Request** - William Carey University, applicant, and Kevin P. Lewis, architect, and Robert Blevins, representative, request to amend the Land Development Code, Ord. No. 3209 as amended, to make changes to Section 5, Use Regulations and Conditions. The request is to add additional use regulations for the use category of "School, University, or College", specifically for accessory uses and building heights.
- D. **Zoning Change Request** - Mississippi Tank Company, applicant, Bobby Threatt, applicant, and Chris Bowen, representative, request approval for rezoning from R-2 (Two-family residential) to I-1 (Light Industrial) for a property located adjacent to 3000 West 7th Street (PPIN 26407, Ward 1, Forrest County).
- E. **Land Development Code Text Amendment Request** - The City of Hattiesburg requests to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 4 and 6. More specifically, the changes are related to regulatory flood zone properties within the A-1 zoning district to increase the minimum lot size requirement and reduce the total developable area. This is an abbreviated summary of the topics addressed in the proposed amendment, and interested parties are encouraged to contact City Hall to review the proposed amendment in its entirety.

III. Other Business

IV. Adjournment

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

March 6th, 2024

The Hattiesburg Planning Commission met in regular session on March 6th, 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. Rhoda Pickett, Vice Chair
4. Carlos Wilson
5. Charles Dawe
6. Dick Conville

Members Absent:

1. Mike Pruitt
2. Lee Anne Venable (Online)
3. Jeff Keysear (Online)
4. Michael Dickerson (Online)
5. Elayne Lockett

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
6. Christina Highsmith, Special Guest, City of Gulfport

Chair Hinton declared the Hattiesburg Planning Commission meeting open and in session at 1:01 p.m.

AGENDA REVIEW

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

Motion:

Made by Vice Chair Pickett to accept the amended agenda

Second:

Made by Commissioner Ray

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Carlos Wilson	X		
Charles Dawe	X		
Dick Conville	X		

MINUTES REVIEW

For the public hearing on February 6th minutes, Commissioner Ray made a motion to approve the minutes and Commissioner Conville seconded this motion.

Motion:

Made by Commissioner Ray to approve

Second:

Made by Commissioner Conville

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Carlos Wilson	X		
Charles Dawe	X		
Dick Conville	X		

BUILDING REPORT

Mr. Kevin Bates, Building Official, presented the Building report for February 2024.

PLANNING REPORT

There came the matter of the Planning Report by Cory Long, Planning Manager. He stated that the Hattiesburg Market Place case was approved by City Council on March 5th and provided an update regarding the Broadway project. He also announced the resignation of Commissioner Jeff Keysear and introduced the special guest present.

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:

The Planning Staff reintroduced the case. Dennis Pierce, applicant, came to speak on behalf of the case. Mr. Jonathan Kiser came to speak in favor of the proposal and provided a summary of the traffic study performed in the subdivision, he stated that this area is a low-traffic generator. Additionally, Mr. Andrew Hatten spoke in favor, stating that Hamlet Drive would not be used for construction, but rather as an access road once future development has been completed. Mr. John Hurt and Mr. Rich Nuss came to speak in opposition to this case and expressed his safety concerns and loss of property value with the new subdivision. The public hearing portion of the meeting was closed by Chair Hinton. A discussion was held between the Commissioners and Staff. The applicant addressed some of the questions regarding easements, construction entrance, and enforcement. Then, Commissioner Conville made a motion to approve this request considering the following conditions:

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.

Two additional conditions were added by Commissioner Conville:

1. Construction entrance for phase 4 to be off of Weathersby Road and
2. Require covenants for phase 4 that prohibit construction traffic in on Hamlet Drive.

Chair Hinton seconded this motion.

Presented by:

1. Dennis Pierce

Proponents:

1. None

Opponents:

1. John Hurt
2. Rich Nuss

Motion:

Made by Commissioner Conville to approve with conditions

Second:

Made by Chair Hinton

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray			ABSTAINED
Rhoda Pickett, Vice Chair	X		
Carlos Wilson	X		
Charles Dawe	X		
Dick Conville	X		

OTHER BUSINESS

A discussion regarding the changes in the proposed By-laws was made. Commissioner Dawe made a motion to accept the By-Laws and Commissioner Wilson seconded the motion

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Carlos Wilson	X		
Charles Dawe	X		
Dick Conville	X		

Adjournment:

The meeting was adjourned at 2:34 p.m

Motion:

Made by Vice Chair Pickett

Second:

Made by Chair Hinton

Vote:

Board Member	Yea	Nay	Other
Amy Hinton, Chair	X		
Rebekah Ray	X		
Rhoda Pickett, Vice Chair	X		
Carlos Wilson	X		
Charles Dawe	X		
Dick Conville	X		

Amy Hinton, Vice Chair

Cory Long, AICP, Planning Division Manager

April 2024 HPC Item: A
Tina Bruce, Owner
Request for: **Conditional Use Approval**



**URBAN
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**Planning Commission
Case Fact Sheet**

Names of Petitioner: Tina Bruce, Owner

Address of Property:
1406 Hardy St

Tax Parcels/Ward:
2-029M-09-314.00

PPIN:
20045

Ward:
4

Request: **Conditional Use Approval Request**

Purpose of Request: To request requests conditional use approval for a “Group Care Facility” for a property located at 1306 Hardy Street, zoned B-3 (PPIN 20045, Ward 4, Forrest County).

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.

SECTION 5 Use and Regulations

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

SECTION 5 Use and Regulations

5.4.25 Group Care Home; Group Care Center

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

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

SECTION 13 Definitions

Group Care Facility: A facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group household. A group care facility may include half-way houses, recovery homes, and homes for orphans, foster children, the elderly, battered children and women. It would include a specific treatment providing less than primary health care by staff appropriately certified or licensed to provide such treatment.

Present Zoning: The parcel is currently zoned B-3 Community Business District

Present Use: Medical Office / Personal Services (Counseling Office)

April 2024 HPC Item: A
Tina Bruce, Owner
Request for: **Conditional Use Approval**

Future Land Use: Neighborhood Business Corridor

Surrounding Zoning and Land Use:
North: B-3 Community Business District
South: R-3 Multi-Family Residential
East: B-3 Community Business District
West: B-2 Neighborhood 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 March 21st, 2023.

History / Background: The petitioner met with staff in Pre-Application to discuss the change of use of the building from a counseling service to a group care facility. The applicant provides housing for children and youth from ages 6-18 who may no longer have safe and secure housing with their families. Children would be able to stay at the proposed facility longer than 6 months, but cannot stay past their 18th birthday.

The organization, Bruce Processional Counseling Services, partners with state agencies to provide services for children who can be referred to them or legally ordered to their housing program. They currently run a group care facility in Natchez and are regulated by the state, and must meet all applicable state requirements to operate as a group care facility. The organization also provides some counseling services by licensed professionals and a staff member will be on site at all times. The applicant also self-identified their use as a group-care facility and their use.

If approved, the applicant would be required to meet all applicable building and fire codes for the intended use. The proposed use is regulated differently than the current use and will need interior modifications/renovations to meet all state and local requirements for housing. Planning Commission has the right to further restrict the location of facilities and the number of residents and to require increased buffering, screening, and fencing. They are currently limited to 20 residents but indicated they would house a lower number to meet state regulations.

Basis for approval: **12.3.3 Conditional Use Approvals**
12.3.3.1 Compliance Required. Uses requiring Planning Commission approval, as noted in the Table 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.

12.3.3.2 Additional Approval Criteria. In addition to the standards mentioned above, the applicant for a request for the Planning Commission to approve a use shall be required to demonstrate that his/her proposal addresses the following additional requirements, except that the Planning Commission may waive any one or more criteria that it determines are not applicable based upon the expected impact of the proposal.

- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide access to the site.
- ii. The proposed development will be compatible with surrounding uses and will protect adjacent properties through the following measures:
 - Protection of privacy. The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and / or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants.
 - Protection of use and enjoyment. The proposed plan shall be designed and arranged to have minimal negative impact on the use and enjoyment of adjoining property.
 - Compatible design and integration. The use meets all design criteria required by this Code that apply and is designed to integrate well both on and off site.



PRE-APPLICATION MEETING SUMMARY

Thursday, February 29th, 2024

STAFF PRESENT:

Nathan Satcher, Jerald Little, Shawn Whitaker, Andrea Garcia, Slade Suber, Kevin Bates

APPLICANT(S):

Name: Tina Bruce and Nugene Bruce
Business: Therapeutic Group

PROJECT ADDRESS/LOCATION:

Address: 1306 Hardy St
Zoning: B-3

CASE TYPE:

Change of Use

SPECIAL DISTRICT:

☐ Flood Zone ☐ Historic District
☐ Midtown

PROJECT SUMMARY:

- Applicant request to open a therapy group home for teenagers.
- Public Hearing with Planning Commission is required for this request. Next public hearing is on April 3rd.
- In case of establishing a kitchen inside the building. Hood system/dumpster will be required.
 - Hot/cold water tap and grease interceptor is required if putting kitchen inside.
 - Trash containers, oil and grease containers must be visually screened on all sides including gates (LDC 7.9.10.2).
- A proposed layout of the building will be required by Fire Marshall and Building Official. Provide plans and specifications of fire alarm and sprinkler system to Fire Marshall.

NEXT STEPS:

- Public hearing with Planning Commission on April 3rd. Case will be presented to City Council on April 15th (4:00pm) and vote on April 16th (5:00pm).
- Submit for PTL (Privilege Tax License) with the Tax Department at City Hall.

APPLICATIONS REQUIRED:

- | | |
|---|--|
| ☐ Site Plan Review Checklist and Application | ☐ Conditional Use Application |
| ☐ Public Hearing Application | ☐ Street/Alley Closing |
| ☐ Variance Application | ☐ Major Subdivision |
| ☐ Rezone Application | ☐ Minor Subdivision |
| ☐ Certificate of Appropriateness (Historic) | ☐ Building Permit Application |

Pre-application meeting notes are provided as a courtesy by staff during pre-application meetings. These notes are not exhaustive. All Land Development Codes and City Ordinances apply, even if not listed during a pre-application meeting.

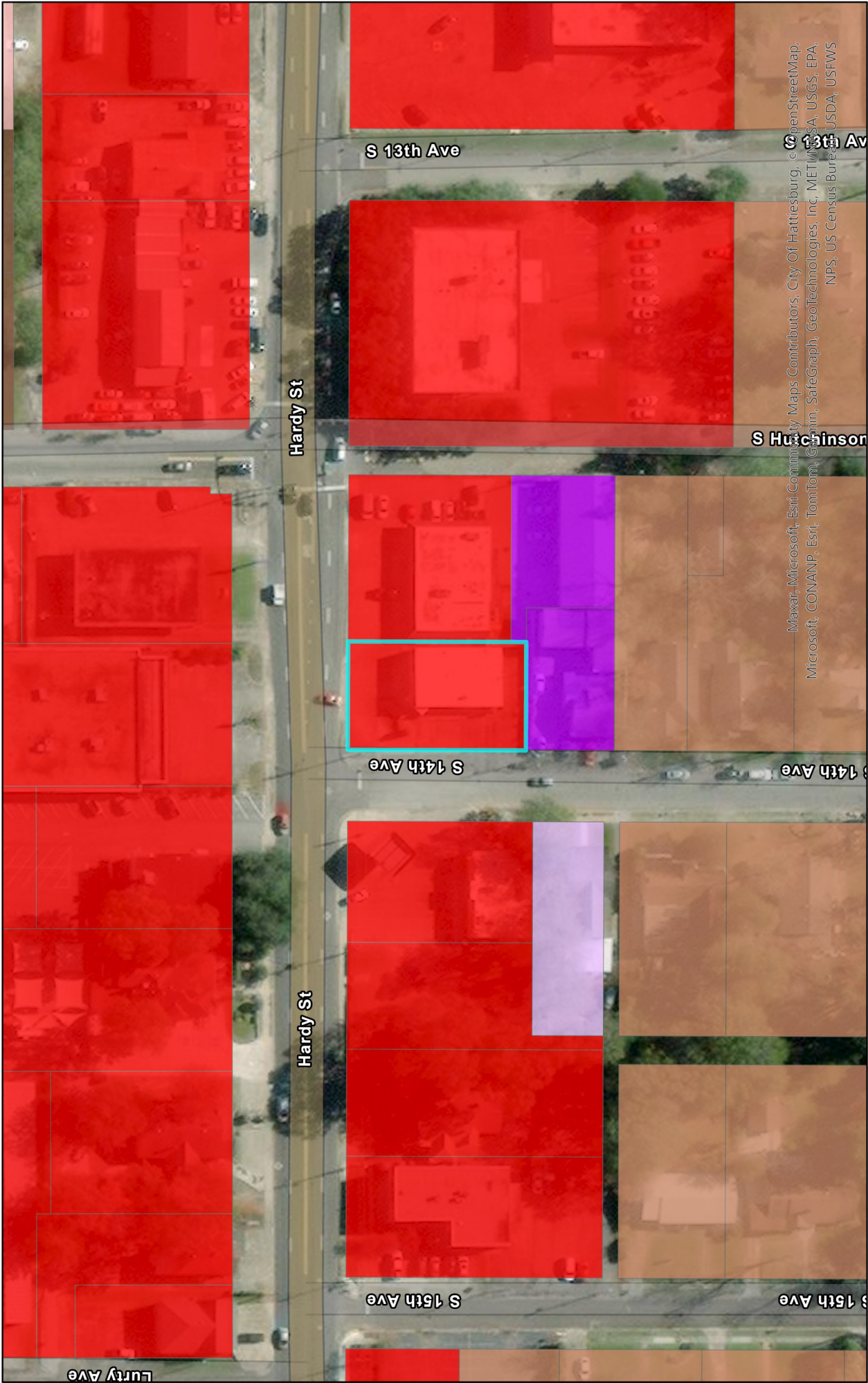
SUBJECT PARCEL

1306 Hardy Street — Group Care Facility

Tina Bruce, Owner

The petitioner requests conditional use approval for a “Group Care Facility” for a property located at 1306 Hardy Street, zoned B-3 (PPIN 20045, Ward 4, Forrest County).





Zoning

- R-1B
- R-1C
- R-2
- R-3
- B-1
- B-3

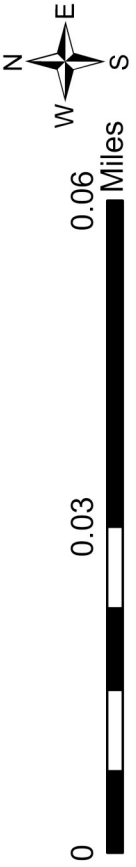
Site Information

Property is located at 1306 Hardy Street, zoned B-3 (PPIN 20045, Ward 4, Forrest County).



**URBAN
DEVELOPMENT**
PLANNING DIVISION

Maxar, Microsoft, Esri Community Maps Contributors, City Of Hattiesburg, OpenStreetMap, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/USDA, USGS, EPA, NPS, US Census Bureau, USDA, USEWS





Future Land Use

- Neighborhood Business
- Neighborhood Conservation District 1

Site Information

Future Land Use map for 1306 Hardy Street, zoned B-3 (PPIN 20045, Ward 4, Forrest County).



**URBAN
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PLANNING DIVISION**



Site Aerial



Surrounding Area

Northern Direction: B-3 Community Business District



Southern Direction: R-3 Multi-Family Residential

East and Western Directions: B-3 Community Business District and B-2 Neighborhood Business



Supporting Document Submitted



Connect With Us

Phone
(601) 653-4581

Fax
(601) 653-4582

**806 N. Union St.
Natchez, MS 39120**

Visit our official website online.
www.bruceprofessionalcounseling.com




BPCS
CRISIS STABILIZATION HOME

Call Now
(601) 304-5567

**806 N. Union St.
Natchez, MS 39120**



Bruce Professional Counseling Services, LLC is Mississippi Department of Mental Health certified. For more information visit: www.dmh.ms.gov.



CAMF Accreditation is a public seal of trust and commitment to quality based on internationally accepted standards. Achieving this accreditation demonstrates Bruce Professional Counseling Services' commitment to exceptional, personalized care. An organization receiving the highest level of CAMF Accreditation has undergone a detailed peer review process and has demonstrated to a team of surveyors, during an on-site visit, its commitment to providing programs and services of the highest quality. For more information CAMF visit www.camf.org.

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Supporting Document Submitted



About Us

Bruce Professional Counseling Services (BPCS) is a Crisis Stabilization Unit that provides comprehensive assessment services in lieu of psychiatric hospitalization.

BPCS offers treatment services to children and youth who have been identified as being a victim of human trafficking and his/her personal safety is at imminent risk and/or children and youth in the custody of Child Protection Services in which no placement can be located due to acute symptoms, high risk behaviors, and/or a high number of failed placements.

Available 24/7

We accept admissions and have licensed mental health professionals and registered nurses (RN) 24 hours a day, 7 days a week. Contact our office today for more info about our assessment and referral services.

“Within Crisis are the seeds of opportunity.”

Within the first 24 hours, all eligible children and youth (ages 6-18) will undergo a comprehensive assessment by a licensed BPCS staff member prior to admission. This assessment will determine the need for services and to rule out the presence of mental symptoms that are judged to be the direct physiological consequences of a general medical condition and/or illicit substance/medication use. Participants can be referred and/or legally ordered to treatment.

Assessment and service planning is an ongoing, collaborative, and continuous process at BPCS. This process is a mutual exploration of the client's presenting issues and strengths, complemented by the staff's professional perspective and recommendations resulting in a jointly created plan with mutually agreed upon goals. Assessments will be conducted by appropriately licensed staff.

For more info about eligibility and insurance providers that we accept, contact our local office or visit our website, www.bruceprofessionalcounseling.com.

Program Services

Services shall be provided to children and youth, ages 6 through 18 and address immediate physical safety concerns, acute symptoms, distress and are designed to prevent civil commitment, long term psychiatric hospitalization and/or detention (minor victims of human trafficking). Services include:

- High Fidelity Wraparound
- Psychiatric Supervision
- Nursing Services
- Therapy (Individual, Group, Family)
- Therapeutic Activities (Recreational, Spiritual, Psychoeducational, Social/Interpersonal)
- Supportive Counseling
- Medical Screening
- Drug Toxicology Screening
- Targeted Case Management
- Substance Abuse Counseling and more!

These program services will work to assess the serious emotional and behavioral disturbances of our BPCS's targeted population.

Supporting Document Submitted

Office Hours & Locations Monday thru Friday 8AM-5PM Weekends and Holiday CLOSED	
Natchez, Mississippi 114 Jeff Davis Blvd Natchez, MS 39120 Phone: (601) 653-4581 Fax: (601) 653-4582	Brookhaven, Mississippi 109 Whitebrook Drive Brookhaven, MS 39061 Phone: (601) 990-2513 Fax: (601) 990-2526
Hattiesburg, Mississippi 1306 Hardy Street Hattiesburg, MS 39401 Phone: (601) 602-2040 Fax: (601) 336-8935	Vidalia, Louisiana 1109 Carter Street, Ste. 3 Vidalia, LA 71373 Phone: (318) 414-3065 Fax: (318) 414-3067
Baton Rouge, Louisiana 418 Brookline Ave., Ste. C Baton Rouge, LA 70809 Phone: (225) 930-2993 Fax: (225) 930-2991	Clinton, Louisiana 10105 Plank Road, Ste. A Clinton, LA 70722 Phone: (225) 605-5026 Fax: (225) 605-5028
New Orleans, Louisiana 824 Elmwood Park Blvd. Ste. 150 Harahan, LA 70123 Phone: (504) 453-9617 Fax: (504) 585-7301	Fort Worth, Texas 6300 Ridglea Place, Ste. 425 Fort Worth, TX 76116 Phone: (682) 224-7500 Fax: (682) 224-7501

We'd be happy to assist you!

For all questions and/or concerns,
 visit our official website or contact one of
 our local offices near you.

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visit our official website or contact one of
our local offices near you.



Bruse Professional Counseling Services, LLC is Mississippi Department of Mental Health certified. For more information visit: www.drbruse.com



CANES Accreditation is a public seal of trust and commitment to quality based on internationally accepted standards. Achieving this accreditation demonstrates Buze Professional Counseling Services' commitment to exceptional, personalized care. An organization seeking the highest level of CANES Accreditation has undergone a detailed peer review process and has demonstrated to a team of surveyors, during an on-site visit, its commitment to providing programs and services of the highest quality. For more information CANES visit www.canes.org.

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Bruce Professional
COUNSELING

Supporting Document Submitted

People Helping People

Our Philosophy

Treating all individuals with dignity and respect is our philosophy. Bruce Professional Counseling Services work as a team to provide quality mental health care in a safe environment. We follow ethical standards which guide our practice and are accountable to the stakeholders, community, and clients. Our staff participates in yearly training to maintain competence in their profession.

Bruce Professional Counseling Services provides services to individuals with mental health and behavioral problems. We utilize an integrative therapeutic approach in addressing the mental health needs of its clients. All clients undergo assessment performed by a Licensed Professional Counselor. Individualized treatment plans are formulated to help improve or maintain functional status and empower the client. Commitment and patience is the key in advancing our organization. It enhances our strength and support.

“Providing quality mental health care services in a safe, welcoming environment.”

Our Services

- Psycho Education
- Crisis Intervention
- Group Counseling
- Wraparound Services
- Community Education
- Evaluations and Diagnosis

Core Services

Psychosocial Rehabilitation Skills

This is a core service offered in Mississippi and Louisiana. This service is designed to assist individuals with compensating for or eliminating functional deficits and interpersonal and/or environmental barriers.

Community Psychiatric Support Treatment

This is a core service offered in Louisiana. Services are goal-directed supports and solution-focused to help eliminate social and behavioral barriers that interfere with everyday functioning within the community, school, home, and/or friendships.

For more info on services that we offer, visit us at www.bruceprofessionalcounseling.com/services



Insurance

Bruce Professional Counseling Services is dedicated to providing you with the highest quality, cost-effective counseling and/or therapy care. For the most up-to-date information on our accepted private health insurance plans, contact one of our local offices or visit our official website.

Careers

Are you interested in pursuing a career in mental health? Join the **Bruce Professional Counseling Services** family with a community of people helping people! Apply online straight from your mobile phone or email your cover letter and resume to tbruce.bpcs@yahoo.com.

“Therefore encourage one another and build each other up, just as in fact you are doing”

— 1 Thessalonians 5:11



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:

yes. I plan on following all rules set in place to complete this project

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

BPCS will have help children develop in 4 areas such as Physical, educational, emotional and spiritual. BPCS will help families become more healthy and being able to function in a normal setting

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

Therapeutic group homes are a needed facility to help children get back on track and focus on their mental and physical health. BPCS will build families relationships, practice new skills and other methods of dealing with problems and evaluate progress

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

no

5. Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:

no

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

10 children and 2 staff per shift
Shifts: 7am-7pm and 7pm-7am

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

yes, BPCS will be establish as a normal
family setting.

8. Parking requirements:

Commercial/Industrial: Paved parking will be provided for 2 vehicles, and _____ ADA vehicles; with _____ loading spaces.

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

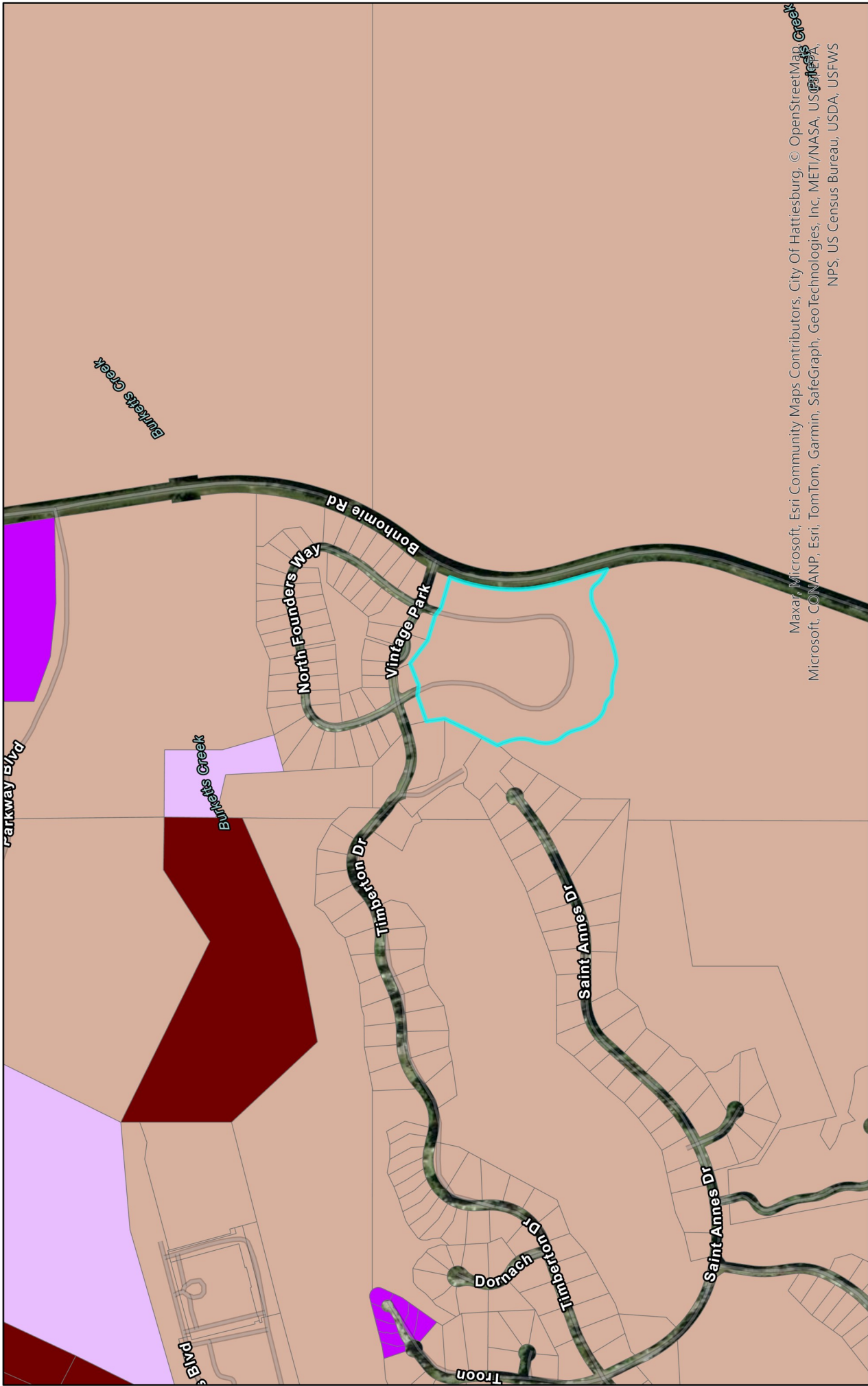
SUBJECT PARCEL

100 S Founders Way — Preliminary Plat Approval for Major Subdivision

Cliff Norman, Owner High Cotton Properties, LLC, and Chris Johnson

The petitioners request a preliminary plat for a Major Subdivision for a property located at 100 South Founders Way. The proposed subdivision will be phase 3 of the Vintage Springs Subdivision. (PPIN 41844, Ward 5, Forrest County).





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Zoning

- R-1A
- R-2
- R-3
- B-5

Site Information

Property is located at 100 South Founders Way. The proposed subdivision will be phase 3 of the Vintage Springs Subdivision. (PPIN 41844, Ward 5, Forrest County).



**URBAN
DEVELOPMENT**
PLANNING DIVISION





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Future Land Use

- Neighborhood Conservation District 2

Site Information

Future Land Use map for 100 South Founders Way. The proposed subdivision will be phase 3 of the Vintage Springs Subdivision. (PPIN 41844, Ward 5, Forrest County).



URBAN DEVELOPMENT
PLANNING DIVISION



Site Aerial



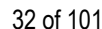
Surrounding Area

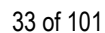
Northern and Southern Direction: R-1A Single Family Residential



East and Western Directions: R-1A Single Family Residential









**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Cliff Norman, Owner High Cotton Properties, LLC, and Chris Johnson, Engineer

Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
100 South Founders Way	2-041L-33-001.10	41844	5

Request: Preliminary Plat Approval for Major Subdivision

Purpose of Request: To request a **preliminary plat for a Major Subdivision** for a property located at 100 South Founders Way. The proposed subdivision will be phase 3 of the Vintage Springs Subdivision. (PPIN 41844, Ward 5, Forrest County).

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.

- 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.

- 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

Present Use: Vacant / Undeveloped

Future Land Use: Neighborhood Conservation District 2

Surrounding Zoning and Land Use:
North: R-1A Single Family Residential
South: R-1A Single Family Residential
East: R-1A Single Family Residential
West: R-1A Single Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of March 21st 2023.

History / Background: The petitioner met with staff in Pre-Application to discuss the expansion of the existing subdivision known as "Vintage Springs" for Phase 3, which includes blocks A & B. The expansion will include 10 new lots on 13.83 Acres. Infrastructure for the subdivision has already been installed in the previous approvals of the subdivision. Sidewalks have not been installed on the remaining portion, however, and will be required as part of the site plan approval for the remaining subdivision. The remaining undeveloped section of the subdivision, approximately 10 acres, has been noted as areas for future development.

Phase I was approved in October of 2008 and included 52 lots, Phase II was approved in April of 2016 and included 16 lots. The

overall master plan for the Vintage Springs Subdivision shows a total of 100 lots if the remaining phases are approved, all for single-family residential homes.

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.

Subdividing of Lot, Parcel or Tract Information

1. Property data:

Parent Parcel / Existing lot/parcel/tract contains +/-13.83 Acres Square Footage/Acres

Lot Area Requirement: 0.25 Acres

Lot Frontage Requirement: 50' between side setbacks at front setback line

Existing use of lot/parcel/tract Undeveloped property but with existing infrastructure

To be subdivided into 10 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
1.52	0.31 A	Yes	No	S. Founders Way		
2.53	0.32 A	Yes	No	S. Founders Way		
3.54	0.30 A	Yes	No	S. Founders Way		
4.55	0.34 A	Yes	No	S. Founders Way		
5.56	0.29 A	Yes	No	S. Founders Way		
6.81	0.33 A	Yes	No	S. Founders Way		
7.82	0.32 A	Yes	No	S. Founders Way		
8.83	0.27 A	Yes	No	S. Founders Way		
9.84	0.32 A	Yes	No	S. Founders Way		
10.						
11.						
12.						
Be sure to include information on the remainder of "existing" lot after splits made – identified as "Parent Parcel"						
Parent Parcel	11.03 A	Yes	No	S. Founders Way		
	2.80 A	Total square footage of new lots (verify total matches existing parcel prior to splits)				

2. Infrastructure required: All infrastructure is in place per approved plans (2007)

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



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative

Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
1506 and 1508 ½ Cherry St	2-038G-15-231.00	13777	2
	2-038G-15-232.00	13779	2
	2-038H-15-171.00	13776	2
	2-038G-15-235.00	13787	2
	2-038G-15-236.00	13786	2
	2-038G-15-237.00	13785	2

Request: **Zoning Change From R-2 to R-3 (Multi-Family Residential)**

Purpose of Request: To request **approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential)** for properties located at 1506 and 1508 ½ Cherry St. (PPIN 13777, 13779, 13776, 13787, 13786, and 13785, Ward 2, Forrest County).

Applicant Summary: * See Attached *

Applicable Regulations:
SECTION 4

Zoning Districts Established

R-2 Two-Family Residential District: The purpose of the R-2 District is to permit medium-density residential uses including two-family, or duplex 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.

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.

SECTION 6

6.1 District 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-2	4,000/ 40	2 per lot	-	20	-	10	20	35 feet or 3 stories	50%	-
R-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-

Present Zoning: The parcels are currently zoned R-2 Two-Family Residential

Present Use: William Carey Properties

Future Land Use: Neighborhood Center Mixed-Use District

Surrounding Zoning and Land Use:
 North: R-1A Single-Family Residential
 South: R-1B Single-Family Residential / R-2 Two-Family Residential / A-1 Agricultural
 East: R-1B Single-Family Residential
 West: R-3 Multi-Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of March 21st, 2024.

History / Background: William Carey University has expanded and acquired multiple properties surrounding its existing campus with the intent to further develop the properties for university use. The rezone requests by William Carey on this agenda are part of a collective rezoning to change the zoning to R-3 for the properties they own and intend to develop. Contiguous parcels can be treated as a single request, but each area should be considered individually as to whether they meet the basis for approval for a zoning change. The R-3 zoning allows the properties to be used for University uses where their current zoning does not.

Option: Basis for approval (Zoning Change):

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

Recommend **approval** or **denial** of the request for a Zoning Change

SUBJECT PARCEL

1506 and 1508 ½ Cherry St — Zoning Change Request

William Carey University, Kevin P. Lewis, Architect, and Robert Blevins,
Representative

The petitioners request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for properties located at 1506 and 1508 ½ Cherry St. (PPIN 13777, 13779, 13776, 13787, 13786, and 13785, Ward 2, Forrest County).





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Zoning

- A-2
- R-1A
- R-1B

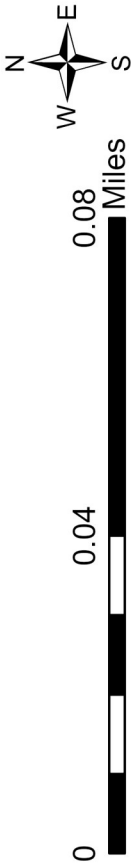
- R-1C
- R-2
- R-3

Site Information

Property is located at 1506 and 1508 1/2
Cherry St (PPIN 13777, 13779, 13776,
13787, 13786, and 13785, Ward 2, Forrest
County).



**URBAN
DEVELOPMENT**
PLANNING DIVISION



Site Aerial



Surrounding Area

Northern and Southern Direction: R-1A and R-1B Single-Family Residential



**East and Western Directions:
R-1B and R-3 Single-Family/Multi-Family Residential**



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:

The Land Development Code changed and University Use was moved from R-2 to R-3.

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**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative

Address of Property:
1412 Cherry St

Tax Parcels/Ward:
2-038G-15-221.00

PPIN:
13715

Ward:
2

Request: **Zoning Change From R-2 to R-3 (Multi-Family Residential)**

Purpose of Request: To request **approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential)** for a property located at 1412 Cherry St (PPIN 13715, Ward 2, Forrest County).

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

R-2 Two-Family Residential District: The purpose of the R-2 District is to permit medium density residential uses including two-family, or duplex 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.

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.

SECTION 6

6.1 District 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-2	4,000/ 40	2 per lot	-	20	-	10	20	35 feet or 3 stories	50%	-
R-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-

Present Zoning: The parcels are currently zoned R-2 Two-Family Residential

Present Use: William Carey Properties

Future Land Use: Neighborhood Center Mixed-Use District

Surrounding Zoning and Land Use:
 North: R-1A Single-Family Residential
 South: R-1B Single-Family Residential
 East: R-1A Single-Family Residential
 West: R-3 Multi-Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of March 21st, 2024.

History / Background: William Carey University has expanded and acquired multiple properties surrounding its existing campus with the intent to further develop the properties for university use. The rezone requests by William Carey on this agenda are part of a collective rezoning to change the zoning to R-3 for the properties they own and intend to develop. Contiguous parcels can be treated as a single request, but each area should be considered individually as to whether they meet the basis for approval for a zoning change. The R-3 zoning allows the properties to be used for University uses where their current zoning does not.

Option: Basis for approval (Zoning Change):

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

Recommend **approval** or **denial** of the request for a Zoning Change

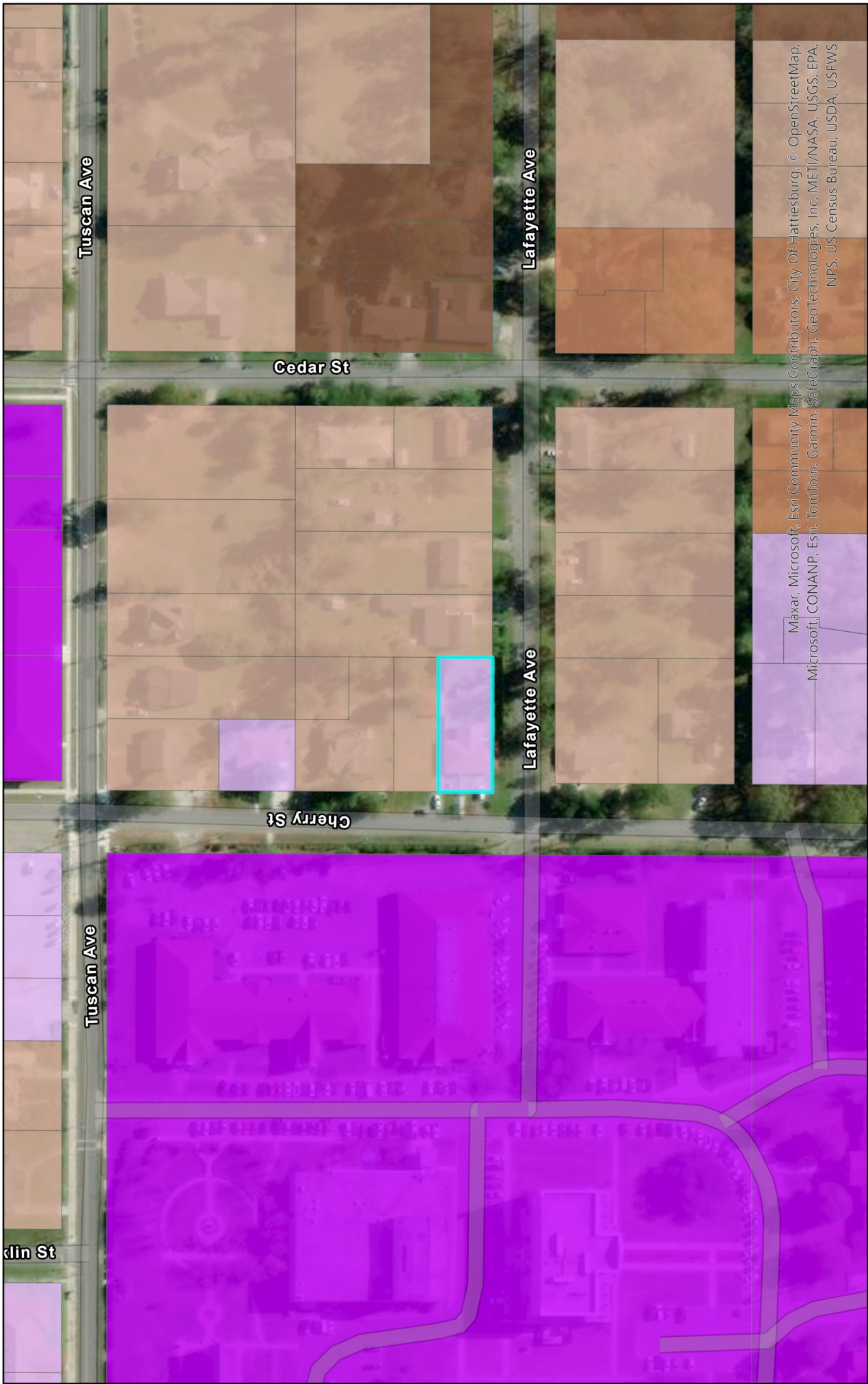
SUBJECT PARCEL

1412 Cherry St — Zoning Change Request

William Carey University, Kevin P. Lewis, Architect, and Robert Blevins,
Representative

The petitioners request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at 1412 Cherry St (PPIN 13715, Ward 2, Forrest County).





Zoning

- R-1A
- R-1B
- R-1C
- R-2
- R-3

Site Information

Property is located at 1412 Cherry St (PPIN 13715, Ward 2, Forrest County).



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Site Aerial



Surrounding Area



**Northern and Southern
Direction: R-1A and R-1B
Single-Family Residential**



**East and Western
Directions:
R-1A and R-3 Single-
Family/Multi-Family
Residential**

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:

The Land Development Code changed and University Use was moved from R-2 to R-3.

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**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative

Address of Property:
1406 Cherry St

Tax Parcels/Ward:
2-038G-15-216.00

PPIN:
13713

Ward:
2

Request: **Zoning Change From R-2 to R-3 (Multi-Family Residential)**

Purpose of Request: To request **approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential)** for a property located at 1406 Cherry St (PPIN 13713, Ward 2, Forrest County).

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

R-2 Two-Family Residential District: The purpose of the R-2 District is to permit medium density residential uses including two-family, or duplex 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.

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.

SECTION 6

6.1 District 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-2	4,000/ 40	2 per lot	-	20	-	10	20	35 feet or 3 stories	50%	-
R-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-

Present Zoning: The parcels are currently zoned R-2 Two-Family Residential

Present Use: William Carey Properties

Future Land Use: Neighborhood Center Mixed-Use District

Surrounding Zoning and Land Use: North: R-1A Single-Family Residential / R-3 Multi-Family Residential
South: R-1A Single-Family Residential
East: R-1A Single-Family Residential
West: R-3 Multi-Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of March 21st, 2024.

History / Background: William Carey University has expanded and acquired multiple properties surrounding its existing campus with the intent to further develop the properties for university use. The rezone requests by William Carey on this agenda are part of a collective rezoning to change the zoning to R-3 for the properties they own and intend to develop. Contiguous parcels can be treated as a single request, but each area should be considered individually as to whether they meet the basis for approval for a zoning change. The R-3 zoning allows the properties to be used for University uses where their current zoning does not.

Option: **Basis for approval (Zoning Change):**
I. There was a mistake in the original zoning
II. The character of the neighborhood has changed substantially so that rezoning is clearly justified **and** there is a public need for the rezoning
III. Annexation

Recommend **approval** or **denial** of the request for a Zoning Change

SUBJECT PARCEL

1406 Cherry St — Zoning Change Request

William Carey University, Kevin P. Lewis, Architect, and Robert Blevins,
Representative

The petitioners request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at 1406 Cherry St (PPIN 13713, Ward 2, Forrest County).

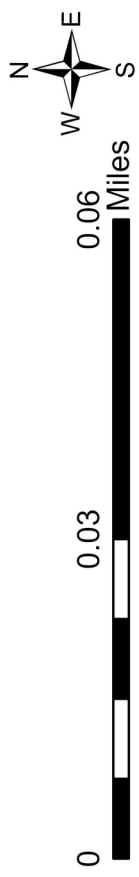




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- Zoning**
- R-1A
 - R-2
 - R-3

Site Information
 Property is located at 1406 Cherry St (PPIN 13713, Ward 2, Forrest County).



Site Aerial



Surrounding Area

Northern and Southern Direction: R-1A Single-Family and R-3 Multi-Family



**East and Western Directions:
R-1A Single-Family and R-3 Multi-Family**



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:

The Land Development Code changed and University Use was moved from R-2 to R-3.

This image shows a full page of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page, providing a template for handwriting practice or general writing. There are no margins, text, or other markings on the page.



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative

Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
Cherry Avenue and Tuscan Ave	2-038G-15-207.00	13651	2
	2-038G-15-208.00	13652	2
	2-038G-15-210.00	13653	2
	2-038G-15-211.00	13654	2
	2-038G-15-209.00	13655	2

Request: **Zoning Change From R-2 to R-3 (Multi-Family Residential)**

Purpose of Request: To request **approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential)** for a property located at the intersection of Cherry Avenue and Tuscan Ave (PPIN 13651, 13652, 13653, 13654, and 13655, Ward 2, Forrest County).

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

R-2 Two-Family Residential District: The purpose of the R-2 District is to permit medium-density residential uses including two-family, or duplex 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.

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.

SECTION 6

6.1 District 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-2	4,000/ 40	2 per lot	-	20	-	10	20	35 feet or 3 stories	50%	-
R-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-

Present Zoning: The parcels are currently zoned R-2 Two-Family Residential and R-1B Single Family Residential

Present Use: William Carey Properties

Future Land Use: Neighborhood Center Mixed-Use District

Surrounding Zoning and Land Use:
 North: R-1A Single-Family Residential
 South: R-3 Multi-Family Residential
 East: R-3 Multi-Family Residential
 West: R-1A Single-Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of March 21st, 2024.

History / Background: William Carey University has expanded and acquired multiple properties surrounding its existing campus with the intent to further develop the properties for university use. The rezone requests by William Carey on this agenda are part of a collective rezoning to change the zoning to R-3 for the properties they own and intend to develop. Contiguous parcels can be treated as a single request, but each area should be considered individually as to whether they meet the basis for approval for a zoning change. The R-3 zoning allows the properties to be used for University uses where their current zoning does not.

Option: **Basis for approval (Zoning Change):**
 I. There was a mistake in the original zoning
 II. The character of the neighborhood has changed substantially so that rezoning is clearly justified **and** there is a public need for the rezoning
 III. Annexation

Recommend **approval** or **denial** of the request for a Zoning Change

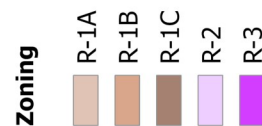
SUBJECT PARCEL

Cherry Avenue and Tuscan Ave — Zoning Change Request

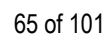
William Carey University, Kevin P. Lewis, Architect, and Robert Blevins,
Representative

The petitioners request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at the intersection of Cherry Avenue and Tuscan Ave (PPIN 13651, 13652, 13653, 13654, and 13655, Ward 2, Forrest County).

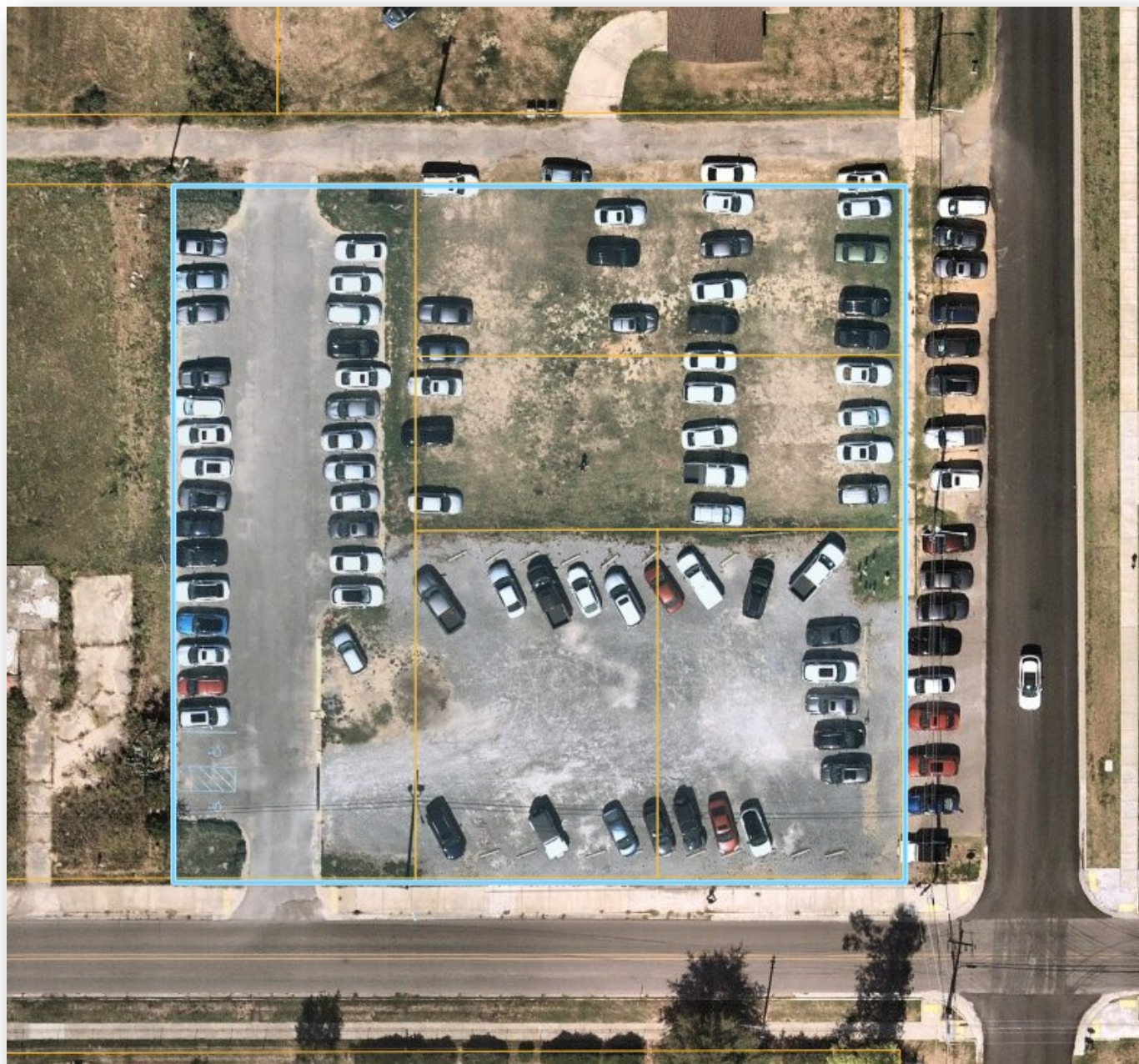




Property is located at the intersection of Cherry Avenue and Tuscan Ave (PPIN 13651, 13652, 13653, 13654, and 13655, Ward 2, Forrest County).



Site Aerial



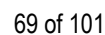
Surrounding Area

Northern and Southern Direction: R-1A and R-3 Single-Family/Multi-Family Residential

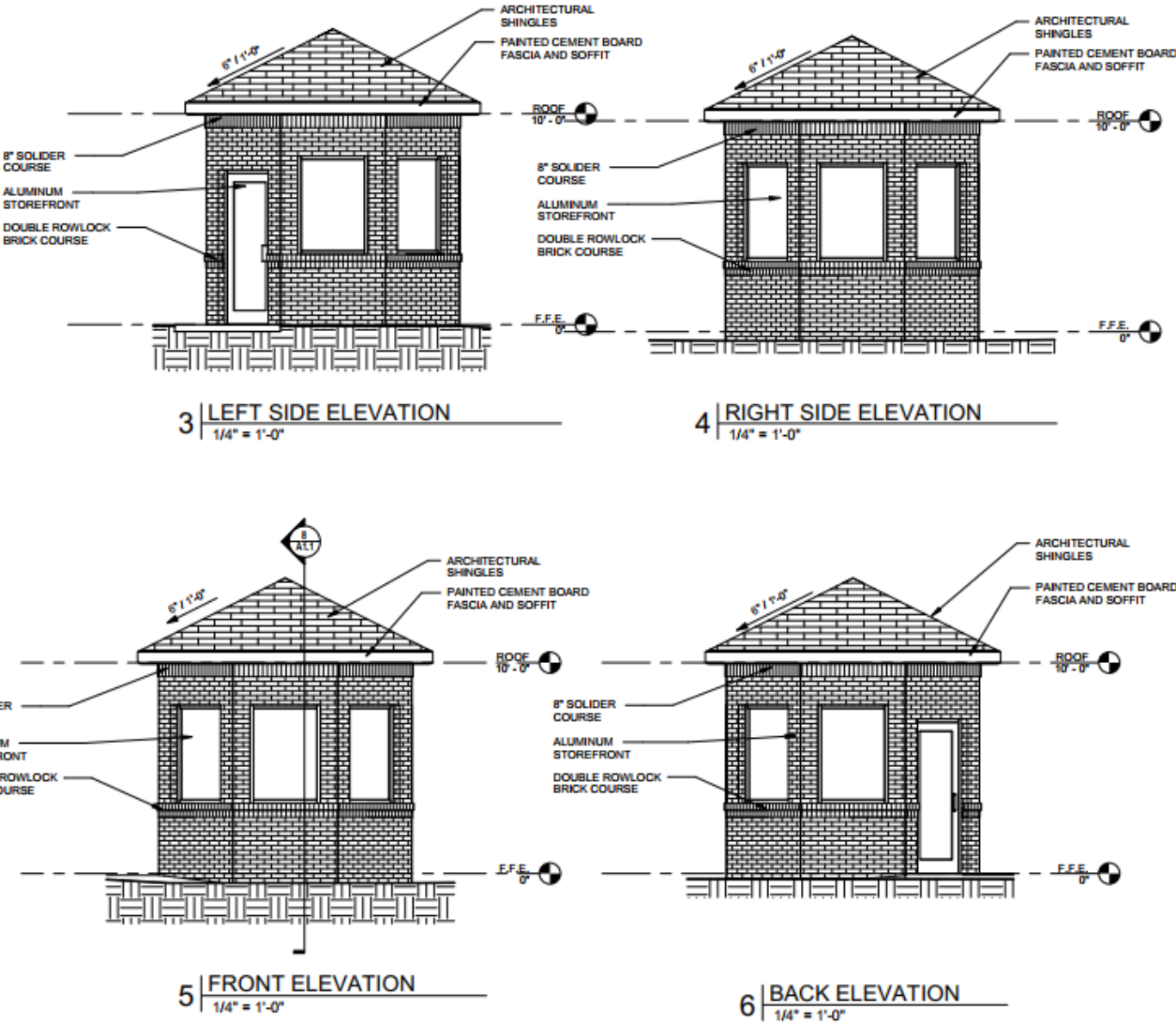


**East and Western Directions:
R-1A and R-3 Single-Family/Multi-Family Residential**





Proposed Building Elevations



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:

The Land Development Code changed and University Use was moved from R-2 to R-3.

The properties in this application were acquired by WCU, house demolished, and the vacant lots available for WCU parking and Guard House expansion.



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative

Address of Property:	Tax Parcels/Ward:	PPIN:	Ward:
Franklin Street and Magnolia Avenue	2-038G-15-153.00	13647	2
	2-038G-15-154.00	13648	2
	2-038G-15-155.00	13656	2

Request: **Zoning Change From R-2 to R-3 (Multi-Family Residential)**

Purpose of Request: To request **approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential)** for a property located at the intersection of Franklin Street and Magnolia Avenue (PPIN 13647, 13648, 13656, Ward 2, Forrest County).

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

R-2 Two-Family Residential District: The purpose of the R-2 District is to permit medium density residential uses including two-family, or duplex 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.

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.

SECTION 6

6.1 District 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-2	4,000/ 40	2 per lot	-	20	-	10	20	35 feet or 3 stories	50%	-
R-3	7,500/ 40	17 per acre	-	20	-	5	20	35 feet or 3 stories	50%	-

Present Zoning: The parcels are currently zoned R-1A and R-1C Single Family Residential

Present Use: William Carey Properties

Future Land Use: Neighborhood Center Mixed-Use District

Surrounding Zoning and Land Use:
 North: R-1C Single-Family Residential
 South: R-1A/R-2 Single/Two-family residential
 East: R-1A/R-3 Single/Multi-Family Residential
 West: R-1A Single-Family Residential

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case as of March 21st, 2024.

History / Background: William Carey University has expanded and acquired multiple properties surrounding its existing campus with the intent to further develop the properties for university use. The rezone requests by William Carey on this agenda are part of a collective rezoning to change the zoning to R-3 for the properties they own and intend to develop. Contiguous parcels can be treated as a single request, but each area should be considered individually as to whether they meet the basis for approval for a zoning change. The R-3 zoning allows the properties to be used for University uses where their current zoning does not.

Option: **Basis for approval (Zoning Change):**
 I. There was a mistake in the original zoning
 II. The character of the neighborhood has changed substantially so that rezoning is clearly justified **and** there is a public need for the rezoning
 III. Annexation

Recommend **approval** or **denial** of the request for a Zoning Change

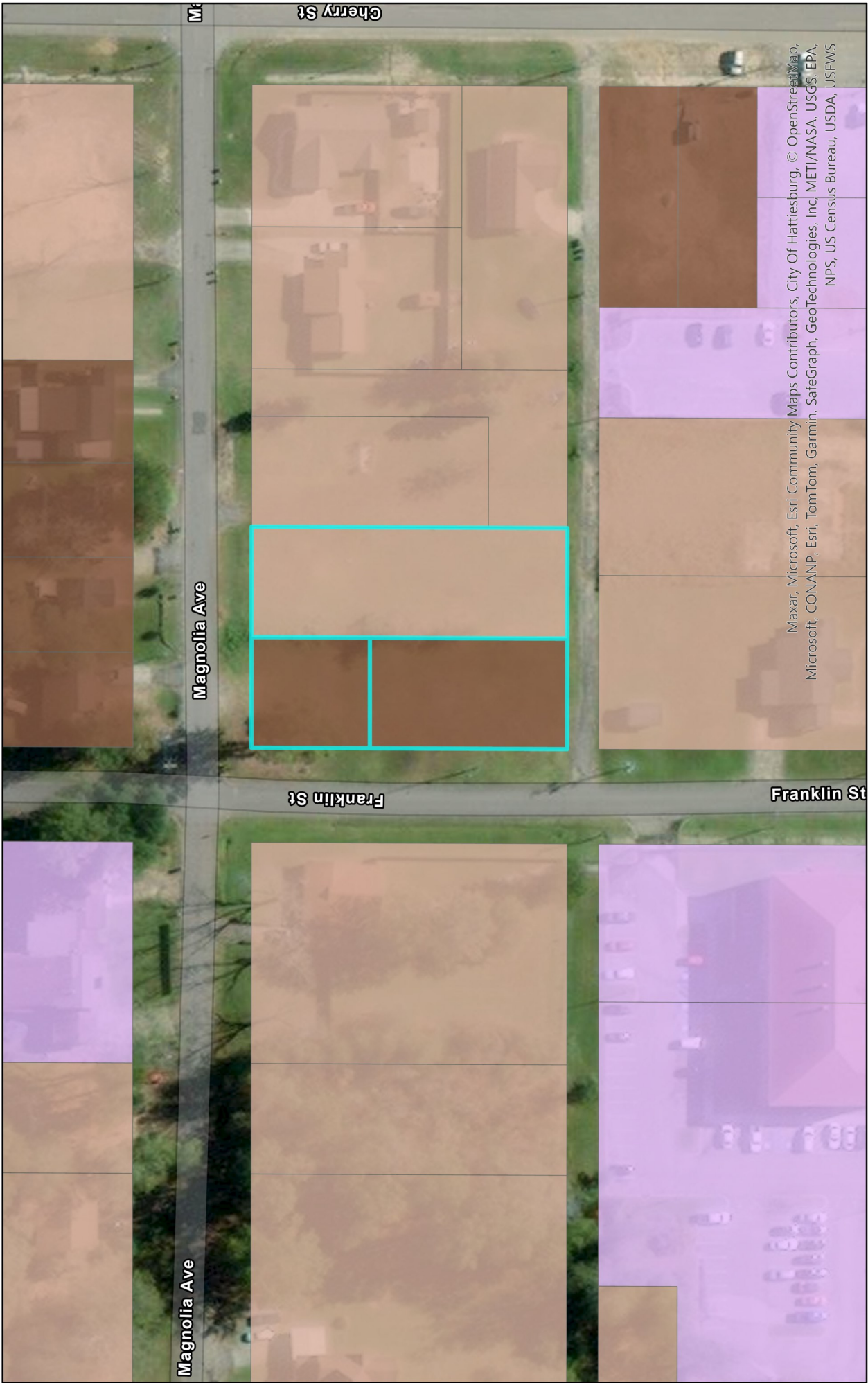
SUBJECT PARCEL

Franklin Street and Magnolia Avenue— Zoning Change Request

William Carey University, Kevin P. Lewis, Architect, and Robert Blevins,
Representative

The petitioners request approval for rezoning from R-2 (Two-family residential) to R-3 (Multi-family residential) for a property located at the intersection of Franklin Street and Magnolia Avenue (PPIN 13647, 13648, 13656, Ward 2, Forrest County).





Zoning

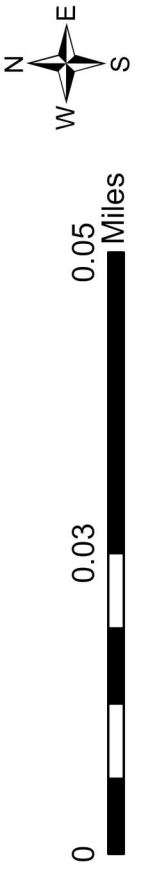
- R-1A
- R-1C
- R-2

Site Information

Property is located at the intersection of Franklin Street and Magnolia Avenue (PPIN 13647, 13648, 13656, Ward 2, Forrest County).



**URBAN
DEVELOPMENT**
PLANNING DIVISION



Site Aerial



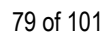
Surrounding Area

Northern and Southern Direction: R-1A, R-1B Single-Family Residential and R-2 Two-Family Residential



**East and Western Directions:
R-1A and R-3 Single-Family/Multi-Family Residential**





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:

The Land Development Code changed and University Use was moved from R-2 to R-3.

The properties in this application were acquired by WCU, house demolished, and the vacant lots available for WCU parking expansion.



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative

Request: Ament the Land Development Code, Ord. No. 3209

Purpose of Request: To amend the Land Development Code, Ord. No. 3209 as amended, to make changes to Section 5, Use Regulations and Conditions. The request is to add additional use regulations for the use category of "School, University, or College", specifically for accessory uses and building heights.

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 12

12.2 Categories of Development Approvals

12.3.1.3 Application Requirement; Action. Any application for an amendment to the text of the Land Development Code or Zoning Map shall address in writing the reason for the proposed amendment. City Council shall consider the request and, if it is approved the request, may ask staff to begin drafting the text amendment for consideration, or to amend the Official Zoning Map, whichever action is relevant.

SECTION 13

Definitions

University/College/Business School: An institution at which persons are instructed in post-secondary vocational, career and academic learning for preparation for employment and education. Examples include The University of Southern Mississippi, Pearl River Community College and William Carey University.

Present Use: William Carey Properties

Future Land Use: Neighborhood Center Mixed-Use District

Letters or Concerns stated: The Planning Division Office has not received any letters or other

written communications relative to this case as of March 26th, 2024.

History / Background:

William Carey University has proposed zoning changes for multiple parcels that they own to make their zoning consistent with the rest of the university and to fit into a category that allows the use of "School University, or College". Many of the parcels they have acquired and have plans to develop are not currently zoned R-3, and require a zoning change when they want to develop the parcels for university use.

Growth of the medical school is driving some of their current development plans and they have recently constructed multiple buildings for their medical school, and have two additional ones that have been approved and will begin construction this year. The expansion of the medical school has caused them to require additional parking, and the current language of the code does not allow the use of "Parking, surface" in an R-3 zoned parcel. The text amendment they are proposing would allow for parcels zoned R-3, that are part of a school, university, or college, to be developed as a parking lot, so long as they are on contiguous or adjacent sites. Adjacent sites could be separated by a right-of-way, and be developed as accessory uses for a school, university, or college.

William Carey has proposed parking lots to be developed at the intersection of Tuscan and Cherry (across from their newly constructed Health Sciences building. The text amendment, if approved, would allow that lot to be formally developed and approved at a staff level, minus the setback requirement for their guard shack.

William Carey has also proposed fencing the perimeter of the parking lots using 8-foot gates and has included a text amendment that addresses an allowance for perimeter fencing of that height, with much higher standards of design than those currently in place for all fencing. Chain link fencing, would not be permitted, and fencing would require a much higher transparency requirement. The transparency requirement would prevent fencing that creates an opaque barrier and serve the purpose of controlling ingress/egress along with security.

William Carey has also proposed the addition of increasing the building heights for structures within the use designation of "School, University, or College" to be raised to a maximum of 45 feet instead of the current 35 feet set by the zoning district dimensional standards.

Whenever a text amendment is being proposed, the Planning Commission should consider the city-wide implications of such changes.

April 2024 HPC Item: C-6

William Carey University, Kevin P. Lewis, Architect, and Robert Blevins, Representative

Request for: **Amend the Land Development Code, Ord. No. 3209**

Below is a list of the proposed changes to the Land Development code requested by William Carey University:

In Section 5.4.39 (SCHOOL, UNIVERSITY OR COLLEGE)

Amend to add the following conditions for use:

5.4.39.A

Accessory uses such as places of assembly, multi-purpose facilities, outdoor recreation facilities, parking lots, bookstores, and maintenance facilities on the same site, or contiguous sites to the principal use shall be permitted. Similar uses on adjacent sites shall be considered accessory uses when an established accessory use is related to or connected to the principal use.

5.4.39.B

Parking Lot accessory use shall allow up to 80% maximum impervious lot coverage.

5.4.39.C

Fences whose purpose is to control ingress and egress to the perimeter of primary or accessory use shall be allowed to a height of 8 feet (including front yards) utilizing decorative aluminum, iron, or wood fencing with appropriate gate and operation to allow emergency personnel and vehicle access. Fencing must maintain a minimum 50% transparency. The purpose of such fencing is to provide security and controlled access to the accessory or principal use and need must be demonstrated for approval by the site plan review committee.

5.4.39.D

Building heights may be increased to 45 feet with up to three floors.

Option:

Recommend **approval** or **denial** of the request for an Amending of the Land Development Code, Ord. No. 3209, as amended.

Planning Commission can also recommend changes to the proposed amendments, should they be needed. Planning Commission could consider changing Section 6, of the Dimensional Standards for R-3 Zoned properties to allow for a maximum height of 45 feet instead of the specific requirement only for the use classification of "Schools, Universities, and Colleges."

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.

The Land Development Code was changed and moved University use from R-2 to R-3. William Carey University continues to acquire surrounding properties and is currently planning for present and future uses. The hardship was caused by the City change to the Land Development Code, as well as, WCU continued purchase of available properties to sustain their future growth needs.

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

A text change to the Land Development Code is being requested to avoid need for variances in the future. As currently written, the zoning necessary for University use would not allow any concentrated parking areas or security fencing, both of which are necessary functions to a University and currently exists on the existing campus. The addition of the Guard House is in response to recent gunfire activity in this area and the need for WCU security at this high pedestrian traffic area.

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.

Unique to this situation, the City made the zoning change for University use and we are following through with the re-zoning to comply with that change. The text change requests are being made to avoid need to future variances related to parking and fencing.

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

Unique to University settings, concentrated areas of parking are better for traffic and security while allowing pedestrians better access to buildings and greater green spaces within the campus. As currently written, very small parking lots would have to be constructed in multiple locations and cause more concern for traffic and security.

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

It is a reasonable design principle to have separated traffic and pedestrian patterns and this request enhances the University's ability to plan and maintain those principles. We believe it is also the City's intent to provide for those design principles.

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.

As stated in 5 above, it is reasonable to expect University settings to be unique in design and character. The requests made herein are to provide further guidance into those parameters, not only for the University, but also for other school and college uses. The variance for the Guard House setback is paramount to visible sightlines down Tuscan Avenue and Cherry Streets.

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:

As far as allowing University in zone R-3, it does meet it. However, there are no conditional uses listed in Section 5 for School, University, or College and we beleive they are necessary changes to enhance University planning and City's intent for development.

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

Any current or fiuture use would be for University and any accessory use, expanding the current campus as William Carey University continues to grow and contribute to the enhancement of the City.

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

The University continues to acquire property for continued growth and improvement. As sites become available, WCU acquires them and enhance their ability to plan for future growth.

Type text here

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

Yes, as William Carey continues to grow, their needs for parking and pedestrian paths, as well as facilites, will also continue to grow.

5. Will there be any elevation in the noise level resulting from this proposed use? If yes, please explain:

No additional noise antiicpated. Depending on parking and times of day, more vehicles may be moving simultaneously than at other times of day- same as is experienced in other parts of the City.

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

That will vary depending on future use.

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

Yes. It is for the purpose of expanding the University.

8. Parking requirements:

Commercial/Industrial: Paved parking will be provided for _____^{*} vehicles, and _____^{*} ADA vehicles; with _____^{*} loading spaces. ^{*}To be determined in future planning.

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:

The Land Development Code changed and University Use was moved from R-2 to R-3.

The properties in this application were acquired by WCU, house demolished, and the vacant lots available for WCU parking and Guard House expansion.

April 2024 HPC Item: D
Bobby Threatt, Applicant, and Chris Bowen, Representative
Request for: **Zoning Change From R-3 to I-1 (Light Industrial)**



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Bobby Threatt, Applicant, and Chris Bowen, Representative

Address of Property:
3000 West 7th Street

Tax Parcels/Ward:
2-028F-06-098.00

PPIN:
26407

Ward:
1

Request: **Zoning Change From R-3 to I-1 (Light Industrial)**

Purpose of Request: To request **approval for rezoning from R-3 (Multi-family residential) to I-1 (Light Industrial)** for a property located adjacent to 3000 West 7th Street (PPIN 26407, Ward 1, Forrest County).

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.

I-1 Light Industrial District: The purpose of the I-1 District is to provide for the development of research, light industrial, office parks, warehouse, and distribution centers consistent with comprehensive planning policies. This district is consistent with the Industry and Corporate Office District in the Comprehensive Plan.

SECTION 6

6.1 District 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%	-
I-1	No minimum/ 100	-	0.75	40	40	0 or 10	0	75 feet	60%	60

Present Zoning: The parcel is currently zoned R-3 Multi-Family Residential

Present Use: Vacant

Future Land Use: Neighborhood Center Mixed-Use District/University College District

Surrounding Zoning and Land Use:
 North: R-2 Two-Family Residential
 South: R-3 Multi-Family Residential
 East: I-1 Light Industrial
 West: R-3 Multi-Family Residential

Letters or Concerns stated: The applicant has provided letters from some of the adjacent property owners showing their support of the requests. Documentation on the attempts to gain approval from the neighboring property owners has also been submitted. These documents have been attached to the case file.

History / Background: Mississippi Tank Company has purchased an adjacent parcel to the west of their existing site to expand their parking lot into that property. The property, which is currently zoned R-3 does not allow for the use of a parking lot as a primary use. The rezoning request, if approved, would make the entire site consistent with the Light Industrial Zoning classification. Commercial zoning, while a lesser intensity, may be viewed as spot zoning, as there are no commercial (B) zones adjacent to their property.

Residentially zoned properties adjacent to industrially zoned properties require a vegetative zoning buffer of 60 feet, which if approved, would be required for any new development into that parcel. Mississippi Tank company is also seeking a variance request to reduce the required zoning buffer down to 10 feet, which is contingent upon the approval of the zoning change.

April 2024 HPC Item: D
Bobby Threatt, Applicant, and Chris Bowen, Representative
Request for: **Zoning Change From R-2 to I-1 (Light Industrial)**

The future land use designation for this area is “Neighborhood Center Mixed-Use District/University College District”, and is surrounded by residential neighborhoods and adjacent to the University of Southern Mississippi and the Longleaf Trace. The industrially zoned property of Mississippi Tank Company is inconsistent with the comprehensive plan, and the Planning Commission should consider the implications of expanding the Industrial zoning in this corridor. The Mississippi Tank Company was established in 1945, and its location on West 7th Street predates the current Comprehensive Plan and Land Development Code for the City of Hattiesburg.

Option: Basis for approval (Zoning Change):

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

Recommend **approval** or **denial** of the request for a Zoning Change

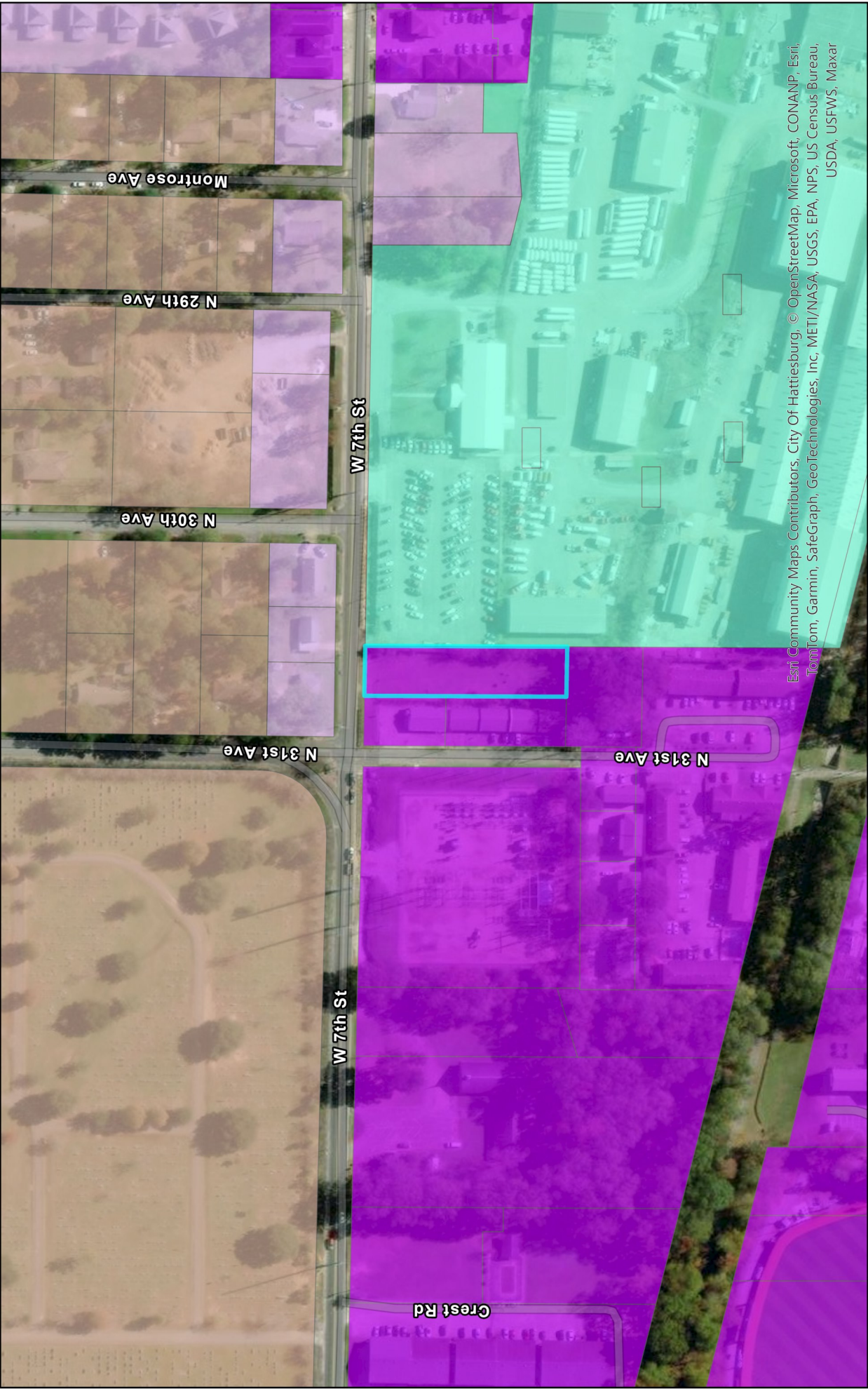
SUBJECT PARCEL

3000 West 7th St — Zoning Change Request

Bobby Threatt, Applicant, and Chris Bowen, Representative

Petitioners request approval for rezoning from R-3 (Multi-family residential) to I-1 (Light Industrial) for a property located adjacent to 3000 West 7th Street (PPIN 26407, Ward 1, Forrest County).





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- Zoning**
- R-1A
 - R-2
 - R-3
 - I-1

Site Information

Property located adjacent to 3000 West 7th Street (PPIN 26407, Ward 1, Forrest County).



URBAN DEVELOPMENT
PLANNING DIVISION





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Future Land Use

- Neighborhood Conservation District 2
- University/College District

Site Information

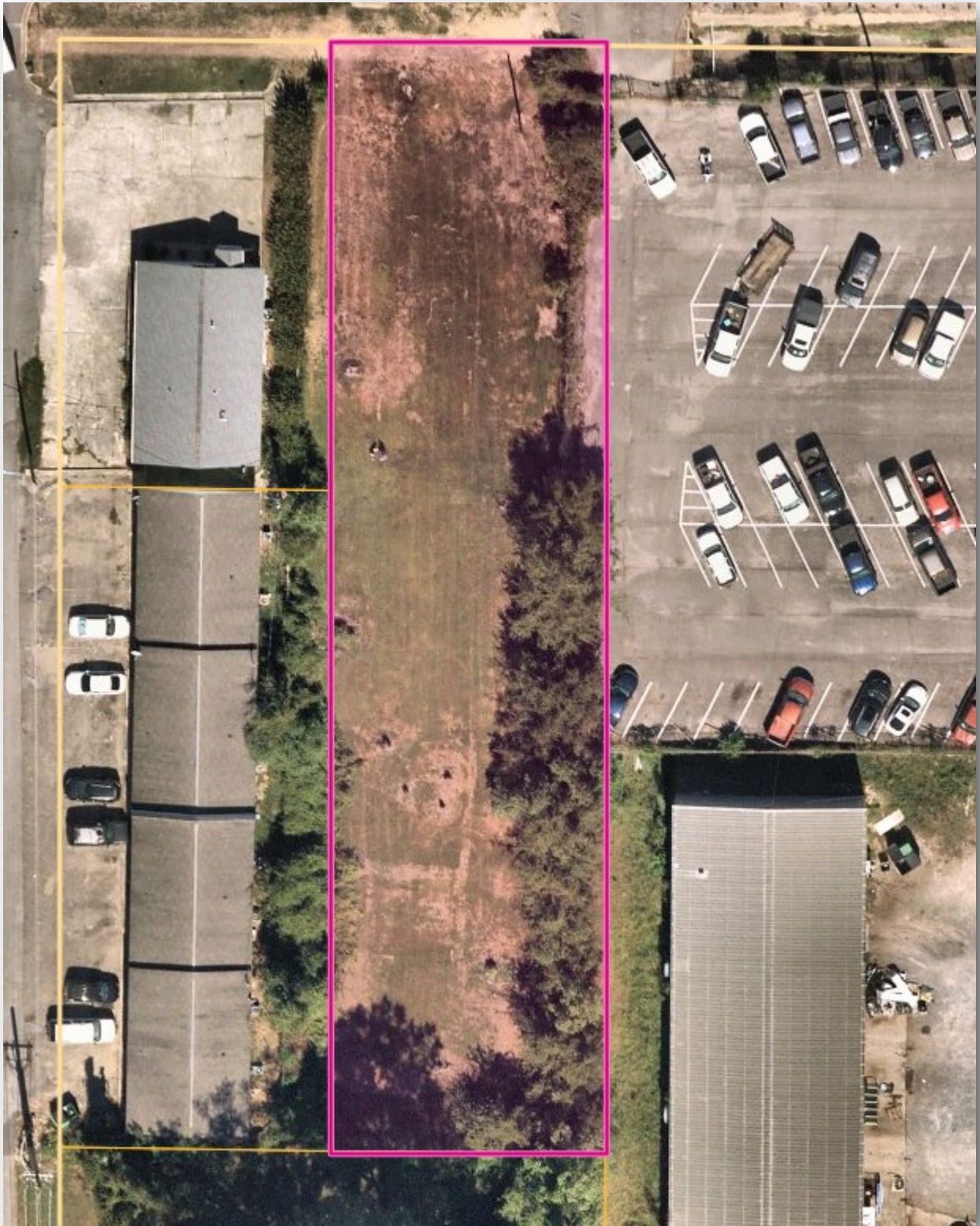
Future land use for property located adjacent to 3000 West 7th Street (PPIN 26407, Ward 1, Forrest County).



URBAN DEVELOPMENT
PLANNING DIVISION



Site Aerial



Surrounding Area

Northern and Southern Directions: R-2 Two-Family Residential District and R-3 Multi-Family Residential

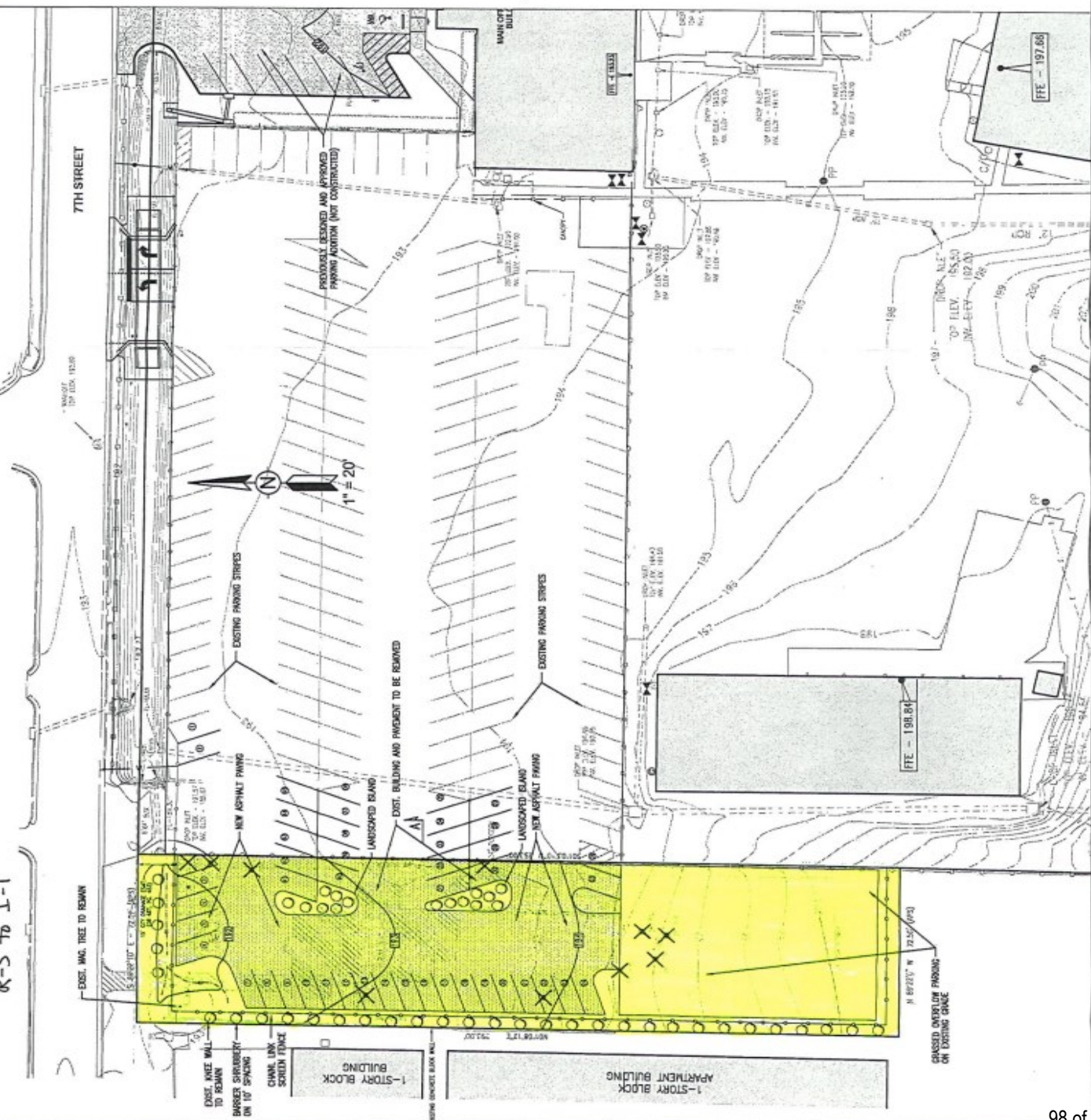


Surrounding Area

East and Western Directions: I-1 Light Industrial District and R-3 Multi-Family Residential



Mississippi Tank Company
.49 acres rezoned from
R-3 to I-1

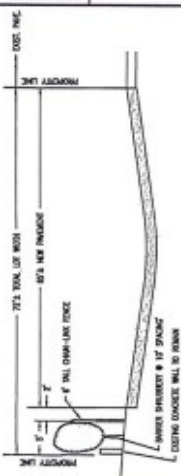


PROJECT NOTES:

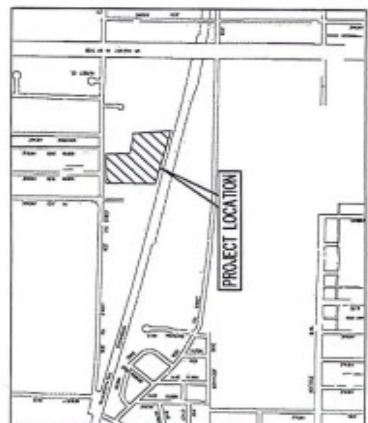
1. UPON COMPLETION OF LANDWORK, ALL DISTURBED AREAS SHALL BE PLANTED WITH 3" TOPSOIL, BACKFILLED FROM ON-SITE STRIPPING, AND PLANTED WITH SOLID CENTIFUE 5000.
2. TOTAL PROPERTY AREA - 18.60 ACRES ±
AREA OF EXPANSION - 0.49 ACRES ±
ESTIMATED DISTURBED AREA - 5.46 ACRES ±
3. TOTAL SITE IMPERVIOUS/PERVIOUS RATIO (ENTIRE 18.60 ACRES):
IMPERVIOUS/TOTAL SITE AREA RATIO: 37.1%
PERVIOUS/TOTAL SITE AREA RATIO: 62.9%
EXPANSION SITE IMPERVIOUS/PERVIOUS RATIO (0.49 ACRE PARCEL):
IMPERVIOUS/TOTAL SITE AREA RATIO: 48.5% (50% MAX. FOR R-3)
PERVIOUS/TOTAL SITE AREA RATIO: 51.5%
4. CALCULATED RUN-OFF RATES:
PRE-CONSTRUCTION: 8.145 CFS
POST-CONSTRUCTION: 8.1 CFS
5. PROPERTY IS ZONED R-3 (PARKING EXPANSION AREA). EXISTING SITE IS R-1.
A PERIMETER BUILT FENCE SHALL BE INSTALLED AND MAINTAINED AT UNTIL PERMANENT VEGETATION IS ESTABLISHED.

LEGEND

- | | |
|---|---------------------------------|
|  | LIMESTONE SURFACE |
|  | ASPHALT SURFACE |
|  | EXISTING PAVEMENT TO BE REMOVED |
|  | FINISHED TOPOGRAPHIC CONTOUR |
|  | EXISTING TOPOGRAPHIC CONTOUR |
|  | EXISTING STAMPS TO BE REMOVED |



SECTION 'A'
N.T.S.



PROJECT VICINITY MAP



**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: City of Hattiesburg

Request: **Ament the Land Development Code, Ord. No. 3209**

Purpose of Request: The City of Hattiesburg requests **to amend the Land Development Code, Ord. No. 3209, and make changes to Sections 4 and 6.** More specifically, the changes are related to regulatory flood zone properties within the A-1 zoning district to increase the minimum lot size requirement and reduce the total developable area.

Applicable Regulations:

SECTION 4

Types of Zoning Districts

4.5.1 A-1 Agricultural District: The purpose of the A-1 Agricultural District is to permit agricultural uses and low-density residential development. This district is consistent with the Rural Residential / Agricultural District in the Comprehensive Plan. The district is intended to encourage and protect rural uses from urbanization until such is warranted and the appropriate change in district classification is made.

SECTION 6

6.1 District Dimensional Standards

The following dimensional standards shall apply to all development in all standard districts unless otherwise noted in this ordinance. Dimensional standards for special districts shall be set by adopted plans for those districts.

Table 6.1 Dimensional Standards										
District	Minimum Lot Size in SF/ Width at Setback	Max. Dwelling Units	Max. Floor Area Ratio	Setbacks in feet				Max. Height*	Max. Impervious Surface Lot Coverage	Buffer in Feet
				Min. Front	Max. Front	Min. Side	Min. Rear			
A-1	130,680 / 100	1 per lot	-	25	-	15	25	35 feet or 3 stories	35%	-

SECTION 12

12.2 Categories of Development Approvals

12.3.1.3 Application Requirement; Action. Any application for an amendment to the text of the Land Development Code or Zoning Map shall address in writing the reason for the proposed amendment. City Council shall consider the request and, if it is approved the request, may ask staff to begin drafting the text amendment for consideration, or to amend the Official Zoning Map, whichever action is relevant.

History / Background:

Please see the memo following this report outlining the proposed changes and reasoning.

Planning Staff plan to present this case on **April 3rd, 2024, and the May 1st, 2024** Planning Commission Agenda to ensure adequate time for the public to review the proposed changes. Planning Division staff also want to ensure adequate time for public outreach, including sending direct mailers to the potentially affected properties by this text amendment in the City of Hattiesburg.

Below is a list of the proposed Changes to the Land Development Code requested by the City of Hattiesburg:

Amend to add the following to Section 4 (Zoning Districts):

4.20.1.A

A-1 zoned properties that overlap with the regulatory flood zones as defined in the Flood Damage Prevention ordinance (Ordinance No. 3294, as amended), shall have a minimum lot size requirement of 5 acres (217,800ft²). The total allowable developable lot area shall not exceed 10% of the area within the regulatory floodplain.

Amend to add the following to Section 6 (Dimensional Standards)

6.1.1

Please reference section 4.20.1.A for dimensional standards for development in a regulatory floodway in zone A-1.

Option: Recommend **approval** or **denial** of the request for an Amending of the Land Development Code, Ord. No. 3209



URBAN DEVELOPMENT PLANNING DIVISION

MEMORANDUM

TO: TO ALL IT MAY CONCERN
FROM: Nathaniel Satcher, CFM, Senior Planner
DATE: March 27th, 2024
SUBJECT: Land Development Code Text Amendments for Floodplain Areas

Proposed Land Development Code Text Amendment Changes

The City of Hattiesburg is proposing an amendment to the City of Hattiesburg's Land Development Code, specifically Ordinance No. 3209. The proposed change involves the addition of Section 4.20.1.A, which addresses specific zoning regulations for properties falling within both A-1 zoning and regulatory flood zones as defined in the Flood Damage Prevention ordinance (Ordinance No. 3294, as amended).

The proposed Section 4.20.1.A reads as follows:

- Add Section 4.20.1.A to read the following: "A-1 zoned properties that overlap with the regulatory flood zones as defined in the Flood Damage Prevention ordinance (Ordinance No. 3294, as amended), shall have a minimum lot size requirement of 5 acres (217,800ft²). The total allowable developable lot area shall not exceed 10% of the area within the regulatory floodplain."

An amendment to Section 6.1 to add Section 6.1.1 is also proposed to properly reference the above requirements

- Add section 6.1.1 to read the following: "Please reference section 4.20.1.A for dimensional standards for development in a regulatory floodway in zone A-1"

This amendment addresses concerns regarding development in flood-prone areas while ensuring the safety and resiliency of our community. Additionally, this proposed amendment serves as a policy change to assist with our Community Rating System (CRS) to help reduce flood insurance premiums for residents in the City of Hattiesburg. The implementation of these zoning regulations aligns with the requirements and objectives outlined in the CRS, which rewards communities for implementing floodplain management practices that exceed the minimum National Flood Insurance Program requirements.

We believe that this proposed amendment not only supports our city's goals of promoting smart growth and sustainable development but also contributes to our efforts to enhance community resilience and reduce the financial burden on our residents in terms of flood insurance premiums.

Planning Staff plan to present this case on **April 3rd, 2024**, and the **May 1st, 2024** Planning Commission Agenda to ensure adequate time for the public to review the proposed changes. Planning Division staff also want to ensure adequate time for public outreach, including sending direct mailers to the potentially affected properties by this text amendment in the City of Hattiesburg.

Should you have any questions regarding this text amendment, please contact the planning office.