

Published Agenda



Monday, April 15, 2024	City Council	Council Chambers
4:00 PM	Monday Meeting Agenda	200 Forrest Street

Call to Order

Appeal Public Hearing

1. **2024-101** Hold a public hearing for an appeal filed by the Homeowners Association for the Cottages of Turtle Creek, and George Pace, president of said homeowners association, on the decision to approve a preliminary plat approval with conditions made by the Planning Commission on March 6th, 2024. The preliminary plat approval is requested by Dennis Pierce, owner, and is an extension of the Cottages of Turtle Creek on Methodist Boulevard in Lamar County, Ward 3.

Agenda Review

Citizens' Forum

Meeting Recess

Call to Order

BE IT REMEMBERED that the Hattiesburg City Council held a **public hearing at 4:00 p.m. Monday, April 15, 2024**, in Council Chambers at City Hall, for the appeal filed by the Homeowners Association for the Cottages of Turtle Creek, and George Pace, president of said homeowners association, on the decision to approve a preliminary plat approval with conditions made by the Planning Commission on March 6th, 2024. The preliminary plat approval is requested by Dennis Pierce, owner, and is an extension of the Cottages of Turtle Creek on Methodist Boulevard in Lamar County, Ward 3.

Those present included Mayor Toby Barker (in at 4:02 p.m.) and members of the City Council Jeffrey George, Ward 1; Deborah Delgado, Ward 2; Carter Carroll, Ward 3; Dave Ware, Ward 4; and Nicholas Brown, Ward 5. Others in attendance included Director of Administration/City Clerk, Kermas Eaton; City Attorney, Randy Pope; Clerk of Council, Ronda S. Kennedy; Deputy Clerk of Council, Lisa Luu Jolly; City staff members; media; and the public.

Council President George called the meeting to order and explained the procedures.

Appeal Public Hearing

1. **2024-101** Hold a public hearing for an appeal filed by the Homeowners Association for the Cottages of Turtle Creek, and George Pace, president of said homeowners association, on the decision to approve a preliminary plat approval with conditions made by the Planning Commission on March 6th, 2024. The preliminary plat approval is requested by Dennis Pierce, owner, and is an extension of the Cottages of Turtle Creek on Methodist Boulevard in Lamar County, Ward 3.

Attachments: [Appeal - 3.11.24 - George Pace with Cottages HOA](#)
 [Staff Summary - Cottages of Turtle Creek](#)
 [Image Sheet - Cottages of Turtle Creek Subdivision](#)
 [Preliminary Plat for Cottages at Turtle Creek, Phase IV](#)
 [Cottages Phase IV Application](#)
 [Cottages IV parcel info](#)
 [Cottages Phase IV Application Doc 3](#)
 [Cottages Phase IV Application Doc 4](#)

- Cottages Appeal PowerPoint Presentation : 4.15.24
- HOA PowerPoint Presentation Slides Filce - Richard Filson 4.15.24
- Exhibit A-1 - Letters of opposition from neighborhood -
- Exhibit A-2 - Letter from homeowner Hurt submitted 3.6.24
- Exhibit A-3 - Site plan from traffic study; submitted 3.6.24
- Exhibit A-0 - Traffic Study submitted by applicant on 3/6/24
- Exhibit A-1 - Portion of letter to P. Brantley submitted by applicant on 3/6/24
- Exhibit A - The Cottages at Turtle Creek, Phase IV, submitted 4/15/24
- Exhibit A1 - The Cottages at Turtle Creek, Phase IV, submitted 4/15/24
- Exhibit A2 - The Cottages at Turtle Creek, Phase IV, submitted 4/15/24
- Exhibit B - The Cottages at Turtle Creek, Phase IV, submitted 4/15/24

Nathan Satcher, Senior Planner, presented an overview of the case.

Attorney Richard Filce of Lowrey and Fortner, representing the Cottages of Turtle Creek, spoke on behalf of the appeal. Mr. Filce presented exhibits (attached) for the record.

Attorney Andrew Hatten of Bryan Nelson, representing Dennis Pierce, spoke on behalf of the preliminary plat. Mr. Hatten also presented exhibits (attached) for the record.

Council President George asked the public if there were any citizens for or against the petition.

Residents of the Cottages Neighborhood Association attended.

- Richard Nuss, 138 Cottage Drive (for the petition)
- John Hurt, 109 Creek Side Manor (for the petition)
- Marsha Bilbo, 153 Cottage Drive (for the petition)
- Dennis Pierce, 23 Liberty Place (against the petition)
- Virginia Smith, 200 Tuscan Avenue

Council President George called on Mr. Filce for rebuttal.

By unanimous consent, Council President George **closed the public hearing at 5:29 p.m.**

Agenda Review

Council President George proceeded with the Agenda Review at 5:33 p.m.

The Clerk of Council read aloud adjustments to the Agenda.

Add Policy Agenda #29 and #30 at the request of the Administration.

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| 29. | 2024-116 | Adopt Resolution determining waiver valuation and just compensation for certain real property with low fair market value to be acquired in connection with the COMSWIP Sewer Improvements – Phase IX Project. |
| | | <u>Attachments: COMSWIP Ph. IX Waiver Valuation Resolution</u> |
| 30. | 2024-117 | Adopt Resolution Authorizing City Attorney to initiate eminent domain proceedings to acquire certain real property requires in connection with NRCS EWPP Project No. 5306. |
| | | <u>Attachments: NRCS 5306 Eminent Domain Resolution</u> |

Following discussion of agenda items, Council President George closed the Agenda Review.

Citizens' Forum

Council Vice President Ware proceeded with the Citizens' Forum.

He stated the procedures and invited members of the public to speak.

The following citizens addressed the Council:

- Virginia Smith, 200 Tuscan Avenue

There were no other citizens present who wished to address the Council.

Council Vice President Ware closed the Citizen Forum.

Meeting Recess

Council President George declared the **meeting recessed at 6:05 p.m., this 15th day of April, 2024**, by unanimous consent, until the 16th day of April, 2024.

ATTEST:


Clerk of Council

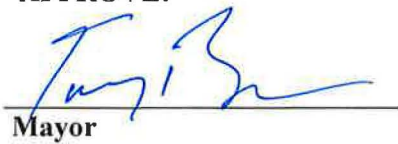
APPROVE:


Council President

ATTEST AND CERTIFY:


City Clerk

APPROVE:


Mayor