



URBAN DEVELOPMENT

PLANNING DIVISION

HATTIESBURG PLANNING COMMISSION

PUBLIC HEARING STAFF REPORTS

October 2, 2024

Planning Commission
Jackie Dole Sherrill Community Center (Dining Room)
220 W Front Street
October 2, 2024, 1:00 PM

I. Business Meeting

1. Review and approval of October's meeting's agenda
2. Review and approval of the minutes of the September meeting
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

1. Presentation of Petitions for Public Hearing
 - A. **Land Development Code Text Amendment-** The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel, Representative, Kathleen Schimel, representative, and Fast Signs, Contractor, request to amend the Land Development Code, Ord. No. 3209, and make changes to Section 10.8.5 ii Sign Design. The request is to add the R-3 zoning district to the conditional use for electronic message board lighting—10.8.5 ii “Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A District as a conditional use” To amend to: “Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A and R-3 District as a conditional use.”
 - B. **Conditional Use Request-** The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel, Representative, Kathleen Schimel, representative, and Fast Signs, Contractor, request a conditional use approval for an “electronic message board” at a property located at 3117 W 4th Street (PPIN 26420, Ward 1, Forrest County).
 - C. **Conditional Use Request -** New Testament Baptist Church, Owner, Jermaine Hatten, Applicant, and Deway Coreen, Engineer, request a conditional use approval for a “place of assembly not otherwise listed” at a property located at 2111 Country Club Road (PPIN 27139, Ward 5, Forrest County).
 - D. **Conditional Use Request-** Michael Myrick, Owner, and Scott Pipkins, Applicant/Contractor, request conditional use approval for a gravel outdoor storage area at a property located at 303 E 3rd Street (PPIN 15708, Ward 4, Forrest County).

III. Other Business

IV. Adjournment

**MINUTES OF THE
REGULAR MEETING OF THE
HATTIESBURG PLANNING COMMISSION
September 4th, 2024**

Board Members Roll Call:

Members Present:

1. Elayne Lockett
2. Rhoda Pickett, Vice Chair
3. Dick Conville
4. Rebekah Ray, Secretary
5. Michael Pruitt
6. Charles Dawe
7. Lee Anne Venable
8. Amy Hinton, Chair
9. Michael Dickerson

Members Absent:

1. Carlos Wilson
2. (Vacant Seat)

Staff Present:

1. Cory Long, Planning Manager
2. Nathan Satcher, Senior Planner
3. David Miller, Esq.
4. Wiley Quinn, Director of Urban Development
5. Meridian McDaniel, Planner I
6. Kevin Bates, Building Official

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

AGENDA REVIEW

Commissioner Venable made a motion to accept the agenda, seconded by Commissioner Pickett.

Motion:

Made by Commissioner Venable to approve the agenda

Second:

Made by Commissioner Pickett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett			ABSENT
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe			ABSENT
Michael Pruitt	X		

MINUTES REVIEW

Commissioner Pruitt made a motion to approve the August 7th minutes, and Commissioner Venable seconded this motion.

Motion:

Made by Commissioner Pruitt to approve

Second:

Made by Commissioner Venable

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett			ABSENT
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe			ABSENT
Michael Pruitt	X		

BUILDING REPORT

Kevin Bates, Building Official, provided the Building Permit Report for July and August 2024.

PLANNING REPORT

The Planning Division staff gave a report. Nathan Satcher updated the Planning Commission on City Council votes from August's meetings—Rezone and conditional use for 102 South Street were approved by City Council. A Public Hearing was held on Mr. Thronson's appeal regarding his property on Broadway Drive on 9/3/2024, City Council tabled the appeal to the following meeting on September 16th/17th. Cory Long updated the Planning Commission on the Night Off Broadway event from August 30th and the tactical urbanism demonstrations. There is a potential for a training series for the Planning Commission and Board of Adjustment. Cory Long gave an update on on-site inspections and common issues that the Planning Division staff is finding.

CHAIR'S REPORT

The Chair did not have a report for the meeting.

INTRODUCTIONS

Commissioners and staff introduced themselves.

PUBLIC HEARING – Planning Commission

1. **Item A1: Zoning Change Request** – Bennett York, owner, and John Anglin, engineer, requests approval for rezoning from R-3 (Multi-Family Residential) to B-5 (Regional Business) for a property located at 62 Cross Creek Parkway (PPIN 38013, Ward 3, Lamar County).

Discussion and Vote:

The Planning Staff introduced the case. John Anglin, Engineer, spoke on behalf of his case answering questions from the commissioners.

Presented by:

- John Anglin

Proponents:

- None

Opponents:

- None

Motion:

Made by Commissioner Dawe to approve rezoning request. (Basis of character of the neighborhood.)

Second:

Made by Commissioner Lockett.

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

1. **Item B1: Zoning Change Request** – Ta’Dren Kennedy, owner, Charles Bolton, representative, and Shea McNease, engineer, approval for rezoning from B-2 (Neighborhood Business) to R-1B (Single-Family Residential) for a property located at 800 W. 7th Street (PPIN 23500, Ward 2, Forrest County).

Motion:

Made by Commissioner Dawe to table Item B.

Second:

Made by Commissioner Pickett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

1. **Item C1: Major Subdivision Request** – Ta’Dren Kennedy, owner, Charles Bolton, representative, and Shea McNease, engineer, approval for rezoning from B-2 (Neighborhood Business) to R-1B (Single-Family Residential) for a property located at 800 W. 7th Street (PPIN 23500, Ward 2, Forrest County).

Motion:

Made by Commissioner Pickett to table item C.

Second:

Made by Commissioner Ray.

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

1. **Item D1: Zoning Change Request** – Darian Bourez, Applicant/Owner, and Kyle Mackender, Applicant, requests approval for rezoning from B-2 (Neighborhood Business) to B-1 (Professional Business) for a property located at 1501 W. 7th Street (PPIN 26056, Ward 2, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Darian Bourez spoke on behalf of his case answering questions from the commissioners.

Presented by:

- Darian Bourez

Proponents:

- None

Opponents:

- None

Motion:

Made by Commissioner Conville to approve (Basis II)

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett			
Rhoda A. Pickett			
Dick Conville			
Amy Hinton			
Rebekah Ray			
Lee Anne Venable			
Carlos Wilson			ABSENT
Michael Dickerson			
Charles Dawe			
Michael Pruitt			

1. **Item E1: Zoning Change Request** – Ola M. Jordan, applicant, requests approval for rezoning from R-1C (Single-Family Residential) to A-2 (Agricultural Residential) for a property located at 532 Cox Street. The request to rezone is contingent upon a variance approval to allow for a reduced lot size for the A-2 zoning district (PPIN 12368, Ward 5, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Ola Jordan and Rorminea Williams spoke on behalf of his case answering questions from the commissioners.

Presented by:

- Ola Jordan
- Rorminea Williams

Proponents:

- None

Opponents:

- None

Motion:

Made by Commissioner Ray to approve (Basis II)

Second:

Made by Commissioner Pruitt

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		

Lee Anne Venable	X		
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

1. **Item F1: PMU Amendment Request** – Gulf Coast Housing Partnership, applicant, Beverly Land, LLC., owner, Ming Ming Lin, representative, Martin Tovrea, architect, and Tom Champion, representative, requests approval for an amendment to a Planned Mixed-Use Development as known as the “Village at the Beverly,” which is located on Old Airport Road in Forrest County, Ward 5. (PPIN 29647, Ward 5, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Ming Ming Lin spoke on behalf of his case answering questions from the commissioners.

Presented by:

- Ming Ming Lin

Proponents:

- None

Opponents:

- None

Motion:

Made by Commissioner Venable to approve the amendment to the PMU-PD

Second:

Made by Commissioner Lockett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

2. **Item B and Item C-** Ta'Dren Kennedy, owner, Charles Bolton, representative, and Shea McNease, engineer, approval for rezoning from B-2 (Neighborhood Business) to R-1B (Single-Family Residential) for a property located at 800 W. 7th Street (PPIN 23500, Ward 2, Forrest County). Ta'Dren Kennedy, applicant, Charles Bolton, representative, and Shea McNease, engineer requests approval to alter the platted subdivision known as "Rawl's Addition to the City of Hattiesburg" at 800 W 7th Street to subdivide the property into 7 single-family residential lots (PPIN 23500, Ward 2, Forrest County).

Motion:

Made by Commissioner Ray to remove item B and item C from the table.

Second:

Made by Commissioner Pickett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

1. **Item B1: Zoning Change Request** – Ta'Dren Kennedy, owner, Charles Bolton, representative, and Shea McNease, engineer, approval for rezoning from B-2 (Neighborhood Business) to R-1B (Single-Family Residential) for a property located at 800 W. 7th Street (PPIN 23500, Ward 2, Forrest County).

Discussion and Vote:

The Planning Staff introduced the case. Shea McNease spoke on behalf of his case answering questions from the commissioners.

Presented by:

- Shea McNease

Proponents:

- None

Opponents:

- None

Motion:

Made by Commissioner Conville to approve Item B.

Second:

Made by Commissioner Pickett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

1. **Item C1: Major Subdivision Request** – Ta’Dren Kennedy, applicant, Charles Bolton, representative, and Shea McNease, engineer requests approval to alter the platted subdivision known as “Rawl’s Addition to the City of Hattiesburg” at 800 W 7th Street to subdivide the property into 7 single-family residential lots (PPIN 23500, Ward 2, Forrest County).

Motion:

Made by Commissioner Pruitt to approve the request to alter the platted subdivision.

Second:

Made by Commissioner Dawe.

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable	X		
Carlos Wilson			ABSENT

Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

OTHER BUSINESS

- A. Old Business (Tabled from June 2024 Meeting) 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 12. More specifically, the changes are concerning subdivision regulations and bond requirements for new subdivisions. 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.

Motion:

Made by Commissioner Dawe to remove from the table

Second:

Made by Commissioner Pickett.

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			ABSENT
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

Motion:

Made by Commissioner Conville to accept changes and approve.

Second:

Made by Commissioner Dawe.

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		

Lee Anne Venable			ABSENT
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

Adjournment:

The meeting was adjourned at 3:18 p.m.

Motion:

Made by Commissioner Pruitt

Second:

Made by Commissioner Pickett

Vote:

Board Member	Yea	Nay	Other
Elayne Lockett	X		
Rhoda A. Pickett	X		
Dick Conville	X		
Amy Hinton	X		
Rebekah Ray	X		
Lee Anne Venable			ABSENT
Carlos Wilson			ABSENT
Michael Dickerson	X		
Charles Dawe	X		
Michael Pruitt	X		

Rebekah Ray, Secretary

Cory Long, AICP, Planning Division Manager

October 2024: Items A & B

Text Amendment Request and Conditional Use Approval

The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel, Representative, Kathleen Schimel, representative, and Fast Signs, Contractor



URBAN DEVELOPMENT PLANNING DIVISION

Planning Commission Case Fact Sheet

Names of Petitioner: The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel, Representative, Kathleen Schimel, representative, and Fast Signs, Contractor

Address of Property:
3117 W 4th Street

Parcel:
2-028F-06-089.00

PPIN:
26420

Ward:
1

Request(s):

A: Request for text Amendment to the Land Development Code, Ord. No. 3209

B: Request for Conditional Use Approval

Purpose of Request:

A: The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel, Representative, Kathleen Schimel, representative, and Fast Signs, Contractor, request to amend the Land Development Code, Ord. No. 3209, and make changes to Section 10.8.5 ii Sign Design. The request is to add the R-3 zoning district to the conditional use for electronic message board lighting—10.8.5 ii “Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A District as a conditional use” to amend to: “Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A and R-3 District as a conditional use.”

B: The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel, Representative, Kathleen Schimel, representative, and Fast Signs, Contractor, request a conditional use approval for an “electronic message board” at

October 2024: Items A & B

Text Amendment Request and Conditional Use Approval

The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel,
Representative, Kathleen Schimel, representative, and Fast Signs, Contractor

a property located at 3117 W 4th Street (PPIN 26420, Ward 1, Forrest County).

History / Background:

Applicants submitted plans for a sign permit application seeking to install a new and larger electronic reader board (ERB) on a pylon sign. Staff advised that the sign type and the ERB are not permitted in the zoning of their property and were provided options on how to adjust their signage in order to meet the sign regulations. The applicants initially proposed a zoning change that would allow the proposed signage (both pylon and ERB) for their property. However, given the surrounding zoning districts and future land use map, staff discussed the option of pursuing a text amendment instead of a zoning change, as the change to a B-3 (minimum zoning required) could be considered “spot-zoning” and may not be appropriate for this property.

Currently, the sign regulations allow for the use of an electronic message reader board in the B-3, B-5, or in R-1A Districts as a conditional use approval, with specific conditions on their use. After further discussions with the sign contractor, the overall size of the sign was reduced to meet the dimensional requirements for a monument sign as opposed to a pylon sign. The reduction in height is more appropriate for this corridor and would better serve the applicant given the higher amount of foot traffic with its proximity to the university.

The applicant still desired to have an ERB sign, primarily to share dates, times, and other messages related to their various programming, events, and services. Staff advised to mirror the current regulations available to the R-1A zoning district, in allowing it as a conditional use, as the intent of the allowance in an R-1A zoning district by conditional use approval created for places of worship, schools, or other civic-related uses allowed in the R zoning districts. As a conditional use approval, it allows the city to determine whether this type of signage would be appropriate in the R-1A or R-3 zoning on a case-by-case basis and provides some flexibility in the Land Development Code.

The proposed signage meets the dimensional standards for a monument sign with an ERB, if approved for a text amendment and conditional use to allow in an R-3 Zoning.

October 2024: Items A & B

Text Amendment Request and Conditional Use Approval

The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel,
Representative, Kathleen Schimel, representative, and Fast Signs, Contractor

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

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.

SECTION 10

Sign Design

10.8.1 Design of Monument Signs. Monument signs shall have a minimum of 18 inches and maximum of 30 inches separation between the ground and the sign face. This separation may consist of a solid base of masonry material or consist of landscaping.

10.8.2 Illumination. The City of Hattiesburg recognizes that for signs to be fully effective, illumination may be preferred in certain development contexts but should be restricted in other contexts generally related to proximity to residential areas, development intensity and specific planning goals for particular areas. Accordingly, the illumination of signs shall conform to the following criteria:

10.8.2.5 No sign may contain or be illuminated with flashing or intermittent lights or lights of changing degrees of intensity except electronic message boards or historic signs under the following conditions and restrictions:

- i. The restoration or operation of historic signs within a local historic conservation district or a district listed in the National Register of Historic Places.

October 2024: Items A & B

Text Amendment Request and Conditional Use Approval

The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel,

Representative, Kathleen Schimel, representative, and Fast Signs, Contractor

ii. Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A District as a conditional use as follows:

iii. Flashing, blinking, animated or scrolling messages, or interactive signs are prohibited.

iv. Messages shall post for a minimum time of 8 seconds and the image will change instantaneously as seen by the human eye;

v. Messages consisting of time or alphabetic or numeric characters on a background that may not include any video or moving images;

vi. The use of red lights is discouraged in electronic message board signs;

vii. An electronic message is considered accessory to a larger static sign. The electronic message portion of such sign shall constitute no more than 40% of sign area of a freestanding sign and shall be limited to one such sign per lot.

viii. Electronic message boards shall be separated from the nearest lot line of any residential use by a minimum 200 feet.

ix. All electronic message boards shall be equipped with light sensing devices or a scheduled dimming timer that will automatically dim the intensity of the light emitted by the sign during ambient low-light conditions and at night so that the sign does not exceed the maximum brightness levels allowed in this section.

x. Maximum brightness shall not exceed 0.3-foot candles over ambient light levels measured at a distance of one hundred and fifty (150) feet.

xi. Written certification from the sign manufacturer must be provided at the time of application for a sign permit certifying that the light intensity of the electronic message center has been preset not to exceed the illumination levels established by this section.

xii. Any malfunction shall be repaired or disconnected within 48 hours by the owner or operator of such sign.

10.8.3 Measuring Sign Height. For directions on how to measure sign height, please refer to Section 6.7.5 of this Code.

October 2024: Items A & B

Text Amendment Request and Conditional Use Approval

The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel,
Representative, Kathleen Schimel, representative, and Fast Signs, Contractor

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.

Present Zoning: R-3 Multi-Family Residential

Present Use: Place of Assembly Not Otherwise Listed

Future Land Use: University/College District

Surrounding Zoning: North: R-3 Multi-Family Residential
South: R-3 Multi-Family Residential
East: R-3 Multi-Family Residential
West: R-3 Multi-Family Residential

St. Thomas Aquinas Catholic Church is surrounded in all directions by the R-3 zoning district, where all of the associated land uses are either directly or indirectly related to the functions of the University of Southern Mississippi. This includes on and off-campus housing, sports facilities, and the physical plant complex for the university.

**Letters or
Concerns stated:**

The Planning Division has not received any letters or concerns as of finalizing this report.

AGENDA ITEM A: PROPOSED TEXT AMENDMENT CHANGES BY APPLICANT

Amend section 10.8.2.ii to add the R-3 zoning district as a conditional use approval; text to read as follows:

“ii. Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A and R-3 Districts as a conditional use as follows:”

October 2024: Items A & B

Text Amendment Request and Conditional Use Approval

The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel,
Representative, Kathleen Schimel, representative, and Fast Signs, Contractor

OPTIONS TO CONSIDER WITH AN AMENDMENT:

Consider of the following amendment to section 10.8.2.viii for clarification and potential redundancy in a request needing both conditional use approval and variance. Proposed addition for consideration in blue italics:

“viii. Electronic message boards shall be separated from the nearest lot line of any residential use by a minimum of 200 feet. *Electronic message boards in R-3 zoned areas may waive this requirement through conditional use approval, subject to additional requirements by the Planning Commission or City Council.*”

Option:

Recommend **Approval** or **Denial** of the request for an Amendment of the Land Development Code, Ord. No. 3209, as amended.

The Planning Commission can also recommend changes to the proposed amendments, should they be needed.

AGENDA ITEM B:

Conditional use approval request

Option:

Recommend **Approval** or **Denial** of the Conditional Use request for an electronic reader board sign in an R-3 zoned property located at 3117 W 7th Street (PPIN 26420, Ward 1, Forrest County).

The conditional use approval is contingent upon the approval of the text amendment to allow for this request. The Planning Commission can recommend additional conditions as deemed appropriate for this location.

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.

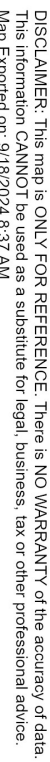
- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide 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.

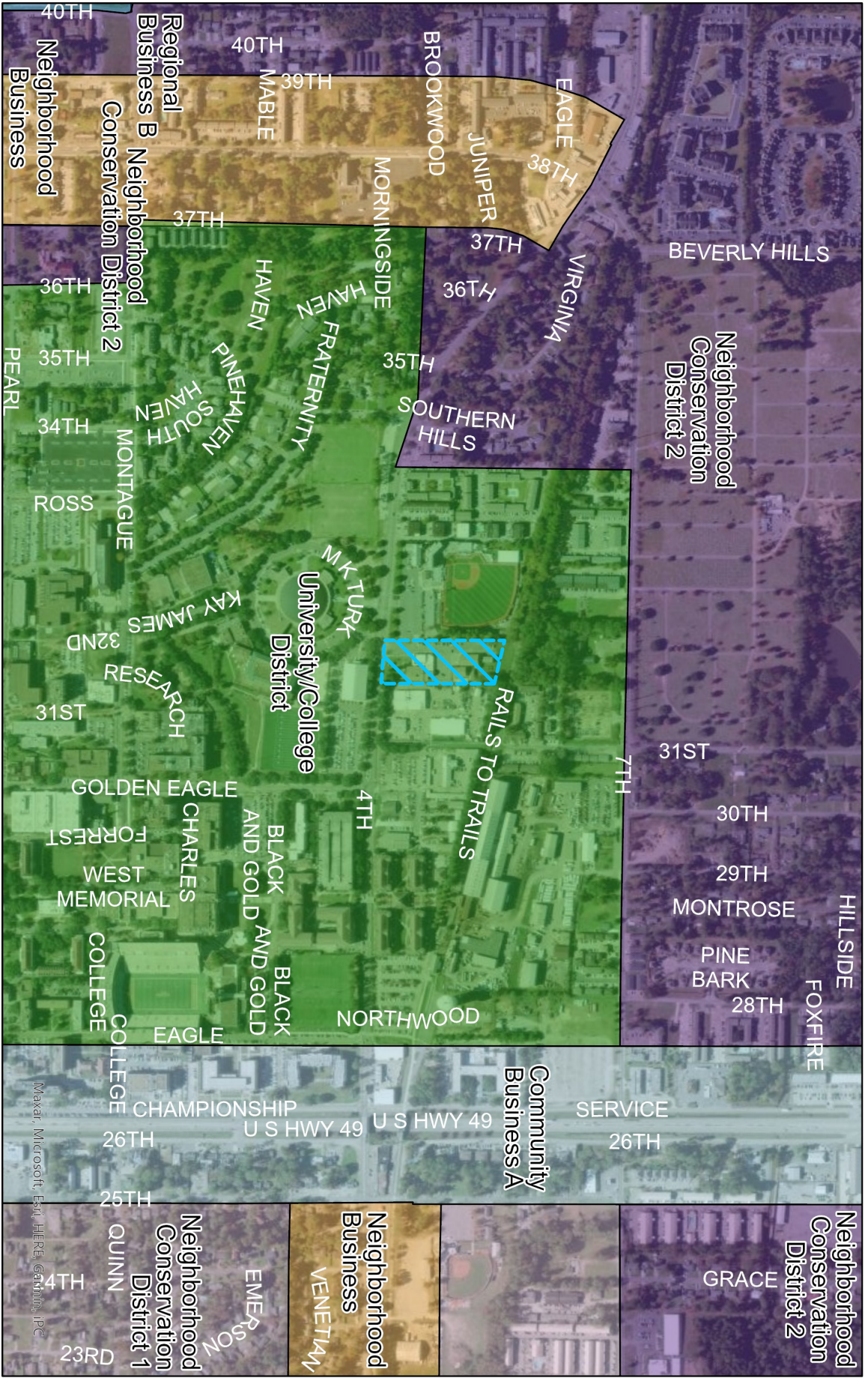
SUBJECT PARCEL

3117 W 4th Street — LDC Text Amendment and Conditional Use Request

The Catholic Diocese of Natchez-Jackson, Owner, Father Mark A. Ropel, Representative, Kathleen Schimel, representative, and Fast Signs, Contractor, request to amend the Land Development Code, Ord. No. 3209, and make changes to Section 10.8.5 ii Sign Design. They also request a conditional use approval for an “electronic message board” at a property located at 3117 W 4th Street (PPIN 26420, Ward 1, Forrest County).

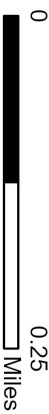






- Future Land Use
- Community Business A
 - Neighborhood Business
 - Neighborhood Conservation District 1
 - Neighborhood Conservation District 2
 - Regional Business B
 - University/College District
 - Subject Property

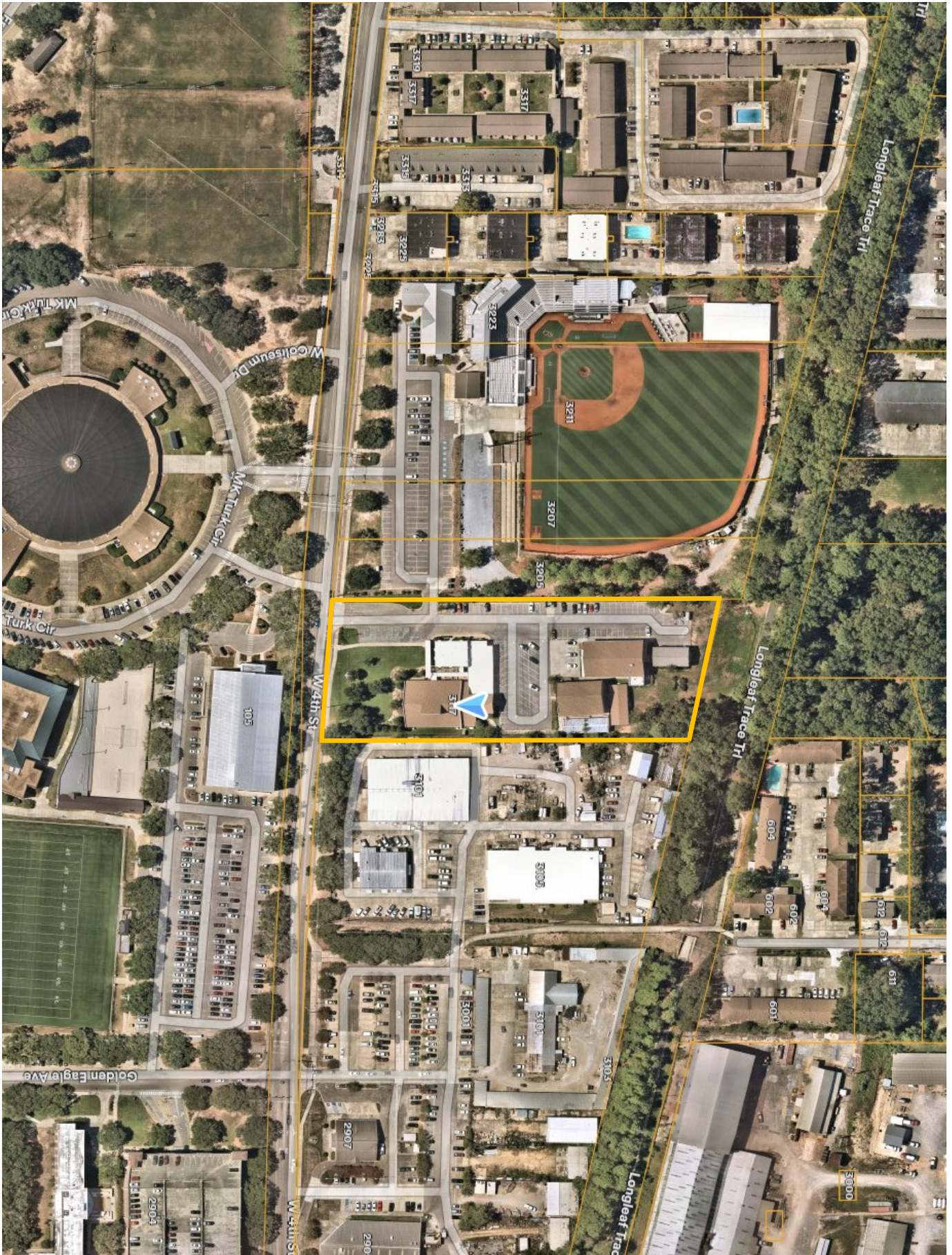
Conditional Use Approval for
Electronic Reader Board
(Digital Signage)
3117 W 4th Street, PPIN 26420
Ward 1, Forrest County



DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data.
This information CANNOT be used as a substitute for legal, business, tax or other professional advice.
Map Exported on: 9/18/2024 8:38 AM

URBAN DEVELOPMENT
PLANNING DIVISION
Center: 89°20'11"W 31°19'59"N

Site Aerial



Surrounding Area



Surrounding Area



Proposed Sign Proof

Double sided, internally illuminated



PLEASE CHECK CAREFULLY - ORDER WILL PRINT AS APPROVED

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FASTSIGNS. Make Your Statement™	DATE 7/31/24	JOB DETAILS		Quantity: 1
OF HATTIESBURG 2907 Harry Street Suite 60	INVOICE # 13016	Description: EMC with Sign Cabinet	Laminate: Gloss ☐ Matte ☐ Satin/Luster ☐ Cast Arlon ☐ Vandal ☐ Translucent	

RECEIVED
AUG 15 2024



URBAN DEVELOPMENT PLANNING DIVISION

Public Hearing Application

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

APPLICANT:

Applicant Name: St. Thomas Aquinas Catholic Church
Project Name: St. Thomas Monument Sign
Proposed Use(s): Monument sign with EMC and pan face.
Project Street Address: 3117 W 4th Street Hattiesburg Mississippi
PPIN Number(s) (if unknown, can be found on tax receipt): _____

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

Application for (check all appropriate types):

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

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

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

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

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

☒ Other: EMC and a text amendment

For Re-Zoning Only, see p. 11:

Existing Zoning: _____
Proposed Zoning: _____

STAFF USE ONLY – Do Not Complete:

Pre-Application Date: _____ Planner: _____
Parcel Number(s): _____ Historic District(s): _____
Flood Zone(s): _____ Zoning Districts(s): _____

Project No.: _____

Code Sections:

LDC Section No. _____
Section No. _____
Section No. _____
Section No. _____
Section No. _____

RECIVED DATE & INITIALS:

PROJECT REPRESENTATIVE INFORMATION:**Primary:**

Name:	St. Thomas Aquinas Catholic Church		
☒ Applicant	☒ Property Owner	☐ Representative	☐ Agent
☐ Contractor	☐ Architect	☐ Engineer	
☐ Other (please specify): _____			
Phone:	601-264-5192	Fax:	
Email:	admin@stthomas-usm.org		
Mailing Address:	3117 W 4th Street		

Secondary:

Name:	FASTSIGNS		
☐ Applicant	☐ Property Owner	☐ Representative	☐ Agent
☒ Contractor	☐ Architect	☐ Engineer	
☐ Other (please specify): _____			
Phone:	601-602-5413	Fax:	
Email:	2153@fastsigns.com		
Mailing Address:	2902 Hardy Street Suite 60		

Other(s):

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

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

OWNER AFFIDAVIT PAGE

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

WITNESS THE SIGNATURES of the OWNER(s) of the subject property located at
3117 W. 4th Street Stechburg MS 39401,
Street Address City State

on this the 1 day of August, 2024.

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

Father Mark A. Rope/ Kathleen Schimel

on this the 1 day of August, 2024.

Father Mark A. Rope/
Property Owner (print)

[Signature]
Property Owner (signature)

STATE OF Mississippi
COUNTY OF Lamar

Personally came and appeared before me, the within named

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 1st day of
August, 2024.

Kathleen Schimel
NOTARY PUBLIC



My Commission Expires:

January 11, 2025

APPLICANT AFFIDAVIT PAGE

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

WITNESS THE SIGNATURES of the **APPLICANT(s)** of the subject property located at 3117 W. fourth St. Hattiesburg MS
 Street Address City State
 on this the 12th day of August, 2024

Amanda Blackburn
 Applicant (print)
Amanda Blackburn
 Applicant (signature)

STATE OF Mississippi
 COUNTY OF Lamar

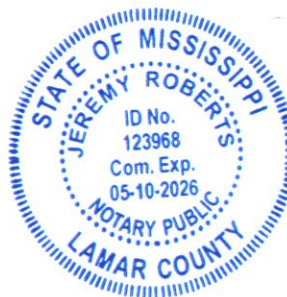
Personally came and appeared before me, the within named Amanda Blackburn, who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 12th day of August, 2024.

[Signature]
 NOTARY PUBLIC

My Commission Expires:

5-10-2026



FASTSIGNS of Hattiesburg
2902 Hardy Street Suite 60 Hattiesburg, MS 39401
601-602-5413

Memo

To: City of Hattiesburg
From: FASTSIGNS
Date: Aug 14, 2024
Subject: Proposed Text amendment

We are asking for an amendment to The Land Development Code 10.8.2 ii: "Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A District as a conditional use".

We would like this to be amended to where the zone R-3 can be added so the new text will state " Electronic message board lighting may be provided by right in the B-3 and B-5 Districts or in the R-1A and R-3 District as a conditional use.

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, the sign will meet the conditions as stated in section 10. The sign will be a
monument sign.

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

St. Thomas wants to upgrade signage to try and show the community about their church
They want this sign to show the community that they are at that location while bringing
in more people who want to hear the word of God and get closer to him.

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

St. Thomas wants a larger sign and they want it closer to the road to ensure that
that the visibility of the sign is there and they want a larger EMC attached so that
they can display the changing times without having to brace the weather outside,
and use it to help bring in new people to the church.

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

Yes, the church is hoping that the new sign and structure will attract more people
to come by and visit and come learn about the word of God.

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?

The expected number of people will increase and decrease daily due to the number of people that are going to be coming in and out of the church to worship

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

Yes, it will be similar to the one across the street at the Reed Greene Coliseum and the one right next to the church at Pete Taylor Park.

8. Parking requirements:

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

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

Description of Property (Warranty Deed)

Apart of the West Half (W) of the East Half (E) of the Southwest Quarter (SW) of the Southeast Quarter (SE) of Section Six (6); Township Four (4) North of Range Thirteen (13) West, in Forrest County, Mississippi, and described as:

Commencing at the intersection of the East Boundary line of the West Half (W) of the East Half (E) of the SW of the SE of the aforementioned Section, Township and Range, with the North Margin line of the old and original right of way line of the Mississippi Central Railroad, as was then surveyed and located, in the City of Hattiesburg, Forrest County, Mississippi and run thence North 85° 27' West and along the North margin line of the afore said original right of way line, and now being the North margin line of the West Fourth Street Extension, for a distance of 60.0 feet, to and for the Point of beginning.

Thence, continue North 85° 27' West and along the said original right of way line and/or the North margin line of West Fourth Street Extension, for a distance of 163.0 feet; thence, run North and parallel to the West line of the West Half (W) of the East Half (E) of the said SW of the SE for a distance of 633.6 feet, to the present South and existing right of way line of the said Mississippi Central Railroad; thence, run South 80° East and along the said present South and existing right of way line, for a distance of 230.0 feet; thence, run South on the East line of the said West Half (W) of the East half (E) of the SW of the SE for a distance of 413.0 feet; thence, run North 85° 27' West and parallel to the North margin line of West Fourth Street Extension and/or the original right of way line of the Mississippi Central Railroad, for a distance of 60.0 feet; thence, run South and parallel to the aforesaid East line of the West Half (W) fo the East Half (E) of the SW of the SE, for a distance of 200.0 feet, to the point of beginning, containing Three (3.0 Acres).

STATE OF MISSISSIPPI }
FORREST COUNTY }

STATE OF MISSISSIPPI, COUNTY OF FORREST

I certify that this instrument was filed for record in my office at 130 o'clock PM on the 29 day of October, 1962, and was recorded in Book 245 Page 11 Land Record, State Documentary Stamps in the value of \$ were duly attached and cancelled.

Given under my hand and seal at Hattiesburg, Miss., this 29 day of October, 1962.

Collyer H. Catling
WARRANTY DEED

D. B.

In consideration of \$18,500.00 cash in hand paid, the receipt of which is hereby acknowledged, we, L. E. Thornton and his wife, Ethelene D. Thornton, hereby convey and warrant to The Catholic Diocese of Natchez-Jackson, a Mississippi corporation, the following described land situated in the City of Hattiesburg, Forrest County, Mississippi:

Apart of the West Half ($W\frac{1}{2}$) of the East Half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Six (6); Township Four (4) North of Range Thirteen (13) West, in Forrest County, Mississippi, and described as:

Commencing at the intersection of the East Boundary line of the West Half ($W\frac{1}{2}$) of the East Half ($E\frac{1}{2}$) of the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ of the aforementioned Section, Township and Range, with the North margin line of the old and original right of way line of the Mississippi Central Railroad, as was then surveyed and located, in the City of Hattiesburg, Forrest County, Mississippi and run thence North 85° 27' West and along the North margin line of the aforesaid original right of way line, and now being the North margin line of West Fourth Street Extension, for a distance of 60.0 feet, to and for the Point of Beginning.

Thence, continue North 85° 27' West and along the said original right of way line and/or the North margin line of West Fourth Street Extension, for a distance of 163.0 feet; thence, run North, and parallel to the West line of the West Half ($W\frac{1}{2}$) of the East Half ($E\frac{1}{2}$) of the said $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ for a distance of 633.6 feet, to the present South and existing right of way line of the said Mississippi Central Railroad; thence, run South 80° East and along the said present South and existing right of way line, for a distance of 230.0 feet; thence, run South on the East line of the said West Half ($W\frac{1}{2}$) of the East Half ($E\frac{1}{2}$) of the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ for a distance of 413.0 feet; thence, run North 85° 27' West and parallel to the North margin line of West Fourth Street Extension and/or the original right of way line of the Mississippi Central Railroad, for a distance of 60.0 feet; thence, run South and parallel to the aforesaid East line of the West Half ($W\frac{1}{2}$) of the East Half ($E\frac{1}{2}$) of the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$, for a distance of 200.0 feet, to the point of beginning, containing Three (3.0) Acres.

The Grantee is to pay the 1962 taxes on said land.

The Grantors are to deliver possession of the above described land to the Grantee on or before September, 15, 1962.

Witness our signatures this June 29th, 1962.

L. B. Thornton
L. B. THORNTON

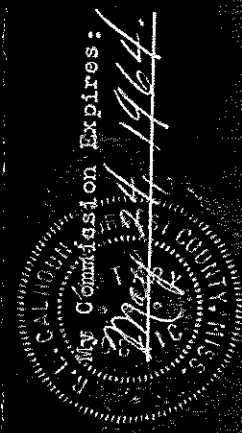
Ethelene D. Thornton
ETHELENE D. THORNTON

STATE OF MISSISSIPPI
COUNTY OF FORREST

Personally appeared before me, the undersigned authority in and for said County and State, the within named L. B. Thornton and his wife, Ethelene D. Thornton, who acknowledged that they signed and delivered the foregoing Deed on the date therein mentioned.

Witness my hand and official seal, this June 29th, 1962.

R. L. Palmer
NOTARY PUBLIC



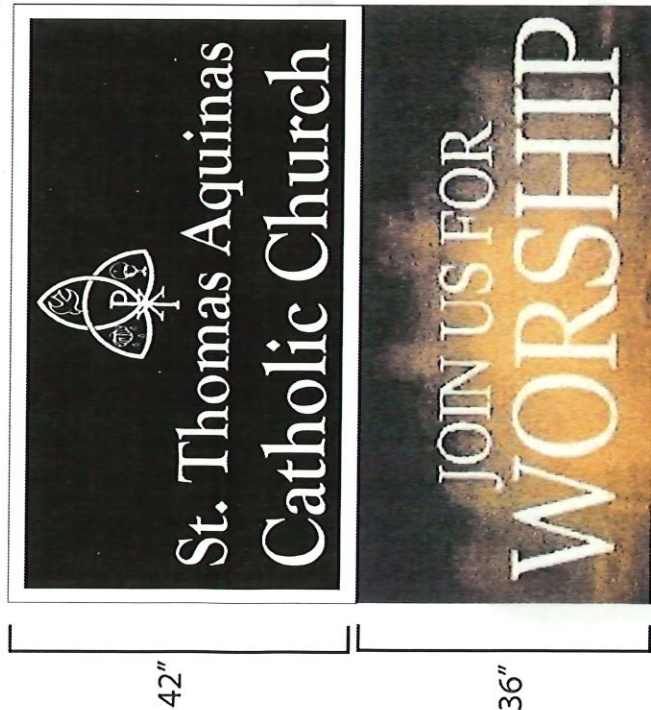
-2-

78

362

Double sided, internally illuminated

72"



10' overall height



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FASTSIGNS.
Make Your Statement™

OF HATTIESBURG
2902 Hardy Street Suite 60

DATE

7/31/24

INVOICE #

13016

JOB DETAILS

Description:

EMC with Sign Cabinet

Laminate: ☐ Gloss ☐ Matte ☐ Satin/Luster ☐ Cast Arlon ☐ Vinyl ☐ Translucent

Quantity: 1



**URBAN
DEVELOPMENT**
PLANNING DIVISION

**Planning Commission
Case Fact Sheet**

Names of Petitioner: New Testament Baptist Church, Owner, Jermaine Hatten, Applicant, and Deway Coreen, Engineer

Address of Property:	Tax Parcels	PPIN:	Ward:
2111 Country Club Drive	2-039I-20-011.00	27139	5

Request: **Conditional Use Request for “Places of Assembly not otherwise listed”**

Purpose of Request: **Conditional Use Request-** New Testament Baptist Church, Owner, Jermaine Hatten, Applicant, and Deway Coreen, Engineer, request a conditional use approval for a “place of assembly not otherwise listed” at a property located at 2111 Country Club Road (PPIN 27139, Ward 5, Forrest County).

History / Background: The applicant met with Staff in February of 2024 to discuss the establishment of an event space at the property. Staff advised that the property was approved for use of “place of assembly not otherwise listed” by City Council in 2020 and to continue forward, a new conditional use approval request would need to be submitted. When originally approved in 2020, the request was for an expansion of New Testament Baptist Church. After starting construction on the church, the project was abandoned for a period of more than 6 months, where all permits and approved site plans expired.

The current applicant is proposing to purchase the church and complete construction, converting it into an event venue, which also falls under the “Place of Assembly.” The proposed site plan presented is substantially different than what was originally approved by City Council and the Site and Design Review Committee. These factors, in sum or in part, require the

reestablishment of the use in the current zoning district, I-1 (Light Industrial).

The applicant is also proposing a minor subdivision of the property. The property is not within a platted subdivision, and would be able to be subdivided following an administrative approval process and not require a public hearing.

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4 Zoning Districts Established

4.5.13 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 5 Table 5.1 – Table of Uses

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															
Places of assembly not otherwise listed		□	□	◆	◆	◆	◆	◆	◆	□	■	■	■	◆	×	5.4.32

5.4.32 Places of Assembly

5.4.32.1 Places of assembly seating more than 600 people must have direct access to a major thoroughfare. Pedestrian and bicycle access is encouraged and will be required whenever a public sidewalk or trail abuts the property.

5.4.32.2 Accessory uses such as administrative offices,

bookstores, parking lots, community centers, multi-purpose facilities, outdoor recreational facilities, and care centers on the same site or sites contiguous to the principal use shall be permitted. Similar uses on noncontiguous sites or on a site separated from the principal use by a public street shall be considered principal uses in their own right and will be regulated as such. No merchandise or merchandise display shall be visible from outside a building. No business or identification sign pertaining to an accessory use shall be visible from outside the building

5.4.32.3 Except as noted in 5.4.32.2 accessory uses not permitted as principal uses (including television stations, radio stations, printing presses, or sports complexes) are prohibited.

Present Zoning: The property is currently zoned I-1 Light Industrial District.

Present Use: Vacant building.

Future Land Use: **Neighborhood Conservation District 2**

Surrounding Zoning and Land Use:
North: I-1 Light Industrial
South: I-1 Light Industrial
East: B-5 Regional Business
West: B-5 Regional Business / I-2 Heavy Industrial

The property is largely surrounded by a mix of commercial/industrial uses, undisturbed vacant land, and the neighboring church (New Testament Baptist Church). Additional multi-family residential properties are also nearby to this property along this corridor.

Letters or Concerns stated: The Planning Division Office has received no calls or letters of concern as of finalizing this report.

Option: Recommend **Approval** or **Denial** of the Conditional Use Request for a "Place of Assembly not Otherwise Listed" at 2111 Country Club Drive.

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.

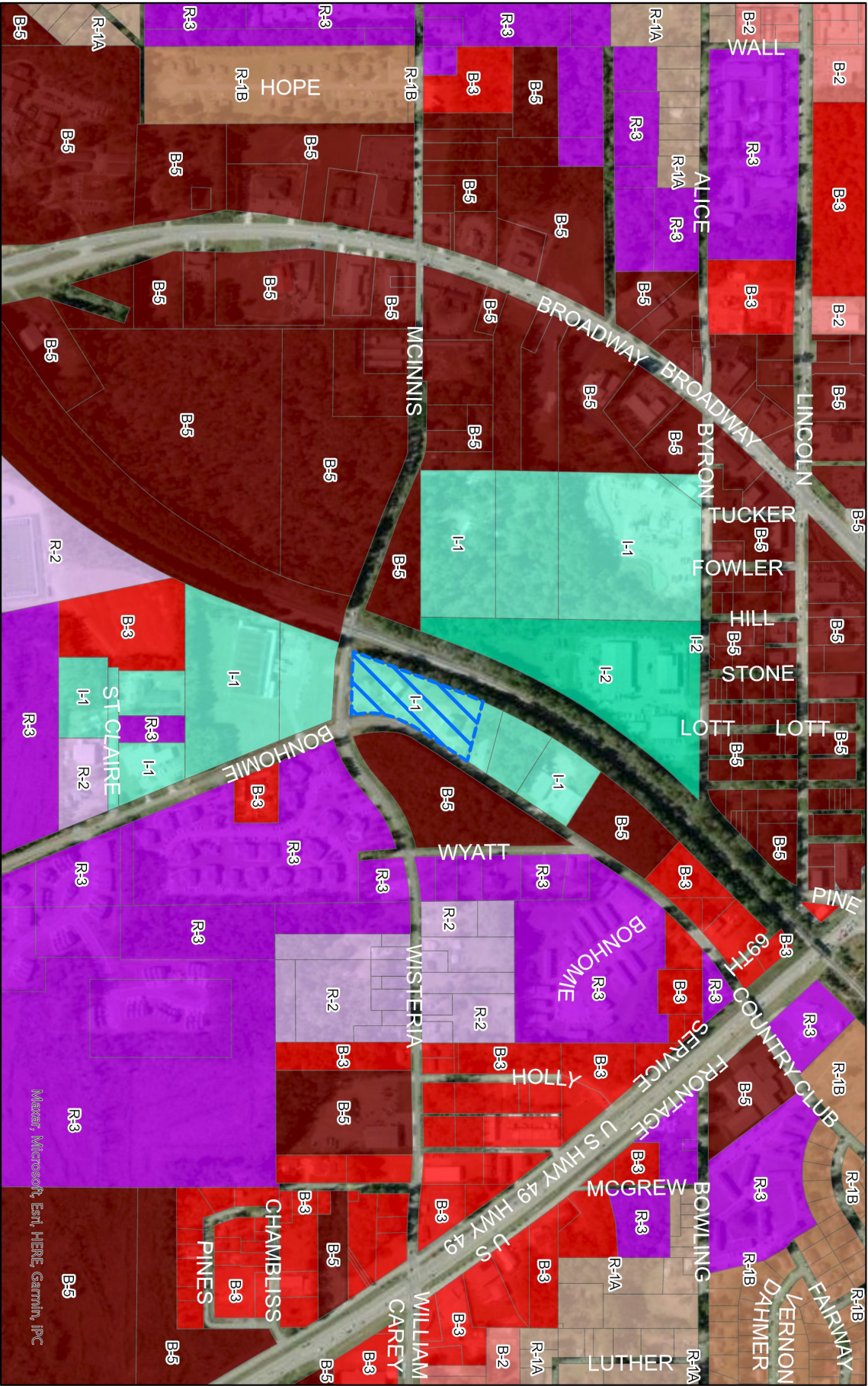
- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide 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.

SUBJECT PARCEL

2111 Country Club Road — Conditional Use Request

New Testament Baptist Church, Owner, Jermaine Hatten, Applicant, and Deway Coreen, Engineer, request a conditional use approval for a “place of assembly not otherwise listed” at a property located at 2111 Country Club Road (PPIN 27139, Ward 5, Forrest County).





Zoning Districts

- Subject Property
- R-3
- R-1A
- R-1B
- R-2
- B-2
- B-3
- B-5
- I-1
- I-2

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 9/18/2024 9:08 AM

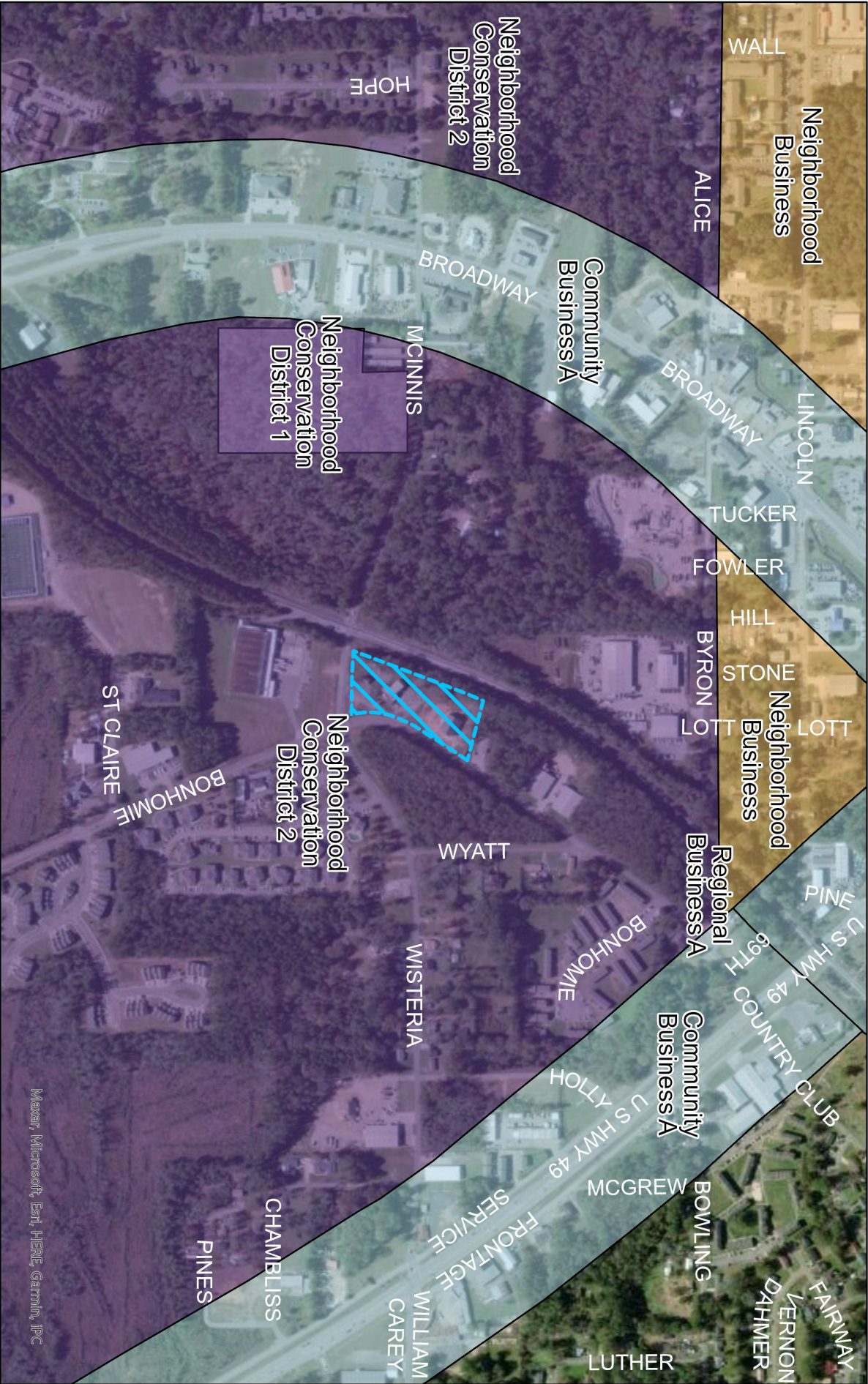
Conditional Use Approval for
Place of Assembly (Event Venue)
2111 Country Club Drive
Ward 5, Forrest County
PPIN 27139

00.25 Miles

PLANNING DIVISION

URBAN DEVELOPMENT

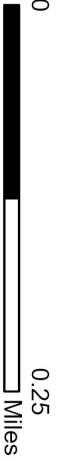
Center: 89°19'2"W 31°17'58"N



- Future Land Use
- Subject Property
 - Community Business A
 - Neighborhood Business

- Neighborhood Conservation District 1
- Neighborhood Conservation District 2
- Regional Business A

Conditional Use Approval for
Place of Assembly (Event Venue)
2111 Country Club Drive
Ward 5, Forrest County
PPIN 27139



**URBAN
DEVELOPMENT**
PLANNING DIVISION

Center: 89°19'2"W 31°17'58"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 9/18/2024 9:05 AM

Site Aerial



Property



Surrounding Area





URBAN DEVELOPMENT PLANNING DIVISION

Public Hearing Application

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

Hattiesburg, MS 39403-1898

Department of Urban Development

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

APPLICANT:

Applicant Name: Jermaine Hatten
 Project Name: Country Club Rd. Venue
 Proposed Use(s): Venue
 Project Street Address: 2111 Country Club Rd. Hattiesburg, MS 39401
 PPIN Number(s) (if unknown, can be found on tax receipt): 27139

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

Application for (check all appropriate types):

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

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

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

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

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

☒ Other: Venue

For Re-Zoning Only, see p. 11:

Existing Zoning: _____

Proposed Zoning: _____

STAFF USE ONLY – Do Not Complete:

Pre-Application Date: _____ Planner: _____

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

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

Project No.: _____

Code Sections:

LDC Section No. _____

Section No. _____

Section No. _____

Section No. _____

Section No. _____

RECIVED DATE & INITIALS:

OWNER AFFIDAVIT PAGE

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

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

2111 Country Club Rd. Hattiesburg MS
Street Address City State

on this the 17th day of August, 2024.

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

on this the 17th day of August, 2024.

Ron Regan
Property Owner (print)

Ron Regan
Property Owner (signature)

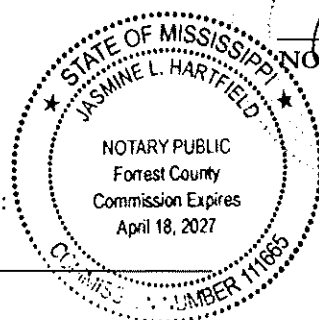
STATE OF MS

COUNTY OF FORREST

Personally came and appeared before me, the within named

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 17th day of August, 2024.



My Commission Expires:

4/18/27

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, it meets the conditions per the planning department
of city of Hattiesburg.

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

Conditional use change will help beautify the neighborhood.
The renovations will help prevent the property from
becoming a blight.

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

The building size is approximately 5,600 sqft. The
property & lot are estimated at 55,000 sq. ft. The size
of the property & lot should be enough for venue.

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

No additional traffic that should affect the community.



**URBAN
DEVELOPMENT**
PLANNING DIVISION

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Michael Myrick, Property Owner, and Scott Pipkins, Contractor

Address of Property:
313 E 3rd Street

Tax Parcels
2-029J-10-036.00

PPIN:
15708

Ward:
4

Request: Conditional Use Request for a Gravel Outdoor Storage Area

Purpose of Request: **Conditional Use Request**—Michael Myrick, Owner, and Scott Pipkins, Applicant/Contractor, request conditional use approval for a gravel outdoor storage area at a property located at 313 E 3rd Street (PPIN 15708, Ward 4, Forrest County).

History / Background: The applicant met with staff in a pre-application meeting for a proposed expansion of an existing business (Economy Supply) on an adjacent property. The applicant wants to use 313 E 3rd Street as an additional warehousing and storage area. The proposal included the use of the entirety of the side and rear lot area to be used for an outdoor storage area. The applicant is proposing the use of gravel as the primary surface material for the outdoor storage area. The Land Development Code requires a hard surface material (asphalt, concrete, or other similar alternative as approved by the City Engineer) for outdoor storage areas. A variance request is also being proposed by the applicant to exceed the maximum 50% of a side and rear lot to be used for an outdoor storage area.

Hard surface requirements for outdoor storage areas are in place for a variety of reasons. A hard surface material provides a strong and durable foundation, which can prevent erosion or uneven surfaces from being created. While it adds to the overall amount of impervious surface area for a lot, hard surfaces are better at being used to redirect surface flow water, which can

prevent the pooling of water. They would also serve as an environmental barrier for hazardous wastes and spills, such as from oil, fuel, or chemicals often found in construction zones, where hard surfaces are much easier to clean and maintain over gravel surfaces. There is increased safety and accessibility for a hard surface lot, and typically a more aesthetic appearance when maintained appropriately.

However, large areas of impervious surfaces typically do increase the stormwater runoff rates, which contributes to flash flooding, erosion, and pollution of local water systems. The permeability of gravel lots would reduce stormwater runoff and the need to detain water to ensure the post-development runoff rate does not exceed pre-development rates. Were asphalt to be used, the dark surface would have low albedo levels (reflectivity of light) and hold and absorb energy, contributing to the urban heat island effect and increasing surface temperatures. While asphalt can be used as an environmental barrier against surface pollutants, the material itself and how it is applied can leach contaminants, as it is a byproduct of petroleum.

Conditional use requests allow a community to assess whether a specific use or feature is appropriate for the surrounding area and the overall community. It provides a bit of flexibility in a zoning ordinance, where in some instances a proposed use could be appropriate in a certain area of a zoning district, but not in other areas. As with any conditional use approvals, the planning commission can recommend certain conditions be met with approval, such as exceeding certain landscaping or buffering requirements so that the use is more harmonious with the surrounding area.

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4

Zoning Districts Established

4.5.12 B-5 Regional Business District: The purpose of the B-5 District is to provide retail, personal and business services,

offices, and financial services in locations with convenient access to the region's population consistent with comprehensive planning policies. This district is consistent with the Regional Business District in the Comprehensive Plan.

SECTION 5

5.4.16 Construction Offices.

5.4.16.1 All outdoor storage of non-passenger vehicles and building materials shall be kept at least 100 linear feet from any adjacent lot containing a legal, conforming residential use and shall be located in a side or rear yard only.

5.4.16.2 Outdoor storage shall be screened from major thoroughfares and adjacent properties in accordance with the screening requirements set forth in Section 7.9

5.4.16.3 A maximum open storage space of 50% of the side and rear lot area is allowed for business and industrial equipment and materials.

5.4.16.4 Open storage of items shall not be piled or stacked over 20 feet in height above grade.

SECTION 7

Design Standards

7.12.10 Parking and Storage Areas in Non-Residential Zones

7.12.10.3 Outdoor storage shall be screened from major thoroughfares, local streets, and adjacent properties in accordance with the screening requirements set forth in Section 7.9.

7.12.10.4 A maximum outdoor equipment storage space of 50% of the side and rear lot area is allowed for business and industrial equipment and materials if outdoor storage is an accessory to another use on the same lot.

- i. Unless otherwise permitted, commercial outdoor storage areas shall be hard surface only.
- ii. All outdoor storage associated with automotive and tow yard uses shall be hard surface, regardless of zone.
- iii. Dustless gravel maintained to be free of overgrowth may be allowed for only non-public outdoor storage space of heavy equipment and non-hazardous materials by right in A-1, I zones and as a Conditional Use in A-2 and B-5 zones. Any approved gravel storage lot shall be subject to driveway requirements per 7.12.8.3

Present Zoning: The property is currently zoned B-5 (Regional Business District).

Present Use: Vacant building/lot.

Future Land Use: Downtown District

Surrounding Zoning and Land Use:
North: B-5 Regional Business
South: B-5 Regional Business
East: B-5 Regional Business
West: B-5 Regional Business

The immediate surrounding area is primarily used by the applicant (Economy Supply) as a contractor's office. A mushroom farm (Slowpoke Farm) is directly across the street in a large, warehousing-type facility. The mushroom farm was approved through a conditional use approval by the City Council for the use of horticulture in a B-5 zoning. An active rail line is also near the property, to the northeast of the property across New Orleans Street.

Letters or Concerns stated: The Planning Division Office has received no calls or letters of concern as of finalizing this report.

Option: Recommend **Approval** or **Denial** of the Conditional Use request for a gravel outdoor storage area at a property located at 313 E 3rd Street (PPIN 15708, Ward 4, Forrest County).

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.

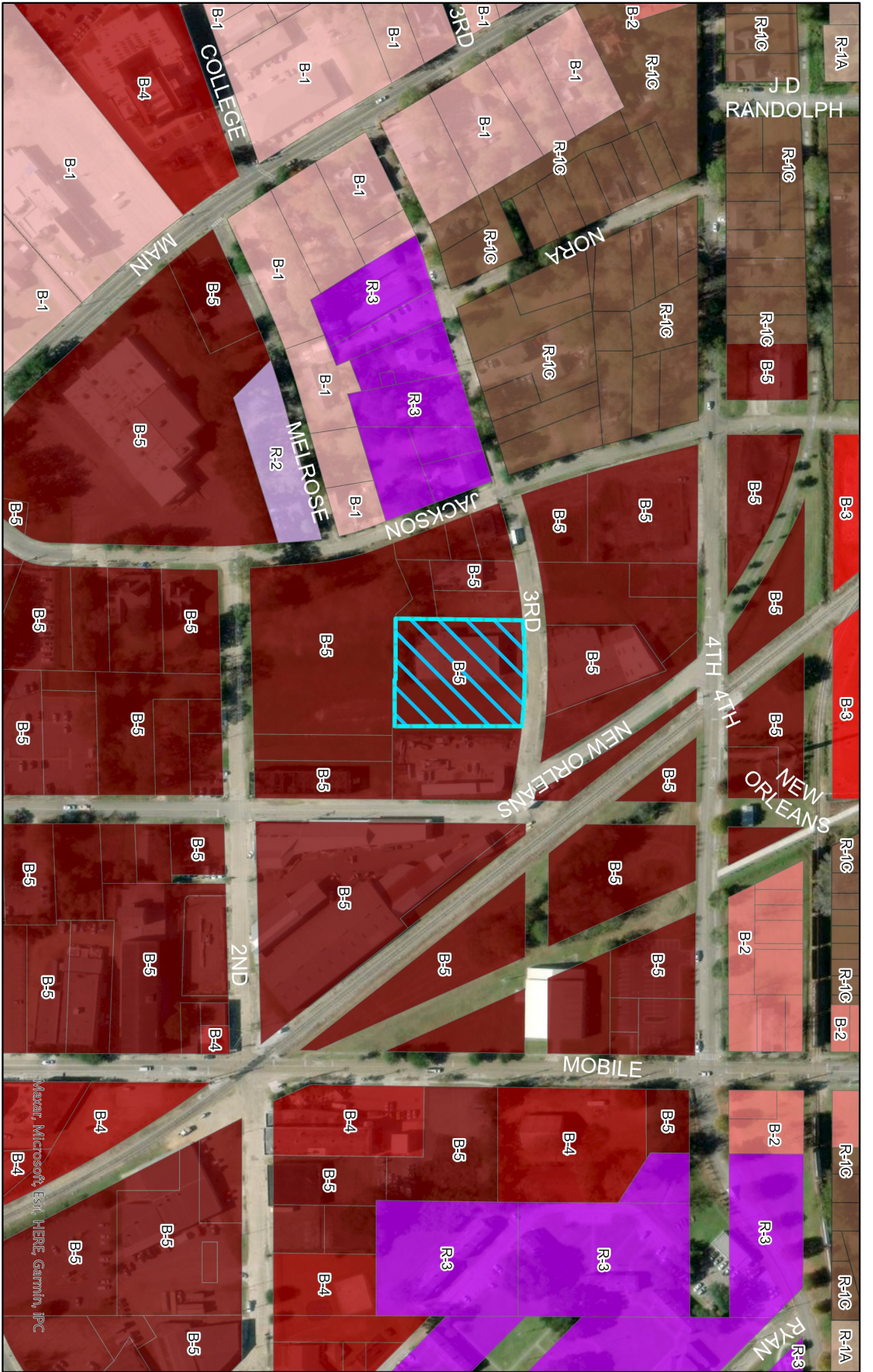
- i. Determination that adequate public facilities and services will be available concurrent with the impacts of the development as evidenced by letters of sufficiency from utilities and schools and a determination by the city engineer that the available capacity of existing streets can safely provide 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.

SUBJECT PARCEL

313 E 3rd Street— Conditional Use Request

Michael Myrick, Owner, and Scott Pipkins, Applicant/Contractor, request conditional use approval for a gravel outdoor storage area at a property located at 313 E 3rd Street (PPIN 15708, Ward 4, Forrest County).





Zoning Districts

-  313 E 3rd
-  R-3
-  R-1A
-  B-1
-  R-1C
-  B-2
-  R-2
-  B-3
-  B-4
-  B-5

Conditional Use Approval & Variance Request

313 E 3rd Street
Ward 4, Forrest County
PPIN 15708, Flood Zone SX 500

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 9/18/2024 9:18 AM

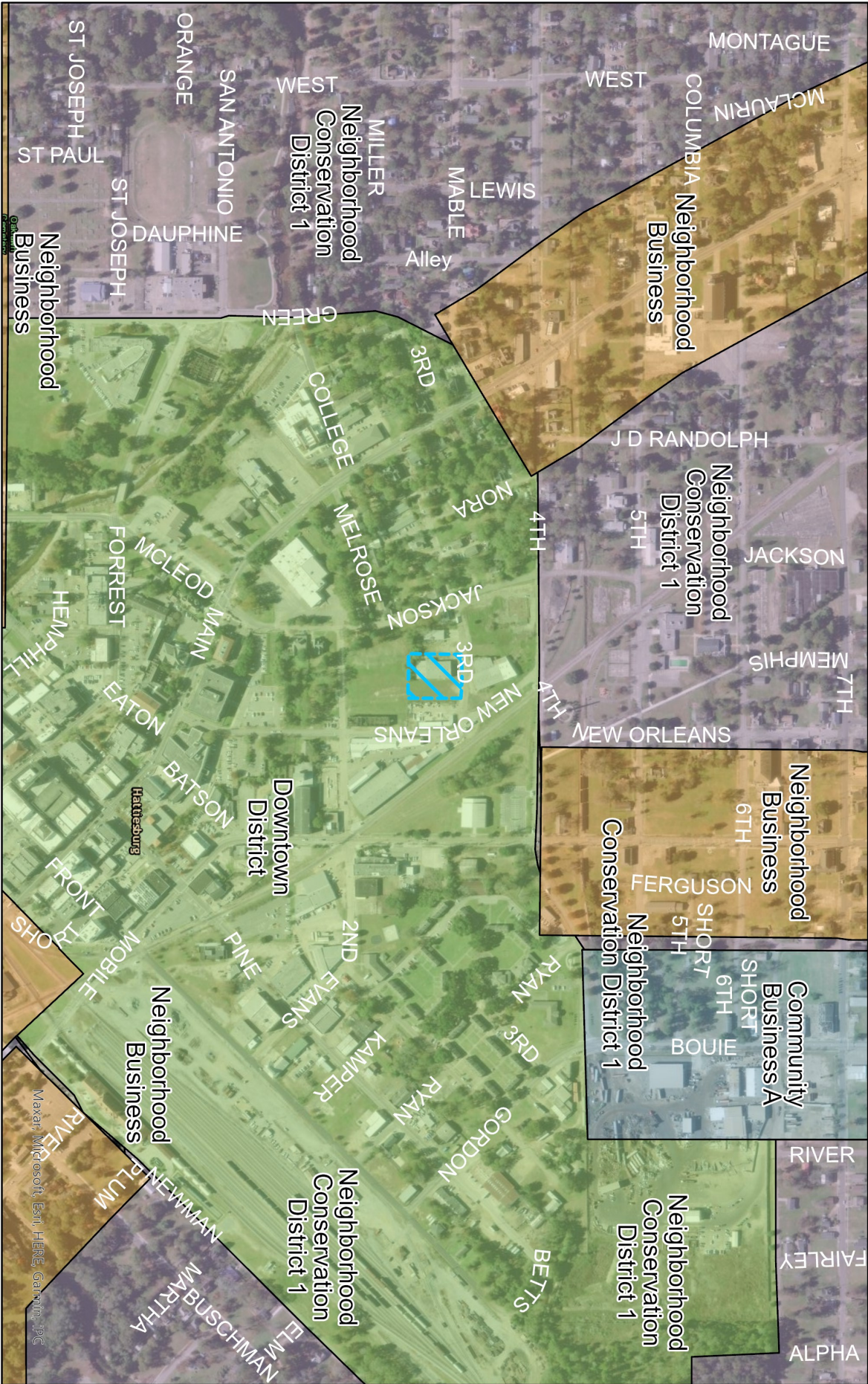


0 500 Feet



URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89° 17'32"W 31° 19'51"N



Future Land Use Map

313 E 3rd

- Community Business A
- Downtown District
- Neighborhood Business
- Neighborhood Conservation District 1

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 9/18/2024 9:20 AM

Conditional Use Approval & Variance Request

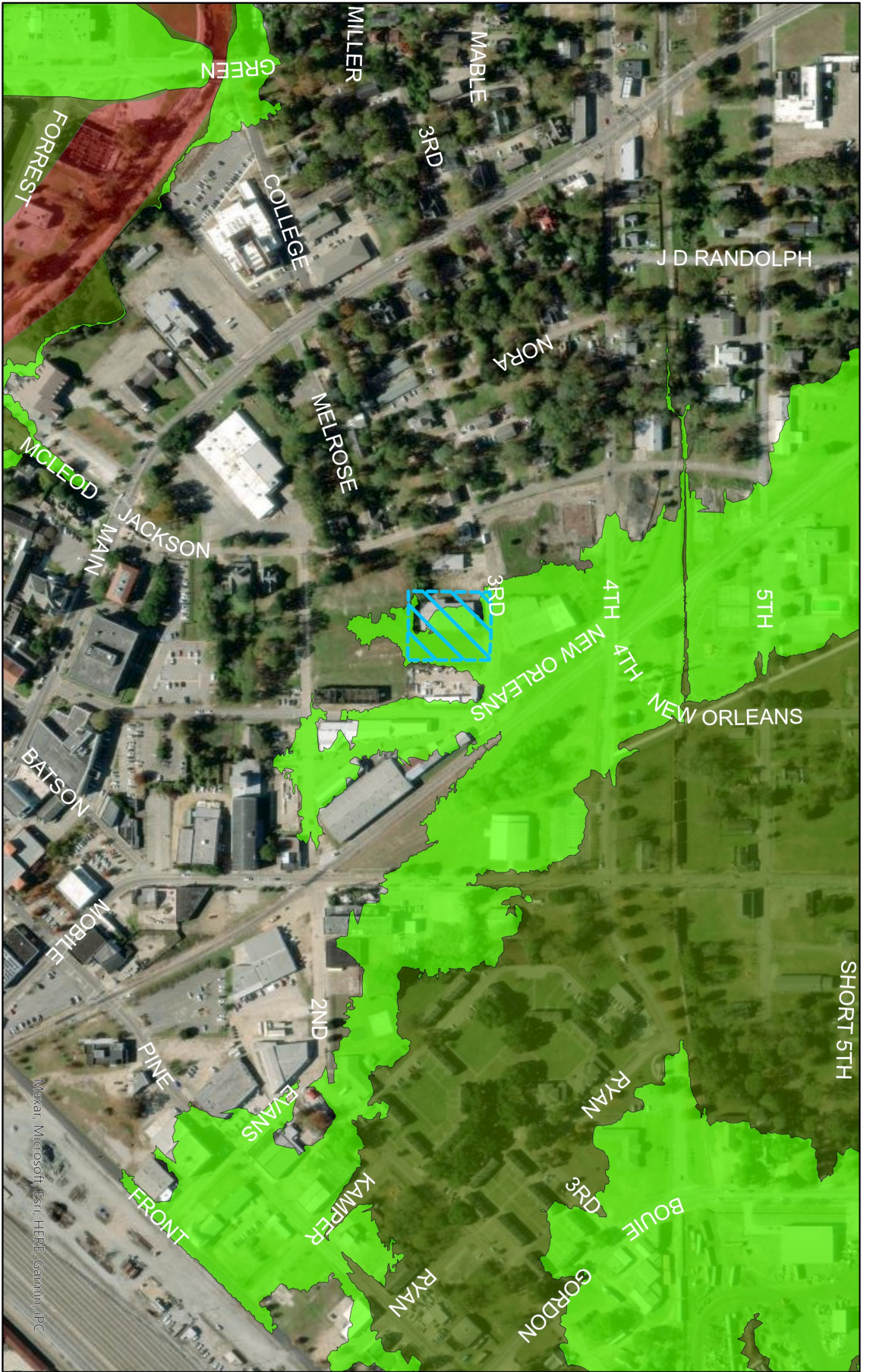
313 E 3rd Street
Ward 4, Forrest County
PPIN 15708, Flood Zone SX 500



URBAN DEVELOPMENT
PLANNING DIVISION

Center: 89°17'31"W 31°19'51"N





Flood Zones

- FLOODWAY AREA IN ZONE AE
- ZONE A (100 yr flood - no elevation)
- ZONE AE (100 yr flood w / elevation)
- ZONE SX (500 yr flood)
- 313 E 3rd

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 9/18/2024 9:22 AM

Conditional Use Approval &
Variance Request
313 E 3rd Street
Ward 4, Forrest County
PPIN 15708, Flood Zone SX 500

0800
US Feet

N

URBAN
DEVELOPMENT
PLANNING DIVISION

Center: 89° 17'30"W 31° 19'51"N

Site Aerial



Surrounding Area



Surrounding Area





URBAN DEVELOPMENT PLANNING DIVISION

Public Hearing Application

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

Hattiesburg, MS 39403-1898

Department of Urban Development

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

APPLICANT:

Applicant Name: Scott Pipkins / Hub City Construction, Inc.
 Project Name: Economy Corridor Job
 Proposed Use(s): Landscape Yard
 Project Street Address: 313 E. 3rd St
 PPIN Number(s) (if unknown, can be found on tax receipt): 015708

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

Application for (check all appropriate types):

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

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

- | | | |
|--|---|---|
| ☐ Sign | ☐ Setback (front, side, or rear _____) | ☐ Off-Site Parking |
| ☐ Lot Width | ☒ Lot Coverage Area | ☐ Buffer |
| ☒ Other: <u>fence height + no sidewalk</u> | ☐ Open Space | |

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

- | | |
|---|---|
| ☐ Automotive Filling Station | ☐ Telecommunications |
| ☐ Digital Billboard, New | ☐ Digital Billboard, Replacement |
| ☐ Restaurant | ☐ Solar Farm |
| ☒ Other: <u>Material storage yard</u> | |

For Re-Zoning Only, see p. 11:

Existing Zoning: _____
 Proposed Zoning: _____

STAFF USE ONLY – Do Not Complete:

Pre-Application Date: _____ Planner: _____
 Parcel Number(s): _____ Historic District(s): _____
 Flood Zone(s): _____ Zoning District(s): _____
 Project No.: _____
 Code Sections:
 LDC Section No. _____
 Section No. _____
 Section No. _____
 Section No. _____
 Section No. _____

RECEIVED DATE & INITIALS:

RECEIVED
 AUG 27 2024

BY: AA

PROJECT REPRESENTATIVE INFORMATION:**Primary:**

Name: Scott Piplins, General Contractor

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

☐ Other (please specify): _____

Phone: 601-297-7736 Fax: _____ Email: hubcityconstruction@gmail.com

Mailing Address: 607 Corinne St. Ste C-6
Hattiesburg, MS 39401

Secondary:

Name: Michael Myrick | Economy Supply

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

☐ Other (please specify): _____

Phone: 601-606-3549 Fax: _____ Email: _____

Mailing Address: 200 E. 2nd St Hattiesburg, MS 39401

Other(s):

Name: _____

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

☐ Other (please specify): _____

Phone: _____ Fax: _____ Email: _____

Mailing Address: _____

Name: _____

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

☐ Other (please specify): _____

Phone: _____ Fax: _____ Email: _____

Mailing Address: _____

OWNER AFFIDAVIT PAGE

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

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

313 E. 3rd St Clarksburg MS 39401
Street Address City State

on this the 26 day of August, 2024

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

Scott Pipkins
on this the 26 day of August, 2024

Michael Myrick
Property Owner (print)

Michael L. Myrick
Property Owner (signature)

STATE OF Mississippi

COUNTY OF Forrest

Personally came and appeared before me, the within named

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 26th day of
August, 2024.

[Signature]
NOTARY PUBLIC

My Commission Expires:

Aug 28, 2026



APPLICANT AFFIDAVIT PAGE

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

WITNESS THE SIGNATURES of the APPLICANT(s) of the subject property located at 313 E. 3rd St Hattiesburg MS
 Street Address City State
 on this the 26 day of August, 2024

Scott Pipkins
 Applicant (print)

Scott Pipkins
 Applicant (signature)

STATE OF Mississippi
 COUNTY OF FORREST

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

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 26th day of August, 2024.

Apryle R. Harvey
 NOTARY PUBLIC

My Commission Expires:

Aug 28, 2026



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.

Approval Criteria.

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

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

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

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

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

Approval of this will allow the growth of the business by allowing owner's equipment to store materials on and off the property.

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

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

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

FOR CONDITIONAL USE APPLICANTS:

Section 12.3.3.1 Compliance Required. Uses requiring Planning Commission approval as noted in the Tables of Uses in Section 5 of this Code, shall be approved subject to this Section. Any application for such use must comply with: all applicable standards that apply to similar uses and properties in the zoning district in general, the specific conditions listed for that use in Section 5, and the following criteria. Where conflicts exist, the Planning Commission shall determine which criteria apply on a case-by-case basis.

1. Does this application meet the conditions set forth in Section 5 of the LDC for the requested use? If yes, please explain:

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

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

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

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?

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

Yes, owner uses adjoining properties in the same manner since 1942.

8. Parking requirements:

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

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