

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

March 7, 2018

The Hattiesburg Planning Commission did meet in a regular session on March 7, 2018 at 1:00 p.m. at the Jackie Dole Community Center, 220 West Front Street, Hattiesburg, Mississippi. Dick Conville, Chairman, presided over the meeting. A quorum was indicated and the attendance was as follows:

Commissioners Present: Dick Conville, Chairman
Amy Hinton, Vice-Chairman
Mark Miller, Secretary
Paul Sims
Kenneth Waites
James Hughes
Rebekah Ray
Jessie Wilson

Commissioners Absent: Judy Cortis
Sandra Thompson

Also Present: Ginger Maddox Lowrey, AICP, Planning Division Manager
Andrew Ellard, Director of Urban Development
Lamar Rutland, Director of Engineering
Stephen Guthrie, Planning Division
Steven Mitchell, Building Official

Chairman Conville declared the meeting of the Hattiesburg Planning Commission open and in session at 1:04 P.M.

INVOCATION

Chairman Conville held a moment of silence in remembrance of Parkland, FL.

AGENDA REVIEW

There came the matter of the March 2018 Agenda. Ginger Lowrey requested Item F. be withdrawn from the agenda. A request was made by Chairman Conville for a motion to approve the March 2018 Agenda as amended. A motion was made to approve the March 2018 Agenda by Commissioner Hinton and seconded by Commissioner Ray.

Commissioners voting aye: Dick Conville, Chairman
Amy Hinton
Mark Miller
Paul Sims
Kenneth Waites
James Hughes
Rebekah Ray
Jessie Wilson

Commissioners voting nay: None

MINUTES REVIEW

There came the matter of the February 7, 2018, minutes. A request was made by

Chairman Conville for a motion to approve the February 7, 2018, minutes. A motion was made by Commissioner Waites to approve the minutes and seconded by Commissioner Hinton.

Commissioners voting aye: Dick Conville, Chairman
Amy Hinton
Mark Miller
Paul Sims
Kenneth Waites
James Hughes
Rebekah Ray
Jessie Wilson

Commissioners voting nay: None

REPORTS

BUILDING REPORT

There came the matter of the Building Inspection Report. Steve Mitchell provided a building report for February 2018.

PLANNING REPORT

There came the matter of the Planning Report by Ginger Maddox Lowrey, AICP, Planning Division Manager. Mrs. Lowrey reported that Mr. Isaiah Easterling resigned effective Tuesday, March 6, 2018. On February 20, 2018 the City Council reviewed the following Hattiesburg Planning Commission recommendations and voted as follows: The City Council removed from the table Anthony Wansley’s petition to rezone 208 McInnis Spring Road. The City Council denied the petition (HPC denial upheld). The City Council approved the petition to change the zoning of 1200 Edwards St from I-1 to B-3 (HPC approval upheld). The City Council approved the preliminary plat for condominiums located at 3000 Hardy St (HPC approval upheld).

CHAIRMAN’S REPORT

There came the matter of the Chairman’s Report. No report was submitted

PUBLIC HEARING – PLANNING COMMISSION

Chairman Conville declared the Public Hearing for the Planning Commission open at 1:12 P.M. and read the rules and procedures of the hearing. Planning Division Manager, Ginger M. Lowrey, recused herself from Item A.

There came the matter of Item A (Rezone), filed by Shawn Lowrey, Owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for a certain property located at 221 Market Street (Parcel 2-029J-10-359.00, PPIN 15650, Ward 4) from Section 4.5.12, B-5 (Regional Business) District to Section 4.5.11, B-4 (Downtown Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Shawn Lowrey	138 E Front St.	Hattiesburg, MS
	- Owner		
<u>Proponents:</u>	Andrea Saffle	409 Walnut	Hattiesburg, MS

- HHDA

Opponents: None

Chairman Conville declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Miller made a motion to Approve the request for rezoning with the following basis: There is a material change in the circumstances and conditions of the neighborhood and areas surrounding the petitioned property and there is a public need for the change in question, based on the comprehensive plan. The motion was seconded by Commissioner Hinton.

Commissioners voting aye Dick Conville, Chairman
Amy Hinton
Mark Miller
Paul Sims
Kenneth Waites
James Hughes
Rebekah Ray
Jessie Wilson

Commissioners voting nay: None

Planning Division Manager, Ginger M. Lowrey, returned to the public hearing.

There came the matter of Item B (Alley Closure), filed by Jeffrey Green, Applicant, Christopher Davis, Contractor, Mark A. Jordan, Consultant, as required in the Land Development Code, Ord. No. 3209, to close and vacate a portion of the undeveloped alley running east and west between Cherry Street, Cedar Street, Tuscan Avenue, and Magnolia Avenue, which is located directly between PPIN 13639 and PPIN 13639.

	Name	Address	City/State
<u>Presented by:</u>	Christopher Davis	41 Weatherford Ave	Mobile, AL
	- Contractor		
<u>Proponents:</u>	None		
<u>Opponents:</u>	None		

Chairman Conville declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Hinton made a motion to approve the request. The motion was seconded by Commissioner Miller.

Commissioners voting aye: Dick Conville, Chairman
Amy Hinton
Mark Miller
Paul Sims
Kenneth Waites
James Hughes
Rebekah Ray
Jessie Wilson

Commissioners voting nay: None

There came the matter of Item C (Rezone), filed by Nicolas Robinson, Owner, as required in the Land Development Code, Ord. No. 3209, to change the zoning classification for a certain property located at 1226 Ida Avenue (Parcel 2-038K-21-066.00; 27396, 2-038K-21-064;

27395, 2-038K-21-065; 4177, Ward 5) from Section 4.5.6, R-2 (Two-Family Residential) District to Section 4.5.10, B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Nicolas Robinson	124 Meadow Park Lane	Hattiesburg, MS
	- Owner		
<u>Proponents:</u>	None		
<u>Opponents:</u>	Jim Harrell, Sr.	308 William Carey Pkwy	Hattiesburg, MS
	Irby Drake, Jr.	211 Dossett Ave	Hattiesburg, MS
	- Timberton Park Neighborhood Assoc.		
	Scott Pfaff	26 Poplar Drive	Hattiesburg, MS
	Vermell Jackson	801 M L King	Hattiesburg, MS
	Scott Hummel	710 William Carey Pkwy	Hattiesburg, MS
	- WCU		
	Capt. Stacey Connelly	5670 Hwy 49 S.	Hattiesburg, MS
	- Salvation Army		
	Tim Slade	710 William Carey Pkwy	Hattiesburg, MS
	- WCU		

Chairman Conville declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Miller made a motion to Deny the request for rezoning with the following basis: There is not a material change in the circumstances and conditions of the neighborhood and areas surrounding the petitioned property and there is not a public need for the change in question, based on the comprehensive plan. The motion was seconded by Commissioner Ray.

Commissioners voting aye: Dick Conville, Chairman
Amy Hinton
Mark Miller
Paul Sims
Kenneth Waites
James Hughes
Rebekah Ray
Jessie Wilson

Commissioners voting nay: None

There came the matter of Item D (Establish Zoning), filed by Joel Ford, Engineer, on behalf of Jeff Sims, Owner, as required in the Land Development Code, Ord. No. 3209, to establish the zoning classification for a certain property located on Jackson Road, South of the Longleaf Trace (Parcel 052B-03-004.105, PPIN 33787, Ward 1) as Section 4.5.10, B-3 (Community Business) District.

	Name	Address	City/State
<u>Presented by:</u>	Joel Ford	2010 Oak Grove Rd	Hattiesburg, MS
	- Engineer		
	Ashley Robinson	15 Murphy Rd	Hattiesburg, MS
<u>Proponents:</u>	Donovan Scruggs	317 Pine Drive	Ocean Springs, MS
<u>Opponents:</u>	Seth Hunter	c/o 85 J. Ed Turner Rd	Hattiesburg, MS
	- Attorney representing Wes & Kelsey Hester		
	Carl Nicolson	13 Medinah Dr	Hattiesburg, MS
	John Eye	123 J. Ed Turner Drive	Hattiesburg, MS
	Jim Gallaspy	129 Fair Lake Drive	Hattiesburg, MS

Eric Weill	71 J. Ed Turner Drive	Hattiesburg, MS
David Gustafson	6 Augusta Ct. West	Hattiesburg, MS

Chairman Conville declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Waites made a motion to postpone the vote for further justification for B-3 zoning next to residential use. The motion was seconded by Commissioner Hughes. The motion failed.

Commissioners voting aye: James Hughes
Rebekah Ray
Kenneth Waites

Commissioners voting nay: Dick Conville, Chairman
Amy Hinton
Mark Miller
Paul Sims
Jessie Wilson

Commissioner Miller made a motion to Deny the request for rezoning with the following basis: There is not a material change in the circumstances and conditions of the neighborhood and areas surrounding the petitioned property and there is not a public need for the change in question, based on the comprehensive plan; There is substantial opposition from the Neighborhood and public and outstanding questions were raised regarding plans, traffic, and infrastructure. The motion was seconded by Commissioner Sims. The motion failed.

Commissioners voting aye: James Hughes
Paul Sims
Jessie Wilson

Commissioners voting nay: Dick Conville, Chairman
Amy Hinton
Mark Miller
Rebekah Ray
Kenneth Waites

Commissioner Waites made a motion to Table the request for rezoning because there is substantial opposition from the neighborhood and public and outstanding questions were raised regarding plans, traffic, and infrastructure. The motion was seconded by Commissioner Miller.

Commissioners voting aye: Dick Conville, Chairman
Amy Hinton
Mark Miller
Paul Sims
Kenneth Waites
James Hughes
Rebekah Ray
Jessie Wilson

Commissioners voting nay: None

There came the matter of Item E (Conditional Use), filed by Joel Ford, Engineer, on behalf of Jeff Sims, Owner, as required in the Land Development Code, Ord. No. 3209, to request a Conditional Use as “Dwelling, Mixed Use”, Section 5.4, for a certain property located on Jackson Road, South of the Longleaf Trace (Parcel 052B-03-004.105, PPIN 33787, Ward 1)

pending establishment of zoning.

	Name	Address	City/State
<u>Presented by:</u>	Joel Ford	2010 Oak Grove Rd	Hattiesburg, MS
	- Engineer		
<u>Proponents:</u>	Ashley Robinson	15 Murphy Rd	Hattiesburg, MS
	Donovan Scruggs	317 Pine Drive	Ocean Springs, MS
<u>Opponents:</u>	Seth Hunter	c/o 85 J. Ed Turner Rd	Hattiesburg, MS
	- Attorney representing Wes & Kelsey Hester		
	Carl Nicolson	13 Medinah Dr	Hattiesburg, MS
	John Eye	123 J. Ed Turner Drive	Hattiesburg, MS
	Jim Gallaspy	129 Fair Lake Drive	Hattiesburg, MS
	Eric Weill	71 J. Ed Turner Drive	Hattiesburg, MS
	David Gustafson	6 Augusta Ct. West	Hattiesburg, MS

Commissioner Waites made a motion to Table the request because there is substantial opposition from the neighborhood and public and outstanding questions were raised regarding plans, traffic, and infrastructure. The motion was seconded by Commissioner Miller.

Commissioners voting aye: Dick Conville, Chairman
 Amy Hinton
 Mark Miller
 Paul Sims
 Kenneth Waites
 James Hughes
 Rebekah Ray
 Jessie Wilson

Commissioners voting nay: None

There came the matter of Item G (Establish Zoning), filed by Ashley Robinson, Owner, and Jeff Sims, Owner as required in the Land Development Code, Ord. No. 3209, to establish the zoning classification for certain properties located in the Mandalay Villas at Greystone subdivision at the intersection of J. Ed Turner Drive and Topanga Trail (052B-03-004.046; 31719, 052B-03-004.047; 31720, 052B-03-004.048; 31721, 052B-03-004.049; 31722, 052B-03-004.050; 31723, 052B-03-004.051; 31724, 052B-03-004.052; 31725, 052B-03-004.053; 31726, 052B-03-004.054; 31727, 052B-03-004.055; 31728, 052B-03-004.056; 31729, 052B-03-004.057; 31730, 052B-03-004.058; 31731, 052B-03-004.059; 31732, 052B-03-004.060; 31733, 052B-03-004.061; 31734, 052B-03-004.062; 31735, 052B-03-004.063; 31736, 052B-03-004.064; 31737, 052B-03-004.066; 31739, 052B-03-004.067; 31740, 052B-03-004.068; 31741, 052B-03-004.069; 31742, 052B-03-004.070; 31743, 052B-03-004.071; 31744, 052B-03-004.072; 31745, 052B-03-004.073; 31746, 052B-03-004.074; 31747, 052B-03-004.076; 31749, 052B-03-004.077; 31750, 052B-03-004.078; 31751, 052B-03-004.079; 31752, 052B-03-004.080; 31753, 052B-03-004.082; 31755, 052B-03-004.083; 31756, 052B-03-004.084; 31757, 052B-03-004.085; 31758, 052B-03-004.086; 31759, 052B-03-004.087; 31760, 052B-03-004.088; 31761, 052B-03-004.089; 31762, 052B-03-004.090; 31763, 052B-03-004.091; 31764, 052B-03-004.092; 31765, 052B-03-004.093; 31766, 052B-03-004.094; 31767, 052B-03-004.095; 31768, 052B-03-004.096; 31769, 052B-03-004.097; 31770, 052B-03-004.075; 31748, 052B-03-004.065; 31738 Ward 1) to Section 4.5.4, R-1B (Single-Family Residential) District.

	Name	Address	City/State
<u>Presented by:</u>	Donovan Scruggs	317 Pine Drive	Ocean Springs, MS
	- Representative		
	Ashley Robinson	15 Murphy Rd	Hattiesburg, MS
	- Owner		
<u>Proponents:</u>	Troy Gardner	140 Mayfair Drive	Hattiesburg, MS
-	- Engineer		
<u>Opponents:</u>	Seth Hunter	4085 J. Ed Turner Rd	Hattiesburg, MS
	- Attorney representing Wesley Kelsey Hester & Larry Gunn		
	John Eye	123 J. Ed Turner Drive	Hattiesburg, MS
	Eric Weill	71 J. Ed Turner Drive	Hattiesburg, MS
	Ray Sims Jr.	142 Seventeen Place	Hattiesburg, MS
	Carl Nicolson	13 Medinah Dr	Hattiesburg, MS
	David Gustafson	6 Augusta Ct. West	Hattiesburg, MS

Chairman Conville declared the Public Hearing closed and the Business Meeting open to vote on the request. Commissioner Miller made a motion to Deny the request to establish a zoning district as R-1B (Single-Family Residential) District. The motion was seconded by Commissioner Sims.

Commissioners voting aye: Amy Hinton
 Mark Miller
 Paul Sims
 Kenneth Waites
 James Hughes
 Rebekah Ray

Commissioners voting nay: Dick Conville, Chairman

Commissioners absent: Jessie Wilson

BUSINESS MEETING

There being no further business, the meeting was adjourned at 4:40 PM. Commissioner Hinton made a motion to adjourn the meeting. The motion was seconded at Commissioner Miller.

Dick Conville, Chairman

Ginger Maddox Lowrey, AICP, CFM, Planning Division Manager