
JULY 1, 2010

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on July 1, 2010, at 6:00 P.M. in the Council chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission members present: David Wooten, Chairman, James Torrey, Jerry Akins, Larry Dailey, Richard Johnson and Jim Dodson. Also present were Samantha Abell, Economic Development Director; Paul Fox, Building Official; Bob Ramsay, City Attorney; Babs Logan, Economic Development Executive Assistant; and Tara Sims, Court Reporter.

David Wooten, Chairman, called the meeting to order and presented the minutes from the June 3, 2010 meeting for approval. The minutes were approved as submitted.

APPROVAL OF AGENDA

There were no changes to the agenda.

AGENDA

GAUTIER PLANNING COMMISSION

JULY 1, 2010

6:00 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)
- III. APPROVAL OF MINUTES – (JUNE 3, 2010)
- IV. APPROVAL OF AGENDA
- V. PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON AGENDA)
- VI. OLD BUSINESS
 - A. PUBLIC HEARING
 - a. GPC #10-019 DIEP H. NGUYEN – SUBDIVISION PRELIMINARY PLAT (1600 HWY 90, R-3, TABLED FROM JUNE 3, 2010)
 - B. DISCUSSION
 - a. REZONING 1600 HIGHWAY 90 AND ADJACENT PARCEL
- VII. NEW BUSINESS
 - A. NONE
- VIII. DIRECTOR'S REPORT
- IX. ADJOURN

PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON AGENDA)

There were no public comments.

OLD BUSINESS:

- A. PUBLIC HEARING
 - a. GPC #10-019 DIEP H. NGUYEN – SUBDIVISION PRELIMINARY PLAT

There came before the Planning Commission a tabled request on the part of Diep H. Nguyen for the approval of a modified preliminary plat of a fifty-one lot subdivision on an approximately 11.10 acre site located at 1600 Highway 90, PID #82436420.000. This request was tabled at the June 3, 2010 meeting because a large amount of information from objecting citizens was presented to the Planning Commission just prior to the meeting that the Commissioners wanted more time to study, and because there was a question as to whether Ms. Nguyen

was the sole owner of the parcel or if there might be others that held ownership to portions of the original parcel.

Neither Ms. Nguyen, her son, nor their lawyer were present at the meeting. Ms. Abell advised the Commissioners that proof of ownership for the property had not been provided by the applicant. She noted that Mr. Ramsay had also spoken with Mr. Dempsey Levi, the applicant's attorney, to remind him about the information needed.

The Commissioners asked Donovan Scruggs, who also represented the applicant at the last meeting, several questions about the project's funding and whether the homes were going to be for rent or for sale. Mr. Scruggs did not have enough knowledge of the project to answer their questions. Ms. Abell reminded the Commissioners that because there was still a question about legal ownership Mr. Scruggs could not be considered a legal agent of the property owner.

Commissioner Johnson asked Mr. Ramsay if this request had to have a final decision by the Planning Commission and the City Council before any rezoning of this property could be approved. Mr. Ramsay stated that even if the zoning of the property changed this request would have to be considered under the R-3 Mobile/Manufactured Home Residential zoning requirements because that is what the property was zoned when the application was received.

Commissioner Johnson made a motion to table the request until the applicant provided sufficient proof of ownership. Commissioner Dailey seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
-------------	-------------	---------------	------------------

Jim Dodson

Richard Johnson

Jerry Akins

Larry Dailey

James Torrey

David Wooten

B. DISCUSSION

a. REZONING 1600 HIGHWAY 90 AND ADJACENT PARCEL

At the May 6, 2010 meeting, the Planning Commission had stated their desire to rezone 1600 Highway 90 and the adjacent parcel from R-3 Mobile/Manufactured Home Residential to R-1 Low Density Single Family Residential.

At the June 3, 2010 meeting, the Planning Commission discussed the Comprehensive Plan's policy to re-designate vacant, underutilized lands from R-3 to R-1A Medium Density Residential. It was noted that R-1A would allow appropriate density between the commercial development along Highway 90 and the residential development located north of the subject site.

Ms. Abell advised the Commissioners that the Comprehensive Plan established the Mixed Use Recreation Commercial (MURC) land classification as another appropriate buffer between commercial and residential uses. Because the subject property includes a marina, it complies with the description of MURC within the Comprehensive Plan. Ms. Abell also pointed out that the Unified Development Ordinance (UDO) does not currently include a zoning classification for Mixed Use Recreation Commercial.

Ms. Abell's recommendation, based on the analysis of the site data, existing and future land use maps, impact on the availability of infrastructure, consistency with the Comprehensive Plan, and the appropriateness of the rezoning relevant to the criteria established by the UDO, would be for the Planning Commission to direct Staff to place on the next agenda an ordinance either to 1) rezone vacant R-3 designated land to R-1A, or 2) amend the UDO to include a zoning classification for Mixed Use Recreation Commercial (MURC), and to also place on the agenda an ordinance to rezone appropriate lands for consistency with the Comprehensive Plan.

Commissioner Johnson stated that he felt that, since the adoption of the UDO and the Comprehensive Plan, it seemed like a majority of the decisions made by the Planning Commission had been based on the UDO without much

reference to the Comprehensive Plan. Commissioner Dailey stated that he did not think the UDO was specific to Gautier and should be looked at further.

Commissioner Johnson made a motion to direct Staff to place on the next agenda an ordinance amending the UDO to include a zoning classification for Mixed Use Recreation Commercial (MURC), and also place on the agenda an ordinance to rezone appropriate lands for consistency with the Comprehensive plan. Commissioner Dailey seconded the motion and the following vote was recorded:

AYES **NAYS** **ABSENT** **ABSTAINED**

Larry Dailey
Richard Johnson
Jerry Akins
James Torrey
Jim Dodson
David Wooten

=====

NEW BUSINESS

There was no new business to discuss.

=====

DIRECTOR'S REPORT

Ms. Abell advised the Commissioners that she would use this time in the meetings to inform them how Council had voted on items that had also been heard by the Planning Commission and to alert them of any proposed major developments in the City. She had no report for this meeting.

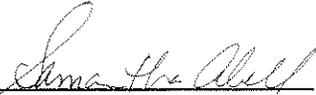
Commissioner Johnson told Ms. Abell that he, and at least one other Commissioner, felt the minutes should better reflect meeting discussions and opinions of the Commissioners. He also asked if it would be practical for one of the Commissioners to be present at Council meetings in the event they felt the minutes needed to be clarified.

Ms. Abell advised the Commissioners that she would be making some changes to the material they received in the meeting packets. She told them that

she will be providing them with a Staff Report that will spell out the request, give them background on the request, discuss the request and give them recommendations that will spell out the UDO, Comprehensive Plan and other laws regarding the request. This same information will be given to the Council with the minutes attached. Ms. Abell stated that she believes this will alleviate some of their concerns about the information given to the Council.

Ms. Abell also stated that it could get very disruptive having a Planning Commissioner speak at a Council meeting concerning a request that had been heard by the Planning Commission. She asked that they give her a chance to improve the information given to the Council at a staff level before making any changes.

SUBMITTED BY:


Samantha Abell
Economic Development Director

DATE: 10/26/10

APPROVED:


David Wooten, Chairman
Gautier Planning Commission

DATE: 10/7/10