APRIL 19, 2012

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on April 19, 2012, 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, Jerry Akins, Larry Dailey, Marilyn Minor, Richard Johnson, and Greg Spanier. Absent was James Torrey. Also present were Eric Meyer, Economic Development Director; Bob Ramsay, City Attorney; Babs Logan, Planning Technician, and Melissa Burdine, Court Reporter.

David Wooten, Chairman, called the meeting to order and presented the minutes from the March 1, 2012 meeting for approval. The minutes were approved as submitted.

APPROVAL OF AGENDA

There were no changes to the agenda.

AGENDA

GAUTIER PLANNING COMMISSION

APRIL 19, 2012

6:00 P.M.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE (VOLUNTEER)

III. APPROVAL OF MINUTES – (MARCH 1, 2012)

IV. APPROVAL OF AGENDA

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

VI. OLD BUSINESS

NONE

VII. NEW BUSINESS

A. QUASI-JUDICIAL

1. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A CHURCH IN A C-2 COMMUNITY COMMERCIAL DISTRICT, 3880 GAUTIER-VANCLEAVE ROAD, SUITE 9, (KENNETH BRIDGETT AND DENISE THOMPSON, PASTORS OF LIVING WORD INTERNATIONAL TRAINING & RESOURCE CENTER) (GPC CASE #12-02-CU)

2. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A PACKAGE LIQUOR STORE IN A C-2 COMMUNITY COMMERCIAL DISTRICT, 5118 GAUTIER-VANCLEAVE ROAD, SUITE A, (TIMOTHY E. ELLIS, OWNER OF CORK N BOTTLE LIQUOR AND WINE, LLC) (GPC CASE #12-03-CU)

3. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A CHURCH IN A TCMU TOWN CENTER MIXED USE DISTRICT, 2800 HIGHWAY 90, SPACE #1080 (RICHARD SMITH, PASTOR OF THE REFUGE CHURCH) (GPC CASE #12-04-CU)

4. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR PLACEMENT OF A MOBILE HOME IN AN AG-AGRICULTURAL DISTRICT, 5408 C BYRD ROAD (SANDRA TODD, OWNER) (GPC CASE #12-05-CU)

B. DISCUSSION

1. SIGNS

a. NFL LUMBER
b. STAFF

VIII. DIRECTOR'S REPORT

IX. ADJOURN

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

There were no public comments.

OLD BUSINESS:

There was no old business to discuss.

NEW BUSINESS

A. QUASI-JUDICIAL

1. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A CHURCH IN A C-2 COMMUNITY COMMERCIAL DISTRICT, 3880 GAUTIER-VANCLEAVE ROAD, SUITE 9, (KENNETH BRIDGETT AND DENISE THOMPSON, PASTORS OF LIVING WORD INTERNATIONAL TRAINING & RESOURCE CENTER) (GPC CASE #12-02-CU)

There came before the Planning Commission a request on the part of Kenneth Bridgett and Denise Thompson, Pastors of Living Word International Training and Resource Center for a Conditional Use-Major permit to operate a church at 3880 Gautier-Vancleave Road, Suite 9, PID #82435010.050. The subject property is located in a C-2 Community Commercial zoning district.

Commissioner Minor noted the condition on the permit regarding accessibility requirements and asked the applicants if they would have any problem complying with that condition. Ms. Thompson stated that they were aware that the building had to be handicap accessible and that a van accessible handicap parking space was required.

Commissioner Wooten noted that the maximum occupancy load for the building is forty-nine, which is less than the fifty to sixty the applicants had proposed. Ms. Thompson and Mr. Bridgett stated they had been made aware of the maximum occupancy load and would comply.

Commissioner Akins made a motion to recommend approval of the request with the following conditions:

a. The location shall meet all accessibility requirements for change of occupancy as stated in Section 3409 of the International Building Code.

b. The physical location of the church and all operations shall be restricted to the location at 3880 Gautier-Vancleave Road, Suite 9. Any further expansion shall require the permit to be amended.

Commissioner Dailey seconded the motion and the following vote was recorded:

AYES	NAYS	ABSENT	ABSTAINED
David Wooten		James Torrey	
Jerry Akins			
Larry Dailey			

Marilyn Minor

Greg Spanier

Richard Johnson

2. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A PACKAGE LIQUOR STORE IN A C-2 COMMUNITY COMMERCIAL DISTRICT, 5118 GAUTIER-VANCLEAVE ROAD, SUITE A, (TIMOTHY E. ELLIS, OWNER OF CORK N BOTTLE LIQUOR AND WINE, LLC) (GPC CASE #12-03-CU)

There came before the Planning Commission a request on the part of Timothy E. Ellis, owner of Cork N Bottle Liquor and Wine, LLC, for a Conditional Use-Major permit to allow a package liquor store in a C-2 Community Commercial zoning district at 5118 Gautier-Vancleave Road, Suite A, PID #82423380.125.

The applicant explained that he wants to expand his business and the proposed location is larger than his current location. He also stated that he was currently located adjacent to a church but would not be at the proposed location.

Commissioner Wooten noted that the applicant would be required to have a van accessible handicap parking space. The applicant stated that he was aware of the requirement and would comply.

Commissioner Minor made a motion to recommend approval of the request with the following condition:

a. One van accessible handicap parking space shall be provided in accordance to Section 7.3.1 (A) of the Unified Development Ordinance.

Commissioner Akins seconded the motion and the following vote was recorded:

AYES	NAYS	ABSENT	ABSTAINED
David Wooten		James Torrey	
Jerry Akins			
Larry Dailey			
Marilyn Minor			
Greg Spanier			

Richard Johnson

3. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A CHURCH IN A TCMU TOWN CENTER MIXED USE DISTRICT, 2800 HIGHWAY 90, SPACE #1080 (RICHARD SMITH, PASTOR OF THE REFUGE CHURCH) (GPC CASE #12-04-CU)

There came before the Planning Commission a request on the part of Richard Smith, Pastor of The Refuge Church, for a Conditional Use-Major permit to operate a church in a TCMU Town Center Mixed Use zoning district at 2800 Highway 90, Space #1080.

Randy Seals, representative for The Refuge Church, explained that attendance at the church was growing and the church needed to relocate to accommodate the growth. He stated that the church would like to move from their present location in Singing River Mall to a larger space within the mall.

Commissioner Akins asked if the new location would put the church close to any place that sold liquor. It was determined that it would not at this time.

Commissioner Johnson made a motion to recommend approval of the request with the following condition:

a. The physical location of the church and all operations shall be restricted to the location at 2800 Highway 90, Space #1080. Any further expansion shall require the permit to be amended.

Commissioner Spanier seconded the motion and the following vote was recorded:

AYES	NAYS	ABSENT	ABSTAINED
David Wooten		James Torrey	
Jerry Akins			
Marilyn Minor			
Greg Spanier			
Larry Dailey			
Richard Johnson			

4. REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR PLACEMENT OF A MOBILE HOME IN AN AG-AGRICULTURAL DISTRICT, 5408 C BYRD ROAD (SANDRA TODD, OWNER) (GPC CASE #12-05-CU)

There came before the Planning Commission a request on the part of Sandra Todd for a Conditional Use-Major permit that would allow her to replace an existing mobile home with a newer mobile home in an AG Agricultural zoning district at 5408 C Byrd Road, PID #82420200.050.

Barry Todd, representative for Ms. Todd, explained that the existing mobile home was a 1984 model and that it is not feasible to repair it. Commissioner Dailey asked Mr. Todd about replacing the mobile home with a stick-built home. Mr. Todd stated that they could not afford to build a home on the property.

Commissioner Dailey noted that in Section 5.3.6 of the Unified Development Ordinance (UDO) it states that manufactured and mobile homes may only be placed in existing or new manufactured and mobile home parks or in platted manufactured home subdivisions which are zoned R-3. Commissioner Dailey stated that he felt the conditional use was in conflict with this statement from the UDO.

Commissioner Johnson made a motion to recommend approval of the request subject to the following conditions:

a. All property corners shall be clearly marked for setback inspection.

b. There shall be only one dwelling unit on the lot.

c. The mobile home shall meet all City code requirements for placement of mobile homes as stated in Section 4.23.6 of the Unified Development Ordinance including, but not limited to, hard surface drive and parking, skirting, and landings.

Commissioner Johnson stated that he based his recommendation on the applicant meeting the eight criteria for a Conditional Use-Major and Staff's recommendation. Commissioner Minor seconded the motion and the following vote was recorded:

AYES	NAYS	ABSENT	ABSTAINED
David Wooten	Larry Dailey	James Torrey	
Jerry Akins			
Marilyn Minor			
Greg Spanier			
Richard Johnson			

B. DISCUSSION

1. SIGNS

Mr. Meyer began the discussion by explaining to the Commissioners that NFL Home Center, a new business locating in Gautier, had asked to come before the Planning Commission with a text change to the UDO to allow more sign square footage for their location. Mr. Meyer advised the Commissioners that he, as a Director, preferred discussing such text changes with the Commissioners first to see if they felt there was a need for a text change or to explore the request further. Mr. Meyer also stated that the process that allows individuals to request changes to the UDO text may need to be revised.

Commissioner Dailey stated that he was unclear what is included in the square footage of a sign. Do you measure the letters specifically or the area the letters are contained within? Mr. Meyer advised that basically a square or rectangle is drawn around the letters and the dimensions of the square or rectangle are used to determine the square footage. Mr. Meyer stated that some ordinances also allow directional signs on the building such as Pharmacy, Auto Center or Garden Center that are not included in the square footage allowed for signs.

Commissioners suggested several criteria for deciding the amount of square footage allowed for a sign, such as allowing larger signs for a single tenant with a large amount of building square footage or allowing a certain percentage of the building façade for the sign.

Commissioners agreed they would like to revisit the sign ordinance, but at a later date.

DIRECTOR'S REPORT

Mr. Meyer advised the Commissioners that the mall project was moving forward. He also stated that he was excited about the plans for the Town Green and how the City has a vibrant new commercial space and a vibrant civic space directly adjacent to the Town Green and how well these will play off each other during a special event.

Mr. Meyer stated that the Medical Center to be located off of Allen Road was not ready for permitting. The owners are presently negotiating on such things as architectural styles, but the project will be proceeding when some minor decisions have been made between the owners.

SUBMITTED BY:

DATE: 08.27.12

Eric Meyer
Economic Development Director

APPROVED:

DATE: 8/16/12

David Wooten, Chairman
Gautier Planning Commission