**CITY OF GAUTIER**
**MEMORANDUM**

**To:** Samantha Abell, City Manager

**From:** Babs Logan, Planning Technician

**Through:** Chandra Nicholson, Planning and Economic Development Director

**Date:** November 12, 2013

**Subject:** Consideration of Subdivision Final Plat Approval for Lowe's Town Center Subdivision, Lowe's Home Centers, Inc. owner. (GPC #13-26-SD)

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## REQUEST:

The applicant, Lowe's Home Centers, Inc., is proposing to divide two parcels into six (6) parcels.

The application was determined to be a Major Development Plan and as such was processed in accordance with UDO Section 4.1.8 for major developments and Section 4.7 for final approval for subdivisions of land.

The site is comprised of two parcels containing 22.08 acres and 7.86 acres, located north of Highway 90, west of Dolphin Road and south of William Payne Adams Boulevard. The property is zoned TCMU Town Center Mixed Use.

## DISCUSSION:

The proposed final plat has been reviewed by the Technical Review Committee (TRC) and the Planning Commission.

Section 4.1.8 Major Developments, established that the Technical Review Committee (TRC) shall review the proposal and submit comments, if any, in writing to the Chairman of the Committee. Once the TRC has come to the conclusion that the proposal can be approved, approved with conditions, approved with modifications or denied, the Chairman shall forward TRC members recommendation through the City Manager to the Planning Commission and City Council.

## REVIEW CRITERIA:

The Technical Review Committee has reviewed each of the technical items required on the final subdivision plan as established by Section 4.7 and found that the engineer has satisfied all items as necessary for approval. The Planning Commission has also reviewed the final plat and recommended approval.

**RECOMMENDATION:**

The Planning Commission unanimously recommended approval of the final plat for Lowe's Town Center Subdivision, Lowe's Home Centers, Inc. owner. The City Council may:

1. Approve the Planning Commission's recommendation to approve the Final Plat;
2. Approve the Final Plat with Changes; or
3. Disapprove the Final Plat.

**ATTACHMENTS:**

Development Order

Final Plat – Final Revision

Staff Report

**CITY OF GAUTIER**
**MAJOR DEVELOPMENT ORDER**
**GPC CASE NO. 13-26-SD**

**LOWE'S HOME CENTER, INC.**

**REGARDING PARCEL ID NOS: 82435270.005 & 85921003.000**

The City of Gautier, at its regular meeting held on November 19, 2013, considered the application for a Major Development Order for a final plat approval of a subdivision of land in a TCMU Town Center Mixed Use zoning district as submitted by Lowe's Home Center, Inc. The parcel subject to this Order is generally described as being located north of Highway 90, west of Dolphin Road and south of William Payne Adams Boulevard, Gautier, Mississippi, 39553. After due public notice, the City Council, having considering the Technical Review Committee's review, the Planning Commission's review, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Major Development Order and orders as follows:

1. This proposed major development is consistent with the goals, objectives and policies of the City's Comprehensive Plan.

2. This proposed major development is consistent with the character of the immediate vicinity of the proposed use.

3. The proposed major development requires a replat of 30.87± acres for a 6-lot subdivision permitted in the TCMU District.

4. Therefore, the City Council approves the application for a Major Development Order.

5. The City Council adopted this Major Development Order on a recorded vote of _____ ayes to _____ nays to approve the application of Lowe's Home Center, Inc. for a 6-lot subdivision to be located north of Highway 90, west of Dolphin Road and south of William Payne Adams Boulevard in Gautier, Mississippi, and identified as Jackson County Parcel Nos. 82435270.005 & 85921003.000.

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November 19, 2013

Date of Issuance

Attest:

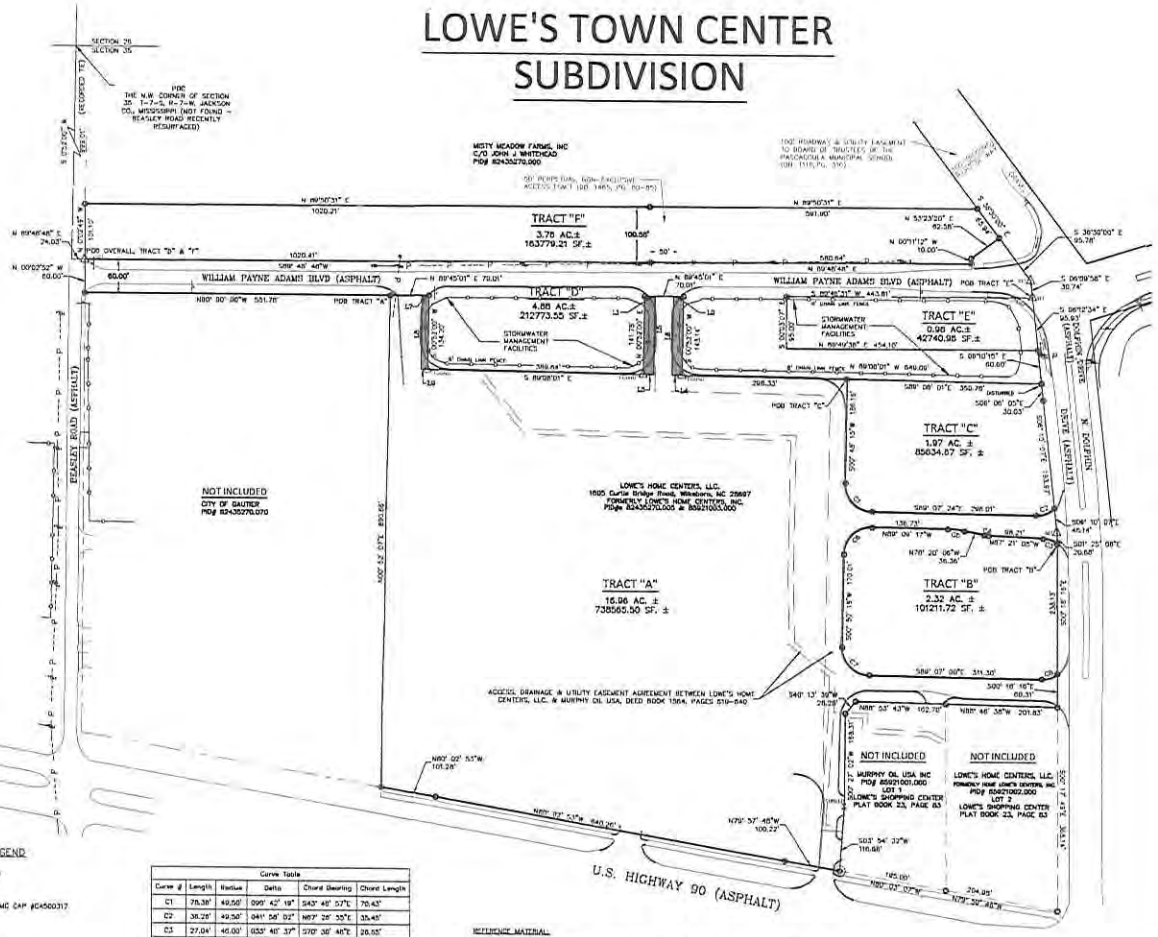
_____

Cindy Russell
City Clerk

_____

Gordon Gollott, Mayor
City of Gautier, Mississippi
3330 Highway 90
Gautier, MS 39553

# LOWE'S TOWN CENTER SUBDIVISION



VICINITY MAP

LEGAL DESCRIPTION (OVERALL PERIMETER)

COMMENCE AT THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN S 00° 52' 00" W 999.01 FEET TO A POINT; THENCE RUN N 89° 48' 48" E 24.03 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF BEASLEY ROAD AND THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN N 00° 02' 48" W 101.10 FEET TO A POINT; THENCE RUN N 89° 50' 31" E 1020.21 FEET TO A POINT; THENCE RUN N 89° 50' 31" E 591.90 FEET TO A 1/2" REBAR FOUND ON THE WEST BOUNDARY LINE OF A 100 FOOT ROADWAY AND UTILITY EASEMENT TO THE BOARD OF TRUSTEES OF THE PASCAGOULA MUNICIPAL SCHOOL RECORDED IN DEED BOOK 1116 PAGE 316 AT THE OFFICE OF THE CHANCERY CLERK, JACKSON COUNTY, MISSISSIPPI; THENCE RUN ALONG SAID EASEMENT S 36° 30' 00" E 65.94 FEET TO A FOUND 1/2" REBAR; THENCE RUN S 36° 30' 00" E 95.78 FEET TO A POINT; THENCE RUN S 06° 09' 58" E 30.74 FEET TO A POINT ON THE WEST RIGHT OF WAY OF N. DOLPHIN DRIVE; THENCE RUN ALONG SAID RIGHT OF WAY S 06° 12' 34" E 95.93 FEET TO A POINT; THENCE RUN S 06° 10' 15" E 60.60 FEET TO A 1/2" REBAR FOUND DISTURBED; THENCE RUN S 06° 06' 05" E 30.03 FEET TO A POINT; THENCE RUN S 06° 10' 07" E 193.97 FEET TO A POINT; THENCE RUN S 06° 10' 07" E 45.14 FEET TO A POINT; THENCE RUN S 01° 25' 08" E 20.68 FEET TO A FOUND 1/2" REBAR; THENCE RUN S 00° 18' 16" E 238.13 TO A FOUND 1/2" REBAR; THENCE RUN S 00° 18' 16" E 60.31 FEET TO A FOUND 1/2" REBAR; THENCE LEAVING SAID RIGHT OF WAY OF N. DOLPHIN DRIVE RUN N 88° 46' 38" W 201.83 FEET TO A FOUND 1/2" REBAR; THENCE RUN N 88° 53' 43" W 162.79 FEET TO A FOUND 5/8" REBAR; THENCE RUN S 40° 13' 38" W 28.28 FEET TO A FOUND 1/2" REBAR; THENCE RUN S 00° 27' 02" W 168.31 FEET TO A POINT; THENCE RUN S 03° 54' 32" W 116.68 FEET TO A 1/2" REBAR FOUND ON THE NORTH RIGHT OF WAY OF U.S. HIGHWAY 90; THENCE RUN N 79° 57' 48" W ALONG SAID RIGHT OF WAY 100.22 FEET TO A POINT; THENCE RUN N 00° 02' 53" W 640.20 FEET TO A FOUND 1/2" REBAR; THENCE RUN N 00° 02' 53" W 101.28 FEET TO A POINT; THENCE RUN N 00° 52' 01" E 999.98 FEET TO A FOUND 1/2" REBAR; THENCE RUN N 90° 00' 00" W 331.78 FEET TO A POINT; THENCE RUN N 00° 02' 52" W 80.00 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PROPERTY LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI AND CONTAINING 1,344,790.52 SQUARE FEET OR 30.87 ACRES, MORE OR LESS.

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF MISSISSIPPI TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF; SUBJECT TO EASEMENTS, RIGHTS OF WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

KIRKLAND E. CLAYTON MS, REG. 3124 DATE

GENERAL PLAT NOTES:

1. THE RIGHTS AND USE OF THE STORMWATER MANAGEMENT FACILITIES, UTILITIES AND ACCESS ARE GOVERNED BY DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS BY AND BETWEEN LOWE'S HOME CENTERS, LLC. AND FUTURE OWNERS OF OUTPARCELS RECORDED CONTEMPORANEOUSLY HEREWITH.

LEGEND

- ○ =1/2" REBAR FOUND
- △ =PK NAIL
- ● =SET 5/8" REBAR GMC CAP #CA500317
- =FIRE HYDRANT
- =POWER POLE
- =LIGHT POLE

POB=POINT OF BEGINNING
POC=POINT OF COMMENCEMENT
EASM'T=EASEMENT
DB=DEED BOOK
NTS =NOT TO SCALE
=STORMWATER EASEMENT AREA BETWEEN LOWE'S HOME CENTER, LLC & CITY OF GAUTIER, MS

HORIZ. SCALE 1"=100'

| Curve Table | | | | | |
|---|---|---|---|---|---|
| Curve # | Length | Radius | Delta | Chord Bearing | Chord Length |
| C1 | 78.38' | 49.50' | 090° 42' 19" | S43° 46' 57"E | 70.43' |
| C2 | 38.28' | 49.50' | 044° 58' 02" | N67° 25' 55"E | 35.49' |
| C3 | 27.04' | 46.00' | 033° 40' 37" | S70° 36' 46"E | 26.65' |
| C4 | 6.88' | 55.00' | 006° 01' 13" | S82° 56' 35"E | 6.85' |
| C5 | 30.21' | 180.00' | 010° 49' 12" | N83° 44' 41"W | 30.17' |
| C6 | 78.38' | 50.00' | 089° 49' 15" | S45° 58' 01"W | 70.60' |
| C7 | 75.19' | 50.00' | 086° 28' 40" | S44° 11' 39"E | 70.46' |
| C8 | 30.20' | 46.00' | 037° 36' 00" | N72° 05' 09"E | 29.66' |

REFERENCE MATERIAL:

DEED TO LOWE'S HOME CENTERS, INC. FROM MISTY MEADOWS FARMS INC. DEED BOOK 1480, PAGES 80-85

DEED TO LOWE'S HOME CENTERS, INC. FROM MISTY MEADOWS FARMS INC. DEED BOOK 1000, PAGE 958

DEED TO LOWE'S HOME CENTERS, INC. FROM CITY OF GAUTIER DEED BOOK 1465, PAGES 91-95

DEED TO CITY OF GAUTIER FROM LOWE'S HOME CENTERS, INC. DEED BOOK 1465, PAGES 86-90

ALTA/ACSM LAND TITLE SURVEY FOR: LOWE'S HOME CENTERS, INC. BY MENDROP-WAGES DATED 8/14/06

ACCESS DRAINAGE & UTILITY EASEMENT AGREEMENT BETWEEN LOWE'S HOME CENTERS, INC. & MURPHY OIL USA, DEED BOOK 1564, PAGES 819-840

DEED TO MURPHY OIL USA, INC. FROM LOWE'S HOME CENTERS, INC. DEED BOOK 1564, PAGES 814-818

LOWE'S SHOPPING CENTER PLAT - PLAT BOOK 23, PAGES 82 & 83

SURVEY NOTES:

1. CLASS B SURVEY
2. DATUM/PROJECTION: HORIZONTAL DATUM, NAD 83/2011, STATE PLANE COORDINATES MISSISSIPPI EAST ZONE-NGS PID BH0340 DESIGNATION HLDA RM2 WAS USED. A SCALE FACTOR OF 0.9999963323 VERTICAL DATUM.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. THERE MAY BE EASEMENTS, RIGHTS OF WAY, RESTRICTIONS AND RESERVATIONS OF RECORD, WHICH AFFECT THIS PROPERTY THAT ARE NOT SHOWN ON THIS SURVEY.
4. ALL EXISTING STRUCTURES BELOW GROUND ARE NOT NECESSARILY SHOWN ON SURVEY.

| New Stormwater Easement Line Table | | |
|---|---|---|
| Line | Bearing | Distance |
| L1 | N 89°45'01" E | 18.00' |
| L2 | N 89°45'01" E | 18.00' |
| L3 | N 89°08'01" W | 18.00' |
| L4 | N 89°08'01" W | 18.00' |
| L5 | S 00°52'00" W | 142.15' |
| L6 | N 00°52'00" E | 142.79' |
| L7 | N 89°45'01" E | 12.00' |
| L8 | N 00°52'00" E | 133.97' |
| L9 | N 89°08'01" W | 12.00' |

GOODWYN | MILLS | CAWOOD

316 Magnolia Avenue | Fairhope, AL 36532
Tel 251.200.0255 | GMCNETWORK.COM

| ISSUE | DATE |
|---|---|
| PRELIMINARY | 3-1-23 |
| 1st REVIEW | 4-26-23 |
| 2nd REVIEW | 5-30-23 |
| 3rd REVIEW | 10-24-23 |

Drawn by: JDC-23
Checked by: KEC

LOWE'S TOWN CENTER
FINAL PLAT

SECTION 35 TOWNSHIP 7 SOUTH, RANGE 7, WEST, JACKSON COUNTY, MISSISSIPPI

GMC JOB# CMOB130010

Sheet 1 of 3

LEGAL DESCRIPTIONS

TRACT "A"

COMMENCE AT THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN S 00° 02' 00" W 999.01 FEET TO A POINT; THENCE RUN N 89° 48' 48" E 24.03 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF BEASLEY ROAD; THENCE RUN ALONG SAID EAST RIGHT OF WAY S 00° 02' 52" E 50.00 FEET TO A POINT; THENCE LEAVING SAID EAST RIGHT OF WAY, RUN S 90° 00' 00" E 551.78 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN N 89° 45' 01" E 70.01 FEET TO A POINT; THENCE RUN S 00° 52' 00" W 134.20 FEET TO A POINT; THENCE RUN S 89° 08' 01" E 289.64 FEET TO A POINT; THENCE RUN N 00° 52' 00" E 141.78 FEET TO A POINT; THENCE RUN N 89° 45' 01" E 70.01 FEET TO A POINT; THENCE RUN N 00° 52' 00" W 143.14 FEET TO A POINT; THENCE RUN S 89° 08' 01" E 298.33 FEET TO A POINT; THENCE RUN S 00° 46' 13" W 186.18 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 99° 43' 19", HAVING A RADIUS OF 49.50 FEET, AND WHOSE LONG CHORD BEARS S 43° 49' 57" E 70.43 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE RUN S 89° 07' 24" E 298.01 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 41° 06' 02", HAVING A RADIUS OF 49.50 FEET, AND WHOSE LONG CHORD BEARS N 67° 29' 05" E 35.45 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; SAID POINT ALSO LYING ON THE WEST RIGHT OF WAY LINE OF N. DOLPHIN DRIVE; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE AS FOLLOWS: S 08° 10' 07" E 49.14 FEET TO A POINT; THENCE RUN S 01° 23' 08" E 20.66 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE CONCAVE SOUTHWESTWARDLY THROUGH AN ANGLE OF 33° 40' 37", HAVING A RADIUS OF 46.00 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, RUN ALONG THE CHORD OF SAID CURVE N 70° 20' 46" W 26.65 FEET TO A POINT OF TANGENCY; THENCE RUN N 87° 21' 05" W 98.21 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 06° 01' 13", HAVING A RADIUS OF 23.00 FEET, AND WHOSE LONG CHORD BEARS N 82° 50' 38" W 8.60 FEET TO A POINT OF TANGENCY; THENCE RUN N 78° 20' 06" W 26.36 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 10° 49' 12", HAVING A RADIUS OF 150.00 FEET, AND WHOSE LONG CHORD BEARS N 83° 44' 41" W 28.17 FEET TO A POINT OF TANGENCY; THENCE RUN N 89° 09' 17" W 136.73 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 89° 49' 15", HAVING A RADIUS OF 50.00 FEET, AND WHOSE LONG CHORD BEARS S 45° 58' 01" W 70.60 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE RUN S 00° 50' 18" W 170.01 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 89° 33' 40", HAVING A RADIUS OF 50.00 FEET, AND WHOSE LONG CHORD BEARS S 44° 17' 29" E 70.46 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE RUN S 89° 07' 24" E 211.30 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 37° 38' 55", HAVING A RADIUS OF 46.00 FEET, AND WHOSE LONG CHORD BEARS N 72° 05' 06" E 29.64 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; SAID POINT ALSO LYING ON THE AFOREMENTIONED WEST RIGHT OF WAY LINE OF N. DOLPHIN DRIVE; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE S 00° 16' 16" E 50.31 FEET TO A POINT; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, RUN N 88° 46' 38" W 201.83 FEET TO A POINT; THENCE RUN N 00° 53' 43" W 162.76 FEET TO A POINT; THENCE RUN S 40° 13' 30" W 28.28 FEET TO A POINT; THENCE RUN S 00° 27' 02" W 198.31 FEET TO A POINT; THENCE RUN S 83° 34' 32" W 116.66 FEET TO A POINT LYING ON THE NORTH RIGHT OF WAY LINE OF US HIGHWAY NO. 90; THENCE RUN ALONG SAID NORTH RIGHT OF WAY LINE AS FOLLOWS: N 79° 37' 48" W 109.22 FEET TO A POINT; THENCE RUN N 80° 02' 53" W 640.28 FEET TO A POINT; THENCE CONTINUING 80° 02' 53" W FOR A DISTANCE OF 101.29 FEET TO A POINT; THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, RUN N 00° 52' 07" E 890.86 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PROPERTY LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI AND CONTAINING 738566.30 SQUARE FEET OF 16.96 ACRES, MORE OR LESS.

TRACT "B"

COMMENCE AT THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN S 00° 02' 00" W 999.01 FEET TO A POINT; THENCE RUN N 89° 48' 48" E 24.03 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF BEASLEY ROAD; THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE S 00° 02' 52" E 50.00 FEET TO A POINT; THENCE LEAVING SAID EAST RIGHT OF WAY, RUN S 90° 00' 00" E 551.78 FEET TO A POINT; THENCE RUN N 89° 45' 01" E 70.01 FEET TO A POINT; THENCE RUN S 00° 52' 00" W 134.20 FEET TO A POINT; THENCE RUN S 89° 08' 01" E 289.64 FEET TO A POINT; THENCE RUN N 00° 52' 00" E 141.78 FEET TO A POINT; THENCE RUN N 89° 45' 01" E 70.01 FEET TO A POINT, THENCE RUN S 00° 52' 00" W 143.14 FEET TO A POINT; THENCE RUN S 89° 08' 01" E 298.33 FEET TO THE POINT; THENCE RUN S89° 08' 01"E 330.78 FEET TO A POINT LYING ON THE WEST RIGHT OF WAY LINE OF NORTH DAUPHIN DRIVE; THENCE RUNNING ALONG SAID WEST RIGHT OF WAY LINE E AS FOLLOWS: S 00° 06' 00" E 30.03 FEET TO A POINT; THENCE RUN S 08° 10' 07" E 193.97 FEET TO A POINT; THENCE RUN S08° 10' 07" E 49.14 FEET; THENCE RUN S01° 23' 08" E 20.66 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN S00° 16' 16"E 330.13 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE CONCAVE NORTHWESTWARDLY THROUGH AN ANGLE OF 37°38'55", AND HAVING A RADIUS OF 46.00 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY, RUN ALONG THE LONG CHORD OF SAID CURVE, N72° 05' 06"E 29.64 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE RUN S89° 07' 00" E 311.30 FEET TO A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 89°33' 40", HAVING A RADIUS OF 50.00 FEET, AND WHOSE LONG CHORD BEARS S44° 11' 29" E 70.46 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE RUN S00° 16' 16"E 170.01 FEET TO THE BEGINNING OF A TANGENTIAL CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 89° 49' 15"; HAVING A RADIUS OF 50.00 FEET, AND WHOSE LONG CHORD BEARS S45° 58' 01" E 70.60 FEET TO A POINT OF TANGENCY OF SAID CURVE; THENCE RUN S89° 09' 17" E FOR A DISTANCE OF 136.73 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 10° 49' 12", HAVING A RADIUS OF 150.00 FEET, AND WHOSE LONG CHORD BEARS S83° 44' 41" E 28.17 FEET TO A POINT OF TANGENCY OF SAID CURVE; THENCE RUN S78° 20' 06" E 26.36 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 06° 01' 13", HAVING A RADIUS OF 50.00 FEET, AND WHOSE LONG CHORD BEARS S82° 50' 35" E 8.60 FEET TO A POINT OF TANGENCY OF SAID CURVE; THENCE RUN S87° 21' 05" E 98.21 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 33° 40' 37", HAVING A RADIUS OF 46.00 FEET, AND WHOSE LONG CHORD BEARS S 70° 20' 46" E 26.65 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PROPERTY LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI AND CONTAINING 101231.72 SQUARE FEET OR 2.3235 ACRES, MORE OR LESS.

TRACT "C"

COMMENCE AT THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN S 00° 02' 00" W 999.01 FEET TO A POINT; THENCE RUN N 89° 48' 48" E 24.03 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF BEASLEY ROAD; THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE S 00° 02' 52" E 50.00 FEET TO A POINT; THENCE LEAVING SAID EAST RIGHT OF WAY; RUN S 90° 00' 00" E 551.78 FEET TO A POINT; THENCE RUN N 89° 45' 01" E 70.01 FEET TO A POINT; THENCE RUN S 00° 52' 00" W 134.20 FEET TO A POINT; THENCE RUN S 89° 08' 01" E 289.64 FEET TO A POINT; THENCE RUN N 00° 52' 00" E 141.78 FEET TO A POINT; THENCE RUN N 89° 45' 01" E 70.01 FEET TO A POINT; THENCE RUN S 00° 52' 00" W 143.14 FEET TO A POINT; THENCE RUN S 89° 08' 01" E 298.33 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING S 89° 08' 01" E FOR A DISTANCE OF 350.78 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF N. DOLPHIN DRIVE; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE AS FOLLOWS: S 08° 08' 05" E 30.03 FEET TO A POINT; THENCE RUN S 08° 12' 07" E 193.97 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE CONCAVE NORTHWESTWARDLY THROUGH AN ANGLE OF 41° 06' 02", HAVING A RADIUS OF 49.50 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, RUN ALONG THE CHORD OF SAID CURVE S 67° 28' 33" W 35.45 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE RUN N 89° 07' 24" W 298.01 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH 99° 43' 19", HAVING A RADIUS OF 49.50 FEET, AND WHOSE LONG CHORD BEARS N 43° 49' 57" W 70.43 FEET TO A POINT; THENCE RUN N 00° 46' 13" E 186.18 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PROPERTY LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI AND CONTAINING 83634.67 SQUARE FEET OR 1.92 ACRES, MORE OR LESS.

TRACT "D"

COMMENCE AT THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN S 00° 02' 00" W 999.01 FEET TO A POINT; THENCE RUN N 89° 48' 48" E 24.03 FEET TO THE POINT OF THE BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE N 89° 48' 48" E 1020.41 FOR A DISTANCE OF 1020.41 FEET TO A POINT; THENCE CONTINUE N 89° 48' 48" E FOR A DISTANCE OF 590.64 FEET TO A POINT; THENCE RUN N 00° 11' 12" W 10.00 FEET TO A POINT; THENCE RUN N 53° 23' 20" E 62.56 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF DOLPHIN DRIVE; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE AS FOLLOWS: S 36° 30' 00" E 95.75 FEET TO A POINT; THENCE RUN S 06° 09' 55" E 30.74 FEET TO A POINT; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, RUN S 89° 48' 31" W 443.81 FEET TO A POINT; THENCE RUN S 00° 03' 07" E 95.00 FEET TO A POINT; THENCE RUN N 89° 48' 48" E 454.10 FEET TO A POINT ON THE AFOREMENTIONED WEST RIGHT OF WAY LINE; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE S 00° 10' 15" E 60.50 FEET TO A POINT; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, RUN N 89° 08' 01" W 849.06 FEET TO A POINT; THENCE RUN N 00° 52' 00" E 143.14 FEET TO A POINT; THENCE RUN S 89° 45' 01" W 70.01 FEET TO A POINT; THENCE RUN S 00° 52' 00" W 141.78 FEET TO A POINT; THENCE RUN N 89° 08' 01" W 289.64 FEET TO A POINT; THENCE RUN N 00° 52' 00" E 134.20 FEET TO A POINT; THENCE RUN S 89° 45' 01" W 70.01 FEET TO A POINT; THENCE RUN N 90° 00' 00" W 551.78 FEET TO A POINT ON THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF BEASLEY ROAD; THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE N 00° 02' 52" W 50.00 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PROPERTY LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI AND CONTAINING 212773.55 SQUARE FEET OR 4.88 ACRES, MORE OR LESS.

TRACT "E"

COMMENCE AT THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN S 00° 02' 00" W 999.01 FEET TO A POINT; THENCE RUN N 89° 48' 48" E 24.03 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF BEASLEY ROAD; THENCE RUN N 00° 02' 48" W 101.10 FEET TO A POINT; THENCE LEAVING SAID EAST RIGHT OF WAY, RUN N 89° 50' 21" E 1020.21FEET TO A POINT; THENCE RUN S 00° 06' 29" E 100.96 FEET TO A POINT; THENCE RUN N 89° 48' 48" E 590.64 FEET TO A POINT; THENCE RUN N 00° 11' 12" W 10.00 FEET TO A POINT; THENCE RUN N 53° 23' 20" E 62.56 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF DOLPHIN DRIVE; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE AS FOLLOWS: S 36° 30' 00" E 95.75 FEET TO A POINT; THENCE RUN S 06° 09' 55" E 30.74 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN S 06° 12' 34" E 95.93 FEET TO A POINT; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, RUN S 89° 48' 38" W 454.10 FEET TO A POINT; THENCE RUN N 00° 03' 07" W 93.00 FEET TO A POINT; THENCE RUN N 89° 46' 31" E 443.81 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PROPERTY LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI AND CONTAINING 42740.91 SQUARE FEET OR 0.98 ACRES, MORE OR LESS.

TRACT "F"

COMMENCE AT THE NORTHWEST CORNER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI; THENCE RUN ALONG SAID EAST RIGHT OF WAY S 00° 02' 00" W 999.01 FEET TO A POINT; THENCE RUN N 89° 48' 48" E 24.03 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF BEASLEY ROAD AND THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE, N 00° 02' 48" W 101.10 FEET TO A POINT; THENCE LEAVING SAID EAST RIGHT OF WAY, RUN N 89° 50' 21" E 1020.21 FEET TO A POINT; THENCE CONTINUE N 89° 50' 21" E FOR A DISTANCE OF 581.90 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF DOLPHIN DRIVE; THENCE RUN S 36° 30' 00" E 55.94 FEET TO A POINT; THENCE RUN S 53° 23' 20" W 62.56 FEET TO A TO A POINT; THENCE RUN S 00° 11' 12" E 10.00 FEET TO A POINT; THENCE RUN S 89° 48' W 590.64 FEET TO A POINT; THENCE CONTINUE S 89° 48' 48" W FOR A DISTANCE OF 1020.41 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PROPERTY LYING AND BEING SITUATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 SOUTH, RANGE 7 WEST, JACKSON COUNTY, MISSISSIPPI AND CONTAINING 163779.21 SQUARE FEET OR 3.76 ACRES, MORE OR LESS.

GMC JOB# CMOB130010

LOWE'S TOWN CENTER
FINAL PLAT

SECTION 35 TOWNSHIP 7 SOUTH,
RANGE 7, WEST,
JACKSON COUNTY, MISSISSIPPI

Sheet 2 of 3

| ISSUE | DATE |
|---|---|
| PRELIMINARY | 12-13-13 |
| ISSUED | 12-23-13 |
| REVISED | 02-24-14 |

drawn by: CMOB130
checked by: MEC

GOODWYN | MILLS | CAWOOD

318 Magnolia Avenue | Fairhope, AL 36532
Tel 251.200.0256 | GMCNETWORK.COM

OWNER'S CONSENT
LOWE'S HOME CENTERS, LLC., BEING THE OWNER OF THE ABOVE DESCRIBED LAND, EXCLUDING TRACT E, HEREBY CONSENTS TO THE FILING OF THE FOREGOING PLAT.

WITNESS THE SIGNATURE AND SEAL OF LOWES'S HOME CENTERS, LLC. THIS _____DAY OF _____ 2013.

LOWE'S HOME CENTERS, LLC.

_____
GARY E. WYATT
SENIOR VICE PRESIDENT, REAL ESTATE/ENGINEERING AND CONSTRUCTION

ACKNOWLEDGEMENT
STATE OF NORTH CAROLINA
COUNTY OF

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE COUNTY OF _____, STATE OF NORTH CAROLINA, PERSONALLY APPEARED THE AFORENAMED, GARY E. WYATT, LOWE'S HOME CENTERS, LLC., WHO ACKNOWLEDGED THAT HE ACCEPTED THE FOREGOING CERTIFICATE AND DEDICATION FOR PURPOSE THEREIN SET FORTH AND ON BEHALF OF SAID OWNER AS ITS ACT, AFTER BEING AUTHORIZED
TO SO ACT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____DAY OF _____ 2013.

_____ EXPIRATION_____
NOTARY PUBLIC

OWNER'S CONSENT
MISTY MEADOWS FARMS, INC., BEING THE OWNER OF TRACT E, HEREBY CONSENTS TO THE FILING OF THE FOREGOING PLAT.

WITNESS THE SIGNATURE AND SEAL OF MISTY MEADOWS FARMS, INC., THIS _____DAY OF _____ 2013.

MISTY MEADOWS FARMS, INC.

_____

ACKNOWLEDGEMENT
STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE COUNTY OF JACKSON, STATE OF MISSISSIPPI, PERSONALLY APPEARED THE AFORENAMED, MISTY MEADOWS FARMS, INC., WHO ACKNOWLEDGED THAT HE ACCEPTED THE FOREGOING CERTIFICATE AND DEDICATION FOR PURPOSE THEREIN SET FORTH AND ON BEHALF OF SAID OWNER AS ITS ACT, AFTER BEING AUTHORIZED
TO SO ACT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____DAY OF _____ 2013.

_____ EXPIRATION_____
NOTARY PUBLIC

SURVEYOR'S CERTIFICATE
I, KIRKLAND E. CLAYTON, PROFESSIONAL LAND SURVEYOR IN AND FOR THE STATE OF MISSISSIPPI, DO HEREBY CERTIFY THAT THE FOREGOING PLAT AND DESCRIPTION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WITNESS MY SIGNATURE THIS _____DAY OF _____ 2013.

_____
KIRKLAND E. CLAYTON, P.S. 3134

ACKNOWLEDGEMENT
STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR THE STATE AND COUNTY AFORESAID, KIRKLAND E. CLAYTON, WHO ACKNOWLEDGED BEFORE ME THAT HE SIGNED, SEALED, AND DELIVERED THE ABOVE AND FOREGOING CERTIFICATE ON THE DAY AND YEAR THEREIN MENTIONED FOR THE PURPOSE THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____DAY OF _____ 2013.

_____ EXPIRATION_____
NOTARY PUBLIC

CITY OF GAUTIER ENGINEER APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT FOR GAUTIER TOWN CENTER SUBDIVISION HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY OF GAUTIER, MS, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING.

_____,2013.

_____
CITY ENGINEER

CITY OF GAUTIER PLANNING APPROVAL
STATE OF MISSISSIPPI
COUNTY OF JACKSON

SUBMITTED TO AND APPROVED BY THE CITY OF GAUTIER PLANNING COMMISSION ON THIS THE _____DAY OF _____ 2013.

_____ _____
SECRETARY CHAIRMAN

FINAL APPROVAL
STATE OF MISSISSIPPI
COUNTY OF JACKSON

FINAL APPROVAL OF PLAT BY THE CITY COUNCIL OF GAUTIER, AT THE REGULAR MEETING OF SAID BOARD HELD ON THE _____DAY OF _____ 2013. SAID PROCEEDINGS BEING DULY RECORDED IN MINUTE BOOK_____ PAGE_____

WITNESS OUR HAND AND OFFICIAL SEAL OF JACKSON COUNTY, MISSISSIPPI, THIS_____DAY OF _____ 2013.

_____ _____
GAUTIER/MAYOR CITY CLERK

CERTIFICATE OF COMPARISON
STATE OF MISSISSIPPI
COUNTY OF JACKSON

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE HAVE EACH COMPARED THE ORIGINAL WITH THE DUPLICATE PLAT OF LOWE'S TOWN CENTER SUBDIVISION, AND THAT WE FIND THE SAME TO BE AN EXACT DUPLICATE THEREIN AND OF THE WHOLE SAID PLAT.

WITNESS OUR SIGNATURES, THIS THE _____DAY OF _____ 2013.

_____ _____
CHANCERY CLERK KIRKLAND E. CLAYTON, P.S.

RECORDING CERTIFICATE
STATE OF MISSISSIPPI
COUNTY OF JACKSON

THIS IS TO CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE AND RECORDED IN PLAT BOOK_____ PAGE_____ ON THE _____DAY OF _____ 2013.

_____ _____
CHANCERY CLERK DEPUTY CLERK

| ISSUE | DATE |
|---|---|
| PRELIMINARY | 2-8-13 |
| FINAL | 2-25-13 |
| FINAL REVISED | 10-28-13 |

drawn by: JDD
checked by: MEC

GOODWYN | MILLS | CAWOOD

316 Magnolia Avenue | Fairhope, AL 36532
Tel 251.210.0286 | GMCNETWORK.COM

# LOWE'S TOWN CENTER
## FINAL PLAT

SECTION 55 TOWNSHIP 7 SOUTH,
RANGE 7, WEST,
JACKSON COUNTY, MISSISSIPPI

GMC JOB# CMOB13010

sheet 3 of 3

S:\Fairhope\City of Gautier\CMOB13010 Lowe's\FINAL PLAT 10-28-13.dwg November 07, 2013 Plotted By Gulliver

# Gautier Planning Commission

## Regular Meeting Agenda

## November 7, 2013

## GPC #13-26-SD

**VII. NEW BUSINESS**

B. QUASI-JUDICIAL

4. REQUEST FOR A SUBDIVISION FINAL PLAT APPROVAL IN A TCMU DISTRICT, DOLPHIN ROAD & WILLIAM PAYNE ADAMS BOULEVARD (LOWE'S HOME CENTER, INC.) (GPC CASE #13-26-SD)

## QUASI-JUDICIAL PROCEDURES

1. Announcement of Matter. Read the matter title to be considered.

2. Swear the Witnesses. All witnesses, parties, citizen participants and City Staff who plan to speak at the hearing shall collectively be sworn at the beginning of the hearing by the City Attorney.

3. Ex Parte Disclosure. All members must disclose on the record any ex parte communications, to include any physical inspections of the subject property. The disclosure should include with whom any communication has taken place, a summary of the substance of the communication, and the date of the site visit, if any. If anyone has received written communications, the writing must be presented, read into record or a copy provided to all participants, and made a part of the official record.

4. Applicant Presentation.

5. Questions directed to Applicant. The applicant should answer any questions by the public, the Planning Commission, or others.

6. Staff Presentation. This includes presentation of the staff report into the official record.

7. Objections from Applicant. Confirm whether there are objections from the applicant regarding the staff report or development order.

8. Questions directed to Staff. The staff answers any questions by the public, the Planning Commission, or others.

9. Public Comments. Members of the public should be allowed to make comments regarding the application.

10. Applicant rebuttal/final comments

11. Staff rebuttal/final comments

12. Call for final questions.

13. Close public portion of the hearing.

14. Motion & Deliberation. Planning Commission makes a motion, and debates and deliberates regarding the application and development order.

15. Vote.

16. Close the quasi-judicial proceeding.

**CITY OF GAUTIER**

**STAFF REPORT**

**To:** Gautier Planning Commission Chairman and Members

**From:** Babs Logan, Planning Technician

**Thru:** Chandra Nicholson, Planning and Economic Development Director

**Date:** October 31, 2013

**Subject:** Consideration of Subdivision Final Plat Approval for Lowe's Town Center Subdivision, Lowe's Home Centers, Inc. owner. (GPC #13-26-SD)

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**REQUEST:**

The applicant, Lowe's Home Centers, Inc., is proposing to divide two parcels into six (6) parcels.

The application was determined to be a Major Development Plan and as such was processed in accordance with UDO Section 4.1.8 for major developments and Section 4.7 for final approval for subdivisions of land.

The site is comprised of two parcels containing 22.08 acres and 7.86 acres, located north of Highway 90, west of Dolphin Road and south of William Payne Adams Boulevard. The property is zoned TCMU Town Center Mixed Use.

**DISCUSSION:**

The proposed final plat has been reviewed by the Technical Review Committee (TRC). The TRC deems the request technically sufficient for Planning Commission review.

Section 4.1.8 Major Developments, established that the Technical Review Committee (TRC) shall review the proposal and submit comments, if any, in writing to the Chairman of the Committee. Once the TRC has come to the conclusion that the proposal can be approved, approved with conditions, approved with modifications or denied, the Chairman shall forward TRC members recommendation through the City Manager to the Planning Commission and City Council.