

COMMUNITY INVOLVEMENT

ClearWater Solutions was excited to be involved in local community events this past year. We provided labor and/or financial contributions for the Gautier Mullet Festival, the Annual Christmas Parade, the American Heart Association, the City Employee Appreciation event, the City Christmas Party, the Gautier Rotary Golf Tournament and the Haunted Trails. We are looking to further our community involvement by becoming members of the Jackson County Chamber of Commerce and the Gulf Coast Business Council. In addition to community involvement, we also try to do business with local Gautier businesses when feasible. CWS also looks for local talent first when hiring new employees. We understand the importance of becoming a member of the Gautier community and will continue to plant our roots in the City of Gautier.

SUMMARY

This past year has been very rewarding for ClearWater and we have enjoyed our partnership with the City of Gautier. This partnership is a milestone for our company and we intend to make Gautier our flagship office in Southern Mississippi. We have an excellent team of employees and look forward to a great year in 2014.



Motion was made by Councilman Vaughan to amended the Conditional Use-Major Development Permit for a Wireless Telecommunications Tower in a TCMU Zoning District from a twenty (20) foot buffer to a twelve and a half (12.5) foot buffer around the three sides of the property on which the tower is located. Motion was seconded by Councilwoman Martin and unanimously carried.

There came for consideration of the Mayor and Members of Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 291-2013

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT
GPC CASE NO. 13-22-CU
CELLULAR SOUTH REAL ESTATE, INC.
REGARDING PARCEL ID NO: 87113024.000**

The City of Gautier, at its regular meeting held on December 3, 2013, considered the application for a Conditional Use-Major Development Permit for a wireless telecommunications tower as submitted by Cellular South Real Estate, Inc. The parcel subject to this Permit is located at Lot 28, Shamrock Court Subdivision, Jo Beth Terrace, Gautier, Mississippi, 39553. After due public notice, the City Council, having considered the favorable recommendation by the Planning Commission, 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 Conditional Use-Major Development Permit and orders as follows:

1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. The proposed use, classified as a wireless telecommunications tower, is permitted as a Conditional Use-Major in the TCMU District.
3. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on September 12, 2013 for a Conditional Use-Major Development Permit.
4. The following additional conditions will ensure that the operation of the proposed conditional use will minimize any detrimental effects on neighboring properties and shall apply to the project:
 - a. A twelve and a half (12.5) foot buffer must be placed around the three sides of the property on which the tower is located.
 - b. The tower must be decommissioned and removed when the tower is no longer of any use.
 - c. The tower must meet the required residential separation as required in Article XIV of the Unified Development Ordinance.
 - d. The tower must meet the required distance between towers as required in Article XIV of the Unified Development Ordinance.
5. The City Clerk shall have this permit recorded in the public records of Jackson County, at the expense of the applicant, and provide the applicant a copy of the permit with the recording information affixed.

6. The Gautier Planning Commission recommended approval of this Conditional Use-Major Development Permit on November 7, 2013.

7. The City Council adopted this Conditional Use-Major Development Permit on a recorded vote of 7 ayes to 0 nays to approve the application of Cellular South Real Estate, Inc., located at Lot 28, Shamrock Court Subdivision, Jo Beth Terrace, in Gautier, Mississippi, and identified as Jackson County Parcel No. 87113024.000.

Motion made by **Councilman Vaughan**, seconded by **Councilwoman Martin** and the following vote was recorded:

AYES: Gordon Gollott
Mary Martin
Johnny Jones
Hurley Ray Guillotte
Casey Vaughan
Rusty Anderson
Adam Colledge

NAYS: None

December 3, 2013
Date of Issuance

Attest:

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

Cynthia Russell
City Clerk

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Babs Logan, Planning Technician
Thru: Chandra Nicholson, Economic Development Director
Date: November 12, 2013
Subject: Conditional Use-Major Permit for a Wireless Telecommunications Tower in a TCMU Zoning District at Lot 28, Shamrock Court Subdivision, Jo Beth Terrace (GPC Case No. 13-22-CU)

REQUEST:

The Economic Development/Planning Department has received a request from Cellular South Real Estate Inc. for a Conditional Use-Major Permit that would allow a telecommunications tower in a TCMU Town Center Mixed Use zoning district at Lot 28, Shamrock Court Subdivision, PID #87113024.000. The application fee of \$250 was paid on September 12, 2013. All public notice requirements have been met.

DISCUSSION:

Staff has attached a Staff Report with detailed project analysis. The Planning Commission held a public hearing on November 7, 2013 to consider the request and found that the proposed wireless telecommunications tower can be compatible and harmonious with the TCMU district with the following conditions:

1. A twenty (20) foot buffer must be placed around the three sides of the property on which the tower is located.
2. The tower must be decommissioned and removed when the tower is no longer of any use.
3. The tower must meet the required residential separation as required in Article XIV of the Unified Development Ordinance.
4. The tower must meet the required distance between towers as required in Article XIV of the Unified Development Ordinance.

The GPC recommends the approval of the Conditional Use-Major Development Permit and orders as follows:

1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.

2. The proposed use, classified as a wireless telecommunications tower, is permitted as a Conditional Use-Major in the TCMU District.
3. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on September 12, 2013 for a Conditional Use-Major Development Permit.
4. The following additional conditions will ensure that the operation of the proposed Conditional Use-Major will minimize any detrimental effects on neighboring properties and shall apply to the project:
 - a. A twenty (20) foot buffer must be placed around the three sides of the property on which the tower is located.
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 - d. The tower must meet the required distance between towers as required in Article XIV of the Unified Development Ordinance.

RECOMMENDATION:

Cellular South Real Estate, Inc. has provided backup (see attachments) showing that each of the above conditions placed on the Conditional Use by the Planning Commission will be met.

The City Council may:

1. Approve the Conditional Use-Major Permit as recommended by the Planning Commission; or
2. Approve the Conditional Use-Major Permit with changes; or
3. Deny the Conditional Use-Major Permit.

ATTACHMENTS:

Attachment 1 - Conditional Use-Major Permit Development Order
Attachment 2 - Drawing Showing 20' Buffer
Attachment 3 - Notarized Statement Regarding Removal of Tower
Attachment 4 - Aerial Photos Showing Distance from Residential Uses
Attachment 5 - Email from Director Regarding Distance from Existing Tower
Attachment 6 - Staff Report with Back Up

ATTACHMENT 1

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT
GPC CASE NO. 13-22-CU**

CELLULAR SOUTH REAL ESTATE, INC.

REGARDING PARCEL ID NO: 87113024.000

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ATTACHMENT 1

6. The Gautier Planning Commission recommended approval of this Conditional Use-Major Development Permit on November 7, 2013.

7. The City Council adopted this Conditional Use-Major Development Permit on a recorded vote of _____ ayes to _____ nays to approve the application of Cellular South Real Estate, Inc., located at Lot 28, Shamrock Court Subdivision, Jo Beth Terrace, in Gautier, Mississippi, and identified as Jackson County Parcel No. 87113024.000.

December 3, 2013
Date of Issuance

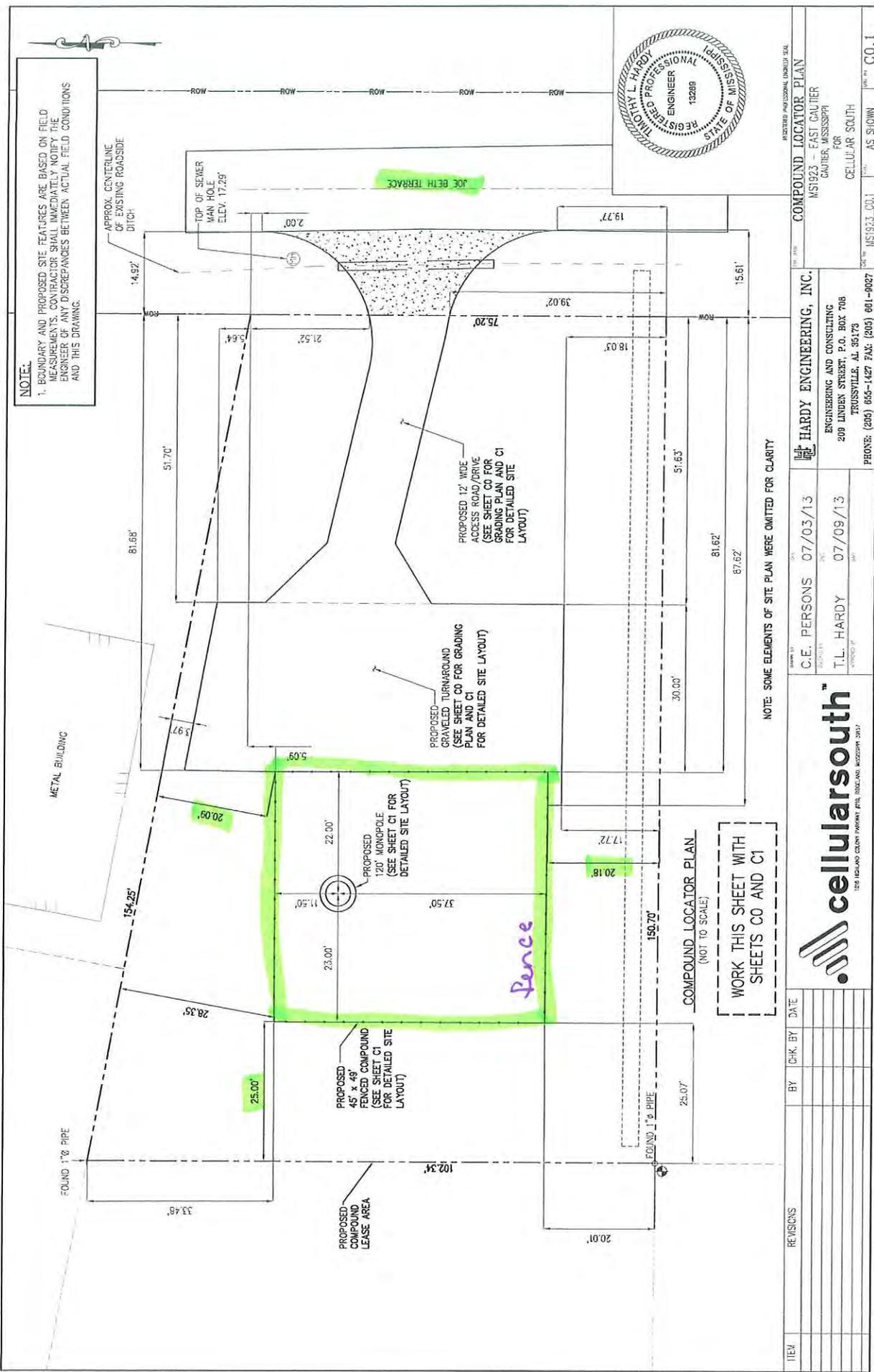
Attest:

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

Cindy Russell
City Clerk

NOTE:

1. BOUNDARY AND PROPOSED SITE FEATURES ARE BASED ON FIELD MEASUREMENTS. CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES BETWEEN ACTUAL FIELD CONDITIONS AND THIS DRAWING.



NOTE: SOME ELEMENTS OF SITE PLAN WERE OMITTED FOR CLARITY

WORK THIS SHEET WITH SHEETS C0 AND C1

REV	REVISIONS	BY	CHK.	DATE

<p>cellularsouth 120 HIGHLAND COUNTY PARKWAY #100, REEFERS, MISSISSIPPI 39207</p>	<p>C.E. PERSONS 07/03/13 T.L. HARDY 07/09/13</p>	<p>HARDY ENGINEERING, INC. ENGINEERING AND CONSULTING 209 LINDEN STREET, P.O. BOX 708 TRUSSVILLE, AL 35173 PHONE: (205) 665-1427 FAX: (205) 661-0027</p>	<p>MS1923 - EAST GAULIER GAULIER, MISSISSIPPI CELLULAR SOUTH</p>
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Attachment 2: 20' Buffer, Highlighted by Staff for Clarification.

ATTACHMENT 3 – Affidavit for Removal of Tower

REMOVAL OF TOWER

In compliance with the condition of zoning approval for the site called: MS-1923 E Gautier located on Jo Beth Terrace, in Gautier, Cellular South Real Estate, Inc., does hereby certify that they will remove the tower within 180 days after cessation of use.

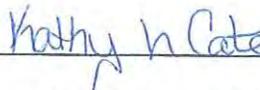


Jerry Skipper
(Name)

STATE OF MS

COUNTY OF Madison

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 15 day of November, 2013 by Jerry Skipper (name of person providing oath or affirmation), who is personally known to me or who has produced DH (type of identification) as identification.



Signature of Notary Public

My Commission Expires:

Expires:



ATTACHMENT 4 – Measurements from Residential Uses (1 of 4)

