
DECEMBER 5, 2013

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on December 5, 2013, 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, Larry Dailey, Jimmy Green, James Torrey, Marilyn Minor, Greg Spanier and Sandra Walters. Also present were Chandra Nicholson, Economic Development and Planning Director; Charlie McVea, City Attorney; Babs Logan, Planning Technician; and Michele Keenlance, Court Reporter.

David Wooten, Chairman, called the meeting to order and presented the minutes from the November 7, 2013 meeting for approval. Commissioner Dailey made a motion to amend the first sentence of the second paragraph under Old Business to read, "One of the significant changes, which was researched and recommended by the City Attorney, limits the number of dogs and cats at a single location." Commissioner Green seconded the motion and the vote was unanimous to make the change. The minutes were approved as amended.

APPROVAL OF AGENDA

There were no changes to the agenda.

AGENDA

GAUTIER PLANNING COMMISSION

DECEMBER 5, 2013

6:00 P.M.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)**

III. APPROVAL OF MINUTES – (NOVEMBER 7, 2013)

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. THE REFUGE CHURCH -REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A CHURCH IN A C-3 DISTRICT, 2012 HIGHWAY 90 (GPC CASE #13-27-CU)
2. DEES LANDING SUBDIVISION – REQUEST FOR A SUBDIVISION PRELIMINARY PLAT APPROVAL IN AN R-1 DISTRICT, HOMESTEAD BOULEVARD (WILBUR DEES, OWNER) (GPC CASE #13-28-SD)

B. DISCUSSION

1. LARRY MORAN 2013 EXCELLENCE AWARD

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 new business to discuss.

NEW BUSINESS:

A. QUASI-JUDICIAL

1. THE REFUGE CHURCH–REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A CHURCH IN A C-3 DISTRICT, 2012 HIGHWAY 90, (GPC CASE #13-27-CU)

There came before the Planning Commission a request on the part of Michael Shane Russell, representative for The Refuge Church, for a Conditional

Use-Major Permit that would allow a church in a C-3 Highway Commercial zoning district at 2012 Highway 90, Suites #18 & #35, PID #82436045.000.

The applicant explained that they had to move from the mall due to plans for the mall's demolition and new construction.

Commissioner Dailey asked if there were any plans to do away with the loading pit that is located on the west side of the building. The applicant stated that the loading pit would be filled in, the handrails removed and grass planted.

Commissioner Dailey made a motion to recommend approval of the conditional use-major request with the following conditions:

1. The location shall meet all accessibility requirements for change of occupancy as stated in Section 3409 of the International Building Code. (See Exhibit F.)
2. The physical location of the church and all operations shall be restricted to the location at 2012 Highway 90, Suites 18 & 35. Any further expansion shall require the permit to be amended.
3. Noise levels shall meet the City's noise ordinance. (See Exhibit G.)
4. The location shall meet all parking requirements as set forth in Article VII of the Unified Development Ordinance.

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

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
James Torrey			
Greg Spanier			
Larry Dailey			
Jimmy Green			
David Wooten			
Marilyn Minor			
Sandra Walters			

2. DEES LANDING SUBDIVISION - REQUEST FOR A SUBDIVISION PRELIMINARY PLAT APPROVAL IN AN R-1 DISTRICT, HOMESTEAD BOULEVARD (WILBUR DEES, OWNER) (GPC CASE #13-28-SD)

There came before the Planning Commission a request on the part of Wilbur Dees for preliminary plat approval of a ten lot subdivision in an R-1 Low

Density Single-Family Residential zoning district located on the east end of Homestead Boulevard, Parcels #81807045.030 and #81807045.000. The applicant is proposing to divide two parcels consisting of approximately fifty-five acres into twelve parcels. Ten of the parcels will be approximately 14,400 square feet per parcel; the original remaining parcels will remain large tracts.

The applicant stated that the property he was proposing to subdivide belonged to his parent's estate and as trustee of the estate the heirs had charged him with trying to find an adequate disposition of the property and the preliminary plat presented was his initial proposal to them.

The applicant noted that he owned about eighty-eight acres at the east end of Homestead Boulevard although only about forty acres of that is buildable land. The other forty acres extends out into the marsh and is considered wetlands.

Commissioner Dailey stated that the character on the north side of Homestead Boulevard is larger lots and the Comprehensive Plan designates the future land use for the area as residential estate which would consist of larger lots. He asked the applicant if the Comprehensive Plan recommendation for larger lots was discussed when he met with Staff regarding the development. Commissioner Dailey also asked the applicant if he had given any consideration to work towards maintaining the character of the existing larger lots when laying out the proposed subdivision.

The applicant stated that the property where lots one thru eight are proposed to be located is only one hundred fifty feet deep and not conducive for larger lots. Aron Chesney, the engineer for the project, stated that he and Kenny Smith had met with Mrs. Nicholson regarding the project. He also stated the Mr. Smith, who has been a developer for many years, recommended the one hundred foot lot frontage.

Commissioner Dailey asked Mrs. Nicholson if the Comprehensive Plan was discussed at the pre-application conference. Mrs. Nicholson advised him that the Comprehensive Plan was not discussed because Staff has to adhere to what the current code is and the Comprehensive Plan is a long term document

that may or may not come to fruition. The proposed lot sizes do meet the requirements of the Unified Development Ordinance (UDO).

Citizens commented on the larger setbacks that the existing lots had that would not be possible with the smaller lots. They also didn't think Homestead Boulevard could handle the increased traffic. Most of the citizens that spoke were concerned that the smaller lots would cause their properties to lose value. Mr. Bill Finnicum asked what the residents could do about requesting a rezoning as suggested in the Comprehensive Plan. Mr. McVea explained that the residents could meet with Staff regarding the steps to request a rezoning but they should understand that the rezoning request would have no bearing on the current subdivision request.

The applicant stated that the lots were designed by the requirements for the zoning district. He does not want to devalue anyone's property. He is trying to make them marketable lots that blend in with the existing lots but that are not as expensive.

Commissioner Wooten made a motion to table the request until the January meeting to give citizens another chance to view the proposed subdivision plat and meet with the applicant. Commissioner Dailey seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
James Torrey			
Greg Spanier			
Larry Dailey			
Jimmy Green			
David Wooten			
Marilyn Minor			
Sandra Walters			

Commissioner Dailey wanted to reiterate that the Comprehensive Plan recognizes that the subject area is established as a residential estate area and that it is recommended that the city rezone that area. Commissioner Dailey also wanted to note that the Unified Development Ordinance charges the Planning

Commission with protecting existing neighborhoods, preventing their decline, promoting their livability, conserving the value of buildings and examining the most appropriate use of land. He asked that these things be considered in making a decision regarding the approval of the subdivision.

B. DISCUSSION

1. LARRY MORAN 2013 EXCELLENCE AWARD

Ms. Logan asked the Commissioners to be prepared to make their nominations for the 2013 Larry Moran Excellence Award at the January meeting. Commissioner Wooten explained to the new Commissioners that the award was given in memory of Larry Moran who was a longtime member and chairman of the Planning Commission before his death several years ago. The award is given to a business or individual for achievement in job creation, community contributions, customer service, adherence to Planning and Zoning Ordinances or retail excellence.

In other business, Commissioner Dailey stated that he had asked several directors in the past to look into posting the property for GPC items so that citizens that received notice could locate the property and those that did not receive notice would recognize that there was an issue being considered for the property.

Commissioner Dailey made a motion to have Staff research the cost and legality of posting properties that had issues being considered by the Planning Commission and report back to the Commissioners at the February 6th meeting. Commissioner Wooten seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
James Torrey			
Greg Spanier			
Larry Dailey			
Jimmy Green			
David Wooten			

Marilyn Minor

Sandra Walters

DIRECTOR'S REPORT

Mrs. Nicholson gave the following updates on City projects: 1) the mall is scheduled to begin demolition by the middle of December; 2) Bienville Medical Complex should be getting their permit next month to begin construction; 3) City Council approved the Lowe's subdivision; 4) City Council approved the text change to allow RV's in MURC-MW as a Conditional Use-Major; and 5) City Council approved the Conditional Use-Major for the C-Spire tower but changed the buffer recommended by the Planning Commission from twenty feet to twelve and one half feet.

Mrs. Nicholson also advised the Commissioners that the city had received RFP's for the Martin Bluff Road widening project regarding acquisition of property for the project. She noted that the entire process for acquiring the property would take about eighteen months to two years. Construction on the project should begin sometime in 2015.

SUBMITTED BY:

Chandra Nicholson, Director
Economic Development & Planning

DATE: _____

APPROVED:

David Wooten, Chairman
Gautier Planning Commission

DATE: _____