
APRIL 7, 2011

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on April 7, 2011, 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, Jim Dodson, Richard Johnson, and Marilyn Minor. Absent were James Torrey and Larry Dailey. Also present were Samantha Abell, 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 3, 2011 meeting for approval. The minutes were approved as submitted.

APPROVAL OF AGENDA

There were no changes to the agenda.

AGENDA

GAUTIER PLANNING COMMISSION

APRIL 7, 2011

6:00 P.M.

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)**
- III. APPROVAL OF MINUTES – (MARCH 3, 2011)**
- 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 COMPREHENSIVE REZONING OF PROPERTIES TO C-2 COMMUNITY COMMERCIAL (STAFF) (GPC CASE #11-08-RZ)

B. LEGISLATIVE

- 1. REQUEST TO AMEND THE R-3 MOBILE HOME DISTRICT TO ALLOW RECREATIONAL VEHICLES AS A CONDITIONAL USE-MAJOR WITHIN DESIGNATED MOBILE HOME PARKS (CHARLES AND JON WARWICK, OWNERS) (GPC CASE #11-09-UDO)

VIII. DIRECTOR'S REPORT

IX. ADJOURN

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

Mr. William Davis asked the Planning Commission for clarification on the meaning of "grandfathered". Ms. Abell and Mr. Ramsay explained that if an existing nonconforming structure was damaged in excess of 50% it could not be reconstructed, or use made of, except in conformity with the provisions of the new ordinances or zoning, unless, at the time of destruction or damage it is owned by the same family or entity who was the owner at the time the original Gautier Code of Ordinances was adopted.

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OLD BUSINESS:

There was no old business.

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NEW BUSINESS

A. QUASI-JUDICIAL

- 1. REQUEST FOR A COMPREHENSIVE REZONING OF PROPERTIES TO C-2 COMMUNITY COMMERCIAL (STAFF) (GPC CASE #11-08-RZ)

Ms. Abell advised the Commissioners that the comprehensive rezoning presented was to further implement the Comprehensive Plan adopted in 2009. The purpose of this city-initiated rezoning is to rezone lands along Old Spanish Trail that have been zoned Industrial, and a few parcels that have been zoned R-1, since before the City's 2002 annexation to C-2 Community Commercial. The Comprehensive Plan adopted by the City in 2009 designates part of this area as high impact commercial. The area to be rezoned is located south of Old Spanish Trail, north of the railroad tracks, east of Ladnier Road approximately 1107 feet and west of Beasley Road approximately 1046 feet, excluding the property generally known as Mallette Brothers Construction.

Ms. Abell advised the Commissioners that the subject property is directly south of the area that was recently rezoned TCMU Town Center Mixed Use. She noted that there were two reasons Staff was moving forward with this rezoning: 1) efforts are being concentrated on implementing the Comprehensive Plan primarily in our central business district to position ourselves for when the market rebounds for economic development, and 2) because there is a land owner who would like to open a business that is allowed in a C-2 zoning district and in looking at the map Staff realized that when we move forward with the comprehensive rezoning that business would be allowed although it is not allowed in the current zoning.

Staff finds that the subject area has scattered existing uses offering no cohesion for growth. There are several residential homes, an asphalt company, a landscaping company, a church, etc. located within the subject area which is currently zoned Industrial. A C-2 zoning allows for a viable commercial corridor of compatible uses appropriate near residences and more intensive industry.

A motion was made by Commissioner Wooten to recommend approval of the Ordinance to comprehensively rezone the subject area to C-2 Community Commercial. Commissioner Dodson seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
David Wooten		Larry Dailey	
Richard Johnson		James Torrey	
Jerry Akins			
Jim Dodson			
Marilyn Minor			

B. LEGISLATIVE

- 1. REQUEST TO AMEND THE R-3 MOBILE HOME DISTRICT TO ALLOW RECREATIONAL VEHICLES AS A CONDITIONAL USE-MAJOR WITHIN DESIGNATED MOBILE HOME PARKS (CHARLES AND JON WARWICK, OWNERS) (GPC CASE #11-09-UDO)**

There came before the Planning Commission a request on the part of Jon & Charles Warwick, co-owners of Coast Meadows Mobile Estates, to amend the Unified Development Ordinance (UDO) to include "Recreational Vehicles" as a Conditional Use-Major in a designated "Mobile Home Park". The request is not site specific except as it applies to mobile home parks in an R-3 Mobile Home District.

Ms. Abell advised that an owner of a mobile home park could ask for a conditional use-major for one lot at a time or could present a site plan for several lots to be approved at once.

Commissioner Wooten asked what districts recreational vehicle parks are allowed in. Ms. Abell told him they are allowed in C-2 Community Commercial districts as a conditional use and in C-3 Highway Commercial, MURC-2 Mixed Use Recreation Commercial-2 and MURC-MW Mixed Use Recreation Commercial-Mary Walker by right.

Commissioner Minor stated that her understanding was that the Planning Commission could place conditions on an approval or deny the conditional use-major request when it came before them if they felt it was not compatible. Ms. Abell told her that was correct.

Commissioner Johnson made a motion to recommend approval of the amendment to the Unified Development Ordinance to allow recreational vehicles

as a Conditional Use-Major in a mobile home park. The motion was seconded by Commissioner Minor and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
David Wooten		Larry Dailey	
Richard Johnson		James Torrey	
Jerry Akins			
Jim Dodson			
Marilyn Minor			

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DIRECTOR'S REPORT

Ms. Abell reported to the Commissioners that the City Council approved the rezoning to RE Residential Estate in north Hickory Hills and also approved the change to the UDO Sign Ordinance. Subsequent to the approval of the rezoning to RE Residential Estates the City has received an appeal from one of the property owners. Staff has also received an application for approval of a preliminary plat and development plan within the rezoned area and has issued a sufficiency letter. Because the rezoning is not official until thirty days after Council approval, the requirements for the preliminary plat will be considered under the old R-1 Low Density Residential zoning.

Commissioner Dodson asked what effect the appeal would have on the new zoning becoming effective at the end of the thirty day period. Mr. Ramsay told him that the rezoning would not take affect until the appeal was decided which could take months or years.

Commissioner Johnson asked if the City was moving too fast with the comprehensive rezoning. Mr. Ramsay stated that the City had been working on the Comprehensive Plan for four years and that the City was implementing the Comprehensive Plan as they should be. Ms. Abell stated that Staff was taking a strategic approach to the comprehensive rezoning by working with the central business area first, but when someone comes in and wants to open a business or place a residence where current zoning will not allow it but future comprehensive zoning will, then Staff informs the Planning Commissioners and

asks for direction to move forward with the Comprehensive Plan's future zoning for that area.

Commissioner Wooten stated that although the City was following the law with their notification for comprehensive rezoning he felt the property owners should be notified by mail also. Ms. Abell stated that Staff was going beyond what is required of them by placing the property owner's names in the Staff report which is posted on the City's website. Ms. Abell also stated that State Statute presumes that public notice for comprehensive rezoning basically took place with creation and adoption of the Comprehensive Plan because the Comprehensive Plan is the product of many public meetings and the comprehensive rezonings are implementation of the public's vision.

Ms. Abell presented the Commissioners with an email from Mr. Al Easom and Mr. Gary Graham, owners of the Southern Hideaway LLC property in the Mary Walker area. Ms. Abell reminded Commissioners that the Mary Walker area was rezoned to MURC-MW Mixed Use Recreation Commercial-Mary Walker because of the area's uniqueness.

Ms. Abell noted that mobile homes are not permitted in the MURC-MW zoning district which means existing mobile homes in the area are nonconforming. Being vacation or seasonal homes these existing mobile homes may not be occupied for long periods of time. Ms. Abell stated that these mobile homes will not be considered "vacant" as it applies to nonconforming structures because of their seasonal classification. The only time the vacated issue will be considered is if they become a menace to public safety, the lots become overgrown, the structure becomes derelict, etc.

Ms. Abell said the reason mobile homes were not allowed in the area was to encourage cottages with the fishing village concept and to encourage seasonal living. The owners of the mobile home park are asking that mobile homes be allowed by right in the MURC-MW so they, or their renters, will have the option to replace older mobile homes with newer ones in the future and also so they can continue to develop property that is not fully developed.

Ms. Abell stated that she told Mr. Easom and Mr. Graham that Staff would present their concerns to the Planning Commission and the Commission could direct Staff to bring an amendment to the UDO before them for discussion and a vote. If the Planning Commission did not direct Staff to move forward with an amendment to the UDO, the owners could submit a private application. The Commissioners did not direct Staff to move forward with drafting a UDO amendment at this time.

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SUBMITTED BY:



Samantha Abell
Economic Development Director

DATE: 6/22/11

APPROVED:



David Wooten, Chairman
Gautier Planning Commission

DATE: 6-2-2011