the development. An applicant may elect to request preliminary plat approval simultaneous with the development plan approval process. On December 5, 2013, the Gautier Planning Commission considered the owner's plans for a residential development and directed the applicant to consider larger lots more compatible with surrounding properties. The owner subsequently met with residents to hear concerns regarding compatibility and has made the following changes:

The owner has altered the preliminary plat to increase the lot road frontage to a minimum 150 feet, in order to be compatible with existing lots.

The owner has increased lot size from the permissible 1/3 acre to 1/2 acre along Homestead Boulevard.

The owner commits that the lots at the east end of Homestead will be a minimum of an acre and a half.

The owner will develop wetslips that Homestead residents will be able to utilize as an amenity.

The owner will not replat all of his land at this time, though he understands he could make application to do so. He realizes a future rezoning could negatively affect his ability to plat his land in accordance with the stated intentions above. Based on market demand for large homes and large lots, the owner intends to replat the remaining land at a future time, in accordance with the above specifications agreed upon by neighboring property owners.

DISCUSSION:

The Technical Review Committee met to review the proposed subdivision on January 23, 2014. Attached to the Staff Report are an email and a memo from TRC staff members submitted to the Economic Development and Planning Director. The TRC deems the preliminary plat request technically sufficient for Planning Commission review, in accordance with section 4.7.2.

Section 4.1.8 Major Developments (Development larger than 2.25 acres)
The following procedures, in addition to those listed in Section 4.5, shall apply to all major development order applications:

A. 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 each TRC member's written recommendation through the City Manager to the Planning Commission and City Council. In addition to the written recommendations of each TRC member, information provided to the Planning Commission and City Council shall include, but not be limited to, the following:

1. Characteristics of the site and surrounding area, including important natural and manmade features, the size and accessibility of the site and surrounding land uses.

   Analysis:

	Current Land Use	Zoning District
North	Very low to low density residential	R-1 Low Density Single-Family Residential
South	Very low to low density residential, conservation, vacant,	R-1 Low Density Single-Family Residential
East	Marsh, River	N/A
West	Very low to low density residential, vacant	R-1 Low Density Single-Family Residential

   Approximately 45 acres of the total acreage of parcels being divided is upland; approximately 37.2 acres is marsh land which is shown on the plat. Lot 7 of the proposed subdivision has wetlands (salt marsh) along its eastern boundary. There is no evidence of wetlands within Lots 1-6 of the proposed subdivision. (See attached letter from Batson & Brown, Inc.)

2. Impact on concurrency requirements and level of service standards (LOS).

   Analysis:

   The City has adequate levels of service for the proposed subdivision, including roadways, water and sewer capacity, fire and police.

3. The nature of the proposed development, including land use types and densities; the placement of proposed buildings and other improvements on the site; the location, type and method of maintenance of open space and public use areas, if any; the preservation of natural features or protection of sensitive lands, if any; proposed parking areas; internal traffic circulation systems, if any; the approximate total ground coverage of paved areas and structures; stormwater management, and water and sewage distribution, collection and treatment systems.

   Analysis:

   The existing property where Lots 1-6 are to be located is currently wooded. Lot 7 at the end of Homestead Boulevard is cleared to some extent. The applicant will not have to build any new roads because all seven proposed R-1 residential lots front on Homestead Boulevard. No recreational facilities are proposed at this time, though the owner proposes wetslips as an amenity at a later phase.

The section of land where Lots 1-6 will be located is upland and will accommodate construction of new homes. At the east section of the property where Lot 7 is to be located are some wetlands. The lot has been made larger to provide area for the house to be built outside the wetlands area. There are some protected trees that will have to be removed for construction of homes.

4. Conformity of the proposed development with the Comprehensive Plan, this Code and other applicable regulations.

Analysis:

The UDO requires the following setbacks and density for the R-1 zoning district: Minimum lot area of 9,600 square feet. Front setbacks 25' (an additional 10' must be added to the front setback on Homestead Boulevard per the UDO making the front setbacks 35'), Side setbacks 10', Rear setbacks 25', and minimum living area 1,325 S.F. The proposed development conforms to the requirements of the UDO and zoning district.

Section 5.2.4 (C) also states the following regarding setbacks: In any existing residential district, the minimum front yard setback of any new structure built as an infill structure, shall be the same as the adjoining residential structures, or if there are no adjoining residential structures, shall be equal to the average of other residences on the same side of the street within the same block or series of blocks.

The existing zoning district does not comply with the City's Comprehensive Plan. The Comprehensive Plan, adopted September 2009, reflects a new land designation called RE Residential Estate on the Future Land Use Map. The RE designation would require a minimum of one acre per single family dwelling, and a minimum living area of 1,800 square feet. Front setbacks 50', Side setbacks 20' and Rear setbacks 35'.

CONCLUSION AND RECOMMENDATION:

Based on the Technical Review Committee's review, the analysis of the site data, existing zoning, impact on the available infrastructure, availability of existing utilities, and the appropriateness of the request relevant to the criteria established by Section 4.7 of the Unified Development Ordinance, the staff recommends approval of a Development Order and Preliminary Subdivision Plat. Although, the size and set-back of the proposed lots are not consistent with the Comprehensive Plan, the size and set-backs of the proposed lots do comply with the current code requirements. The size of the proposed lots is consistent with areas that have the availability of water and sewer services. The larger residential estate lots are more consistent with areas that do not have water and sewer service availability.

Based on the Technical Review Committee's review, the analysis of the site data, zoning, existing and future land use maps, impact on the availability of infrastructure, consistency with the Comprehensive Plan, and the appropriateness of the request relevant to the criteria

established by Section 4.7 of the Unified Development Ordinance, the Planning Commission may:

1. Recommend approval of the Development Order and Preliminary Plat; or
2. Recommend denial of the Development Plan.

ATTACHMENTS:

Applicants Exhibit 1 - Preliminary Plat

Applicants Exhibit 2 – Application

Applicants Exhibit 3 – Wetlands Letter from Batson & Brown, Inc.

Applicants Exhibit 4 – Future Development Concepts

City's Exhibit A - Location Map

City's Exhibit B - Existing Zoning Map

City's Exhibit C - Existing Land Use Map

City's Exhibit D - Future Land Use Map

City's Exhibit E – GIS Parcel Maps and Information

City's Exhibit F - Draft Development Order

City's Exhibit G - TRC Memo and E-mail, Dated January 23, 2014 & January 24, 2014

EXHIBIT 1

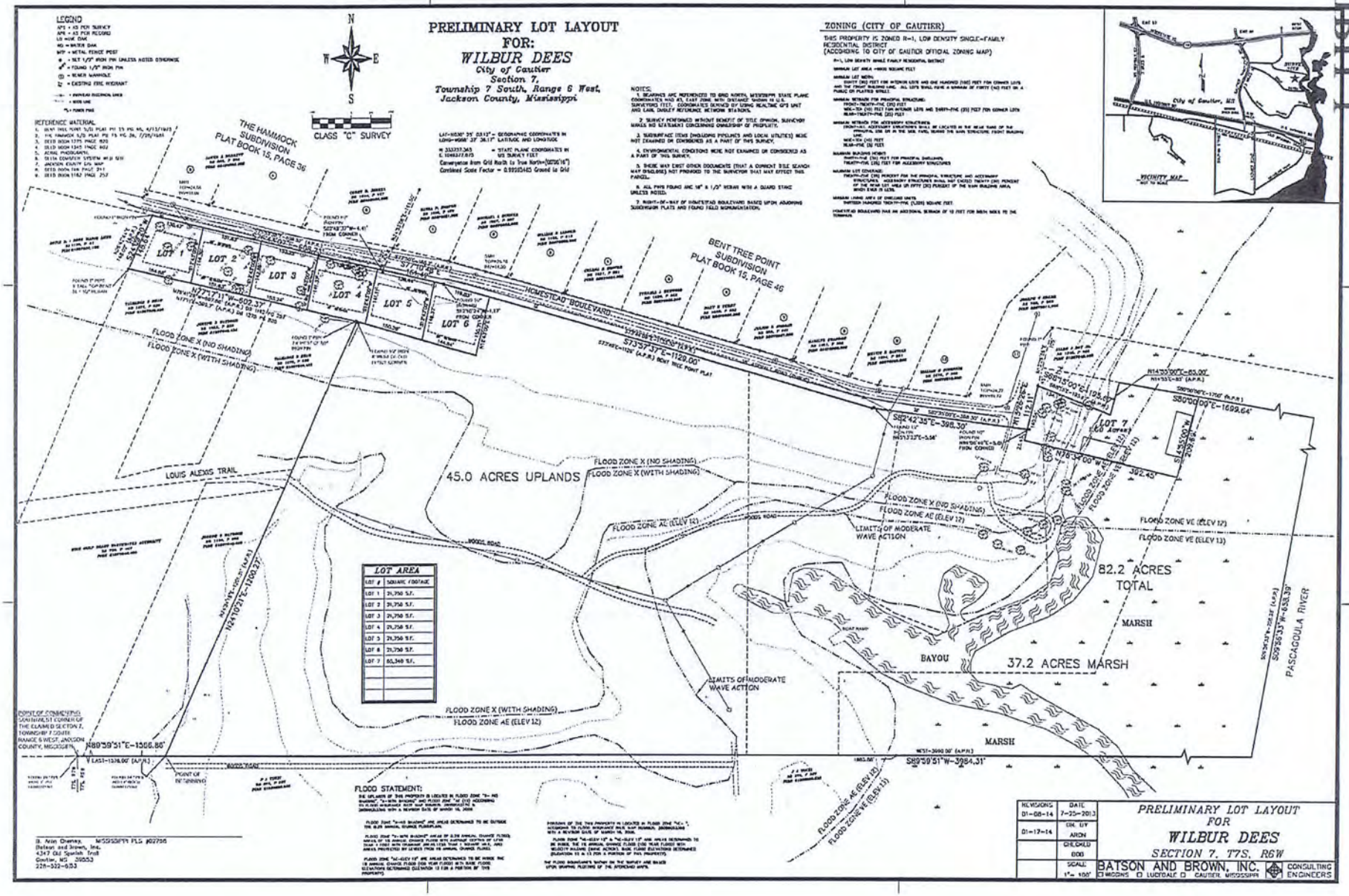
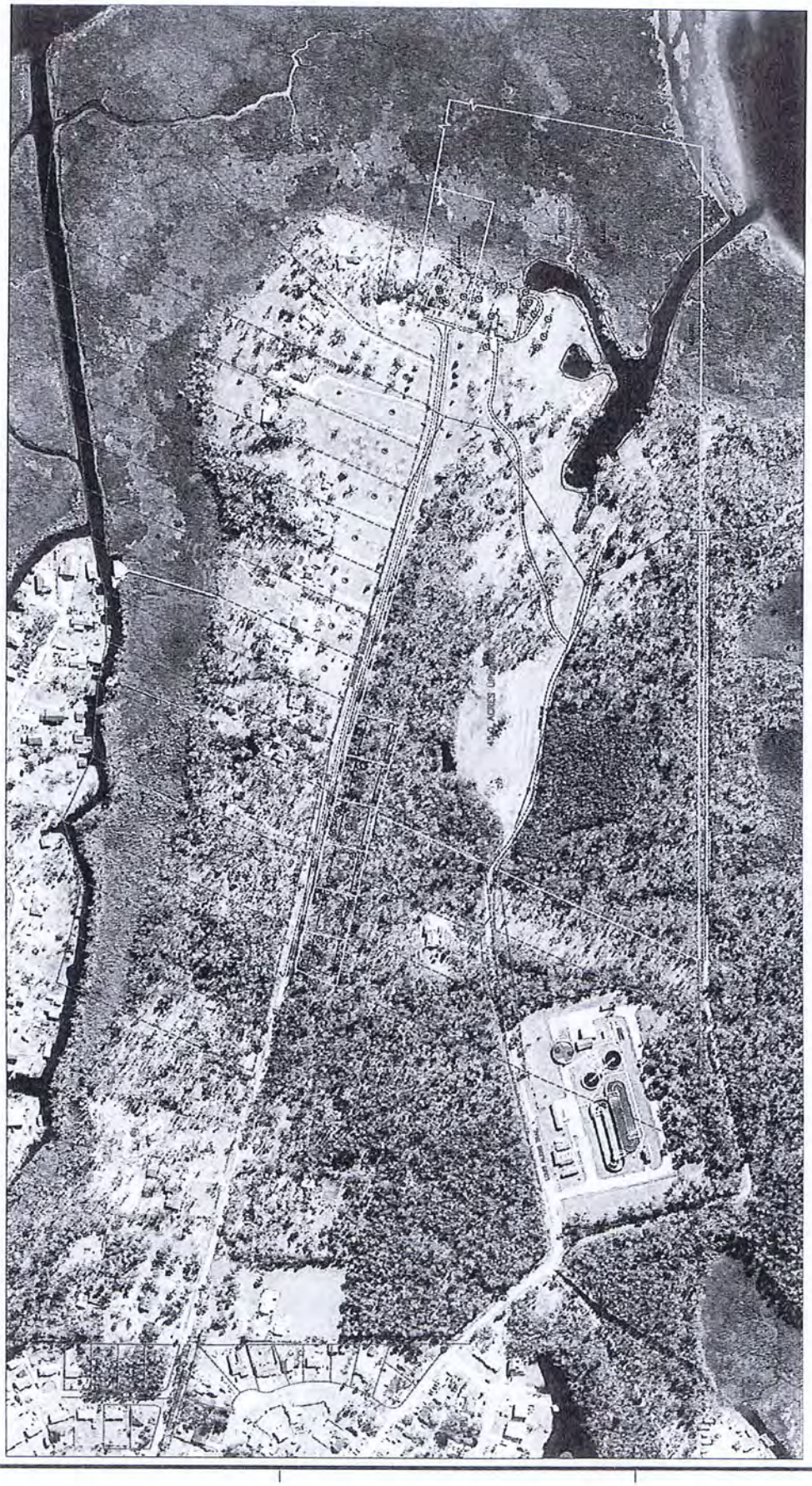

PRELIMINARY LOT LAYOUT
FOR:
WILBUR DEES
City of Gautier
Section 7,
Township 7 South, Range 6 West,
Jackson County, Mississippi
LEGEND
REFERENCE MATERIAL
CLASS "C" SURVEY
ZONING (CITY OF GAUTIER)
THIS PROPERTY IS ZONED R-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT
(ACCORDING TO CITY OF GAUTIER OFFICIAL ZONING MAP)
NOTES:
1. BEARINGS AND MONUMENTED TO GRID NORTH, MISSISSIPPI STATE PLANE COORDINATES NAD 83, EAST ZONE WITH DISTANCES SHOWN AS U.S. SURVEYORS FEET. COORDINATES DERIVED BY USING REALTIME GPS UNIT AND LEICA SMART REFERENCE NETWORK STATIONS.
2. SURVEY PERFORMED WITHOUT BENEFIT OF TITLE OPINION. SURVEYOR MAKES NO STATEMENT CONCERNING OWNERSHIP OF PROPERTY.
3. SUBSURFACE ITEMS (INCLUDING PIPELINES AND LOCAL UTILITIES) WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.
4. ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.
5. THERE MAY EXIST OTHER DOCUMENTS (THAT A CURRENT TITLE SEARCH MAY DISCLOSE) NOT PROVIDED TO THE SURVEYOR THAT MAY AFFECT THIS PARCEL.
6. ALL PIPS FOUND ARE 1/2" REBAR WITH A GUARD STAKE UNLESS NOTED.
7. RIGHT-OF-WAY OF HOMESTEAD BOULEVARD BASED UPON ADJOINING SUBDIVISION PLATS AND FOUND FIELD MONUMENTATION.
THE HAMMOCK SUBDIVISION PLAT BOOK 15, PAGE 36
BENT TREE POINT SUBDIVISION PLAT BOOK 15, PAGE 46
HOMESTEAD BOULEVARD
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7 (5.0 Acres)
45.0 ACRES UPLANDS
82.2 ACRES TOTAL
37.2 ACRES MARSH
MARSH
BAYOU
LOUIS ALEXIS TRAIL
WOODS ROAD
BOAT RAMP
PASCAGOULA RIVER
FLOOD ZONE X (NO SHADING)
FLOOD ZONE X (WITH SHADING)
FLOOD ZONE AE (ELEV 12)
FLOOD ZONE VE (ELEV 13)
LIMITS OF MODERATE WAVE ACTION
LOT AREA
LOT # | SQUARE FOOTAGE
LOT 1 | 31,750 S.F.
LOT 2 | 31,750 S.F.
LOT 3 | 31,750 S.F.
LOT 4 | 31,750 S.F.
LOT 5 | 31,750 S.F.
LOT 6 | 31,750 S.F.
LOT 7 | 80,340 S.F.
FLOOD STATEMENT:
POINT OF BEGINNING
POINT OF COMMENCING
S89°59'51"W-3984.31'
N89°59'51"E-1366.86'
S73°57'37"E-1129.00'
S82°42'35"E-398.30'
S89°15'00"E-195.97'
S80°00'00"E-1699.64'
N18°34'00"W
392.45'
N24°10'21"E-1200.27'
N77°11'31"W-602.37'
N77°10'48"W-1129.00'
VICINITY MAP
City of Gautier, MS
REVISIONS
01-08-14
01-17-14
DATE
7-25-2013
DR. BY
ARON
CHECKED
BDB
SCALE
1"= 100'
PRELIMINARY LOT LAYOUT
FOR
WILBUR DEES
SECTION 7, T7S, R6W
BATSON AND BROWN, INC.
CONSULTING ENGINEERS
B. Aron Chaney, MS9509899 PLS #22756
Batson and Brown, Inc.
4247 Old Spanish Trail
Gautier, MS 39553
228-522-6353

EXHIBIT 1



PRELIMINARY LOT LAYOUT
FOR
WILBUR DEES
SECTION 7, T7S, R6W

BATSON AND BROWN, INC.
CONSULTING ENGINEERS

EXHIBIT 1

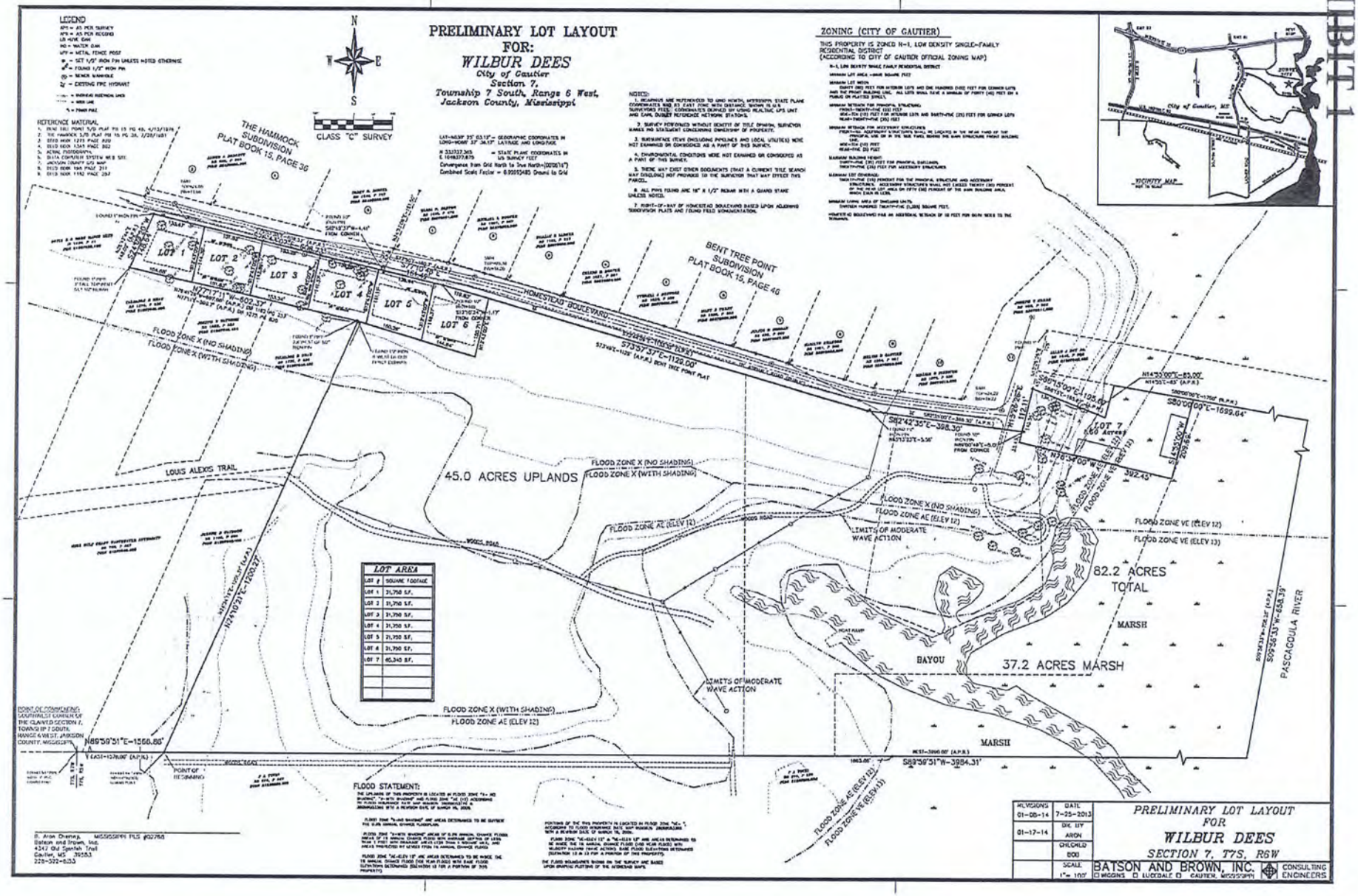

PRELIMINARY LOT LAYOUT
FOR:
WILBUR DEES
City of Gautier
Section 7,
Township 7 South, Range 6 West,
Jackson County, Mississippi
LEGEND
REFERENCE MATERIAL
CLASS "C" SURVEY
ZONING (CITY OF GAUTIER)
THIS PROPERTY IS ZONED R-1, LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT
(ACCORDING TO CITY OF GAUTIER OFFICIAL ZONING MAP)
NOTES:
VICINITY MAP
THE HAMMOCK SUBDIVISION PLAT BOOK 13, PAGE 36
BENT TREE POINT SUBDIVISION PLAT BOOK 15, PAGE 48
HOMESTEAD BOULEVARD
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 7
60 Acres
LOUIS ALEXIS TRAIL
45.0 ACRES UPLANDS
82.2 ACRES TOTAL
MARSH
BAYOU
37.2 ACRES MARSH
PASCAGOULA RIVER
FLOOD ZONE X (NO SHADING)
FLOOD ZONE X (WITH SHADING)
FLOOD ZONE AE (ELEV 12)
FLOOD ZONE VE (ELEV 12)
FLOOD ZONE VE (ELEV 13)
LIMITS OF MODERATE WAVE ACTION
LOT AREA
LOT # | SQUARE FOOTAGE
LOT 1 | 31,750 S.F.
LOT 2 | 31,750 S.F.
LOT 3 | 31,750 S.F.
LOT 4 | 31,750 S.F.
LOT 5 | 31,750 S.F.
LOT 6 | 31,750 S.F.
LOT 7 | 65,340 S.F.
POINT OF COMMENCING
POINT OF BEGINNING
FLOOD STATEMENT:
B. Aron Cherry, MISSISSIPPI PLS #02768
Batson and Brown, Inc.
4347 Old Spanish Trail
Gautier, MS 39553
228-392-6333
REVISIONS
01-00-14
01-17-14
DATE
7-25-2013
DR. BY
ARON
CHK/APD
BOB
SCALE
1" = 100'
PRELIMINARY LOT LAYOUT
FOR
WILBUR DEES
SECTION 7, T7S, R6W
BATSON AND BROWN, INC.
CONSULTING ENGINEERS
WIGGINS LUCEDALE GAUTIER, MISSISSIPPI

EXHIBIT 2

City of Gautier Planning & Economic Development Department
3330 Highway 90
Gautier, Mississippi

APPLICATION FOR SUBDIVISION
PRELIMINARY PLAT & FINAL PLAT APPROVAL

Name of Subdivision: Dees Landing Subdivision

No. of Lots in Subdivision: 10

Zoning Classification of Said Property: R-1 Residential

(Attested by City Zoning Administrator) _____

Name of Owner: Dora Virginia Dees Irrevocable Trust- (Wilbur Dees Trustee)

Name of Engineer: Batson and Brown, Inc.

Name of Applicant: Wilbur Dees

Applicant's Address: 15078 Laurelwood Drive, Gulfport, MS 39503

Telephone Number of Applicant: (Business) 288/522-6353 (B&B) (Home) 228-861-1250 (WD)

Date of Application: November 15, 2013

Name and Addresses of Adjacent Land Owners:

Attached Sheets

EXHIBIT 2

Deed Book 1162, Page 257.

Legal Description of property is as follows.

Commencing at the SW corner of Claim Section 7, T-7-S, R-6-W, Jackson County, Mississippi: thence East, a distance of 1576.00 feet to the POINT OF BEGINNING; thence 24°34'18"E, a distance of 1201.31 feet; thence N76°41'28"W, a distance of 607.66 feet; thence N26°42'44"E, a distance of 148.02 feet to the South margin of Homestead Boulevard; thence along said South margin S75°53'38"E, a distance of 609.52 feet; thence S77°50'00"E, a distance of 160.70 feet; thence S73°44'09"E a distance of 1133.30 feet; thence S81°55'47"E, a distance of 78.03 feet to the NW corner of the Deas Property; thence S10°05'53"W, a distance of 477.43 feet; thence S60°36'18"E, a distance of 78.50 feet; thence S69°16'56"E, a distance of 135.91 feet; thence N64°55'43"E, a distance of 102.15 feet; thence N72°45'07"E, a distance of 113.40 feet; thence N55°37'32"E, a distance of 70.44 feet; thence N2°14'43"W, a distance of 249.72 feet; thence N3°07'07"W, a distance of 98.63 feet; thence N19°43'34"E, a distance of 226.33 feet; thence S56°15'00"E, a distance of 115.67 feet; thence N14°55'00"E, a distance of 85.00 feet; thence S80°00'00"E, a distance of 1700.00 feet to the Pascagoula River; thence Southerly along the West margin of said River (S9°56'33"W, a distance of 708.28 feet) to a point that bears East 3990.00 feet from the point of beginning; thence West, a distance of 3990.00 feet to the POINT OF BEGINNING; said described tract containing 80.3 acres (40.7 upland and 39.6 wetland), more or less.

Deed Book 196, Page 211.

That certain tract, piece or parcel of land situated in Section 7, Township 7 South, Range 6 West in Jackson County, State of Mississippi, and more particularly described as follows, to-wit:

Beginning at a point on the South line of said Section 7, which point is East 3053 feet from the Southwest corner of said Section 7, thence North 998.3 feet, thence East 1200.6 feet, thence South 22°00' West 852.1 feet, thence West 647.4 feet, thence South 268.7 feet, thence West along the South line of said Section 7 a distance of 233.9 feet to the Point of Beginning. Containing 20 acres more or less.

as described and recorded in Book No. 1162 Page No. 257 and in Book No. 196 Page No. 211 in the records of Jackson County, Mississippi. There are (are no) restrictive covenants or deed restrictions (which are attached). A fee in the amount of six dollars ($6.00) per lot subject to a minimum fee of one-hundred dollars ($100.00).

Signed Wilbur Deas

(Name of Applicant)

(file original & 3 copies)

EXHIBIT 2

BATSON AND BROWN, INC.
CONSULTING ENGINEERS
LUCEDALE ▫ GAUTIER ▫ PASCAGOULA

REPLY TO:
4347 OLD SPANISH TRAIL
GAUTIER MS 39553
228/522-6353
228/522-6403FAX

Allen J Roy, Jr.
PID# 8180704O.400
700 Homestead Blvd.
Gautier, MS 39553

Joseph V. and Betty L. Krebs
PID# 85070011.000
PID# 85070012.000
702 Homestead Blvd.
Gautier, MS 39553

Talmadge D. and Etta P. Shaw
PID# 81807040.422
PID# 81807040.420
1631 Mary Ann Dr.
Gautier, MS 39553

Joseph D. and Daphne C. Watrous
PID# 81807040.460
PID# 81807040.424
1212 Louis Alexis Trail
Gautier, MS 39553

Royce B. and Rose Marie Luke
PID# 81807020.100
1321 Homestead Blvd.
Gautier, MS 39553

James A. Dorsett
PID# 85420002.000
Mailing:
P.O. Box 487
Gautier, MS 39553
Physical:
1004 Homestead Blvd.
Gautier, MS 39553

Corey Brian and Julia Claire Lanius Dinkel
PID# 85420005.000
1000 Homestead Blvd.
Gautier, MS 39553

Wanda P. and Bruce J. Norton
PID# 85070001.000
908 Homestead Blvd.
Gautier, MS 39553

Michael L. and Debra L. Bugner
PID# 85070002.000
904 Homestead Blvd.
Gautier, MS 39553

William D. and Carrie Ann Ladner
PID# 85070003.000
900 Homestead Blvd.
Gautier, MS 39553

Celena R. Hoover
PID# 85070004.000
812 Homestead Blvd.
Gautier, MS 39553

Tyrrell A. and Jean Y. Henwood
PID# 85070005.000
808 Homestead Blvd.
Gautier, MS 39553

Mary S. Terry
PID# 85070006.000
804 Homestead Blvd.
Gautier, MS 39553

Julius B. and Sandra B. Morgan, Jr.
PID# 85070007.000
800 Homestead Blvd.
Gautier, MS 39553

Melvin Douglas and Patricia F. Gautier
PID# 85070009.000
708 Homestead Blvd.
Gautier, MS 39553

William R. and Sarah H. Finnicum
PID# 85070010.000
704 Homestead Blvd.
Gautier, MS 39553

Marilyn Swanson
PID# 85070008.000
Mailing:
700 Tantallon Dr.
Ocean Springs, MS 39564
Physical:
712 Homestead Blvd.
Gautier, MS 39553

F.A. and Hazel M. Tucci Trustees
PID# 81830020.000
PID# 81830020.025
3212 Oak St.
Gautier, MS 39553

MS State Tax Sale of 1980
818300l0.000

EXHIBIT 3

BATSON AND BROWN, INC.
CONSULTING ENGINEERS
LUCEDALE □ GAUTIER □ WIGGINS

REPLY TO:
4347 Old Spanish Trail
Gautier, MS 39553
Ph: 228/522.6353
Fax: 228/522.6403

January 24, 2014

Ms. Chandra Nicholson, P.E.
City of Gautier; Dir. Economic Development
3330 Highway 90
Gautier, MS 39553

RE: Dees Landing Subdivision

Dear Ms. Nicholson,

This letter is to confirm that our office has conducted a visual assessment of the construction limits of the proposed Dees Landing Subdivision to be located in Gautier, MS for the purpose of identifying and locating wetlands.

No evidence of wetlands was observed within or near the project limits of lots one through six of the proposed development. Lot seven does have wetlands (salt marsh) along its eastern boundary. As proposed this lot does have sufficient area for the placement of a home within required setbacks. When built, contractors and homeowners shall be required to protect the marsh within and adjacent to this lot.

Therefore we herein request to proceed with the application.

Sincerely,

James L. Price, P.E.