

City of Hattiesburg, MS

*200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401*



Meeting Agenda

Tuesday, April 19, 2016

5:00 PM

Council Chambers

City Council

I. Call to Order**II. Call to Prayer and Pledge of Allegiance****III. Agenda Order****IV. PRESENTATION AGENDA****V. POLICY AGENDA**

- V.-1** [2016-2595](#) Adopt an Ordinance for the petition filed by David White, Representative, on behalf of Robert Wallace, Owner, to change the zoning classification for a portion of certain property located at 6194 Hwy 98 (Parcel 052R-10-018.00, PPIN 17193, Ward 3) from Article 4, Section 62, B-5 (Regional Business) District to Article 4, Section 54, R-4 (High Density Residential) District. The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments: [April HPC Minutes \(DRAFT\)](#)
[Image Sheet -6194 Hwy 98](#)
[Staff Summary - 6194 Hwy 98 \(Rezoing\)](#)
[Applicant Summary- 6194 Hwy 98](#)
[Ordinance - 6194 Hwy 98](#)
[Site Plan- 6194 Hwy 98](#)

- V.-2** [2016-2596](#) APPROVE or DENY a petition filed by Charles Bourland, Representative, on behalf of William Carey University, Owner, to request a Use Permit Upon Review for a "Parking/Parking Lot" as provided in Article 4, Section 52.03 (4) for certain properties located at 204, 226, and 228 Tuscan Avenue (Parcel 038G-15-189.00, PPIN 13687; Parcel 038G-15-190.00, PPIN 13688; Parcel 038G-15-191.00, PPIN 13689, Ward 5). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments: [April HPC Minutes \(DRAFT\)](#)
[Image Sheet -204, 226, and 228 Tuscan Avenue](#)
[Staff Summary - 204, 226, and 228 Tuscan Avenue \(Use Permit\)](#)
[Application Summary- 204, 226, and 228 Tuscan Avenue](#)
[Parking Lot Site Plan- 204, 226, and 228 Tuscan Avenue](#)

- V.-3** [2016-2603](#) Adopt an Ordinance for the petition filed by Renee and Brian Dozier, Representative, on behalf of Sidney Malone, to change the zoning classification for a certain property located on The northeast corner of Turtle Creek Mall (Willow Street) (Parcel 051L-11-036.000, PPIN 17347, Ward 3) from Article 4, Section 59, B-2 (Neighborhood Business) District to Article 4, Section 62, B-5

(Regional Business) District. The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments:

[April HPC Minutes \(DRAFT\)](#)

[Staff Summary - The Northeast Corner of Turtle Creek Mall \(Willow St\)](#)

[Image Sheet -The northeast corner of Turtle Creek Mall \(Willow Street\)](#)

[Applicant Summary \(Rezoning\)- The northeast corner of turtle creek mall](#)

[Ordinance - The northeast corner of Turtle Creek Mall PPIN 17347](#)

[Site Plan - proposed](#)

[Documents submitted by applicant](#)

- V.-4** [2016-2607](#) APPROVE or DENY a petition filed by Renee and Brian Dozier, Representative, on behalf of Sidney Malone, Owner, to request a variance from Article 4, Section 89.04 (39) which states one (1) parking space is required for each one thousand (1,000) square feet of gross floor area for a total (44) spaces required and instead allow a total of eight (8) spaces for a variance of thirty-six (36) parking spaces for certain property located at the northeast corner of Turtle Creek Mall (Willow Street) (Parcel 051L-11-036.000, PPIN 17347, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments:

[April HPC Minutes \(DRAFT\)](#)

[Image Sheet -The northeast corner of Turtle Creek Mall \(Willow Street\)](#)

[Staff Summary - The Northeast Corner of Turtle Creek Mall \(Willow St\)](#)

[Application Summary \(Variance\)- The northeast corner of Turtle Creek Mall \(Wil](#)

[Site Plan - proposed](#)

[Documents submitted by applicant](#)

- V.-5** [2016-2594](#) Adopt an Ordinance to amend the Midtown Form Based Code, Ord. 3105, Section 3.17 C.3.b.v., to read "Chevy Chase Drive". The Planning Commission voted to APPROVE on April 6, 2016.

Attachments:

[April PC Minutes \(draft\)](#)

[Staff Summary - Primary and Side Street Designation – Chevy Chase Drive Tex](#)

[Land Development Code Amendment](#)

[Ordinance - Chevy Chase Drive - Side Street FBC](#)

- V.-6** [2016-2597](#) APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 3, Section 3.4.2 (F) which states a Build-to Zone on a primary street shall meet 70% minimum overall lot width and instead allow 17% lot width for a variance of 53% lot width for certain property located on a portion of 3102 Hardy St and along S. 31st Avenue (Parcel 028N-07-079.00, PPIN 26492, & Parcel 028N-07-080.00, PPIN 26493, Ward 3). The Planning Commission

recommended to APPROVE on April 6, 2016.

Attachments:

[April PC Minutes \(draft\)](#)

[Image Sheet- Midtown-Item F and G](#)

[Staff Summary - Midtown- 3102 Hardy St and along S.31st Avenue](#)

[Application Summary \(Variance\)-Items F-K and M-Q](#)

[Site Plan - The District at Midtown](#)

[Petition F - Exhibit](#)

- V.-7** [2016-2598](#) APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 5, Section 5.1.G.3 (a) which states landscaped interior islands must be provided every ten (10) parking spaces and instead allow one (1) landscaped interior island for a variance of three (3) landscaped interior islands for certain property located on parcels on and along S. 31st Avenue (Parcel 028N-07-079.00, PPIN 26492, & Parcel 028N-07-080.00, PPIN 26493, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments:

[April PC Minutes \(draft\)](#)

[Image Sheet- Midtown-Item F and G](#)

[Staff Summary - Midtown- F G 3102 Hardy St and along S.31st Avenue](#)

[Application Summary \(Variance\)-Items F-K and M-Q](#)

[Site Plan - The District at Midtown](#)

[Petition G - Exhibit](#)

- V.-8** [2016-2599](#) APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 3, Section 3.15.1 (F) which states a Build-to Zone on a primary street (S. 31st Ave.) shall meet a 90% minimum overall lot width and instead allow 27% lot width for a variance of 63% lot width for certain property located on a portion of 3000 Hardy Street (Parcel 028N-07-078.00, PPIN 20837, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments:

[April PC Minutes \(draft\)](#)

[Image Sheet- Midtown-Items H, I, J, & K](#)

[Staff Summary - Midtown- H I J K 3000 Hardy Street](#)

[Applicant Summary \(Variance\)-Items F-K and M-Q](#)

[Site Plan - The District at Midtown](#)

[Petition H - Exhibit](#)

- V.-9** [2016-2600](#) APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code

Article 3, Section 3.15.2(B) which states a street facing façade with a height minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 53% lot width along Hardy Street for a variance of 22% lot width for certain property located 3000 Hardy Street (Parcel 028N-07-078.00, PPIN 20837, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments:[April PC Minutes \(draft\)](#)[Image Sheet- Midtown-Items H, I, J, & K](#)[Staff Summary - Midtown- H I J K 3000 Hardy Street](#)[Applicant Summary \(Variance\)-Items F-K and M-Q](#)[Site Plan - The District at Midtown](#)[Petition I - Exhibit](#)**V.-10 [2016-2601](#)**

APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 3, Section 3.15.2(B) which states a street facing façade with a height minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 0% lot width along S. 30th Avenue for a variance of 75% lot width for certain property located 3000 Hardy Street (Parcel 028N-07-078.00, PPIN 20837, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments:[April PC Minutes \(draft\)](#)[Image Sheet- Midtown-Items H, I, J, & K](#)[Staff Summary - Midtown- H I J K 3000 Hardy Street](#)[Applicant Summary \(Variance\)-Items F-K and M-Q](#)[Site Plan - The District at Midtown](#)[Petition J - Exhibit](#)**V.-11 [2016-2602](#)**

APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 3, Section 3.15.2(B) which states a street facing façade with a height minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 0% lot width along S. 31st Avenue for a variance of 75% lot width for certain property located at 3000 Hardy Street (Parcel 028N-07-078.00, PPIN 20837, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments: [April PC Minutes \(draft\)](#)
[Image Sheet- Midtown-Items H, I, J, & K](#)
[Staff Summary - Midtown- H I J K 3000 Hardy Street](#)
[Applicant Summary \(Variance\)-Items F-K and M-Q](#)
[Site Plan - The District at Midtown](#)
[Petition K - Exhibit](#)

- V.-12** [2016-2604](#) APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 3, Section 3.5.3.A (MX-4) which states a maximum story allowed in a MX-4 zone shall not exceed four (4) stories and instead allow five (5) stories for a variance of one (1) story for a hotel as proposed located at 3000 Hardy Street and 301 Chevy Chase Drive (Parcel 028N-07-078.00, PPIN 20837; Parcel 028N-07-076.00, PPIN 20839, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments: [April PC Minutes \(draft\)](#)
[Image Sheet- Midtown-Item L](#)
[Staff Summary - Midtown- L 3000 Hardy Street 301 Chevy Chase Drive](#)
[Applicant Summary \(Variance\)- Item L](#)
[Site Plan - The District at Midtown](#)
[Petition L - Exhibit](#)

- V.-13** [2016-2605](#) APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 3, Section 3.4.2 (F) & (H) which states the Build-to Zone on a primary street shall meet a 70% minimum lot width and instead allow 0% lot width for a variance of 70% lot width along S. 31st Avenue and also allow 23% lot width for a variance of 47% lot width along Chevy Chase Drive for certain properties located at 3000 Hardy Street and 307 Chevy Chase Drive (Parcel 028N-07-076.00, PPIN 20839; Parcel 028N-07-078.00, PPIN 20837; Parcel 028N-07-077.00, PPIN 20838, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments: [April PC Minutes \(draft\)](#)
[Image Sheet- Midtown-Item M](#)
[Staff Summary - Midtown- M 3000 Hardy Street and 307 Chevy Chase Drive](#)
[Applicant Summary \(Variance\)-Items F-K and M-Q](#)
[Site Plan - The District at Midtown](#)
[Petition M - Exhibit](#)

- V.-14** [2016-2606](#) APPROVE or DENY the petition filed by Robert Tatum,

Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 3, Section 3.15.1 (F) which states a Build-to Zone on a primary street (S. 31st Ave.) shall meet a 90% minimum overall lot width and instead allow 0% lot width for a variance of 90% lot width and a variance from Article 3, Section 3.15.2(B) which states a street facing façade height with a minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 0% lot width along S. 31st Avenue for a variance of 75% two lot width for certain property located on the southern portion of 3000 Hardy Street along S. 31st Avenue (Parcel 028N-07-078.00, PPIN 20837; Parcel 028N-07-077.00, PPIN 20838, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments:[April PC Minutes \(draft\)](#)[Image Sheet- Midtown-Item N](#)[Staff Summary - Midtown- N 3000 Hardy Street along S.31st Avenue](#)[Applicant Summary \(Variance\)-Items F-K and M-Q](#)[Site Plan - The District at Midtown](#)[Petition N - Exhibit](#)**V.-15 [2016-2608](#)**

APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 3, Section 3.15.2(B) which states a street facing façade height with a minimum of two (2) stories shall meet a 75% minimum overall lot width and instead allow 48% lot width along S. 30th Avenue for a variance of 27% lot width for certain property located at 3000 Hardy Street (Parcel 028N-07-078.00, PPIN 20837; Parcel 028N-07-076.00, PPIN 20839, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments:[April PC Minutes \(draft\)](#)[Image Sheet- Midtown-Item O and P](#)[Staff Summary - Midtown- O P 3000 Hardy Street along S.30th Avenue](#)[Applicant Summary \(Variance\)-Items F-K and M-Q](#)[Site Plan - The District at Midtown](#)[Petition O - Exhibit](#)**V.-16 [2016-2609](#)**

APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 3. Section 3.15.1. (G) which states that a street setback may be a maximum of fifteen (15) feet from the property line and instead allow a setback of 19.4 feet on S. 30th Avenue for a variance of 4.4 feet for a portion of a hotel as proposed located at 3000 Hardy Street and 301 Chevy Chase Drive (Parcel 028N-07-078.00, PPIN

20837; Parcel 028N-07-076.00, PPIN 20839, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments: [April PC Minutes \(draft\)](#)
 [Image Sheet- Midtown-Item O and P](#)
 [Staff Summary - Midtown- O P 3000 Hardy Street along S.30th Avenue](#)
 [Applicant Summary \(Variance\)-Items F-K and M-Q](#)
 [Site Plan - The District at Midtown](#)
 [Petition P - Exhibit](#)

- V.-17** [2016-2610](#) APPROVE or DENY the petition filed by Robert Tatum, Representative, on behalf of the University of Southern Mississippi, Owner, to request a variance from Midtown Form-Based Code Article 5, Section 5.1.G.3 (a) which states landscaped interior island must be provided every ten (10) parking spaces for a required total of fourteen (14) and instead allow three (3) landscaped interior islands for a variance of eleven (11) landscaped interior island for certain property located on a portion of 3102 Hardy Street and along S. 31st Avenue (Parcel 028N-07-079.00, PPIN 26492; Parcel 028N-07-080.00, PPIN 26493; Parcel 028N-07-078.00, PPIN 20837, Ward 3). The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments: [April PC Minutes \(draft\) 1](#)
 [Image Sheet- Midtown-Item Q](#)
 [Staff Summary - Midtown- Q 3102 Hardy Street and along S.31st Avenue](#)
 [Applicant Summary \(Variance\)-Items F-K and M-Q](#)
 [Site Plan - The District at Midtown](#)
 [Petition Q - Exhibit](#)

- V.-18** [2016-2611](#) Adopt an Ordinance for the petition by Robert Tatum, Representative, on behalf of University of Southern Mississippi, Owner, to change the zoning classification for a portion of a parcel located on S. 31st Avenue (Parcel 028N-07-079.00, PPIN 26492, & Parcel 028N-07-080.00, PPIN 26493, Ward 3) from Article 2, Section 2.4, EM-2 (Employment) District to Article 2, Section 2.3, MX-3 (Mixed Use) District. The Planning Commission recommended to APPROVE on April 6, 2016.

Attachments: [April PC Minutes \(draft\) 1](#)
[Image Sheet- Midtown-Item R](#)
[Staff Summary - Midtown- R S.31st Avenue \(Rezoning\)](#)
[Applicant Summary \(Rezoning\)- Item R](#)
[Site Plan - The District at Midtown](#)
[Petition R - Exhibit](#)
[Ordinance - S.31st Avenue](#)

V.-19 Removed.

- V.-20** [2016-0140](#) Adopt an Ordinance to Amend Ordinance 3051 adopted on January 19, 2010, closing and vacating South 31st Avenue between Hardy Street & Chevy Chase Drive revising the legal description.

Attachments: [ORD - S. 31st Avenue](#)

- V.-21** [2016-2623](#) Adopt a resolution stating that a sufficient petition against the issuance of the not to exceed sixty million dollars (\$60,000,000) general obligation water and sewer bonds of the city and/or general obligation water and sewer bonds of the city for purchase by the Mississippi Development Bank has been filed by the qualified electors of the city; and authorizing an election concerning the issuance of said general obligation water and sewer system bonds of the city and/or general obligation water and sewer bonds of the city for purchase by the Mississippi Development Bank, if authorized by further direction of the Governing body of the City.

Attachments: [Resolution](#)
[Exhibit A - Certification of City Clerk & Filed Bond Letter/Petitions](#)

- V.-22** [2016-432](#) Adopt a Resolution authorizing Requisition No. 48 from the Project Fund Construction Account in connection with certain loan agreement, dated as of December 19, 2013, by and between the Mississippi Development Bank and the City of Hattiesburg.

Attachments: [2013 Bond Requisition No. 48](#)

- V.-23** [2016-2620](#) Adopt a Resolution to advertise municipal resources and defray the cost of sending the families of Officers Benjamin Deen and Liquori Tate to National Police Week in Washington , D.C. where the service and Ultimate sacrifice of Officers Benjamin Deen and Liquori Tate, killed in the line of duty will be honored.

Attachments: [Resolution- Deen and Tate](#)
[Revised Resolution - National Police Week, 2016](#)

- V.-24** [2016-2627](#) Authorize the Mayor to execute an agreement between Trinity Capital Investors and the City of Hattiesburg to provide investment consulting and advisory services to the city for the term of one (1)

year and shall commence on April 19, 2016 ending on April 18, 2017.

Attachments: [Custody Agreement](#)
 [Trinity Contract](#)

- V.-25** [2016-2615](#) Approve and authorize Mayor to execute agreement between the City of Hattiesburg and Crechale Properties, LLC for purpose of setting forth the terms, conditions and covenants for Wastewater flow into Hattiesburg's wastewater collection system and treatment facility.

Attachments: [Crechale Properties agreement](#)
 [Aerial photo City of Hattiesburg](#)
 [Crechale attachments](#)

- V.-26** [2016-2617](#) Ratify and confirm the Mayor's appointment of Carey R. Varnado, (replaces Mary A. Williams) to the Hattiesburg School Board for a term(3/4/2015 to 3/3/2020) beginning April 19, 2016 and ending March 3,2020.

Attachments: [Varnado-Resume](#)

- V.-27** [2016-2622](#) Acknowledge receipt of the final audit of the City of Hattiesburg for the fiscal year ending September 30, 2014, from Carr, Riggs and Ingram(on file in the City Clerk's office).

Attachments: [Comprehensive Annual Financial Statements-1](#)

- V.-28** [2016-2626](#) Acknowledge receipt of clear title opinion from Richard & Thomas, PLLC on property located at 318 Hardy Street that was purchased April 5, 2016, by the City from Ricardo Mussiott, owner.

Attachments: [Title Opinion- 318 Hardy Street.](#)

- V.-29** [2016-2613](#) Acknowledge receipt of the Final Draft of the 2016 Annual Action Plan and approve the subsequent submission of the 2016 Annual Action Plan to the U.S. Department of Housing and Urban Development. {Entitlement}

Attachments: [2016 ANNUAL ACTION PLAN](#)

VI. ROUTINE AGENDA

- VI.-1** [2016-2591](#) Acknowledge receipt of monthly budget report for the month of March 31, 2016, on permanent file in the City Clerk's office.

Attachments: [REV16.0316](#)
 [EXP16.0316](#)

- VI.-2** [2016-2621](#) Acknowledge receipt of FY 2015 Expenditure Report from Rhythm Heritage Foundation for the Mobile Street Festival.

Attachments: [Mobile Street Festival 2015 Expenditure Report.](#)

- VI.-3** [2016-2589](#) Approve plans and specifications for Warehouse at Water Plant #2; authorize the advertisement for bids for same.

Attachments: [Advertisement for Bids](#)
 [1235-075 Plans \(Final\) Signed 2016-03-24](#)
 [1235-075_specs_\(Final\) signed 2016-03-24](#)

- VI.-4** [2016-2618](#) Approve the sale of grave spaces, per attached memo.

Attachments: [Cemetery Deeds Receipts \(April 12\)](#)
 [Cemetery Deeds \(April 12\)](#)

- VI.-5** [2016-2612](#) Approve and authorize issuance of manual check for HOME Program Claims per attached memorandum. {Entitlement HOME}

Attachments: [Memorandum for HOME Payment April 19, 2016](#)

- VI.-6** [2016-2619](#) Approve claims docket for the period ending April 15, 2016.

Attachments: [DOCKET 16.04-15](#)
 [Addendum to the 4-19-16 Claims Docket](#)

- VI.-7** [2016-2628](#) Acknowledge receipt of request filed by Mary Morris Sakalairos to appeal the Hattiesburg Historic Conservation Commission's recommendation for the petition filed by Mary Elizabeth Morris Sakalairos, Owner, to demolish the structures at 1413 Main Street (Parcel 042F-26-153.00, PPIN 12334, Ward 5); (Hattiesburg Historic Conservation Commission recommended to DENY on March 9, 2016); Reschedule a public hearing before City Council to May 16, 2016 at 4:00 p.m. to allow for proper notification; and authorize publication of Public Notice setting an Appeal Public Hearing.

Attachments: [Request to Appeal HHCC Decision_Sakalairos](#)
 [Feb 2016 minutes HHCC](#)
 [1413 Main St - Applicant Documentation and Application](#)
 [Data sheet 1413 N Main St](#)
 [Opposition letters](#)
 [MDAH letter 1413 Main St Demo](#)
 [1413 Main St - Interior photos](#)
 [Sakalairos Appeal Public Notice - Second Posting](#)