

**CITY OF PICAYUNE  
PLANNING COMMISSION MEETING**

**Minutes of April 9, 2019, 5:30 P.M.**

The City of Picayune Planning Commission met April 9, 2019 at 5:30 P.M. in the Intermodal and Tourist Center at 200 Hwy 11 South, Picayune, MS 39466 with the following Commissioners present: Dennis Collier, Martha Ford, Bryan Cooper, Glen Rayburn, George Janet, Luddia Williams, Tom Milar and Teresa Bennett of Planning & Zoning Department and City Attorney Nathan S. Farmer.

It being determined a quorum was present, Dennis Collier, welcomed everyone and called the meeting to order.

The following agenda items were discussed with recommendations made to the City Council on April 16, 2019 at 5:00 P.M.

**I. Approval of Minutes for meeting held March 12, 2019.**

**Motion: Glen Rayburn**

**Second: Luddia Williams**

**Voting Yea: Dennis Collier, Bryan Cooper, Glen Rayburn, Martha Ford, George Janet, Luddia Williams**

**Voting Nay: None**

**Absent and not Voting: Louise Harvin**

**Abstaining and not Voting: None**

**New Business**

**Need a motion to move Item #2 to #1**

**Motion: Glen Rayburn**

**Second: George Janet**

**Voting Yea: Dennis Collier, Bryan Cooper, Glen Rayburn, Martha Ford, George Janet, Luddia Williams**

**Voting Nay: None**

**Absent and not Voting: Louise Harvin**

**Abstaining and not Voting: None**

- 1. Consider request for a Conditional Use Approval – Diane Carter is seeking permission to place a mobile home on her property and demo the existing home which is too costly to repair. Property located at 1020 Neal Road. Parcel 6172090030100600. Property zoned as R-3 (Multi-Family residential).**

**Discussion:**

**Diane Carter stated that the house is in bad shape and too costly to repair. I am on disability and cannot afford to fix it. I would like to place a mobile home on the lot and demo the house.**

**Dennis Collier replied, we are not approving this, only making recommendations to the City Council.**

**Tom Milar said that he went to the property at 1020 Neal Road and that the house is condemnable. I have 3 stipulations for the Conditional Use Approval. (1) Trailer must be placed behind existing house. (2) House is to be demolished. (3) Conditional Use is not transferrable; the Conditional Use is only in place for Diane Carter.**

**Diane Carter asked what if she passed away she has a 14 year old son to inherit property? Her daughter would move in to care for him until he turns 18. Would this Conditional Use cover him?**

**Tom Milar replied that if something was to happen to Diane Carter, which at this time is brought back before the board for approval.**

**After discussion and no with opposition, the Planning Commission made the decision to approve request with stipulations. The following vote was taken:**

**Motion: Luddia Williams**

**Second: George Janet**

**Voting Yea: Dennis Collier, Glen Rayburn, Bryan Cooper, Martha Ford, George Janet, Luddia Williams**

**Voting Nay: None**

**Absent and not Voting: Louise Harvin**

**Abstaining and not Voting: None**

- 2. Consider request for a Preliminary Plan Approval – Jon Pearson is seeking permission for a Preliminary Plan Approval for Ridge Crest II Subdivision parcel 617624000002400 property located on Solange Drive, which is currently zoned PUD-R (Planned Unit District - Residential).**

**Discussion:**

**Dennis Collier started the meeting reading aloud the PUD-R Approval Process, and stating for the record that this is the 2<sup>nd</sup> time before the Planning Commission on this Preliminary Plan Approval.**

**Engineer Sean Burkes – *From the last meeting we heard a lot of comments regarding the number of density, drainage, sewer & water, about the drainage, even the big picture on drainage and other comments too. This***

*is a re-layout design. We took the peoples comments in strong consideration. We have reduced the number of lots, from 31 to 18, which is a significant difference. We have also increased, by doing that we have increased the lot size to 60x65 ft, 5 ft side yard setbacks all the way around, and they are single family homes, not town houses. We also placed in the North East Corner a detention pond, a dry pond that we will drain into then it will fill up and then drain back to dry again after the storm events are well over with. We have 1 issue that has popped up about the overall drainage at Ridge Crest down below. One of the things we promised the residents that we would do is take a look at a big picture of overall areas to see what can be done, and I did bring a map and we overlaid it with an aerial so you can see what's going on. Basically what the residents described, you can see the low spot. Looks like Ridge Crest drains from North to South and South to North midpoint. It kind of drains up the North Easterly direction, it shows there is about a 4 ft to 3 ½ ft fall to where the drain is, but there is a logging road that crosses through there, so there is some opportunity to probably dig some ditches along the logging road. There is an opportunity to help with some of the drainage over there, not necessarily for my client, but there is an elevation potential to relieve .I do think that now there is a potential we just need to find out the details of it. I can show this map to anyone interested at the end of the meeting. In regard to sewer & water, we still have some room available on our property where we have man holes where we could allow a tie-in from the South that proves beneficial, but I do think that with the correct process from what I heard at the last meeting would be if Ridge Crest wanted water & sewer that they would have to approach the Pearl River County Utility Authority then we could send copies of our plans to show potential tie-in points. In regards to this I believe that there was also an issue of the road that was coming out on the main road. There is 50 ft servitude from the Frontage Road going to our property and it is a legal servitude, a recorded document. We are proposed to adhere to that document when we build our exit road going out. What we have shown on our plans would adhere to that document. The intent is what we mentioned before, is whether or not this is going to be rental? The intent is to sell the lots, and Mr. Pearson has made that statement before. Before this meeting I called him up on his way over here because he was stuck in traffic, he is dedicated to selling the lots, that's his intent he is not planning on doing anything else.*

*Dennis Collier, so no age restrictions? He is just selling the lots.*

*Sean, that is correct. What I can say from talking to other people this project, the bad news, is that a lot of this has been put out to the public many times and many different formats. What happened was one time it was nothing but retirement, as you have seen as you go down from 31 lots to 18 what is going to be there changes too. This is definitely a bigger unit, a bigger lot, a bigger house than what was claimed before, you would think this would be an option for the elderly, but this is not going to be limited to just the elderly.*

*Hollis Bobinger 58 Ridge Crest Dr. – if setbacks between & around each unit is 5 ft then what size is the unit? What is going on with the southern fence line?*

**Sean Burkes – unit size is 1200sq ft heated/cooled. After the last meeting I pulled out the survey. When they put the fence up it was for the Navy RV spots and it was well into the property of Mr. Pearson, so we will be bringing it back to the property line, but it is in many feet like 15 ft or so is what it looks like.**

**Hollis Bobinger 58 Ridge Crest Dr. – ok. That was the area that was supposed to be a buffer zone.**

**Barbara Bailey 33 Ridge Crest Dr. – at the last meeting I remember I had to ask about what a PUD was because I had no idea, so I pulled up the your ordinances online. The requirements for PUD, things we are supposed to have from what I have read we are just missing a lot of things. You are supposed to have open common areas, recreational areas, place for a park, playground, and laundry mat. Basically I know that you just told us what this is for, but my understanding is that a PUD is for a community that's why the zoning is set up so everyone can get in with that separate zoning. This is strictly residential. What I am reading here is what PUD is for.**

**Tom Milar – to answer your question, there are 2 different PUDs. There is a PUD-C Commercial and a PUD-R which is residential which means that, the areas designated for laundry mats and different out specs like those, that would be considered commercial, so you couldn't have those in that area.**

**Barbara Bailey 33 Ridge Crest Dr. - sir I am reading you PUD-R that is what R is for, you can put separate types of businesses in without any zoning, it is not a C. you can have residential and you can have other areas. Another thing is that you have to have some type of administrating system within the PUD a HOA to keep up the common things. We are supposed to have a statement here telling us what type of statement here will be used and I have not seen nor have I heard that.**

**Dennis Collier – yes ma'am, but this is still part of the Preliminary Plan process.**

**Barbara Bailey 33 Ridge Crest Dr. – you are supposed to have it. I have read it very well. We are supposed to be given this information right now, that's part of the Preliminary Development Plan.**

**Tom Milar – he has initiated a HOA form which, nothing can be done until the Final Development Plan.**

**Barbara Bailey 33 Ridge Crest Dr. – ok, we were not given that information.**

**Sean Burkes – we do have 1.4 acres of open space on the property.**

**Barbara Bailey 33 Ridge Crest Dr. – of community space?**

**Sean Burkes – it is open space and we have a walking path going around the development.**

**Barbara Bailey 33 Ridge Crest Dr. – the traffic has not been addressed. There is no way we can put more traffic at that intersection. It cannot happen. We can't use it now and you want to put more traffic. This has not been addressed whatsoever. If you're going to follow these ordinances**

*that this city has made these things have to be met before you can send an approval or your approval on because that's part of what you wrote. Did you really read over the ordinances? The treatment of the perimeter has to be stated. Are you going to have a fence? That has to be stated and I haven't heard that. Also it supposed to show what actual structures are going to be on those lots. That has not been done. You have not met what the ordinances require, they have not been met.*

**Jon Pearson** – *the department of transportation has a plan that has been approved by the state legislator just waiting on funds. It is on record just waiting on funding.*

**Sean Burkes** – *on our plan look at note # 1, it says the wood fence to be installed along the perimeter property lines, we did stipulate what that was going to be. We also stipulate a lot of things by written correspondence well back earlier in the 1<sup>st</sup> review process. We also in regard to open space, we did have 1.4 acres listed with the document, it is listed there. We did specify that there was no none residential construction on the property, and we do have a kind of walking path (sidewalk) going around the site. The intent was a passive walking area going around the site we do have some green space going around that could be used for some open space area. One of the things that will be forth coming as we go further would be the landscape plan, we cannot go to all that trouble right at this time, and that is part of the process.*

**Aaron Massey 55 Ridge Crest Dr.** – *he talked about the little walk path and green space, it is not much. I probably got more green space than house on our property. All I am asking for is bigger lots like we all have. So my property value doesn't go down. My main concerns are crime, what kind of people will be living there and what types of houses will be built. We would like for them to have 1 acre lots at least a ½ acre.*

**Edward Bertucci 53 Ridge Crest Dr.** – *when we first bought our house it was with the assumption that one day that would be a senior retirement community. That's the only reason we bought our house. My concern is crime, eventually it going to happen. People with kids that have time on their hands they will get into trouble. I am fearful that they will come into the neighborhood. Why can't they make it senior restricted? If you're going to have a HOA, put a requirement on it seniors only. I'm afraid the teenagers will be going in the car dealership, Wal-mart and the senior center and causing trouble because they have too much time on their hands. Picayune is fixing to make a big, big mistake! A big headache that I don't want to be part of, and I will want to sell my house. Please make it senior restricted.*

**Jon Pearson** – *the seniors have grandchildren. They would have more grandchildren than maybe the people behind you, and I really have to commend Ridge Crest I. it has been a really outstanding subdivision with no problems. I never put the first HOA on it and I don't know of anybody who has ever rented in there. You can't really control what is happening in the neighborhood.*

**Bonnie Frierson 43 Ridge Crest Dr.** – *to point it out , most of the people in Ridge Crest I are senior citizens! That's why there are no issues in there. We keep our yards nice, and people do have grandchildren. The senior*

*center is right there, it should be 55 and older because of the senior center. It just makes sense. My biggest concern is Wal-mart. Mr. Pearson stated that it was being taken care of, that it was all worked out and they are just waiting on the funding. I went to that meeting too where they were trying to get proposals to see what they can do. They had no clue what to do, that's why they ask for our opinions and as far as I know there has not been another meeting or I would have been there. Fix our problems before you add more.*

**Hollis Bobinger 58 Ridge Crest Dr. – *if there was 60 units, it would be a crack haven without a doubt.***

**Barbara Bailey 33 Ridge Crest Dr. – *we were supposed to hear a recommendation from the City Engineer and I don't think I've heard that. The Engineer was supposed to discuss this and give us a report.***

**Dennis Collier – *that is what Mr. burkes did. You had concerns and he addressed all of them. He went from 31 lots to 18 lots he added a detention pond.***

**Barbara Bailey 33 Ridge Crest Dr. – *I understand that. But he is not the city Engineer.***

**Tom Milar – *the City Engineer looked at all the Site Review Plans and made his opinions with 10 points or better and that was presented to Mr. Burkes and those 10 point issues have been corrected.***

**Hollis Bobinger 58 Ridge Crest Dr. – *it went from 1800 sq ft to 1200 sq ft.***

**Glen Rayburn – *Mr. Pearson do you have an idea on what type of houses are you going to build? Are you just selling lots?***

**Jon Pearson 3 bedroom, 2 baths, brick, 1200 sq ft heated/cooled.**

**Bryan Cooper – *Tom I understand that all the stuff the Engineer looked at, he then made a list, and all issues have been met.***

**Tom Milar – *yes, after those 10 points were met, we had 6 more points came up and all those have been satisfied. To address your question Mr. Rayburn, this is still a Preliminary Plat, meaning, for the house sizes and all that he has to come back for once he completes this step and present a Final Plat for the board. So right now we are doing a process on what needs to be met to be approved.***

**Bryan Cooper – *our stand point on what we are considering tonight that all of these issues have been addressed at the stage we are at now from the City's stand point..***

**Tom Milar – *this locks him in, he can't come back and change anything or do anything that changes the official project. As of right now he has a Preliminary Plan and the Final he still has to bring in. so it's not a done deal at this point.***

**Glen Rayburn – *so there nothing that says it going to be 1200 sq ft or 1800 sq ft?***

**Tom Milar – *you can make that a condition right now.***

**Barbara Bailey 33 Ridge Crest Dr. – *you said everything has been met does this include the traffic situation?***

**Tom Milar** – *the traffic situation has not been met. But in reducing the lots down from 31 to 18, will ease the traffic situation. So with that being said I know it's crazy at the turn by Wal-mart I don't like driving on Frontage road.*

**Aaron Massey 55 Ridge Crest Dr.** – *how many houses are they going to put there? According to him the more the merrier. so if you have all these grandchildren, who's bringing them over? The 1<sup>st</sup> plat showed only 2 parking spaces per unit. So where you going to park all these visitors? If you have a fire, how is the fire truck going to get in and around in there? It is showing the fire truck has just enough room to make the turn.*

**Tom Milar** – *it has been calculated through engineering that the fire truck can make it through there. Also the City of Picayune cannot deny a land owner from developing their property. We cannot go in there and say I am sorry we have a traffic problem and you cannot develop your property. That would be illegal for us to do. So he has come with a plan, and we believe at this point that he has met all of the standards of what he needs to do. But we cannot stop a developer from developing his property period.*

**George Janet** – *I don't like being in a hurry. Mr. Pearson has the absolute right to do as he pleases with his property. Those rights are passed down to us from our English common law. He has come down from 31 lots to 18 and making progress. Hoping that, we can come to a consensus that everybody happy. I think that's what everybody wants. To address your concerns about crime, I have faith in the Picayune Police Department.*

**Martha Ford** – *what price range are your houses going to be in?*

**Jon Pearson** – *I sat down with a realtor and came up with \$120,000.00 reality is what it is going to sell for and that's all it is.*

**Katherin Bouchoux 44 Ridge Crest Dr.** – *I have only been here since Katrina and thank God we found what we found, but in my neighborhood he built some of the houses and he sold lots in another part of the neighborhood. Is he going to build every single home or is he going to sell those lots to someone else that could do whatever they want to?*

**Dennis Collier** – *we can only go by what is in front of us right here. That will be at a later stage in the Final Development Plan. He went from 31 lots to 18 lots, from no detention pond to a detention pond, open spaces, sidewalks. We can only vote on what is before us tonight, and this is not the Final Plat.*

**Adrian Mitchell 54 Ridge Crest Dr.** – *what is the living area of the house?*

**Dennis Collier** *this is what we are looking at tonight there is no sq ft of the house. All we are looking at tonight is the foot print of each lot. The drainage open space when we get into the 3<sup>rd</sup> phase of the development process which is the Final. Those things will be addressed. Right now we are addressing the concerns from the last meeting. We can listen to your concerns and maybe, maybe not put those conditions on it.*

**Adrian Mitchell 54 Ridge Crest Dr.** – *the drainage on the logging road Mr. Burkes was talking about, I've been back there and it is actually like a dam. If you put culverts back there, we will have more water coming to us.*

*They built that road when they built Wal-mart, that's where the dirt came from.*

**Jon Pearson – no, they built road when they built the interstate.**

**Barbara Bailey 33 Ridge Crest Dr. – read aloud 907.4 (C) The location and floor and size of all existing and proposed building structures and other improvements.**

**Dennis Collier read aloud 907.4 (C) and his interpretation was this will come with the Final Development Plan.**

**After discussion and with opposition, the Planning Commission made the decision to take under advisement. The following vote was taken:**

**Motion: Bryan Cooper**

**Second: Glen Rayburn**

**Voting Yea: Dennis Collier, Glen Rayburn, Bryan Cooper**

**Voting Nay: Martha Ford, George Janet, Luddia Williams**

**Absent and not Voting: Louise Harvin**

**Abstaining and not Voting: None**

**Motion to Recess to Tuesday, May 14, 2019**

**Motion: Bryan Cooper**

**Second: Luddia Williams**

**Voting Yea: Dennis Collier, Bryan Cooper, Martha Ford, Glen Rayburn, George Janet, Luddia Williams**

**Voting Nay: None**

**Absent and not Voting: Louise Harvin**

**Abstaining and not Voting: None**