

1 CITY OF GULFPORT PLANNING COMMISSION

2

3 1403PC009

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5 TRANSCRIPT OF HEARING

6 March 27, 2014

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8 TRANSCRIPT OF HEARING HELD BEFORE THE CITY OF GULFPORT PLANNING

9 COMMISSION HELD IN THE CITY COUNCIL CHAMBERS, GULFPORT,

10 MISSISSIPPI, ON THE 27TH DAY OF MARCH 2014 COMMENCING AT 4:30

11 P.M. AND REPORTED BY NORMA JEAN LADNER SOROE, CERTIFIED

12 SHORTHAND REPORTER.

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COMMISSION MEMBERS PRESENT:

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16 KEITH WILLIAMS, President

COLETTE TOWLES

17 JOHN ANTHONY

WILLIAM "PRINCE" JONES

18 MARTY WARREN

EVERETTE "LAD" LADNER

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20 STAFF PRESENT:

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PAULA DOYLE

22 GREG HOLMES

THOMAS LANE

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N.J. SOROE, CSR #1297

1 Zoning Text Amendment: Case File Number 1403PC009

2 MR. LANE: Zoning text amendment, Case File
3 Number 1403PC009. The City of Gulfport requests an amendment
4 to Section III (J) Chart of Permitted Uses of the Gulfport
5 Comprehensive Zoning Ordinance (2) schedule of uses to be
6 amended to allow a shooting range with planning commission
7 approval in an I-3 district. Exhibit 009.

8 MR. WILLIAMS: Greg, are you going to handle it?

9 MR. HOLMES: What's happening is basically the
10 city has found there is a need to expand our chart of permitted
11 uses to allow this use in additional district which is the I-3
12 zoning district.

13 The first thing you're going to notice with the
14 packet being amended. Originally, when it was originally sent
15 to you guys, it was going to be allowed in I-1 and I-2. That
16 has been revised to just allow this use in the I-3.

17 That's all we're doing is just basically it's a
18 text amendment, and we're just amending our chart of permitted
19 uses to allow the use of the shooting range in the I-3.

20 MR. WILLIAMS: And just for clarification, this
21 will be allowed in the I-3 with planning commission approval,
22 so they'll come here for approval. Right?

23 MR. HOLMES: That's correct.

24 MR. WILLIAMS: Any questions for Greg?

25 MR. LADNER: I have one question. Maybe I just

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1 misunderstood.

2 It's not allowed in I-3 now, but it is in I-1
3 and I-2?

4 MR. HOLMES: No. Originally when we originally
5 came -- brought this text amendment up, we were going to
6 propose to allow it in I-1 and I-2.

7 MR. LADNER: So now you're just limiting it in
8 I-3.

9 MR. HOLMES: Yes.

10 MR. WILLIAMS: And Greg, right now this
11 particular use is not mentioned in any of the zoning; is that
12 correct?

13 MR. HOLMES: Actually, it is allowed with
14 planning commission approval in the B-2 and B-4 right now.

15 MR. WILLIAMS: Thank you.

16 Any other questions? Thank you. Appreciate it.
17 with this being a text amendment, I just ask if
18 there's any more discussion by the commissioners. And if
19 there's not, we can get Greg to -- yes, ma'am.

20 MS. BYRD: Can we make a comment on this at any
21 time?

22 MR. WILLIAMS: Yes, ma'am, we can, we certainly
23 can. Normally with text amendments, we do that and we let the
24 comments come in a related case. But be glad to do that. So,
25 yes, ma'am.

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1 Anyone here the wants to speak against this text
2 amendment change -- first of all, anyone one to speak for it?
3 Anyone want to speak for this text amendment change?

4 MR. PENEGUY: I'm Oliver Peneguy, 112 Elmwood
5 Drive, Pass Christian.

6 I'd like to speak for it as an agent for
7 Maritime Development Center. On Seaway Road, we intend in
8 Number 3 to ask permission to allow for an indoor shooting
9 range in an I-3 zone.

10 So for that, we'd like to ask for y'all's
11 consideration on this.

12 MR. WILLIAMS: Thank you.

13 Anyone else here to speak for the request?

14 Anyone here to speak against the request?

15 And thank you for keeping me straight, ma'am.
16 Appreciate it.

17 MS. BYRD: Mostly I have some questions. My
18 name is Lena Byrd. I live at 1123 36th Street.

19 My questions are, I talked with Paula this
20 morning and she showed me the city map, showing that in our
21 neighborhood we don't have any I-3s. But we do have I-1s.

22 All right. My question is: why is this change,
23 this amendment, going to be -- cover the whole city? why can't
24 it just cover one area that they are requesting? why not ask
25 for a variance for this parcel instead of covering it citywide?

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1 Because if this happens, and it goes citywide,
2 what's to keep somebody from coming back to the city and asking
3 for a zoning change from I-1 to I-2 to I-3?

4 And then we have more of this in our
5 neighborhood.

6 This would affect neighborhoods. Now, where
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7 they're putting it, where they want it, it doesn't look like
8 it's going to affect anybody as much property -- except maybe
9 the people across the lake, they might get the gunshots because
10 we do have one at the firing range at the police department,
11 and I know how loud that can be. I've lived there 47 years.

12 But these are my questions. I just want, you
13 know, the answers to them and y'all to consider the
14 neighborhoods, and the neighborhoods that this would affect,
15 not just mine, but we have Turkey Creek, you know, we have
16 other neighborhoods that have I-1 in their neighborhoods.

17 And we're trying not to be squeezed out. We're
18 really trying.

19 Thank you.

20 MR. WILLIAMS: Thank you.

21 Greg, you want to address that now since the
22 question came up and again clarifying that this is just for the
23 I-3?

24 MR. HOLMES: That's correct. This proposal for
25 text amendment is just in the I-3 district. And as a point of
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1 clarification, there's only I-3s on Seaway. As I remember
2 correct off the top of my head, there's only like maybe two or
3 three. And in order to change that district, you need like 50
4 acres to be able to create one.

5 You know, so it originally started out to allow
6 it in more zones. But over time, we thought about it and
7 reconsidered it and decided to narrow the scope. So it's just
8 going to be something allowed in the I-3 with planning

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9 commission approval.

10 And the reason it went that way and not for a
11 variance, it's the way our ordinance is set up. A variance
12 would be if you wanted to get an exception for a setback or for
13 a height. But in order to -- and that was before the zoning
14 board. But in order to do this, it's a text amendment. It has
15 to come before this body and be recommended and approved by
16 City Council.

17 MR. WILLIAMS: And would you mind expanding on
18 the fact that in order to create an I-3 zone again, because I
19 think the concern was it would be closer to some other
20 neighborhoods, but in order to create an I-3 zone, you've got
21 to have 50 acres in order to do that. If somebody wanted to
22 create that, first of all, they have to have 50 acres. Second
23 of all, it's got to be in harmony with the rest of the area.
24 So you couldn't put an I-3 necessarily next to an R-1.5,
25 although I'm not saying that that's not, you know, happened

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1 before. But it's very unlikely that the I-3 would be put next
2 to a neighborhood. It would have to come before this body in
3 order for that to happen.

4 MR. HOLMES: That's correct. It would have to
5 come before this body and be recommended to the City Council
6 and be approved there.

7 But you're correct when you say that it's not --
8 an I-3, like I say, they're only located on Seaway right now,
9 and it would be an endeavor to create one anywhere else just
10 because of the acreage requirements needed to create that
11 district.

12 MS. TOWLES: But you do have that acreage on
13 34th Street; right?
14 MR. HOLMES: I don't think it's large enough. I
15 don't think it's 50 acres.
16 MR. WILLIAMS: Okay. Thank you.
17 Anyone else here to speak against this request?
18 Commissioners, with those questions, do we have
19 any other questions or comments from y'all before we ask for a
20 vote on it?
21 MR. LADNER: I just have one clarification
22 because the resident mentioned that let's say you have an I-3
23 that is created. Sounds like (inaudible) created. But if we
24 do allow a gun range to be in I-3, if there was a gun range
25 proposed, it would still have to come in front of the planning

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1 commission, and we would consider these concerns; is that
2 correct, Greg? It's not just a given.
3 MR. HOLMES: Yes, sir. It's not a given. You
4 still need planning commission approval.
5 MR. LADNER: So it sounds like it would be
6 narrowly defined I-3 district, a new one outside of the Seaway.
7 But if there was, the gun range for the I-3 would have to be
8 approved by us, and we would consider houses in the area and
9 such. So it's not just a given.
10 MR. HOLMES: That's correct.
11 MR. LADNER: Thank you.
12 MR. JONES: Greg, just to clear something for
13 myself. Fifty acres -- we have two things to keep it in I-3,

14 50 acres, and it must come back before the planning commission.
15 So before you could do that, you got to do those two things.
16 You got to have 50 acres of land and come back to the planning
17 commission.

18 MR. HOLMES: Yes. And also if you guys choose
19 to recommend approving it, it still has to be approved by City
20 Council.

21 MR. JONES: Okay.

22 MR. ANTHONY: Are there any other areas in
23 Gulfport that would fit that criteria for 50 acres? And are
24 you aware of where those areas are?

25 MR. HOLMES: There's no areas I can think of
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1 that don't have essential wetlands or have some type of other
2 issue that would limit them to be able to do this.

3 Right now, the only existing I-3s are located
4 off of Seaway.

5 MR. WILLIAMS: Other questions or comments by
6 the commissioners?

7 Ready for the staff recommendation.

8 MR. LANE: The staff recommendation is to
9 approve the request.

10 MR. WILLIAMS: All right. You've heard staff's
11 recommendation. Further comments or a motion, please.

12 MR. ANTHONY: I move that Case File Number
13 1403PC009 that we approve the request, the staff's
14 recommendation, with any other conditions that may be included.

15 MR. WILLIAMS: We've got a motion to accept the
16 staff's recommendation to approve the text amendment. Do I

17 have a second?

18 MS. TOWLES: Second.

19 MR. WILLIAMS: Motion and second. Any further
20 discussion? If not, all in favor signify by saying aye. Any
21 opposed? All right.

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1 BEFORE THE CITY OF GULFPORT PLANNING
2 COMMISSION.

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7 COURT REPORTER'S CERTIFICATE

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9 I, Norma Jean Ladner Soro, Certified Shorthand
10 Reporter, do hereby certify that to the best of my skill and
11 ability I have reported the hearing held before the City of
12 Gulfport Planning Commission and that the foregoing 9 pages
13 constitute a true and correct transcription of said hearing
14 held on the 27th day of March 2014.

15 I do further certify that my certificate annexed
16 hereto applies only to the original and certified transcript.
17 The undersigned assumes no responsibility for the accuracy of

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18 any reproduced copies not made under my control and direction.
19 witness my signature this the 1st day of April 2014.

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Certified Shorthand Reporter

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