

1 City of Pass Christian
2 Municipal Complex Auditorium
3 105 Hiern Avenue

4
5 **Planning Commission**
6 **Meeting Minutes**
7 **Tuesday, July 30, 2019, 6pm**
8
9

10 **CALL TO ORDER**

11 Chairman Tom Phares called the meeting to order at 6:00 PM. In attendance were Commissioners
12 Adam Pace, Margaret Jean Kalif, Lisa Smith, Michael Lizana, Ken Austin, Lisea Johnson, Rebecca O'Dwyer
13 and Steve Hunter.

14
15 Also in attendance was the City Planner, Danit Simon.

16
17 **ADOPTION OF MINUTES**

18 The first order of business was to *Table the Adoption* of the minutes from the monthly Planning
19 Commission meeting held on May 28, 2019, and the *Adoption* of the minutes from the monthly Planning
20 Commission meeting held on June 25, 2019. A *Motion* by Commissioner Lizana, seconded by
21 Commissioner Austin, was made to table the adoption of the minutes. Commissioner Kalif abstained, as
22 she was not at the June 25, 2019 meeting, and the remaining commissioners voted to approve, the
23 motion passed.
24

25 **NEW BUSINESS**

- 26 ○ *Begin Public Hearing*
27 A *Motion* by Commissioner Austin, seconded by Commissioner Pace, was made to begin the public
28 hearing. The motion passed unanimously.
29
- 30 ○ *Application PD-33-2019, Richard Alan Laton Jr. as agent of Elaine L Galiano, 400 Clarence Avenue,*
31 *#0313C-02-008.001, Planning Commission Approval for Kennel Use for a boarding and grooming pet*
32 *business, in the T5C Mixed-Use Zone.*
33

34 Chairman Phares introduced the application.
35

36 The City Planner, Danit Simon, briefed the Planning Commission on the application: The applicant
37 proposes developing the existing building and property at 400 Clarence for a pet business that includes
38 grooming, boarding and the sale of pet products. All retail and service elements of the business are
39 allowed by right in this zone, while boarding requires Planning Commission Approval for the Kennel Use.
40 They propose installing 24 suites inside the building for boarding pets, and creating a backyard area with
41 a wooden privacy fence for pet recreation and restroom relief along the east side of the building.
42

43 Kennel Use requires approval in order to ensure that the use integrates with the neighboring uses. The
44 parcel is located in a mixed-use neighborhood, near the Dollar General Store, residential houses, ALLCO
45 Storage and Boat & RV Storage and several undeveloped lots. The applicant has submitted a detailed
46 plan to minimize noise in the outdoor area and effectively integrate with the neighborhood, this
47 includes:

- 48 1- Allowing for a maximum of 6-pets outside at any given time;
49 2- Installing a sound proof barrier on the inside of the wooden privacy fence;
50 3- Limiting outside hours to integrate with the neighboring residential properties;
51 4- Pets will remain inside the building during evening or sleeping hours;

- 52 5- A staff member will be in the building 24-hours a day when pets are present; and
53 6- A contingency plan has been established for relocating pets to other locations due to
54 emergencies or when otherwise necessary.
55

56 The requested Kennel Use for the pet business meets the Standards for Planning Commission Approval,
57 as it is in harmony with the mixed-use character of the neighborhood and North Street, with safeguards
58 that complement both residential and commercial uses. There is one objection letter included in your
59 packet, the objector owns an undeveloped lot a couple of parcels north of 400 Clarence Ave, please see
60 the aerial map in your packet. This concludes my report, and the applicant is here to answer your
61 questions.
62

63 Chairman Phares asked if the applicant will be leasing or purchasing the property?
64

65 The applicant, Richard Alan Laton Jr., answered that he is in the process of purchasing the property.
66

67 Chairman Phares asked for more information on the soundproof fencing and what will the fence height
68 be?
69

70 Laton responded that it is a commercially available product that will be installed on the inside of the
71 wood privacy fence, and reduces the decibel by about a third. The fence will probably be six-feet, and
72 the soundproofing material is customizable to whatever size fence we end up installing.
73

74 Commissioner Kalif asked if the applicant is a resident of Pass Christian.
75

76 Laton stated that he lives in the Bay of St Louis.
77

78 ○ *End Public Hearing*

79 A *Motion* by Commissioner O'Dwyer seconded by Commissioner Kalif, was made to end the public
80 hearing. The motion passed unanimously.
81

- 82 ○ A *Motion* by Commissioner Pace seconded by Commissioner Kalif, was made to *approve the Kennel*
83 *Use for a boarding and grooming pet business*. The motion passed unanimously.
84
-

85
86 ○ *Begin Public Hearing*

87 A *Motion* by Commissioner Hunter, seconded by Commissioner O'Dwyer, was made to begin the
88 public hearing. The motion passed unanimously.
89

- 90 ○ *Application PD-34-2019, The Planning & Zoning Department, City of Pass Christian, Rezone the*
91 *Kittiwake Patio Homes Subdivision to the T3R Single-Family Residential Zone (currently T4+ Mixed-*
92 *Use Zone), and Planning Commission Approval for front access under-house parking with garage*
93 *doors and screening.*
94

95 Chairman Phares introduced the application.
96

97 The City Planner, Danit Simon, briefed the Planning Commission on the application: When the 2010
98 Zoning Map was adopted the Kittiwake Patio Homes Subdivision was assigned the T4+ Mixed-Use Zone,
99 which causes challenges for the City to issue permits for the single-family residential subdivision. Due to
100 the incompatible zoning designation, the Planning Department is recommending rezoning the

101 subdivision to the T3R Single-Family Zone based on a mistake in the 2010 Zoning Map. The Planning
102 Department is also recommending front entry parking with screening and garage doors due to the
103 unusual lot shapes.

104
105 The major discrepancy between the T4+ Zone and the Kittiwake Covenants and Plat are the allowed uses
106 and the required setbacks. The T4+ Zone allows for a variety of uses, including single and multi-family
107 residential, lodging, office, retail, civil and education uses all allowed by right, while the subdivision only
108 allows for Single-Family Residential housing. The T4+ setbacks are designed to create pedestrian
109 friendly mixed-use neighborhoods with sidewalks, and buildings positioned close to the street. The
110 Kittiwake single-family subdivision does not allow for any commercial uses, does not have a sidewalk,
111 and is more in keeping with the setbacks and character of the T3R Single-Family Residential Zone.

112
113 The minimum and maximum setback of the T4+ Zone at the front and the sides are impossible to meet
114 on the unusual lot shapes, and existing houses in this subdivision have been granted setback variance to
115 accommodate the lots that are incompatible with the setback standards. The unusual lot shapes are on
116 average 60-ft wide at the street and cannot accommodate the required side entry under house parking,
117 due to the turning radii needing 24-feet for side entry under house parking. The unusual shape and
118 width of the lots do not allow the parking standard to be met, and existing houses in this subdivision
119 have been granted Warrants for front entry under house parking with screening & garage doors.

120
121 The neighboring parcels to the north and east of Kittiwake are in the T3R Zone; therefore the proposed
122 zoning change will be in keeping with the neighborhood and provide continuity to the zoning map.
123 Rezoning kittiwake to the T3R Zone meets the Zoning Regulations due to a mistake in the 2010 Zoning
124 Map. And allowing for front entry parking, with a combination of garage doors and screening due to the
125 unusual lot shapes, meets the Standards for Planning Commission Approval. Correcting the zoning
126 mistake and granting the front entry parking will expedite the permit process by removing the need for
127 variance and warrant applications, as the T4+ Standards are incompatible with the Kittiwake
128 Subdivision. There are three response letters in your packets, two in support and one impartial. This
129 concludes my report.

130
131 Commissioner Austin stated that while he isn't against the rezoning, it wasn't a mistake, the subdivision
132 was zoned T4+ for condo development. To the east the property is zoned T5H, the thought was that this
133 subdivision could also be for multi-family, cottages, etc. Plus the flood maps hadn't been updated yet,
134 so elevating houses wasn't part of the conversation yet. So this really is due to a character change.

135
136 Simon responded that the reason for listing this as a mistake to the zoning map is because when the
137 original ordinance and zoning map was adopted in the 70's the land was commercially zoned. The
138 Kittiwake Subdivision was then established in 1989, therefore the land went from commercial to having
139 a set of covenants that restrict the development to single-family residential. So then in 2010 when the
140 current Zoning Map was adopted, it should have been zoned T3R since the parcels were part of a single-
141 family residential subdivision, where no multi-family or commercial uses are allowed, regardless of any
142 changes to the flood maps.

- 143
144 ○ *End Public Hearing*
145 ○ A *Motion* by Commissioner Austin seconded by Commissioner Kalif, was made to end the public
146 hearing. The motion passed unanimously.
147
148 ○ A Motion by Commissioner Kalif seconded by Commissioner O'Dwyer, was made to approve the
149 Rezoning of the Kittiwake Patio Homes Subdivision to the T3R Single-Family Residential Zone and

150 Planning Commission Approval for front access under-house parking with garage doors and
151 screening. The motion passed unanimously.

152

153 **OLD BUSINESS**

154 N/A

155

156 **OTHER BUSINESS/PUBLIC COMMENT**

157 Commissioner Johnson shared that she is resigning from the Commission, as she is moving outside of
158 the City limits. I have enjoyed working with each and every one of you, especially Danit.

159

160 The Commissioners and Simon all thanked Johnson for her service and expressed that she will be missed
161 too.

162

163 **ADJOURN**

164 *A Motion* by Commissioner Pace, seconded by Commissioner Smith, was made to adjourn the meeting
165 at 6:15 P.M. The motion passed unanimously.