
**Nov 1, 2018
Gautier, Mississippi**

BE IT REMEMBERED that a meeting of the Gautier Planning Commission of The City of Gautier, Mississippi, was held on November 1, 2018 at 5:00 PM in the Council Chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission Members present were: Commissioners Kay C Jamison, Jimmy Green, Paul Gainer, David Wooten and James Lee. Also present was Ramona Morgan, Planning Technician.

**AGENDA
GAUTIER PLANNING COMMISSION
November 1, 2018
5:00 PM**

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)**
- III. APPROVAL OF AGENDA**
- IV. APPROVAL OF MINUTES**
- V. PUBLIC COMMENTS
(MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)**
- VI. OLD BUSINESS**
- VII. NEW BUSINESS**
 - 1. Huntington Ingalls Incorporated requests a SPECIAL EXCEPTION PERMIT for an On-site Mobile Dental Practice at 2105 Old Spanish Trail PID# 82436055.107 located in a TCMU (Town Center Mixed Use) Zoning District. (GPC CASE # 18-20-SE)

VIII. GENERAL DISCUSSION

A. PREVIOUS CASE UPDATES

B. PERMIT & TRC REPORTS

IX. ADJOURN

Commissioner Jamison called the meeting to order.

Commissioner Gainer made the motion to approve the agenda order.

Commissioner Green seconded the motion and the following vote was recorded:

AYES: Jimmy Green
Paul Gainer
James Lee
Kay C. Jamison
David Wooten

NAYS: None

Motion passed.

Commissioner Green made the motion to approve the October 4, 2018 Minutes.

Commissioner Gainer seconded the motion and the following vote was recorded:

AYES: Jimmy Green
Paul Gainer
James Lee

NAYS: None

ABSTAIN: David Wooten

Motion passed.

PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA) – David Wooten swore himself in as Planning Commissioner.

OLD BUSINESS – None

NEW BUSINESS

1. **Huntington Ingalls Incorporated requests a SPECIAL EXCEPTION PERMIT for an On-site Mobile Dental Practice at 2105 Old Spanish Trail PID# 82436055.107 located in a TCMU (Town Center Mixed Use) Zoning District. (GPC CASE # 18-20-SE)**

Ramona Morgan, Planning Technician, gave a brief overview of the case.

REQUEST:

The Planning Department has received a request from Huntington Ingalls Incorporated for a Special Exception Permit that would allow an on-site Mobile Dental Office in a Town Center Mixed Use Zoning District at 2105 Old Spanish Trail PID# 82436055.107. The application fee of \$250.00 was paid on October 2, 2018. All public notice requirements have been met.

BACKGROUND:

The request property is zoned TCMU, Town Center Mixed Use.

1. Location: 2105 Old Spanish Trail (See Exhibit A)
2. General features of the proposed project:
An on-site 48 ft. Mobile Dental Trailer that is 8.5 ft. wide and 13 ft. tall
3. Potable Water and Wastewater Services: Existing from City
4. Current Zoning (See Exhibit B): TCMU Town Center Mixed Use.
5. Current Surrounding Zoning (See Exhibit B): C-2 Community Commercial, TC Town Center
6. Current Surrounding Existing Land Use (See Exhibit C): Town Center, and Community Commercial.
7. Comprehensive Plan Future Land Use Designation (See Exhibit D): Town Center

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant: Ingalls Shipbuilding, a division of Huntington Ingalls Industries ("HII"), is requesting a Special Exception to obtain proper permitting in order to facilitate the launch of a new addition to our Ingalls Family Health Center ("IFHC") located at 2105 Old Spanish Trail in Gautier, MS. Ingalls Shipbuilding will be providing a dental care service for Ingalls employees and their dependents as part of a company-wide initiative together with our sister company, Newport News Shipbuilding in Newport News, VA. The plan was created by our Corporate and division HR organizations as an incentive towards HII's goal of healthier and happier employees through preventative health and awareness. HII partnered with a company that provides dental care service, "Onsite Dental", and together developed and finalized this new plan. This dental care provider service will be operated out of a mobile unit that will be located behind the Ingalls Family Health Center (South side of the building). Due to the Zone the IFHC falls under (Town Center, or Town Center Mixed Use), mobile buildings are not permitted. Therefore HII cannot fully follow through with this plan due to the type of facility and the zone.

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: The purpose and function of the Ingalls Family Health Center will not change by adding the new dental care service to the health center. It will add to the overall quality of the benefits provided to Ingalls Shipbuilding employees and their dependents and should not hinder the purpose and intent of the City of Gautier's Unified Development Ordinance.

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: HII's plan to offer dental care services to our employees and dependents was created at our corporate division of the company in Newport News, VA. At the time, zoning requirements at our health center in Gautier, MS were not at the forefront of discussions because the partnering with Onsite Dental had not happened yet, and the plan to utilize their mobile unit facility had not come into the picture yet. Though as current tenants of the then Gautier Medical Clinic, now Ingalls Family Health Center, this facility has always been the best option available to us as a potential location to provide dental care alongside our well ness and health care benefits.

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.
2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.
4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 - C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

RECOMMENDATION AND CONCLUSION:

Staff recommends that Planning Commission establish a Finding of Fact regarding the "Criteria for Approval" from UDO section 4.16.4 A-C as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

Ed Hagar stated his name and address and spoke as the representative for Huntington Ingalls in favor of the on-site mobile dentist unit. He explained that HII wanted to give their 10,000 insured employees on the coast a one stop health care option noting that a medical center was already existing that included medical, pharmacy, and vision. They were just missing a dental option.

Commissioner Jamison called for questions.

Commissioner Wooten questioned if the mobile unit would be permanent or would the dental practice eventually move inside.

Mr. Hagar responded that he was not sure and asked Dr. Joseph, director of the dental practice. Dr. Joseph stated that the mobile unit would most likely be permanent as the building as it is now would not be large enough to house the dental office.

Commissioner Green asked if the current parking would be sufficient.

Mr. Hagar responded, yes.

Commissioner Wooten questioned if the mobile unit would be permanently anchored or moved in the event of a hurricane..

Mr. Hagar stated that he believed it would be permanently anchored.

Commissioner jamison closed the public hearing and called for a motion.

Commissioner Lee made a motion to recommend City Council approve the Special Exception. **Commissioner Green** seconded the motion, and the following vote was recorded:

AYES: **Paul Gainer**
 David Wooten
 Kay C Jamison
 James Lee
 Jimmy Green

NAYS:

ABSENT:

Motion Passed

GENERAL DISCUSSION (Report attached to backup)

- A. PREVIOUS CASE UPDATES**
 - B. PERMIT & TRC REPORTS**
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Commissioner Green made the motion to adjourn the meeting. **Commissioner Jamison** seconded the motion and the following vote was recorded:

AYES: **Jimmy Green**
 Paul Gainer
 Kay C. Jamison
 James Lee
 David Wooten

NAYS: None

ABSENT: None

Motion passed.

APPROVED BY:

Scott Ankerson,
Planning Director/Building Official

DATE: _____

Kay Jamison, Commissioner
Gautier Planning Commission

DATE: _____

