Ordinance No. 2469

ORDINANCE TO AMEND THE GEOGRAPHICAL INFORMATION SYSTEM FORMAT ZONING DISTRICT MAP OF THE CITY OF BILOXI, MISSISSIPPI, AS AMENDED, FOR A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR 2 PARCELS OF LAND FROM THEIR CURRENT ZONING DISTRICT CLASSIFICATION OF CB COMMUNITY BUSINESS TO PD-HB – HOSPITALITY BUSINESS MASTER PLAN, AND TO AUTHORIZE THE ESTABLISHMENT OF A PRELIMINARY SUBDIVISION FOR A PROPERTY SITE PRESENTLY IDENTIFIED AS 1845 & 1851 BEACH BOULEVARD

WHEREAS, the Biloxi Planning Commission held a public hearing on November 4, 2021, to hear the application of Maenza Property Management, LLC & Jolene Weill (owners) and Freddie Fountain on behalf of Fountain & Associates (applicant), Case No. 21-059-PC, to consider an application for Preliminary Subdivision coupled with a Zoning Map Amendment, to authorize the establishment of a PD-HB: Planned Development – Hospitality Business District Master Plan, for a development to be known as Beach Side Subdivision, said application being submitted as a Planned Development – Hospitality Business District, as authorized within Section 23-3-4(G) of the Land Development Ordinance, for a single property presently split zoned CB Community Business (north half) and SB Sand Beach (south half) – which northern portion has been submitted for re-zoning to PD-HB – Hospitality Business Master Plan; and

WHEREAS, the Planning Commission members were apprised of the particulars of the case, being made cognizant of the fact that the PD-HB: Planned Development – Hospitality Business Master Plan, as submitted, proposes the creation of sixteen (16) lots, which lots will be sold individually to allow for a mixture of residential and visitor accommodation uses, will average 3800 square feet (plus or minus) in overall size for each lot, all for properties presently identified as 1845 & 1851 Beach Boulevard (re: Tax Parcel Nos.1210J-03-016.000 & 1210J-03-017.000); and

WHEREAS, it was noted that the Development Review Committee (DRC) had reviewed this request for Preliminary Subdivision coupled with a Zoning Map Amendment to authorize the establishment of a PD-HB: Planned Development – Hospitality Business District Master Plan, and had found it to be in conformance with the rules and regulations of the City of Biloxi, and authorized the applicant to proceed to the Planning Commission and City Council to obtain PD-HB: Planned Development – Hospitality Business District Master Plan approval, as herein requested; and

WHEREAS, on November 4, 2021, the Biloxi Planning Commission, upon conducting the public hearing and after careful reflection of the particulars of this case, voted to recommend approval for the Preliminary Subdivision, and also for the Zoning Map Amendment, to authorize the establishment of a PD-HB: Planned Development – Hospitality Business District Master Plan, as authorized within Section 23-3-4(G) of the Land Development Ordinance, for a development to be known as Beach Side Subdivision, for properties presently identified as 1845 & 1851 Beach Boulevard (re: Tax Parcel Nos. 1210J-03-016.000 & 1210J-03-017.000), having determined that the PD-HB – Hospitality Business Master Plan requested would provide a mixture of hospitality and residential uses, noting further that the proposed residential and commercial uses provided Master Plan for this location are consistent with uses previously of notice in this section of Biloxi; and

WHEREAS, the Biloxi City Council, after consideration of all facts presented, hereby adopts the report and findings of the Biloxi Planning Commission, and in so doing, determines that approval of this Beach Side Subdivision PD-HB: Planned Development – Hospitality Business Master Plan is appropriate for the properties presently identified as 1845 & 1851 Beach Boulevard, having concurred that a change has occurred in the Character of this Neighborhood and further that an established Community Need for this PD-HB zoning district classification and the uses outlined within the Master Plan proposed are appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI, THAT AS PER THE FINDINGS OF THE PLANNING COMMISSION, AND BASED UPON SAID DETERMINATIONS, THAT THE FOLLOWING SHALL BE AUTHORIZED:

SECTION ONE: The Biloxi City Council, after consideration of all facts presented, hereby adopts the report and findings of the Biloxi Planning Commission, and in so doing, determines that approval of the Beach Side Subdivision PD-HB: Planned Development – Hospitality Business Master Plan is appropriate for the property site identified as 1845 & 1851 Beach Boulevard, having determined that that a Change has occurred in the Character of this Neighborhood and the areas surrounding said property site, and further, that an established Community Need for this Planned Development Zoning district classification and the uses proposed within the Master Plan are in concert with this neighborhood, for the collective property site identified as 1845 & 1851 Beach Boulevard.

SECTION TWO: That the boundaries of the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, as amended, are hereby further amended by a Change in Zoning District Classification from CB Community Business to D-HB: Planned Development – Hospitality Business Master Plan, for a site presently identified as 1845 & 1851 Beach Boulevard (i.e., Tax Parcel Nos. 1210J-03-016.000 & 1210J-03-017.000) and described as follows:

All that part of the east 150 feet of lot 17, Manuel white survey lying south of U.S. highway 90 and extending south to the existing seawall, that part of the west 42 feet of said lot 17 lying south of U.S. highway 90 and extending to the gulf of Mexico and that part of the east 108 feet of lot 18 of said Manuel white survey lying south of U.S. highway 90 and extending to the gulf of Mexico, said property being located in section 36, township 7 south, range 10 west, city of Biloxi, second judicial district of Harrison County, Mississippi and being more particularly described as follows with the bearings based on state plane grid north (MS east zone 2301):
Beginning at a 1/2" iron rod with cap set at the point of intersection of the south margin of U.S. highway 90 and the east line of said lot 17, Manuel white survey, said point being 206 feet west of the west margin of veterans avenue; thence along the east line of said lot 17, s00°27'41"e 313.99' to the north edge of the seawall; thence along said north edge of seawall, s84°12'13"w 150.65' to a 1/2" iron rod with cap set on the east line of the west 42 feet of said lot 17, thence along said east line, s00°27'41"e 230' more or less the north margin of the gulf of Mexico; thence along said north margin in a westerly direction a distance of 151' more or less to the west line of the east 108 feet of said lot 18; thence along said west line, n00°27'41"w 230' more or less to an x-mark on a concrete wall above the north edge of the seawall; thence further along said west line, n00°27'41"w 320.20' to a 1/2" iron rod with cap set on the south margin of U.S. Highway 90; thence along said south margin, n85°36'55"e 150.35' to a 1/2" iron rod with cap set; thence further along said south margin, n86°19'06"e 150.24' to the point of beginning, containing 2.98 acres more or less,

and further described as land most nearly bounded by the following streets: to the North by and fronting upon Beach Boulevard; to the South by and adjacent to the Gulf of Mexico; to the East by Veterans Avenue; and to the West by Camellia Street.

Ord. No. 2469

SECTION THREE: This ordinance shall become effective thirty days from and after its passage and publication with law.

The foregoing Ordinance having first been reduced to writing, was read by the Clerk and moved by Councilmember Newman, seconded by Councilmember Lawrence, and was adopted by the following vote:

YEAS:	Lawrence	Tisdale	NAYS:	None
	Gines	Glavan		
	Newman	Barrett		
	Deming			

The President then declared the Ordinance adopted this the 7th day of December, 2021.

STATE OF MISSISSIPPI
CITY OF BILOXI
HARRISON COUNTY

ATTEST: APPROVED:

Keri Campbell — Paul L. Tisdale

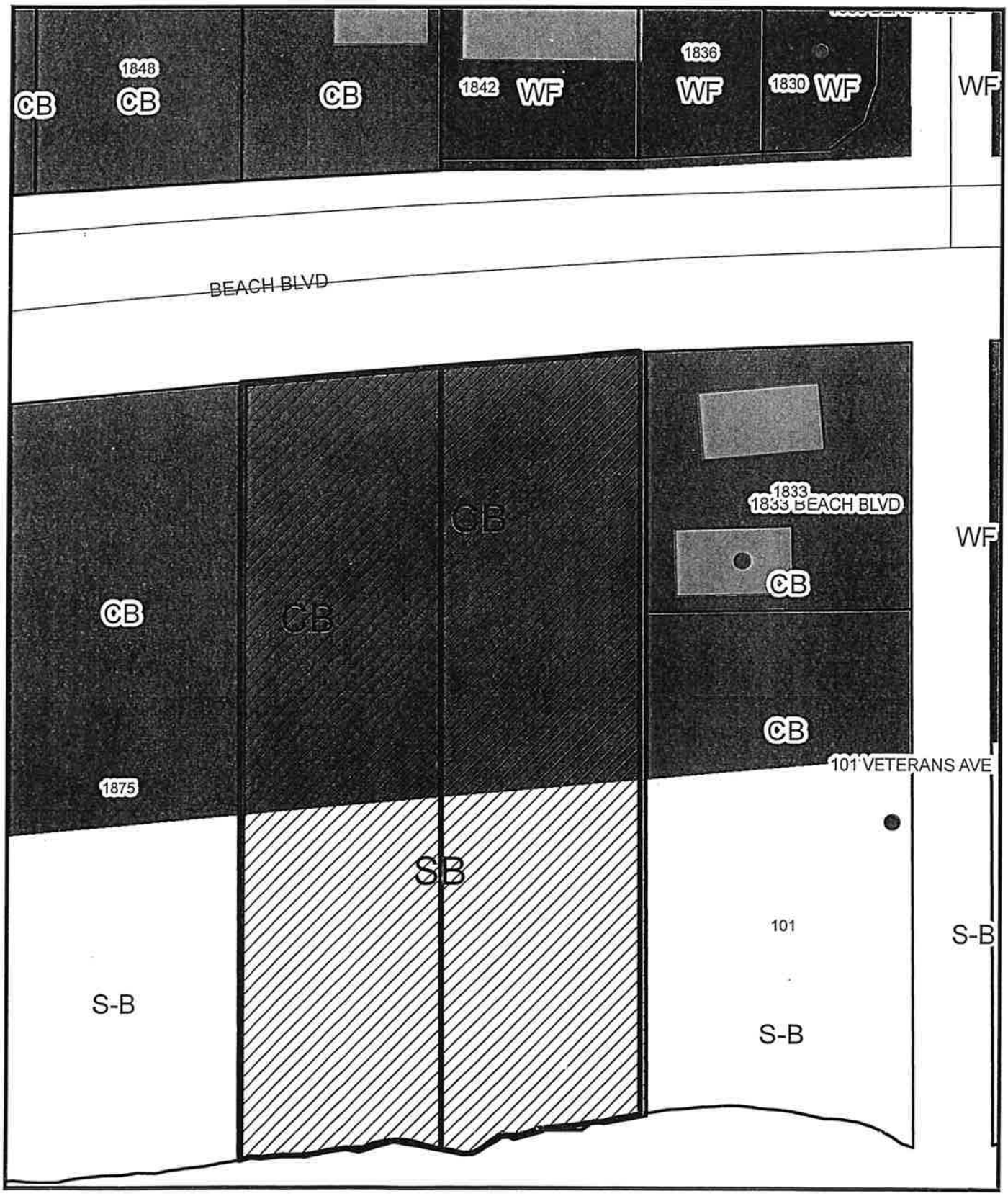
CLERK OF THE COUNCIL PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 10th day of December, 2021.

APPROVED:

MAYOR

Case No. 21-059-PC/Maenza Property Management, LLC
Jolene Weill/Freddie Fountain
1845 & 1851 Beach Boulevard
PD-HB: Planned Development –
Hospitality Business District Master Plan



Scheduled for
November 4, 2021
PC Meeting

Maenza Property Management, LLC & Jolene Weill (owners)
Freddie Fountain on behalf of
Fountain & Associates (applicant),
Case No. 21-059-PC

Request for **Preliminary Subdivision** proposal coupled with a **Zoning Map Amendment** to authorize the establishment of **PD-HB: Planned Development – Hospitality Business District Master Plan**

Biloxi
established 1699

Planning Commission
Case Fact Sheet

Case No.:	21-059-PC
Names of Owner/ Applicant:	Maenza Property Management, LLC & Jolene Weill (owners) and Freddie Fountain on behalf of Fountain & Associates (applicant)
Address of Property:	1845 & 1851 Beach Boulevard
Tax Parcels/Ward:	1210J-03-016.000 & 1210J-03-017.000/Ward 3

Request: **Preliminary Subdivision** proposal coupled with a **Zoning Map Amendment** to authorize the establishment of a **PD-HB: Planned Development – Hospitality Business District Master Plan.**

Purpose of Request: To consider an application for a **Preliminary Subdivision** proposal coupled with a **Zoning Map Amendment,** to authorize the establishment of a **PD-HB: Planned Development – Hospitality Business District Master Plan,** for a development to be known as **Beach Side Subdivision**, said application being submitted as a Planned Development – Hospitality Business District, as authorized within Section 23-3-4(G) of the Land Development Ordinance, for a single property presently split zoned **CB Community Business** (north half) and **SB Sand Beach** (south half) – which north portion has been submitted for re-zoning to **PH-HB – Hospitality Business Master Plan**.

The **Beach Side Subdivision PD-HB: Planned Development – Hospitality Business Master Plan**, as submitted, proposes the creation of sixteen (16) lots, which

lots will be sold individually for a mixture of residential and visitor accommodation uses, will average 3800 square feet (plus or minus) in overall size for each lot, all for properties presently identified as 1845 & 1851 Beach Boulevard (re: Tax Parcel Nos.1210J-03-016.000 & 1210J-03-017.000).

Size of Property: 2 Acres (More or Less)

Present Zoning: **CB Community Business**

Present Use: Vacant Land

Most Nearly Bounded By (streets): To the North by and fronting upon Beach Boulevard; to the South by and adjacent to the Gulf of Mexico; to the East by Veterans Avenue; and to the West by Camellia Street.

Adverse Influences: Concerns exist with respect to the narrow dimensions of the streets (both in R.O.W. and in paved roadway widths) which will impede any on-street parking for guests and visitors.

Positive Influences: This **Preliminary Subdivision** proposal, coupled with a **Zoning Map Amendment** to authorize the establishment of a **PD-HB: Planned Development – Hospitality Business Master Plan** for a residential development to be known as **Beach Side Subdivision**, as submitted, will result in the establishment of sixteen (16) new buildable lots.

Concerns stated: The Planning Division Office has received one letter in opposition to this subdivision proposal, as of October 28, 2021.

Comments/ Recommendations: Maenza Property Management, LLC & Jolene Weill (owners) and Freddie Fountain on behalf of Fountain & Associates (applicant), have submitted an application for a **Preliminary Subdivision** proposal, coupled with a **Zoning Map Amendment,** to authorize the establishment of a **PD-HB: Planned Development – Hospitality Business**

District Master Plan, for a development to be known as **Beach Side Subdivision**, said application being submitted as a Planned Development – Hospitality Business District, as authorized within Section 23-3-4(G) of the Land Development Ordinance.

The **Beach Side Subdivision PD-HB: Planned Development – Hospitality Business Master Plan**, as submitted, proposes the creation of sixteen (16) lots, which lots will be sold individually for a mixture of residential and visitor accommodation uses, and which lots will average 3800 square feet (plus or minus) in overall size for each lot,.

The Dimensional Standards proposed for this Master plan are as follows:

Total area	2 Acres
Dwelling Units per Acre, Max	16
Floor Area Ratio, Max	2.00
Lot Area, Min	3,800 SF
Lot Width, Min	32'
Impervious Surfaces, Max	90% of District
Individual Building Size,	Max 6500 sf footprint
Building Height, Max	65'
Setbacks, Min	Front = 15' Rear = 20' Side = 3'
Setback from Abutting RS Zoning District or Existing Single Family	3'

Dwelling Use, Min

The Development Review Committee (DRC), it should be noted, extended an initial review of this project and authorized the applicant to submit this **Preliminary Subdivision** and **Master Plan Zoning Map Amendment Update** for review and recommendation by the Planning Commission.

Options:

1. Recommend approval of the request for a **Preliminary Subdivision** Proposal, coupled with approval for the **Zoning Map Amendment** to authorize the establishment of a **PD-HB: Planned Development – Hospitality Business Master Plan** for Beach Side Subdivision, which subdivision has been determined to be in harmony with uses currently found in this area of the City of Biloxi.

2. Recommend denial of the request for a **Preliminary Subdivision** Proposal coupled with a **Zoning Map Amendment** to authorize the establishment of a **PD-HB: Planned Development – Hospitality Business Master Plan** for Beach Side Subdivision, having determined that said project has not been found to promote the public interest at this location; that said project has not been proposed or designed to be operated so that the public health, safety, and welfare will be protected; and that said project does not conform to all district regulations of the City of Biloxi.

Planning Commission Application

City of Biloxi Planning Division
676 Martin Luther King Jr., Boulevard Biloxi, MS 39530
(228)435-6266 Fax (228)435-6188

Case No. _____-_____-_____

TO BE COMPLETED BY APPLICANT	Date: 9/27/2021
Name of Rightful Owner(s): Maenza Property Management LLC	Name of Applicant: (if different than Owner) Freddie Fountain w/Fountain & Associates
Property Address: 1845 Beach Blvd	Ward Number 3
Tax Parcel Identification Number(s): 1210J-03-0160.000	
Mailing Address of Property Owner 3525 Metairie Hts Ave	Mailing Address of Applicant (if different than Owner): 1822 15th Street, Ste. 12
City: Metairie	City: Gulfport
State: LA	State: MS
Zip: 70002	Zip: 39501
County	County Harrison
Telephone: ( )	Telephone: (228) 861-5209
Property Size (please give in acres or by dimension): 2.00	
Present Zoning Classification: CB	
Is the property located within an AHRC District? Yes ☐ No ☒ If so, which District?	Flood Zone(s) of Property: VE 23, VE 20, & AE 18

	North	South	East	West
Property is most nearly bounded by what streets?	Beach Blvd	Gulf of Mexico	Veterans	NA
If property directly fronts or is adjacent one of the streets above please indicate with a ✓.	✓	✓		

REQUESTED ACTION BY THE PLANNING COMMISSION (A separate supplement form is required for each):

✓	Preliminary Subdivision Review
✓	Map Amendment – must include zone classification change in narrative
	Conditional Use
	Master Plan
	Gaming
	Hospitality
	Text Amendment
	Planned Unit Development
	Tree Removal
	Public ROW Vacation
	Administrative Appeal
	Variance
	Appeal
	Street Name Change

Planning Commission Application

City of Biloxi Planning Division
676 Martin Luther King Jr., Boulevard Biloxi, MS 39530
(228)435-6266 Fax (228)435-6188

Biloxi established 1699

Case No. ___-___-___

TO BE COMPLETED BY APPLICANT	Date: 9/27/2021
Name of Rightful Owner(s): Jolene Weill Etal	Name of Applicant: (if different than Owner) Freddie Fountain w/Fountain & Associates
Property Address: 1851 Beach Blvd	Ward Number 3
Tax Parcel Identification Number(s): 1210J-03-017.000	
Mailing Address of Property Owner 416 Dejean Cove	Mailing Address of Applicant (if different than Owner): 1822 15th Street, Ste. 12
City: Biloxi	City: Gulfport
State: MS	State: MS
Zip: 39531	Zip: 39501
County Harrison	County Harrison
Telephone: ( )	Telephone: (228) 861-5209
Property Size (please give in acres or by dimension): 2.02	
Present Zoning Classification: CB	
Is the property located within an AHRC District? Yes ☐ No ☒ If so, which District?	Flood Zone(s) of Property: VE 23, VE 21, & AE 18

	North	South	East	West
Property is most nearly bounded by what streets?	Beach Blvd	Gulf of Mexico	Veterans	NA
If property directly fronts or is adjacent one of the streets above please indicate with a ✓.	✓	✓		

REQUESTED ACTION BY THE PLANNING COMMISSION (A separate supplement form is required for each):

✓	Preliminary Subdivision Review
✓	Map Amendment – must include zone classification change in narrative
	Conditional Use
	Master Plan
	Gaming
	Hospitality
	Text Amendment
	Planned Unit Development
	Tree Removal
	Public ROW Vacation
	Administrative Appeal
	Variance
	Appeal
	Street Name Change

GENERAL INFORMATION, READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the application process have been fully explained and understood, including the timetable for processing of the application; the applicant has further received the following appropriate handouts: Application Processing Timetable; Instructions for Application Completion, Procedures for a Conditional Use or Community Unit Plan; and Variance Procedures. The completed application must be returned to the Planning Office not later than the first or third Thursday of any month in order that a public hearing may be held on the first or third Thursday of the following month. Receipt of fee(s) does not constitute receipt of a completed application.

Jacqueline A. Cristione
Signature of Rightful Owner

SEP 30 2021

Notary Signature

(Seal)

CHRISTOPHER J. ROUSE NOTARY PUBLIC COMMISSIONED FOR LIFE NOTARY ID NO. 89457 ORLEANS PARISH, LA

Signature of Rightful Owner

Notary Signature

(Seal)

Signature of Rightful Owner

Notary Signature

(Seal)

Signature of Applicant

Notary Signature

(Seal)

Kristin L. Shaw COMMISSION EXPIRES 05/14/2024 NOTARY PUBLIC ID 89544 HARRISON COUNTY STATE OF MISSISSIPPI

If someone other than the applicant needs to be notified concerning this case, please note name(s) and address (es) below:

NOTES:

NOTE: Please see attached instructions for details on documents required for a complete application.

Zoning district in which the property is situated. The placement or size of any structure or infrastructure which triggers a Variance or Waiver must be clearly identified upon the Site Plan. **All site plans for commercial projects must be submitted through the development review committee (DRC).**

GENERAL INFORMATION, READ BEFORE EXECUTING. Attendance by the applicant(s) at the public hearing is mandatory; however, the applicant may designate a representative to attend the public hearing on his/her behalf, provided said representative has been properly designated to speak on the applicant's behalf either by written permission or oral designation by the applicant at the Public Hearing. If a continuance is to be granted, the applicant must request same in writing a minimum of seven (7) days in advance of the scheduled public hearing. The applicant acknowledges that, in signing this application, all conditions and requirements inherent in the application process have been fully explained and understood, including the timetable for processing of the application; the applicant has further received the following appropriate handouts: Application Processing Timetable; Instructions for Application Completion, Procedures for a Conditional Use or Community Unit Plan; and Variance Procedures. The completed application must be returned to the Planning Office not later than the first or third Thursday of any month in order that a public hearing may be held on the first or third Thursday of the following month. Receipt of fee(s) does not constitute receipt of a completed application.

Jolene Heil
Signature of Rightful Owner

Signature of Rightful Owner

Notary Signature

(Seal)

Signature of Rightful Owner

Notary Signature

(Seal)

Notary Signature

(Seal)

Signature of Applicant

Notary Signature

(Seal)

If someone other than the applicant needs to be notified concerning this case, please note name(s) and address (es) below:

NOTES:

NOTE: Please see attached instructions for details on documents required for a complete application.

Zoning district in which the property is situated. The placement or size of any structure or infrastructure which triggers a Variance or Waiver must be clearly identified upon the Site Plan. **All site plans for commercial projects must be submitted through the development review committee (DRC).**

Biloxi
established 1699

PLANNING COMMISSION SUPPLEMENT

Map Amendment

(Master Plan update)

City of Biloxi Planning Division
676 Martin Luther King Jr., Boulevard
Biloxi, MS 39530 (228)435-6266 Fax(228)435-6188

TO BE COMPLETED BY APPLICANT	*DATE:* 9/29/2021
Shaded Areas for Staff Only	

MAP AMENDMENT – *When the public necessity, convenience, general welfare or appropriate land use practices justify such action, and after the required review, public notice and report by the Planning Commission, the City Council may undertake the necessary steps to amend the Zoning District Map.*
Please note that no application for the same parcel(s) requesting the same change may be made more often than once every 24 months.

Please attach a separate Statement of Support - *This narrative must set forth proposed use and justification for the change, utilizing criteria set forth in Section 23-2-4(B)(3) of the Biloxi Code of Ordinances and including all proposed and existing structures as well as the uses planned for the site in question. Be specific as to development proposals, sale of property, or other transactions/plans proposed or scheduled for preparation subject to this rezoning request being granted approval.*

	Existing	**New**
I am requesting a zoning change from this *zone* to this *zone*:	CB	PD-HB

If zoning change request includes more than one parcel, you must provide a wraparound legal description.

Detailed Site Plan Attached (If no site plan is attached, this application is considered incomplete and will not be accepted.)

Criteria:	✓	
	Yes	**No**
1. Is the proposed map amendment consistent with the Comprehensive Plan?		✓
Please explain: These properties are not shown on the comprehensive plan to be residential, but the developer along with multiple potential buyers have expressed the public want for a development like what is being proposed.		
2. Is the proposed map amendment compatible with present zoning and conforming uses of nearby property and with the character of the neighborhood?	✓	
Please explain: There are developments east and west of this property that are far more dense than what is being asked in this application. This development is less dense than what is allowed in the current zoning district.		

PLANNING COMMISSION SUPPLEMENT

Map Amendment

City of Biloxi Planning Division
676 Martin Luther King Jr., Boulevard Biloxi, MS 39530
(228)435-6266 Fax(228)435-6188

Criteria *(continued)*	✓	
	Yes	**No**
3. Is the property suitable for uses permitted in the present zoning district?	✓	
Please explain: Single-Family Attached or Townhouses are allowed with conditional Use Approval in the current (CB) zoning district.		
4. Is the property suitable for uses permitted in the proposed zoning district?	✓	
Please explain: The proposed zoning district is a PD-HB. Therefore, the application is establishing all the requirements consistent with the proposed development.		
5. Has there been a change in the character of the neighborhood?	✓	
Please explain: The area has been developing all around this area. Some of the development from 10-15 years ago that was approved and constructed in this area are multi-family. This project would be single family residential which is a similar use but far less dense.		
6. Is there an established community need for uses permitted in the proposed zoning district?	✓	
Please explain: There is a need for long and short term housing. This project could help satisfy both of those needs. There is no other development like this on the MS Gulf Coast.		
7. Was there a mistake in the original zoning of the property?		✓
Please explain: The zoning was appropriate for the development that was expected in the area at the time.		
8. Are utilities and infrastructure sufficient to address the impacts associated with allowed uses in the proposed district?	✓	
Please explain: We have spoken with engineering along with locating the utilities in our survey. There are adequate utilities to support this project.		

Site Plan attached: (please circle): Yes No	*Case No.* ☐☐-☐☐☐-☐☐☐

PLANNING COMMISSION SUPPLEMENT

Preliminary Subdivision Review

City of Biloxi Planning Division
676 Martin Luther King Jr., Boulevard
Biloxi, MS 39530 (228)435-6266 Fax (228)435-6188

Name of Subdivision: Beach Side Subdivision

Ward No. 3

Most nearly bounded by (street names)

To the North by: Beach Blvd

To the South by: Gulf of Mexico

To the East by: Veterans Avenue

To the West by: None

Developer: Camdav, LLC

Address: 2082 Beach Drive Gulfport, MS 39507

Phone: 228-224-5337

VICINITY MAP
ATTACH MAP, IF AVAILABLE

Shown on Lot & Street Layout Provided

DEVELOPMENTAL DATA

	Existing	*Proposed*
Front Yard Setback	40 ft	15 ft
Rear Yard Setback	10 ft	20 ft
Side Yard Setback	10 ft	3 ft
Zoning	CB	PD-HB
Minimum Lot Size	5,000 sf	3,800 sf
Minimum Lot Width	50 ft	32 ft
Minimum Lot Depth	100 ft	120 ft
Number of Lots	2	16
Total Acres	4.02 acres	4.02 acres
Average Lot Size(s)	150' X 432'	34' X 120'
Tax Parcel Number(s)	1210J-03-016.000 & 1210J-03-017.000	

Proposed Street Name(s): Beach Side Drive

Paved Area, Location and Width of Sidewalks: 27 ft width, sidewalks on north side of street/ south of lots 1-7

R.O.W. Width: 30 ft

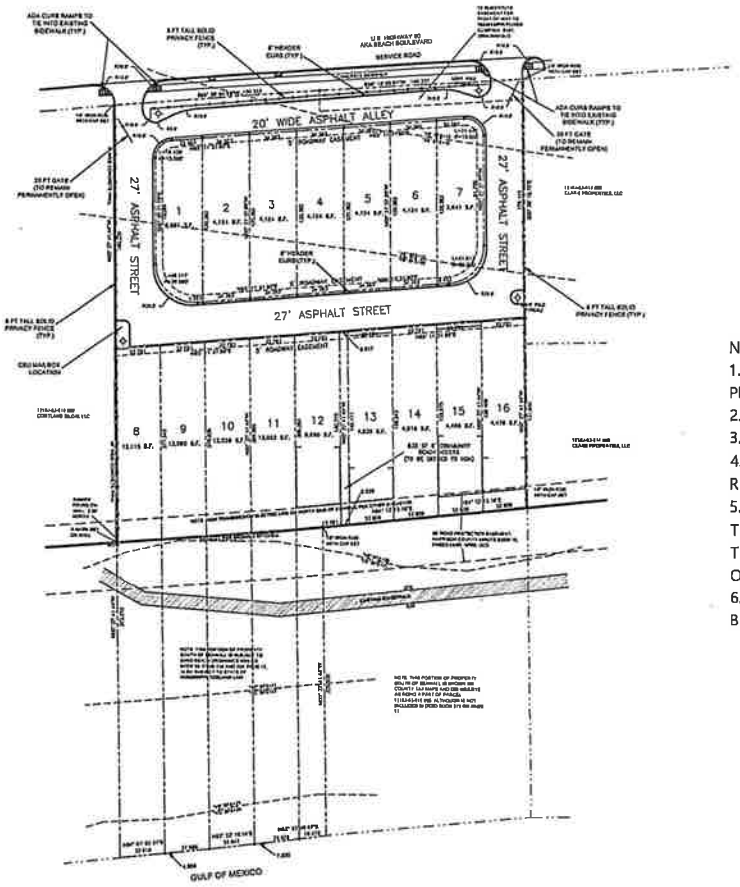
Is Planned Unit Development (PUD) approval requested? ☒ Yes ☐ No

PUD Application attached? ☐ Yes ☒ No

Case No. PC-☐☐-☐☐☐		
Is the Supplement complete?		
- Has Pre-application Conference been held? (please circle) - DRC Case No: ☐☐-☐☐☐ - **DRC Letter and Engineering Letter MUST be attached to schedule PC meeting.**	Yes	No
- Site Plan attached? (please circle)	Yes	No
- Is proposed project located in a Historic District? (please circle)	Yes	No
- Certificate of Appropriateness, if applicable? (please circle)	Yes	No
The DRC and/or Planning Commission recommend that the City Council impose the following conditions upon the issuance of the Conditional Use Permit?	Yes	No

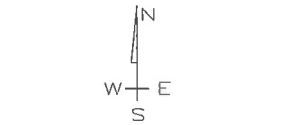
1.	3.
2.	4.

Staff Initials	Date	



CONCEPTUAL LOT & STREET LAYOUT

SCALE: 1" = 40'-0"



GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

BOUNDARY BASED ON SURVEY BY CROSBY SURVEYING; TOPOGRAPHIC INFORMATION BASED ON THE SAME

SUBJECT PROPERTY LIES WITHIN "VE24", "VE23", "VE21", "VE20", "AE19", & "AE18" FLOOD ZONES PER FEMA PANEL 28047C0289G DATED JUNE 16, 2009

NOTES:

1.) BUILDABLE AREA FOR LOTS 8-16 SHALL BE NORTH OF THE PLATTED ROADWAY PROTECTION EASEMENT.
2.) ALL HOMES ON PROPOSED LOTS TO BE FACING SOUTH.
3.) ALL DRIVEWAYS TO ENTER NORTH SIDE OF LOTS.
4.) ALL HOME CONSTRUCTION TO MEET V ZONE REQUIREMENTS SET FORTH BY FEMA AND THE CITY OF BILOXI.
5.) SIDEWALKS FOR DEVELOPMENT ARE TO BE PLACED WITHIN THE PLATTED 5' ROADWAY EASEMENT AND CONSTRUCTED BY THE HOME BUILDER PRIOR TO RECEIVING A CERTIFICATE OF OCCUPANCY FOR HOMES.
6.) ALL INFRASTRUCTURE TO BE DONATED TO THE CITY OF BILOXI FOR PERPETUAL MAINTENANCE.

LEGEND

TOTAL ACREAGE - 4.02 +/- ACRES

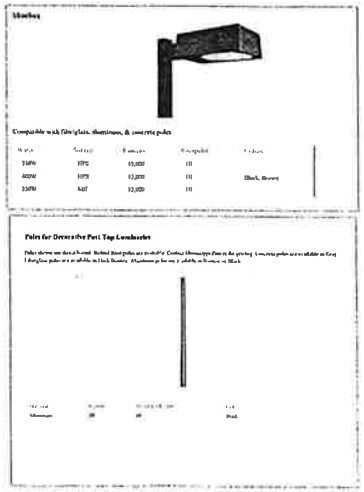
ZONING - CB

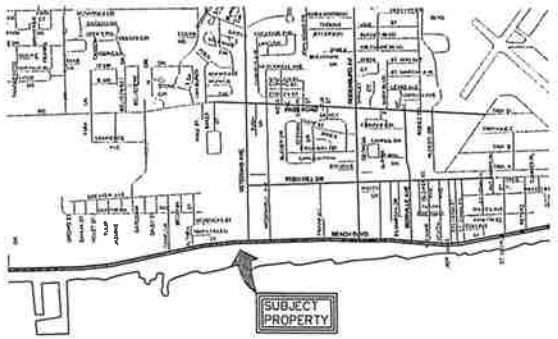
\# OF LOTS - 16

MINIMUM LOT SIZE - 34.36' X 120.36'

MINIMUM LOT AREA - 3,891 SF

PROPOSED SETBACKS
FYSB - 15 FT
SYSB - 3 FT
RYSB - 20 FT





VICINITY MAP

SCALE: N.T.S.

TERRY MORAN ENGINEERING
P.O. BOX 4078
BILOXI, MS 39535
PH 228.806.4733
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TERRY MORAN, P.E., P.L.S

In Association With

FOUNTAIN & ASSOCIATES
CIVIL AND COMMERCIAL DESIGN
1822 15th Street, Ste. 12
Gulfport, MS 39501
228-861-5209

Date 04-22-2021
Drawn By F.O.F.
Check By T.J.M.
REV.08-27-2021
09-09-2021
09-30-2021

PROPOSED BEACH SIDE SUBDIVISION
BEACH BLVD
BILOXI, MS

Sheet
C1

FRONT ELEVATIONS

SCALE: 1/4" = 1'-0"

B2

PROPOSED BEACH SIDE
SUBDIVISION
BEACH BLVD
BILOXI, MS

Date 08-30-2021
Drawn By EOF
Check By TJM
REV

FOUNTAIN & ASSOCIATES
CIVIL AND COMMERCIAL DESIGN
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P.O. BOX 4018
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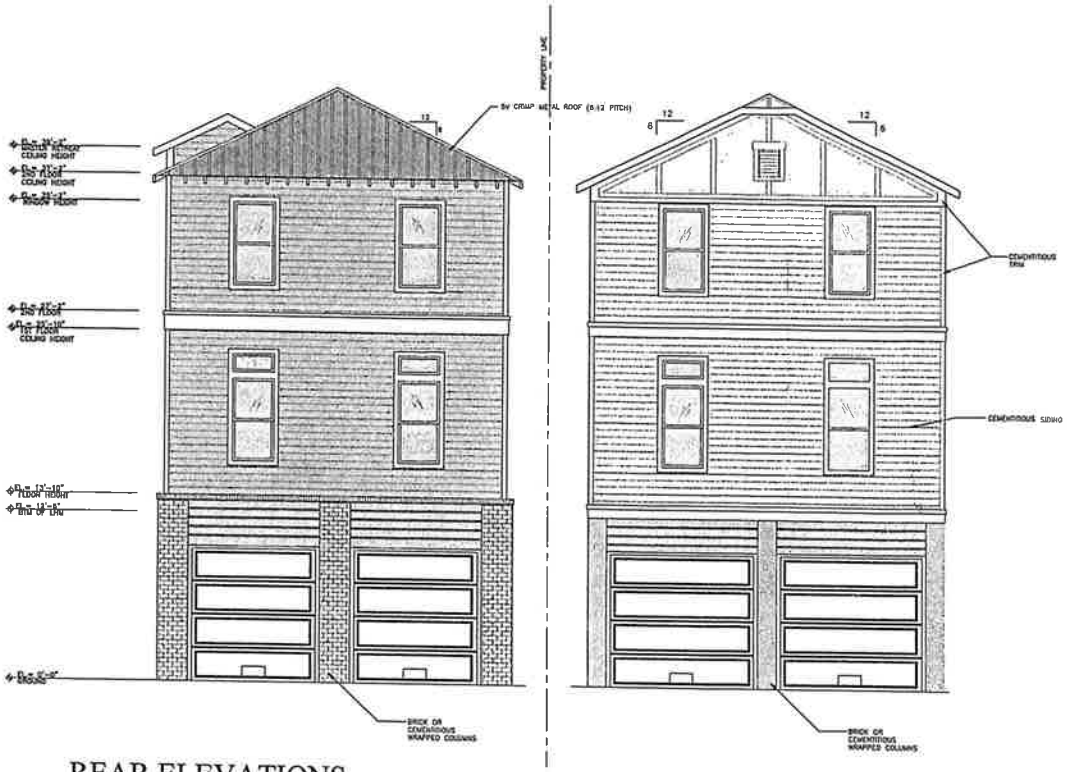
21-017



REAR ELEVATIONS

SCALE: 1/4" = 1'-0"

TERRY MORAN ENGINEERING
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TERRY MORAN, P.E., P.L.S

21-017

In Association With

FOUNTAIN & ASSOCIATES
CIVIL AND COMMERCIAL DESIGN
1822 15th Street, Ste. 12
Gulfport, MS 39501
228-861-5209

Date 09-30-2021
Drawn By F.O.F.
Check By T.J.M.
REV

PROPOSED BEACH SIDE SUBDIVISION
BEACH BLVD
BILOXI, MS

B2.1

FOUNTAIN & ASSOCIATES
CIVIL AND COMMERCIAL DESIGN

Narrative for Map Amendment

for

Parcel #s -1210J-03-016.000 & 1210J-03-017.000

The proposed project is being developed in an existing CB zoning district. The developer is asking for the approval of a PD-HB overlay district approval. This development is being proposed as a single-family residential subdivision. The table below sets forth the required criteria of the PD-HB district. This information includes setbacks, minimum lot square footages, maximum heights, etc. This project will be developed similar to what is typically seen in "smart code" style developments. All of the houses will be facing south with the driveways in the rear of the homes. This project will be a beach community with all lots having access to the beach from either their property or the access easement between Lots 12 and 13.

PD-HB District Intensity and Dimensional Standards

Dwelling Units Per Acre, Max	~~30~~ 14 units
Floor Area Ratio (FAR), Max	**2**
Lot Area, Min. (Square Feet)	**3,800 SF**
Lot Width, Min. (Feet)	**32 ft**
Impervious Surfaces, Max (% of District Area)	**90%**
Individual Building Size, Max (Square Feet)	**6,500 SF**
Building Height, Max (Feet)	**65 ft**
Setbacks, Min. (Feet)	**FYSB – 15 ft**
	SYSB – 3 ft
	RYSB – 20 ft
Setback from Abutting RS Zoning District or Existing Single-Family Dwelling Use, Min. (Feet)	**3 ft**

FOUNTAIN & ASSOCIATES
CIVIL AND COMMERCIAL DESIGN

Narrative for Planning Commission

for

Parcel #s -1210J-03-016.000 & 1210J-03-017.000

The proposed project is being developed in an existing CB zoning district. The developer is asking for the approval of a PD-HB overlay district approval. This development is being proposed as a single-family residential subdivision. The proposed development standards are intended to create a "smart code" style development. These neighborhoods are for people that do not desire to have a big yard to maintain. They are looking for a setting that is something they can just enjoy and not somewhere that they have to spend a lot of their time or money maintaining. This will be a very high-end development. The developer will have restrictive covenants to protect the value of the neighborhood. These covenants include that none of the homes shall use wood pilings. Poured in place concrete or CMU block pilings will only be allowed. Other requirements for the homes are that standing seam metal roofs will be required and the exterior material shall be cementitious siding. The developer will also be the head of the architectural review committee until the construction of all homes is completed. In doing this, he will have the ability to ensure that all of the homes are tastefully designed to protect the neighborhood. This project will bring more residents and tourists to the beach to utilize the boardwalk, shopping, restaurants, and family entertainment venues in this area. This developer has developed projects similar to this in other cities along the coast that were very successful. All existing infrastructure is in place to support this project. The water, sewer, drainage, and roadway is more than sufficient to handle a project of this size.

Community Development Director
Jerry Creel

Biloxi®
established 1699

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Biloxi, Mississippi 39533
Office: 228.435.6280
Fax: 228.435.6188
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To: Biloxi Planning Commission

From: Eric Nolan, Development Review Committee Chair

Date: October 27, 2021

Re: Maenza Property Management, LLC; Jolene Weill; Freddie Fountain
1845 & 1851 Beach Boulevard
Parcel- 1210J-03-016.000 & 1210J-03-017.000

The Development Review Committee (DRC) has reviewed the above-referenced project and has authorized the applicant to apply to Planning Commission and Biloxi City Council for a Preliminary Subdivision coupled with a Zoning Map Amendment

The DRC **will** require further review and approval prior to permitting because of the nature of this project. Building Permits shall be issued when construction documents are approved by the Building Division.

Yours truly,

Eric Nolan

Eric Nolan, Chair

cc: file

BILOXI PLANNING COMMISSION MEETING
NOVEMBER 4, 2021
COMMUNITY DEVELOPMENT,
DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,
676 DR. MARTIN LUTHER KING JR. BOULEVARD,
BILOXI, MISSISSIPPI,
BEGINNING AT 2:00 P.M.

PLANNING COMMISSION MEMBERS PRESENT:

Kyle Carron
Steve Delahousey
Charlie Dellenger
Gary Lechner
Joann Humphries
Joe King
Debora Magee
August Parker
Jimmy Poulos
Cheryl Thompson
Michael Todaro

ALSO PRESENT:

Jerry Creel, Director of Community Development
Caryle Lena, Planning Technician
Ed Shambra, Executive Planner
Eric Nolan, City Arborist

REPORTED BY

Melissa Burdine-Rodolfich
Simpson Burdine & Migues

C-O-N-T-E-N-T-S

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MR. DELLENGER:
Let's go ahead and call the Planning Commission meeting to order.
We'll take a roll call of the members in attendance. Mr. Lechner, Mr. Todaro, Mr. Parker, Ms. Magee, Ms. Thompson, Mr. Delahousey, Ms. Humphries, Mr. Carron, Mr. King, Mr. Poulos; myself, Mr. Dellenger.
I would like to recognize Ed Shambra, Jerry Creel, and Caryle Lena and Eric Nolan on the video and the court reporter, Melissa Rodolfich. And, of course, Dr. Paul Tisdale, in the audience, Councilman Ward 5.
Mr. Parker, would you like to open us with a prayer.
(Moment of prayer.)
MR. DELLENGER:
Pledge of allegiance, Mr. Delahousey.
(Pledge of allegiance.)
MR. DELLENGER:
Thank you.
Now, I will ask if everyone has had a chance to review the minutes from the last meeting.
And if we could, please silence all cell

phones in the audience.
MR. DELAHOUSEY:
I move for approval of the minutes.
MR. KING:
Second.
MR. DELLENGER:
Motion and second.
All in favor?
(All in favor.)
MR. DELLENGER:
That's approved.
Are there any committee reports, Mr. Creel?
MR. CREEL:
I'll give it at the building official hearing. I actually left it on my desk, so I'll get back to you. But it was a good one.
MR. DELLENGER:
All right. Continued public hearings, we still have Case Number 21-024-PC Joseph Simon, Stifel and Associates for a preliminary subdivision plat approval.
We've had a request to pull this from the agenda by the owners, so if we could have a motion to pull this from the agenda.

MR. POULOS:
So moved.
MS. THOMPSON:
Second.
MR. DELLENGER:
Moved and seconded.
All in favor, signify by saying "aye."
(All in favor.)
MR. DELLENGER:
Any opposed?
(None indicated.)
MR. DELLENGER:
Continued public hearing, as well is Case Number 21-052-PC, Alterna Mortgage Income Fund and Ken Jones on behalf of Gulf Coast Development and Design, an application for a preliminary subdivision and zoning map amendment.
This is still being continued from the September 23rd meeting and we will be held in abeyance until the owner and the applicant resolve some easement issues on that case.
For new public hearings, we have case Number 21-058, the City of Biloxi, for consideration for a text amendment to the Biloxi Land Development Ordinance, Section 23-2-2(G),

23-2-4(I) and 23-6-4, specifically as it relates to the Tree Committee, tree permit and tree protection sections of the UDO. This was advertised on October 12th, October 19th and October 26th.
Mr. Creel, do you have anything on the text amendment?
MR. CREEL:
Yes. What that is, we've been working with the Tree Committee to make some improvements to the current ordinance, and specifically in this one is the creation, the tree bank, the tree mitigation bank. What's happening -- and I'll let Eric go into the details about it. But the tree bank, we just feel like it's vital whenever we have a developer that comes in and there is not enough room on the property to put in the number of mitigation trees that are required, what the tree bank does is allow them to just pay the mitigation amount, which is three-to-one, put that into an account for the city, which we've already got that account set up. And then at some point during the course of the year, the Planning Commission and the City Council would make recommendations -- we would accept recommendations

on where the best places are to place those replacement trees.
And so this is something that we've been working on. We're excited that's on -- it's contained in the proposed changes to the ordinance. And with that, I'll let Eric take it from there and go into specifics about the rest.
MR. NOLAN:
Good afternoon.
Yeah. I've been working with the Tree Committee for -- well, really solid since about the end of 2018. We started going through the ordinance trying to really simplify it, make it -- it was really hard to understand and some of the sections it didn't work in it. So we ended up having to go back to square one with some of it and just do a complete re-write of certain certifications to make it as clear as possible where when people were coming in I wasn't having to translate the ordinance to them every time they came in.
One of the things that -- some of the main points that we hit on we're adding some trees to the omitted list where they don't have to ever get a permit. Pecans were already there. Tallows

were already there and pine trees were there. And we added water oaks because water oaks are probably 90 percent of my removals and most of the time it's either -- because of the severe hazard with decay or rot problems that they have.
One of the other things we have done is we have upped the minimum diameter limit from five inches to eight inches and that's going to cover live oaks, bald cypress and only southern Magnolia. So, you know, small trees like that, they're not going to have to worry about. You get to an eight-inch tree, which is more like that, then we felt it was a better way to focus our gaze and protect the best stuff at a bigger diameter. That way, we can be a little bit more selective on what we allow them to take out when they're already taking -- they're going to take the small stuff without a permit and that's not a problem.
Then, the trees that -- all other trees that weren't exempt up above, the pecans, Chinese tallows, water oaks and pines, they're going to be protected 16 inches and above. So that covers all your big sycamore trees that are healthy, you know. If the tree is not healthy, it's still going to get a permit, but this gives us a little

Thank you, Eric.

Mr. Fountain, you're here on behalf of the owners and the applicant?

MR. FOUNTAIN:

Yes, sir. Freddie Fountain with Fountain & Associates, 1822 15th Street, Suite 12, Gulfport.

As stated in the application, this property and this proposed project is on two parcels of land, both parcels being to the west of the Shell gas station on the south side of Highway 90.

Whenever we first began the idea of this project, we scheduled a meeting with Mr. Creel and Mr. Shambra and Mr. Nolan, and we've come in and discussed the ideas of rezone, conditional use, PDR, PD-HB, and the recommendation that we got from the staff was to do an overlay district. Which we discussed a PDR, which the reason we did not do a PDR is because of the possibility of some of the future buyers wanting to have a short-term rental with this development. So we were told to apply for a PD-HB which we included all the requirements in our PD-HB in the application. And we have submitted a 16-lot residential

subdivision.

It's going to be kind of a south Florida-type development, beach subdivision where there is going to be a common access point for the properties that aren't on the beach side of the development. There's, I believe, nine beach lots and then the remaining seven lots are in the interior of the subdivision. All of the lots and homes will be constructed facing the south to have that beach environment. And in the proposal, I've also included what we expect would be a typical plot plan and some typical elevations.

And I also provided a copy of a draft set of covenants for the subdivision. Some of the things that we included in that was none of the houses will be built on wood pilings, it will all be poured concrete or cement block pilings and some of the other things that we wanted to include was all of the finishes will be Hardie or brick or some type of decorative siding. There won't be any vinyl, of course, to protect the value of the neighborhood, all metal roofs. And the goal is to have, like I said, Southern Florida, Orange Beach beach-style subdivision. And there is nothing like that around here and we really feel that this

is something that would be wanted and needed. And the way that the commercial area is growing right in that general vicinity, this would do nothing but support that.

MR. DELLENGER:

In your write-up, I noticed you said that the developer had developments in other cities.

MR. FOUNTAIN:

Yes, sir. He did some SmartCode style developments, one being in Pass Christian, Whispering Oaks subdivision; one in Gulfport, which was Oak Shadow, and then there was another one on 15th Street in Gulfport, just west of the Salute and the funeral home right there, Bradford O'Keefe.

These houses are going to be similar in design as far as dimensions. Of course, they will be on pilings to meet the B Zone requirements. What they plan to do, as shown in the example elevations that was submitted, they're going to use some latticework to kind of dress that up and do some screened porches and try to make it look like it's not a house on pilings.

MR. DELLENGER:

And you notice -- or you said there was going to be a walkway or an easement between Lots 12 and 13, I think it was, or whatever.

MR. FOUNTAIN:

Yes, sir. That looks like --

MR. DELLENGER:

How wide is that going to be?

MR. FOUNTAIN:

It's going to be six-foot wide, which is somewhat typical of what the developments were mimicking in the Florida, Gulf Shores area.

MR. CARRON:

Is that still going with the three-foot setbacks on the houses or is that including that six foot?

MR. FOUNTAIN:

No. That's a completely separate parcel that will be deeded to HOA for maintenance. That way, nobody has ownership of it. It will be a separate parcel.

MR. CARRON:

These other developments that you mentioned, did they have that narrow of a size setbacks on them.

MR. FOUNTAIN:

Yes, sir.
MR. CARRON:
They were all six foot --
MR. FOUNTAIN:
Yes, sir. They were three-foot setbacks.
MR. CARRON:
Okay.
MR. FOUNTAIN:
And depending on the actual home plans that are come up with, that may be a little bit more room. We don't have a set house plan for each lot yet. We just kind of used a typical footprint of what we thought would be the style of home built on those.
MR. CARRON:
What were we looking at on the total height of it? I couldn't see it.
MR. NOLAN:
Second floor, 37.2. I don't know if that includes the peak.
MR. CARRON:
I like the idea of metal roofs and the Hardie plank siding. On the eaves right there, is there going to be vents going up into the attics

there?
MR. FOUNTAIN:
Yes, sir. Typical ventilation, yes, sir.
MR. CARRON:
Well, that's kind of my concern with the parking of the vehicles underneath these. If there is a fire, you know, the flames being that close going up right into the vent of the buildings right next to them.
MR. FOUNTAIN:
Well, with the overhangs, there is requirements in the International Building Code for the allowable projection into the setback for eaves like that, and we will be in compliance with that.
MR. CARRON:
Okay. Are these sprinklered since they are considered visitor accommodations?
MR. DELLENGER:
I'm not sure that they're all visitor accommodations. There will be owners possibly.
MR. FOUNTAIN:
There may be an "as that comes about." We spoke with the fire department in one of DRC

meetings, and they said with the adoption of the new code that that may be a requirement if they choose to do short-term rentals.
MR. CREEL:
Well, the position that we've taken and the fire department, too, is that if there is even a remote possibility that these are going to be used for short-term rental, then there are requirements inside the building that they have metal conduit and those kind of things on the inside. In other words, if they are going to be used as a hotel, then they're going to be designed and built as a hotel.
MR. CARRON:
And that's what I'm trying to steer towards here, you know. I mean, if we have individuals come in as residents there and five years down the road, say, I want a short-term rental, are they going to have to upgrade to those requirements?
MR. CREEL:
No. What we're talking about doing is making them put it in when they build them.
MR. CARRON:
When they build them in?

MR. CREEL:
Yeah. I mean, the designer has told us that people are going to be using these for short-term rentals. And realistically, I would expect that all of them probably at some point are going to be used for short-term rental. So they'll have to be designed and built for short-term rental from day one.
MR. CARRON:
And that's what I'm getting at.
MR. CREEL:
And we've also taken the position, too, that with -- even when apartment complexes, you know, when someone comes in and they're -- well, I'm not going to do short-term rental right now, but I might down the road, if they build them as apartments and they don't put in those commercial features, then when they do make their application and come to the Planning Commission or the City Council, then we're going to recommend that it be turned down, because they knew in advance that they not going to be using them for short-term rental. They just wanted to avoid the costs of putting in those extra features. And, realistically, you know, are we really going to

make them go in there and gut the buildings and go back in and put those. So the best way to address it is at the beginning of construction.

MR. CARRON:

And another question for you, Jerry, under this zoning, what is the regulations on parking? How many vehicles?

MR. CREEL:

Well, the way the PD works is that you have flexibility on everything. In other words, the project -- you consider the project and you approve or deny based on the merits of what is being presented today. So the stringent parking requirements don't kick in. The stringent setback requirements don't kick in. You're looking at the project as whole, and then you're deciding whether or not you think that what they're asking for is reasonable and acceptable for you to approve it. That's the way a PD works.

MR. FOUNTAIN:

To answer your question further about the parking, how much parking would be provided, the way that we have it planned, there will be at least four spaces underneath the house for private parking, and there will be at least two spaces

that will be for guest parking.

MR. CARRON:

Okay. Just kind of a rule of thumb, how many bedrooms do you think you're going to have?

MR. FOUNTAIN:

There will be at least three, but some of them could be as many as five. We have it set in stone the minimum number of bedrooms, but I don't have it with me. But we did put in the covenants, I believe, 3,000 square foot minimum for the house size.

MR. CARRON:

And I do like the fact that you will retain the architect for control of the subdivision until the last one is sold.

MR. FOUNTAIN:

Yes, sir. We want to protect the value of the subdivision. The real estate is very expensive, so we want to make sure that the value of the lots are protected.

MR. CARRON:

Okay. Thank you.

MR. DELAHOUSEY:

I see that you have three streets that are asphalt, 27 feet wide and a 20-foot-wide

alley. Is that an appropriate size street for this type of development?

MR. CREEL:

This went through the DRC. And the fire department was there, and the fire department signed off on it to move forward to the Planning Commission, so it meets the fire department requirement.

MR. DELAHOUSEY:

Okay. Thank you.

MR. DELLENGER:

And the 20-foot-wide street would be like essentially the back way into the residences, correct.

MR. FOUNTAIN:

Yes.

MR. DELLENGER:

Like more or less just for them to go back to their houses to park?

MR. FOUNTAIN:

Yes, sir. That's mainly going to be -- I mean, not mainly, but that's going to be the access to the rear parking area for Lots 1 through 7.

MR. DELLENGER:

Does anybody have any other questions?

(None indicated.)

MR. DELLENGER:

Thank you, Mr. Fountain.

Is there anyone who would like to speak in favor of this? State your name and address and sign in, please.

MR. MOLYNEAUX:

Doug Molyneaux, Molyneaux Group, 790 Howard. I'm a real estate broker. I've represented Jolene Weill back since Cuco's was on that property. Everybody remember Cuco's? It's been a long time.

I just want to say that having marketed that property for 16, 17 years, we have looked at hotel development. And the kind of construction that you have to have on the beach nowadays and when you compare that to the RevPAR that we're experiencing in this area, there is no way the costs make any sense for any kind of hotel development on the beach right now. Just can't do it. It's just not feasible.

We've looked at restaurants. Your national chain restaurants, most of them have a prototype, but the prototypes don't allow them to

be built up like that. So the best we might be able to do is probably a local restaurant. And all those local restaurants are already there that can afford the beach.

So we've looked at condominiums. We've looked at everything. I just want to say that I think this is a great use for the property. Currently in Biloxi, there's not one that I can think of. You can correct me, but I don't think there is one single residential building on the sand. That's a shame.

So I'm all for this project. It's the best use. Having marketed the property for as long as I have, it's the best idea that I have seen yet for the property. Thank you.

MR. DELLENGER:

Thank you. Is there anyone else to speak in favor?

MR. BOLIS:

Good afternoon. Brian Bolis with NAI Sawyer, 2300 14th Street, Gulfport. I represent the other party that owns the two acres adjacent to the Weill property. I would like to reiterate or ditto everything this man just said about this project.

I, too, have been trying to market this property, the two acres for at least 10 years. It's been available off and on since Katrina, and we basically have had no takers for the reasons that Doug just mentioned to you.

I think this is one most unique ideas for this property, and I think it would be just a tremendous thing for Biloxi and for the Coast to have something unique like this. That is just not -- it's not been evidenced here, but has been very successful in Gulf Shores and along the Florida Panhandle. And I think it would just be a wonderful use, and it puts the property back on tax rolls. And is beneficial, I think, for all. And I urge your positive vote on it.

Thank you very much.

MR. DELLENGER:

Thank you. Is there anyone else to speak in favor?

(None indicated.)

MR. DELLENGER:

Okay. Is there anyone speaking in opposition of this? None in opposition. Okay.

So we'll consider that hearing closed.

MR. SHAMBRA:

Case Number 21-059, this is the request for a preliminary subdivision combined with a zoning map amendment to authorize the establishment of PD-HB, which is a planned development hospitality business master plan. And this is basically for a property that's basically split zoned now because part of this property is community business and the other part is sand beach. And the only part that we're really looking at for the development to take place on is the property that's presented zoned as CB, community business.

This is for 16 lots, which will be a mixture of residential and visitor accommodation uses, average lot size being 3,800 square feet, plus or minus, in overall size. This is for property that's presently identified as 1845 and 1851 Beach Boulevard.

This is kind of an unusual type of development, because even though the original proposed use is for residential, it's really a hybrid classification. And as they pointed out, it will be used for both residential and rental purposes. We anticipate that the majority of them will eventually become short-term rentals, so

that's the way we're basically looking at it from our standpoint.

And the streets are a little narrow, a little bit narrower than we see for a residential development, but this is going to be, I think, mostly commercial. So with that being the case, the staff is offering this for you for consideration.

MR. POULOS:

I make a motion we approve the applicant's request.

MR. DELAHOUSEY:

Second.

MR. DELLENGER:

Mr. Poulos moved; Mr. Delahousey seconded.

All in favor, raise your right hand.

Mr. Lechner, Mr. Todaro, Mr. Parker, Ms. Magee, Ms. Thompson, Mr. Delahousey, Ms. Humphries, Mr. Carron, Mr. King, Mr. Poulos; myself, Mr. Dellenger. It's unanimous. It's approved.

MR. CREEL:

Just my only concern in what I've heard is that if all of the units are going to face the

beach, are going to face the south, then we just don't want the units that are up against the service drive and up against the sidewalk to look like the back of a house. So we'll work with Mr. Fountain to make sure that we give it some kind of a look on the north side to make this look like the permit.

MR. DELLENGER:

Okay. Next hearing will be Case Number 21-060-PC, BHL, LLC, owner, and Dennis Stieffel, applicant, which is an application for zoning map amendment, to authorize a change in zoning district classification for several parcels of land collectively measuring 25.19 acres, more or less, in size, from their present zoning district classification of NB, neighborhood business, to RM-20 medium–density multi–family residential, for four parcels of land presently identified as 1850 Popp's Ferry Road, Tax Parcel Numbers 1208O-01-001.007, 120O-01-001.008, 1208O-01-001.032 & 1208O-01-001.033. This was advertised on October 14th, October 21st and October 28th.

Eric.

MR. NOLAN:

All right. This is just north of the neighbor -- there is the Walmart Neighborhood Market right off Popp's Ferry. They're building the next phase of Arbor Landing apartments. I don't shoot these videos, so blame Tim. This is at the end, end of the street looking to the west. And there is Arbor Landing, and there is the map. I'm a little unclear where they are asking for RM-20, so maybe you can help me out there, Jerry.

MR. CREEL:

Essentially, what they're doing -- essentially what they're doing is asking for the zoning to be brought into compliance with what they are building there right now. The NB zoning that was there before, they were a conditional use for apartments.

So Phase 1 was zoned RM-30, and what they're asking for is for the rest of the project be RM-30, so that's the nature of the request.

MR. SHAMBRA:

RM-20.

MR. CREEL:

RM-20. I'm sorry.

MR. NOLAN:

So the hash-marked property here, marked

NB, right next to the green property, which is the existing Arbor Landing property, that is the parcel they are proposing to bring into compliance with the RM-20.

MR. DELLENGER:

Thank you, Eric.

MR. NOLAN:

All right.

MR. DELLENGER:

Mr. Stieffel.

MR. STIEFFEL:

Good afternoon. My name is Dennis Stieffel. I'm at 13016 Shriner's Boulevard.

I couldn't have said it better myself, Jerry. It's just real simple. We're trying to clean up a little bit of the confusing situation on the zoning map for the City.

The previous developer, Jimmy Lane, on the neighborhood business property there, you know, he tried to make the commercial -- medical commercial fly and it just wouldn't fly, as you're all aware. And to the contrary, you know, it just happens to be that there's a waiting line, as I understand it, six to nine months, on the apartments there. And those are one of the

highest and up-scale apartments on the whole Coast, and so there's a clear demand for these apartments. We cannot build them fast enough.

And all we're trying to do is essentially rezone the property to accommodate what's being built there, because I think what we have now is conditional use that's kind of growing and it makes more sense. The only property that's a little bit out of sync there is the RS-10 to the east, and that will remain RS-10. Eventually somebody will develop that into a higher and better use.

But if you have any questions about it -- clearly, there is a demand. I wouldn't go as far to say that there is a mistake in the original zoning, but there is clearly a demand, a need and also a change. There's constant change going on out there with the new connector road, the traffic, the new Neighborhood Walmart. The growth that's taking place out there is phenomenal. It's being controlled. The City is doing a very good job in controlling traffic growth out there.

MR. DELLENGER:

You're just going to have the zoning