Ordinance No. 2470

ORDINANCE TO APPROVE A ZONING MAP AMENDMENT, TO AUTHORIZE A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR LAND COLLECTIVELY MEASURING TWENTY-FIVE AND NINETEEN ONE–HUNDREDTHS (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 PRESENTLY IDENTIFIED AS 1850 POPP'S FERRY ROAD

WHEREAS, on Thursday, November 4, 2021, the Biloxi Planning Commission held a public hearing in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building, 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear Case No. 21-060-PC, BHL, LLC (owner) and Dennis Stieffel (applicant), a request for Zoning Map Amendment, for properties collectively identified as 1850 Popp's Ferry Road; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that BHL, LLC (owner) and Dennis Stieffel (applicant) had submitted this request for Zoning Map Amendment, to request a change in zoning to bring these parcels into compliance with the apartments which are currently under construction at this location, to authorize a change in zoning district classification for four (4) parcels of land, collectively measuring twenty-five and nineteen one–hundredths (25.19) acres (more or less) in overall size, from their present zoning district classification of NB Neighborhood Business to RM-20 Medium–Density Multi–Family Residential for of land collectively identified as 1850 Popp's Ferry Road (re: Tax Parcel Nos. 1208O-01-001.007, 1208O-01-001.008, 1208O-01-001.032 & 1208O-01-001.033); and

WHEREAS, it was noted that the Development Review Committee (DRC) had reviewed the above-referenced request for rezoning and found it to be in general conformance with the rules and regulations of the City of Biloxi, and authorized the owners and applicant to proceed with an application to the Planning Commission and City Council to request this Zoning Map Amendment, as herein offered; and

WHEREAS, after limited discussion, it was established that the RM-20 Medium–Density Multi–Family Residential zone, should serve as an extension of the RM-20 Medium–Density Multi–Family Residential zoning currently in place to the west of these parcels, which will ostensibly expand this zoning district to the east, as proposed; and

WHEREAS, on November 4, 2021, the Biloxi Planning Commission, after some discussion, voted 11-0, to recommend approval for this Zoning Map Amendment, to authorize a change in zoning district classification for four tax parcels of land collectively measuring twenty-five and nineteen one–hundredths (25.19) acres (more or less) in overall size, from their present zoning district classification of NB Neighborhood Business to RM-20 Medium–Density Multi–Family Residential, for land collectively identified as 1850 Popp's Ferry Road (re: Tax Parcel Nos. 1208O-01-001.007, 1208O-01-001.008, 1208O-01-001.032, and 1208O-01-001.033, having determined that the RM-20 Medium–Density Multi–Family Residential zoning requested would provide an extension of existing RM-20 zoning presently of note for property situated adjacent to and immediately west of these four parcels, noting further that a Change in the Character of the Neighborhood coupled with an established Community Need for the uses authorized within the RM-20 zone have been established for these properties; and

Ord. No. 2470

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 the requested Zoning Map Amendment, as submitted, is appropriate for the properties, as related in Case No. 21-060-PC, BHL, LLC (owner) and Dennis Stieffel (applicant).

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 A DETERMINATION THAT A CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD IN THIS AREA OF THE CITY OF BILOXI IS OF NOTE, AND THAT A NEED FOR ADDITIONAL RM-20 ZONING HAS BEEN ESTABLISHED, THE FOLLOWING SHALL BE AUTHORIZED:

SECTION ONE: That the boundaries of the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, as amended, be hereby further amended by a change in zoning district classification from NB Neighborhood Business to RM-20 Medium–Density Multi–Family Residential, for the properties collectively identified as 1850 Popp's Ferry Road, more fully described as follows:

Lots 5, 6, 27 & 28 Ellzey Place Subdivision, as per the map or plat thereon on file and of record in the Office of the Chancery Clerk of Harrison County, Second Judicial District, Mississippi, in Plat Book 34 at Pages 3-5, being a reconfiguration of Lots 5 through 14, of a Replat of a Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision, as recorded in the Office of the Chancery Clerk of Harrison County, Second Judicial District in Plat Book 32 at Pages 1 and 2 and Lots 15 through 26, of A Replat of a Replat of a Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision, as recorded in the Office of the Chancery Clerk of Harrison County, Second Judicial District in Plat Book 33 at Pages 11 and 12. (25.19 +/- acres),

and further described as land most nearly bounded by the following streets: to the North by Interstate 10; to the South by Popp's Ferry Road; to the East by and fronting upon Ellzey Drive; and to the West by and adjacent to Ellzey Drive.

SECTION TWO: 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 Lawrence, seconded by Councilmember Gines, and was adopted by the following vote:

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

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

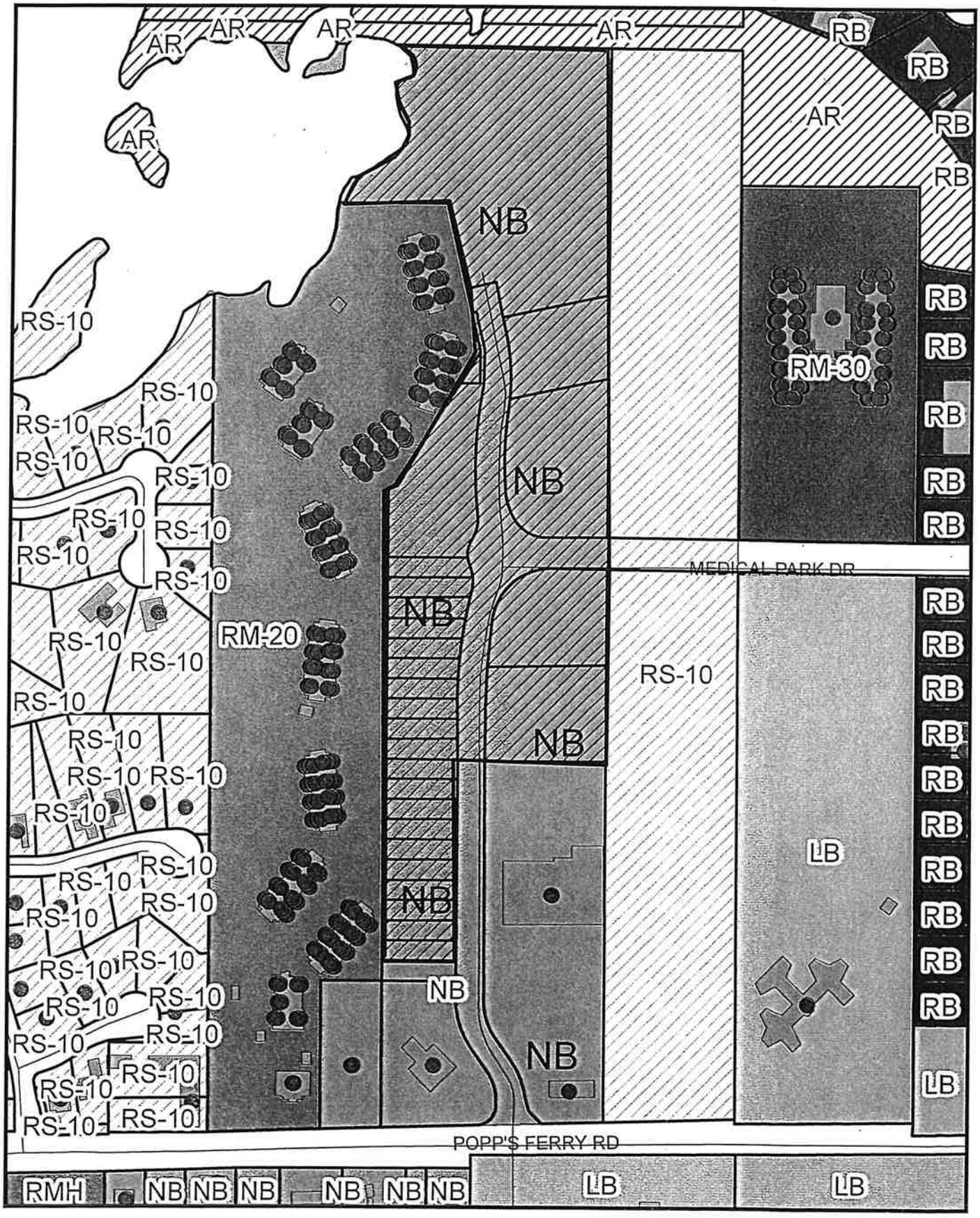
CLERK OF THE COUNCIL PRESIDENT OF THE COUNCIL

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

APPROVED:

MAYOR

Case No. 21-060-PC/BHL, LLC/Dennis Stieffel
1850 Popp's Ferry Road
Zoning Map Amendment - NB to RM-20



Scheduled for:
November 4, 2021
Meeting

BHL, LLC (owner)
Dennis Stieffel (applicant)
Case No. 21-060-PC
Zoning Map Amendment
NB Neighborhood Business to
RM-20 Medium–Density Multi–Family Residential

Biloxi
established 1699

Planning Commission
Case Fact Sheet

Case No.:	21-060-PC
Name of Applicant:	BHL, LLC (owner) and Dennis Stieffel (applicant)
Address of Property:	1850 Popp's Ferry Road
Tax Parcels/Ward:	1208O-01-001.007; 120O-01-001.008; 1208O-01-001.032; & 1208O-01-001.033/Ward 6
Request:	**Zoning Map Amendment**
Purpose of Request:	An application for a **Zoning Map Amendment**, to authorize a change in zoning district classification for several parcels of land collectively measuring twenty-five and nineteen one–hundredths (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 (re: Tax Parcel Nos. 1208O-01-001.007, 120O-01-001.008, 1208O-01-001.032 & 1208O-01-001.033).
Size of Property:	25.19 acres (More or Less)
Present Zoning:	**NB Neighborhood Business**
Present Use:	Vacant/Apartments under construction
Most Nearly Bounded By (streets):	To the North by Medical Park Drive and Interstate 10; to the South by Medical Park Drive and Popp's Ferry Road; to the East and West by and fronting upon Ellzey Drive.
Adverse Influences:	A Zoning Map Amendment should only be authorized when conditions clearly suggest that a change in zoning is warranted, and that the change proposed is consistent with uses found upon adjacent or nearby properties.

Positive Influences:

This rezoning, if approved, would allow the applicant to bring certain vacant properties into compliance with city ordinance, for the proposed expansion of an Apartment Complex.

Letters or Concerns stated:

The Planning Division Office has not received any letters or other written communications relative to this case, as of October 28, 2021.

Comments/ Recommendations:

BHL, LLC (owner) and Dennis Stieffel (applicant), have requested a **Zoning Map Amendment**, to authorize a change in zoning district classification for four parcels of land collectively measuring twenty-five and nineteen one–hundredths (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 vacant parcels of land collectively identified as 1850 Popp's Ferry Road (re: Tax Parcel Nos. 1208O-01-001.007, 120O-01-001.008, 1208O-01-001.032 & 1208O-01-001.033).

The applicant is proposing to change the zoning in order to bring these parcels into compliance with the apartments which are currently under construction at this location.

As with all requests for **Zoning Map Amendment**, discussion points should be focused upon the merits or demerits of the Zoning change proposed, taking into account the following criteria:

1) Consistency (or lack thereof) with the Comprehensive Plan;
2) Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;
3) Suitability of the property affected by the amendment for uses permitted by the present district;
4) Suitability of the property affected by the amendment for uses permitted by the proposed amendment;
5) Change in the character of the neighborhood and established community need for uses permitted by the

district applicable to the property at the time of the proposed amendment;

6) Availability of utilities and infrastructure sufficient to address the impacts associated with the allowed uses in the proposed district; and
7) Mistake in the original zoning.

Options:

1. Recommend approval of this request for **Zoning Map Amendment**, to authorize a change in zoning district classification for those vacant parcels of land collectively measuring twenty-five and nineteen one–hundredths (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**, having determined that a Change in the Character of the Neighborhood is of evidence, coupled with a Community Need for the use now under construction for these four parcels of land.

2. Recommend denial of this **Zoning Map Amendment**, having determined that insufficient evidence has been provided to warrant a Change in the Character of the Neighborhood, or that a Community Need exists to warrant the level of zoning change proposed for these parcels of land.

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: 9/29/21
Name of Rightful Owner(s): BHL LLC	Name of Applicant: (if different than Owner) Dennis Stieffel & Assoc. (Agent)
Property Address: Ellzey Dr. 1850 Popps Ferry Rd	Ward Number 6
Tax Parcel Identification Number(s): 1208O-01-001.007-8, .032 thru .035 (6 parcels)	
Mailing Address of Property Owner P. O. Box 1437	Mailing Address of Applicant (if different than Owner): 13061 Shriners Blvd., Ste C
City: Ocean Springs	City: Biloxi
State: MS	State: MS
Zip: 39566	Zip: 39532
County Jackson County	County Harrison County
Telephone: (228) 219-6300 (cell)	Telephone: (228) 860-8161 (cell)
Property Size (please give in acres or by dimension): 25.19 acres	
Present Zoning Classification: NB Neighborhood Business	
Is the property located within an AHRC District? Yes ☐ No ☒ If so, which District?	Flood Zone(s) of Property: X, SX & AE-16

	North	South	East	West
Property is most nearly bounded by what streets?	Interstate 10	Popps Ferry Rd	Ellzey Dr	Arbor Landing Apts Drive
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.

Managing Member

Signature of Rightful Owner

Signature of Rightful Owner

Notary Signature

(Seal)

Notary Signature

(Seal)

Signature of Rightful Owner

(AGENT)

Signature of Applicant

Notary Signature

(Seal)

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).**

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.

Managing Member
Signature of Rightful Owner

Notary Signature

(Seal)

Signature of Rightful Owner

Notary Signature

(Seal)

manager - member
Signature of Rightful Owner

Notary Signature

(Seal)

(AGENT)
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:

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Biloxi
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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:* 9/29/21
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.* See attached.

	Existing	**New**
I am requesting a zoning change from this *zone* to this *zone*:	NB	RM-20

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: The proposed Map Amendment is consistent with the Comprehensive Plan in that the proposed amendment consists of changing the current "NB Neighborhood Business" zoning to medium-density residential "RM-20".

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: The proposed medium-density "RM-20" zoning provides a logical & practical transition between the adjacent "NB" and nearby "RM-30" zoned properties to the south & east. The "RS-10" zoned property to the west is buffered by a large thickly wooded tributary to the Tchoutacabouffa River. The property is bordered on the north by the Tchoutacabouffa River & Interstate 10.

Biloxi
established 1699

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: It appears the property is not suitable for the use intended by the previous Developer under the present zoning as he has not been able to find any interested parties to purchase any of the lots in the Ellzey Place Subdivision to construct businesses.		
4. Is the property suitable for uses permitted in the proposed zoning district?		
*Please explain:*The proposed "RM-20" zoning allows for the development of the proposed "high-end" multi-family project which is not only feasible but provides an attractive and practical transition between the "RS-10" property to the west and the "RM-30" & "NB" properties to the east & south. Without the Map Amendment a Conditional Use approval would be required.		
5. Has there been a change in the character of the neighborhood?		
Please explain: This area of the City has experienced unprecedented change and growth in the form of utilities, schools, medical parks, commercial subdivisions, businesses & high-density multi-family residences and all indications are that this change will continue well into the foreseeable future.		
6. Is there an established community need for uses permitted in the proposed zoning district?		
Please explain: Existing multi-family developments in this area of the City are operating at or near capacity and the proposed project not only helps meet the rising demand but also satisfies a niche for spacious "high-end" multi-family residences.		
7. Was there a mistake in the original zoning of the property?		
*Please explain:*It is the opinion of the Applicant that, where possible, commercial & high-density multi-family properties should be buffered from low-density single-family properties by medium-density multi-family properties to provide an appropriate transition.		
8. Are utilities and infrastructure sufficient to address the impacts associated with allowed uses in the proposed district?		
Please explain: The existing utilities that are currently in place and operational are more than adequate to handle the additional demand of the proposed project.		
Site Plan attached: (please circle): Yes No	*Case No.* ☐☐-☐☐☐-☐☐☐	

Dennis Stieffel & Associates, P.A., Inc.
Consulting Engineers

Woolmarket Professional Plaza
13061 Shriners Blvd., Suite C
Biloxi, Mississippi 39532

Office (228) 392-1638
Fax (228) 392-1679
Cell (228) 860-8161
dennis@dsaeng.net

STATEMENT OF SUPPORT – NARRATIVE

for

Arbor Landing Apartment Community, Phases 2 & 3

Biloxi, Mississippi
September 29, 2021

Site Plan Layout The proposed Arbor Landing Community Phases 2 & 3 front the existing Arbor Landing Apartment Community to the west, Ellzey Drive, Neighborhood Business and undeveloped RS-10 to the east, Neighborhood Business (Citizen's Bank) to the south and wetlands marsh to the north. The surrounding adjacent developed properties are multi-family and commercial in character. The proposed Map Amendment will encompass 224 medium-density multi-family residential units on approximately 25.19 acres (8.9 units/acre) situated in the City of Biloxi, Mississippi.

The property is currently zoned NB Neighborhood Business, however the proposed site plan layout is based on securing approval of the proposed Map Amendment which has been requested to allow the property to utilized as "RM-20."

The proposed Map Amendment is consistent with the Comprehensive Plan in that this request consists of utilizing the current "NB Neighborhood Business" commercial-zoned property as medium-density residential "RM-20" zoned property.

The proposed Map Amendment is compatible with the present zoning and conforming uses of nearby properties and with the character of the neighborhood. The proposed utilization as medium-density "RM-20" matches the zoning of the adjacent existing Arbor Landing Community to the west and provides a logical and practical transition between the adjacent "NB Neighborhood Business" zoned properties to the south and nearby RM-30 property to the east. The "RS-10" zoned property immediately to the east will undoubtedly eventually be utilized as multi-family or commercial. The property is bordered on the north by essentially undevelopable wetlands marsh and Interstate 10.

Unfortunately, as the property currently exists, it appears unsuitable and/or unfeasible for uses permitted in the present zoning district as the Owner has been unable to attract commercial business for years now. The property is located in an area of the City that while experiencing rapid commercial and multi-family growth does not appear to have the demand to utilize the property under the existing "NB Neighborhood Business" zoning. However, the proposed Map Amendment allowing for utilization as "RM-20" zoning facilitates the development of the

proposed "high-end" multi-family project which is not only feasible and experiencing high demand, but also enhances an attractive and practical transition between the "RS-10" property to the west of the existing Arbor Landing Community and the existing "NB Neighborhood Business" zoned properties to the south and nearby RM-30 zoned property to the east.

The proposed Map Amendment complements the character of the existing neighborhood and changes likely to take place in the future. This area of the City has experienced unprecedented change and growth in the form of utilities, schools, medical parks, commercial subdivisions, businesses and high-density multi-family residences and all indications are that this change will continue well into the foreseeable future.

There is a need in the community for uses permitted in the proposed Map Amendment as "RM-20." Existing multi-family developments in this area of the City are operating at near capacity and the proposed project not only helps meet the rising demand but also satisfies a niche for spacious "high-end" multi-family residences. There is a need for housing in the north Biloxi area on property not prone to flooding or the adverse effects of increased flood insurance.

It appears that, from the applicant's viewpoint, the property would be much more viable utilized as "RM-20 multi-family as the current Owner has received little or no interest from potential commercial businesses utilizing the property under its current NB-Neighborhood Business zoning. It is the opinion of the applicant that, where possible, commercial and high-density multi-family properties should be buffered from low-density single-family properties by medium-density multi-family property and natural land features, if available, to provide an appropriate transition between the different uses.

The existing utilities and infrastructure that are in place and operational are more than adequate to handle the additional demand of the proposed project.

The proposed site plan layout of the Arbor Landing Community Phases 2 & 3 is configured to meet all of the minimum requirements for "RM-20" use. While the property is constrained by creeks, wetlands and the general geometrics of the property, no variances will be required.

The existing topography generally facilitates drainage flows from southeast to northwest for the entire length of the property and the proposed Arbor Landing Community Phases 2 & 3 drainage system will be integrated with little or no changes to the existing drainage system constructed for the Biloxi Commerce Park. Every effort has been taken to minimize impacts to the creek and associated wetlands. The property contains several areas of wetlands which will remain mostly undisturbed, protected and preserved.

The geometrics of the property limit flexibility of the configuration of the site plan layout. However, the proposed development incorporates, to the maximum extent practicable, unique heavily landscaped geometric features along with elaborate beautifully landscaped entry way monumentation in an effort to significantly enhance the beauty and aesthetics of the entire neighborhood. Additionally, the proposed Arbor Landing Community Phases 2 & 3 layout will not change any of the existing roadway improvements constructed for the Biloxi Commerce Park and will include multiple points of ingress/egress while providing access for purposes of servicing and maintaining the existing City sewer pump station.

Drainage The terrain is such that the elevations range from approximately 50 ft. to 0 ft. (at the river) thereby providing ample grade for adequate drainage. The proposed site plan layout contains approximately 3-5 acres of designated wetlands mostly in the form of woods at a relatively flat average grade of approximately 1.0%. The entire parcel gradually slopes off towards the north and west with the surface drainage finding its way through several detention areas and eventually discharging into the Tchoutacabouffa River (see attached drawing).

While the existing drainage system functions very well in its natural state and could easily handle additional flow, this project will have no measurable effect on the existing drainage ways upstream or downstream of the development. The drainage will be discharged from the north portion of the project directly into the detention areas constructed for the Biloxi Commerce Park which then drain into the existing Arbor Landing Apartment Community drainage system near the northern portion of the property where it is eventually discharged directly into the Tchoutacabouffa River. The effect on adjacent properties will be that any drainage which currently flows from this property will be collected and diverted into the new drainage system and culverted outfalls, thereby eliminating the potential of erosion occurring from this project onto adjacent properties.

The proposed drainage plan consists of dividing the development into a number of smaller areas, each with its own discharge into the subsurface drainage system. The subsurface drainage system is collected and subsequently released via new on-site outfall culverts discharging directly into the existing detention areas constructed for the Biloxi Commerce Park. This plan provides ample filtration of potential pollutants while enhancing downstream water quality and wetland areas. The proposed development should have no adverse or detrimental effects on the environment or adjacent properties.

Additionally, the construction plans will require that silt screens be constructed at all points of discharge into existing drainage systems and the silt screens are to be left in place and maintained for the duration of the project. Upon acceptance and approval of the project, the silt screens will be removed along with any and all silt build-up. The silt screens should eliminate any downstream sedimentation thereby preventing the silt from inflicting any damage to existing creeks and associated wetland areas and minimizing the amount of pollutants and sedimentation reaching any wetlands areas. Best management practices (BMPs) will be utilized throughout the duration of the construction of the project. Also to be implemented are construction entrance/exits consisting of stone-stabilized site entrances (6" thick and 50' long) to minimize sediment tracked onto public roads with tires being washed on an as-needed basis.

The individual building protection plan which will be implemented during the construction of the site and buildings in the development, consists of the installation of silt fencing, hay bales and/or other erosion/siltation control measures in a continuous band across the downhill side of disturbed areas of all buildings including areas adjacent to streets. Under no circumstances will silt laden run-off be allowed to escape the proposed project.

The Applicant is requesting the removal and vacation of the restriction on the face of the plat filed in Plat Book 33 at Page 11-12 specified in Note 16 limiting the use of what was formerly Lot 26, now a part of reconfigured Lot 5, to a detention pond, common area and recreation area.

Any and all drainage detention areas will contain drainage easements giving the City the right to access and maintain these drainage systems if the City deems it necessary.

Water The proposed Arbor Landing Community Phases 2 & 3 will receive potable water by connecting to the existing 12 inch water main on Ellzey Drive and also connecting to the existing 8 inch water main at the north entrance to the existing Arbor Landing Community. The new water mains to be installed with the proposed development will be "looped" into the existing water system thus enhancing not only water pressure but also fire flows. Any off-site improvements required to tie the proposed development into the existing City system will be at the developer's expense. The water system infrastructure for the proposed development will consist of 8 inch mains with the appropriate valves along with adequate fire hydrants for fire protection.

Sewer The Arbor Landing Community Phases 2 & 3 will be provided with sewer service via the existing conventional gravity sewer system in the Biloxi Commerce Park and the existing City pump station constructed with the existing Arbor Landing Community. This existing pump station discharges into the existing gravity sewer system at Popp's Ferry Road via an existing 6 inch force main. The wastewater eventually finds its way across Back Bay Biloxi to the West Biloxi Wastewater Treatment Plant. Any off-site improvements required to tie the proposed development into the existing City sewer system will be at the developer's expense. The new sewer system for the proposed development will be conventional 8 inch gravity mains with the associated manholes constructed in strict accordance with the City's standard specifications.

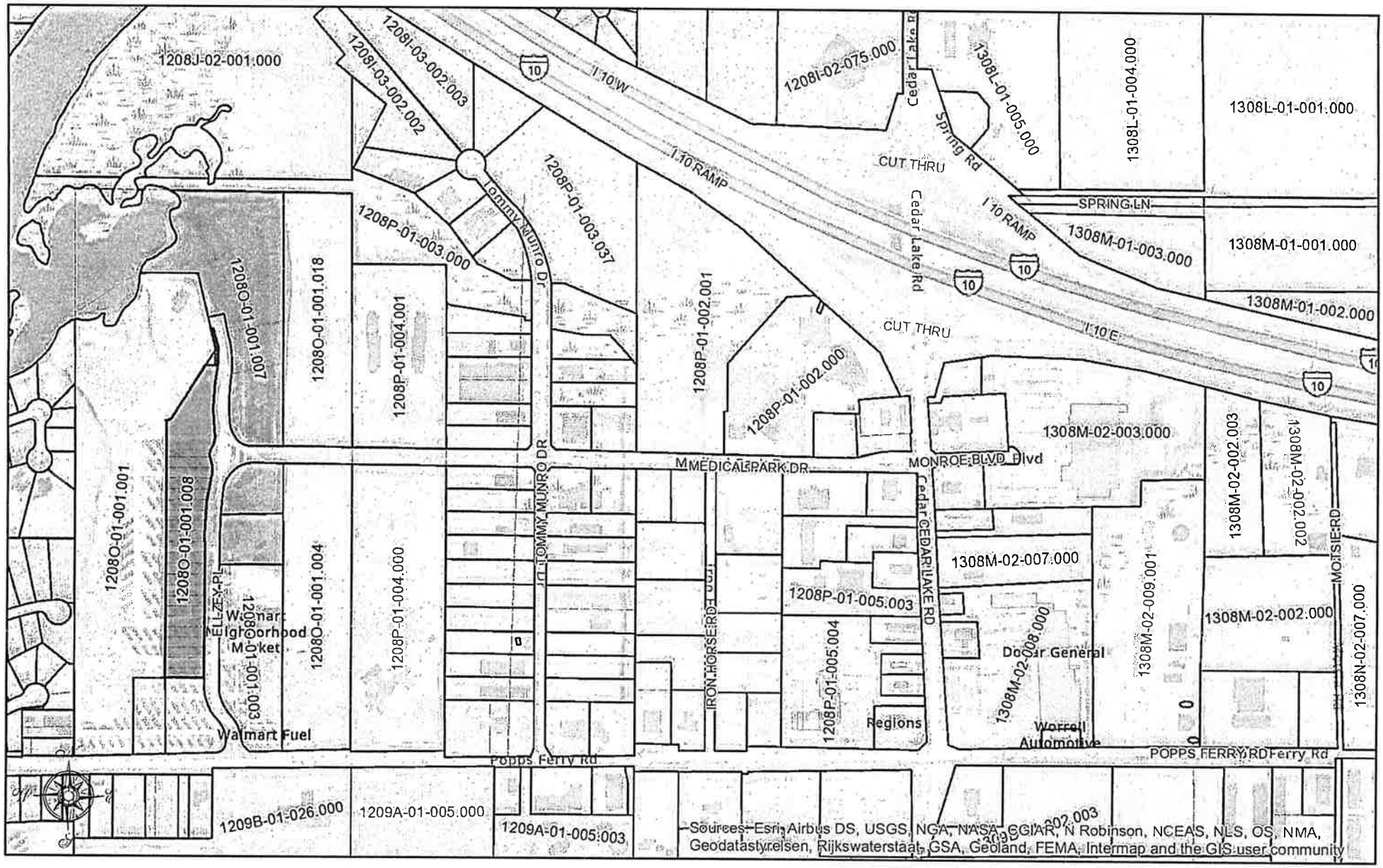
Traffic Traffic will access the proposed Arbor Landing Community Phases 2 & 3 via one (1) entrance at the north end of Ellzey Drive and one (1) entrance just north of Medical Park Drive along with multiple connections to the existing Arbor Landing Community. The accesses will be amply adequate for the proposed 224 units. The existing City streets are more than adequate to handle the minor increases in traffic. Any off-site improvements required to tie the proposed development into the existing City infrastructure will be at the developer's expense.

Common Areas No common property areas will be created within the development as the entire development will be privately owned and operated. Hence, there will be no need for a Property Owner's Association. Any and all drainage detention areas will contain drainage easements giving the City the right to access these drainage systems if the City deems it necessary.

Construction Phasing The proposed development will be constructed in one (1) phase eliminating the need for coordinating phased construction.

668 Narrative Ph3.wpd

BHL, LLC Map Amendment



HARRISON COUNTY, MISSISSIPPI

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. TAL FLURRY, TAX ASSESSOR.

MAP DATE: October 11, 2021

0 750 1,500
Feet

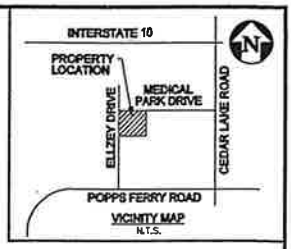
NOTES:

THIS DRAWING IS NOT A SURVEY

LEGEND:

= SECTION CORNER

SCALE: 1" = 80'

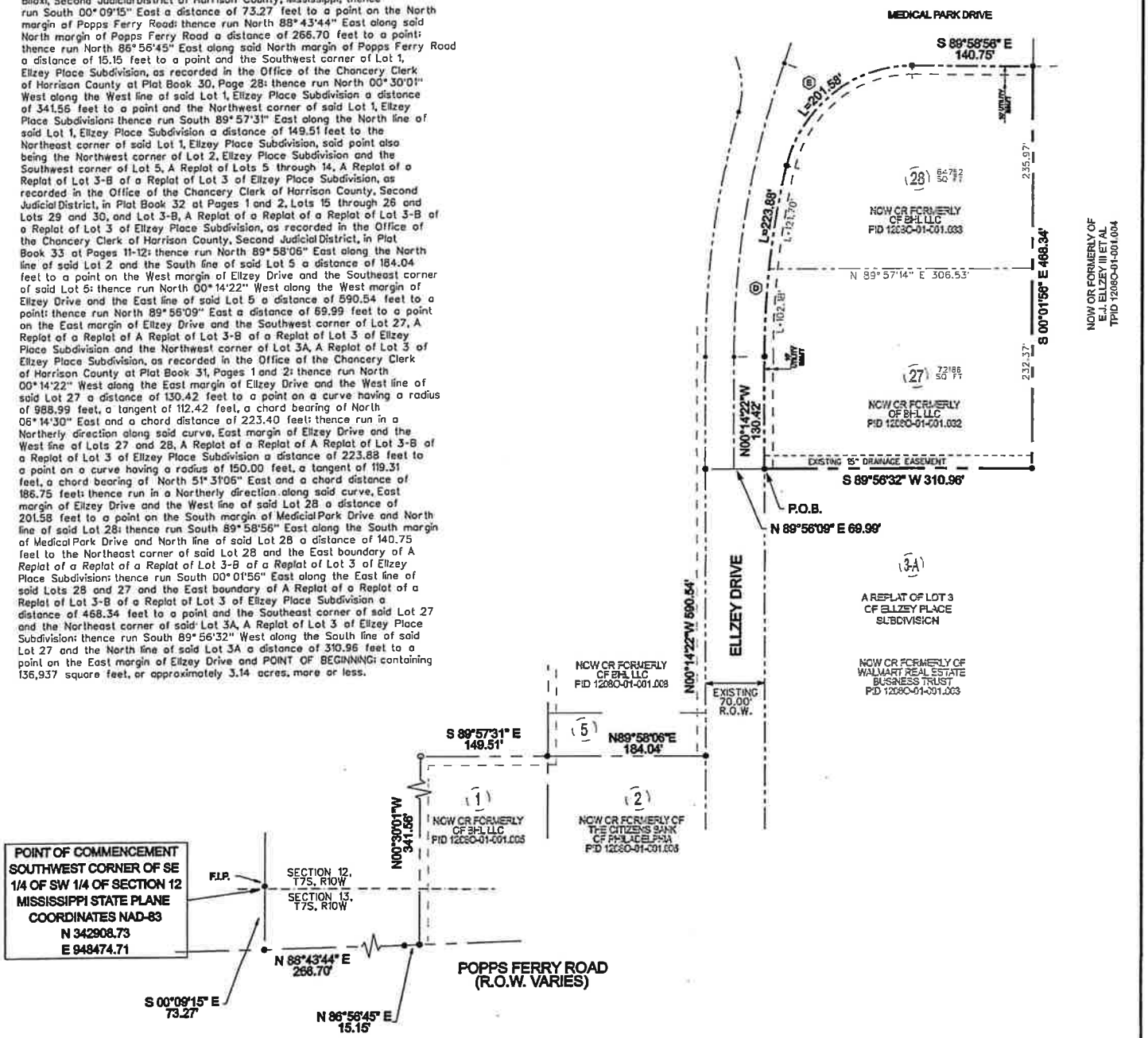


RIGHT-OF-WAY CURVE DATA					
CURVE NO.	ARC	TANGENT	RADIUS	CHORD DIRECTION	CHORD LENGTH
(D)	223.87'	112.42'	988.99'	N06°14'30"E	223.40'
(E)	201.58'	119.31'	150.00'	N61°31'06"E	186.75'

LEGAL DESCRIPTION:

A parcel of land situated in the East ½ of the Southwest ¼ of Section 12, Township 7 South, Range 10 West, City of Biloxi, Second Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

Commencing at an iron rod found at the Southwest corner of the Southeast ¼ of the Southwest ¼ of Section 12, Township 7 South, Range 10 West, City of Biloxi, Second Judicial District of Harrison County, Mississippi, thence run South 00°09'15" East a distance of 73.27 feet to a point on the North margin of Popps Ferry Road; thence run North 88°43'44" East along said North margin of Popps Ferry Road a distance of 266.70 feet to a point; thence run North 86°56'45" East along said North margin of Popps Ferry Road a distance of 15.15 feet to a point and the Southwest corner of Lot 1, Ellzey Place Subdivision, as recorded in the Office of the Chancery Clerk of Harrison County at Plat Book 30, Page 28; thence run North 00°30'01" West along the West line of said Lot 1, Ellzey Place Subdivision a distance of 341.56 feet to a point and the Northwest corner of said Lot 1, Ellzey Place Subdivision; thence run South 89°57'31" East along the North line of said Lot 1, Ellzey Place Subdivision a distance of 149.51 feet to the Northeast corner of said Lot 1, Ellzey Place Subdivision, said point also being the Northwest corner of Lot 2, Ellzey Place Subdivision and the Southwest corner of Lot 5, A Replat of Lots 5 through 14, A Replat of a Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision, as recorded in the Office of the Chancery Clerk of Harrison County, Second Judicial District, in Plat Book 32 at Pages 1 and 2, Lots 15 through 26 and Lots 29 and 30, and Lot 3-B, A Replat of a Replat of a Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision, as recorded in the Office of the Chancery Clerk of Harrison County, Second Judicial District, in Plat Book 33 at Pages 11-12; thence run North 89°58'06" East along the North line of said Lot 2 and the South line of said Lot 5 a distance of 184.04 feet to a point on the West margin of Ellzey Drive and the Southeast corner of said Lot 5; thence run North 00°14'22" West along the West margin of Ellzey Drive and the East line of said Lot 5 a distance of 590.54 feet to a point; thence run North 89°56'09" East a distance of 69.99 feet to a point on the East margin of Ellzey Drive and the Southwest corner of Lot 27, A Replat of a Replat of A Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision and the Northwest corner of Lot 3A, A Replat of Lot 3 of Ellzey Place Subdivision, as recorded in the Office of the Chancery Clerk of Harrison County at Plat Book 31, Pages 1 and 2; thence run North 00°14'22" West along the East margin of Ellzey Drive and the West line of said Lot 27 a distance of 130.42 feet to a point on a curve having a radius of 988.99 feet, a tangent of 112.42 feet, a chord bearing of North 06°14'30" East and a chord distance of 223.40 feet; thence run in a Northerly direction along said curve, East margin of Ellzey Drive and the West line of Lots 27 and 28, A Replat of a Replat of A Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision a distance of 223.88 feet to a point on a curve having a radius of 150.00 feet, a tangent of 119.31 feet, a chord bearing of North 51°31'06" East and a chord distance of 186.75 feet; thence run in a Northerly direction along said curve, East margin of Ellzey Drive and the West line of said Lot 28 a distance of 201.58 feet to a point on the South margin of Medical Park Drive and North line of said Lot 28; thence run South 89°58'56" East along the South margin of Medical Park Drive and North line of said Lot 28 a distance of 140.75 feet to the Northeast corner of said Lot 28 and the East boundary of A Replat of a Replat of a Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision; thence run South 00°01'56" East along the East line of said Lots 28 and 27 and the East boundary of A Replat of a Replat of a Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision a distance of 468.34 feet to a point and the Southeast corner of said Lot 27 and the Northeast corner of said Lot 3A, A Replat of Lot 3 of Ellzey Place Subdivision; thence run South 89°56'32" West along the South line of said Lot 27 and the North line of said Lot 3A a distance of 310.96 feet to a point on the East margin of Ellzey Drive and POINT OF BEGINNING; containing 136,937 square feet, or approximately 3.14 acres, more or less.



Rumsey Consulting Engineering, Inc.
Planning, Surveying, Design
810 Howard Avenue
Biloxi, Mississippi 39530
(228) 432-6544

Lots 5 through 14, A Replat of a Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision, as recorded in the Office of the Chancery Clerk of Harrison County, Second Judicial District, in Plat Book 32 at Pages 1 and 2, Lots 15 through 26 and Lots 29 and 30, and Lot 3-B, A Replat of a Replat of a Replat of Lot 3-B of a Replat of Lot 3 of Ellzey Place Subdivision, as recorded in the Office of the Chancery Clerk of Harrison County, Second Judicial District, in Plat Book 33 at Pages 11 and 12

SHEET THREE OF FOUR

SCALE: 1" = 100'

REFERENCE MATERIAL:

Record Plat of Ellzey Place Subdivision - PB 30 - PG 26

Record Plat of A REPLAT OF LOT 3 of ELLZEY PLACE SUBDIVISION - PB 31 PG 1-2

Record Plat of A REPLAT OF LOT 2 OF ELLZEY PLACE SUBDIVISION AND A REPLAT OF LOT 3B OF A REPLAT OF LOT 3 OF ELLZEY PLACE SUBDIVISION - PB 31 PG 25-26

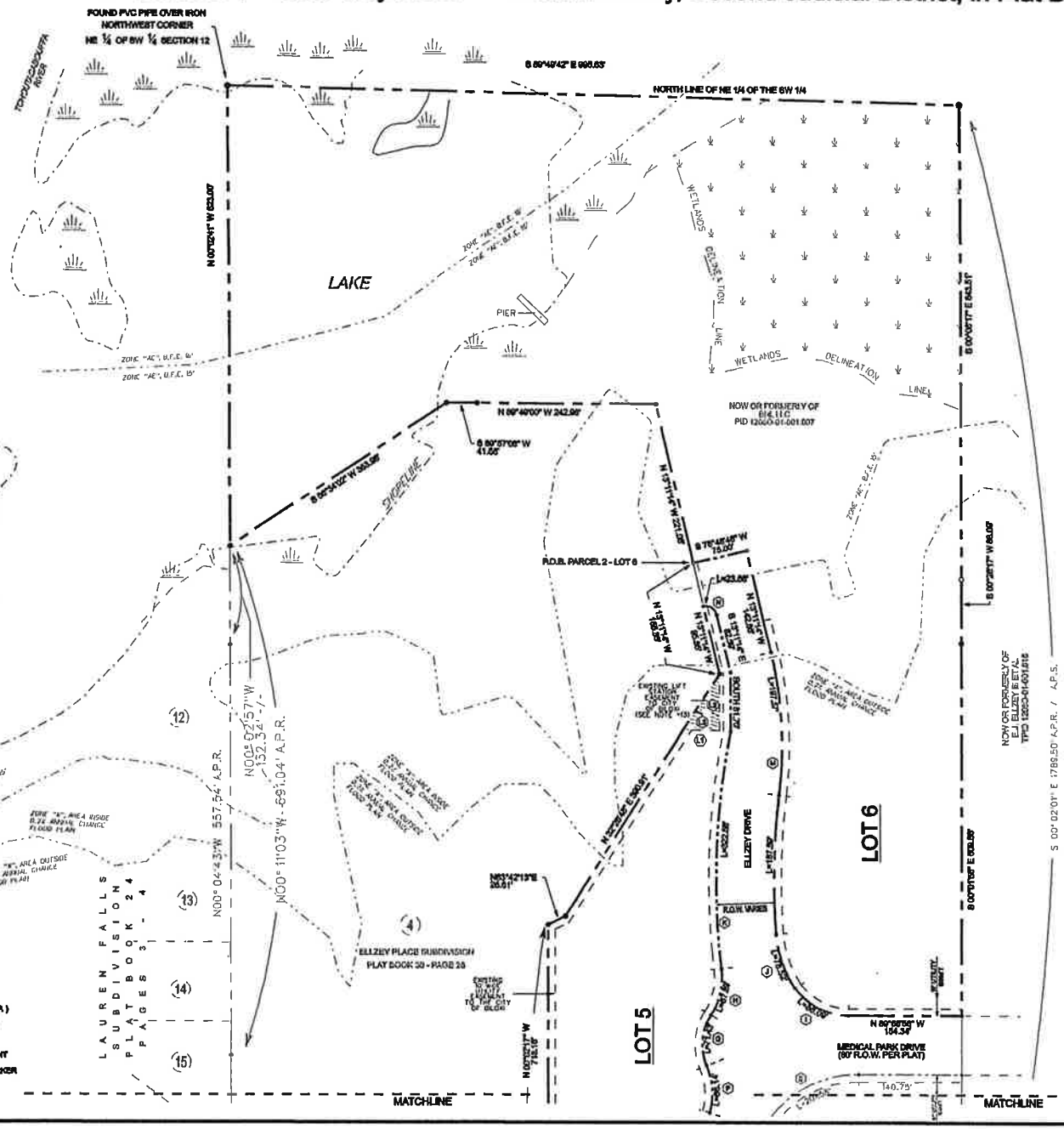
Boundary Survey by Gary A. Durbin, P.L.S., dated June 7, 2014

Boundary Survey by Stenum Surveying, LLC., dated August 9, 2001

Boundary Survey by Stenum Surveying, LLC., dated October 8, 2003

Alta survey by Gary A. Durbin, P.L.S., dated June 4, 2013

Alta survey by Carlson Consulting Engineers, Inc., dated March 17, 2015



LEGEND:

- = FOUND IRON PIN (F.I.P.)
- = SET IRON PIN (S.I.P.)
- = SECTION CORNER
- = CONCRETE MONUMENT
- = SPOT ELEVATION MARKER
- = WETLANDS

RIGHT-OF-WAY CURVE DATA

CURVE NO.	ARC	TANGENT	RADIUS	CHORD DIRECTION	CHORD LENGTH
O	288.43'	148.12'	1056.99'	S61° 33' 36"W	287.56'
P	66.14'	34.13'	100.00'	S53° 34' 56"E	64.94'
Q	74.43'	38.68'	75.00'	S04° 45' 07"E	68.76'
R	67.28'	35.31'	100.00'	S12° 35' 17"E	66.58'
I	85.09'	46.84'	88.00'	N67° 57' 22"E	82.70'
J	78.62'	43.16'	153.00'	N18° 13' 34"E	77.67'
K	122.58'	62.58'	1018.00'	S02° 14' 38"E	122.22'
L	87.88'	44.12'	836.35'	N01° 12' 57"E	87.84'
M	87.57'	43.82'	662.00'	N03° 08' 58"E	87.50'
N	23.56'	15.00'	15.00'	S58° 11' 16"E	21.21'

LIFT STATION LINE DATA

LINE NO.	BEARING	DISTANCE
L1	WEST	49.65'
L2	SOUTH	78.12'
L3	N52° 26' 32"E	92.57'

03-27-19 TLT

Ramsey Consulting Engineering, Inc.
Planning, Surveying, Design
910 Hebert Avenue
Biloxi, Mississippi 39530
(228) 432-9344

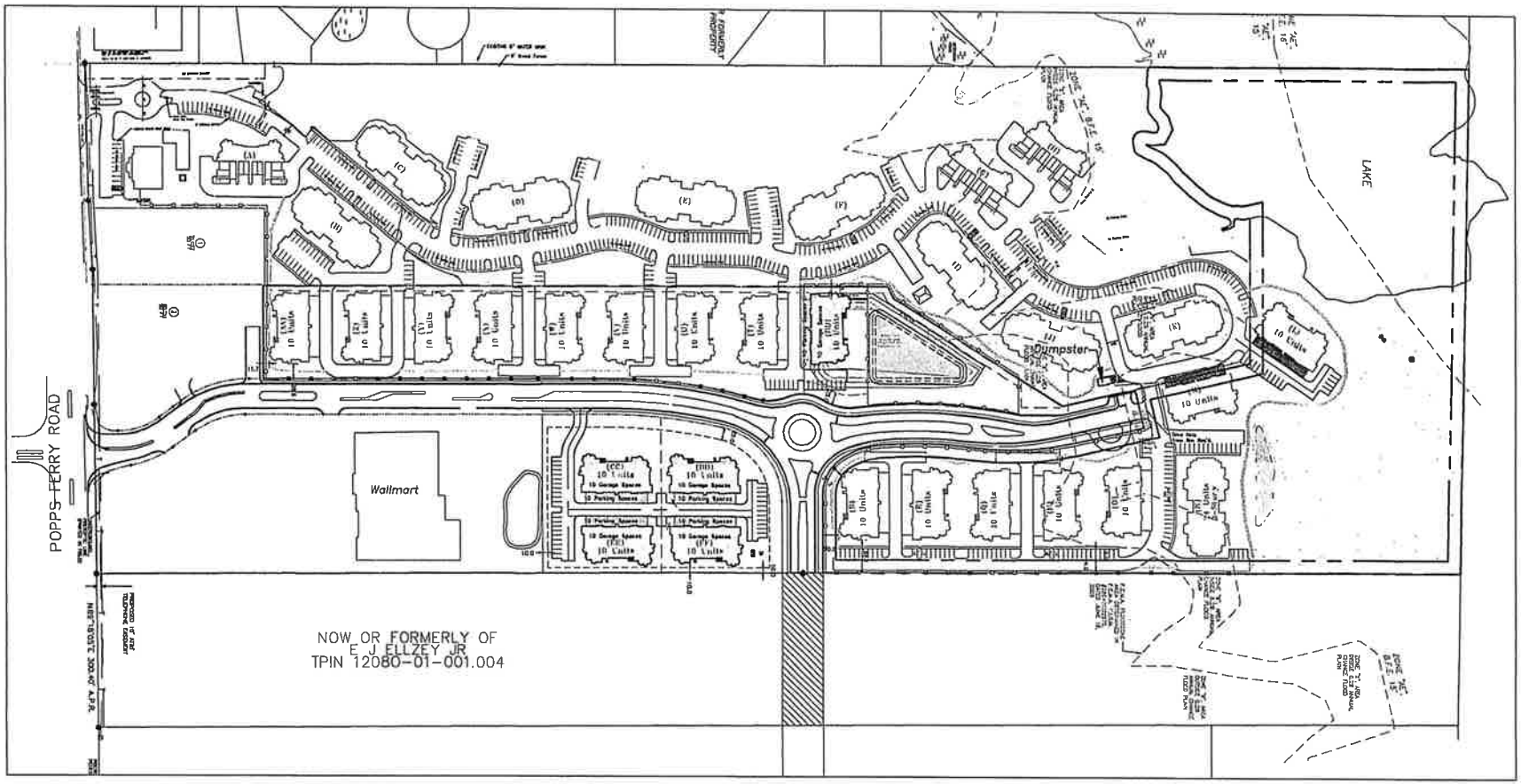
Total Acres = 48.4 / 442 Units = 9 Units per acre

442 Units Proposed x 2.5 Spaces
1,105 Spaces Required
1,128 Spaces Provided

48.4 Acres
Required for Apartments
Total Impervious Surface = 726,757 s.f. (34%)

FEMA Floodmap # 28047C0279G

1"=100'



SHEET TITLE: OVERALL SITE PLAN

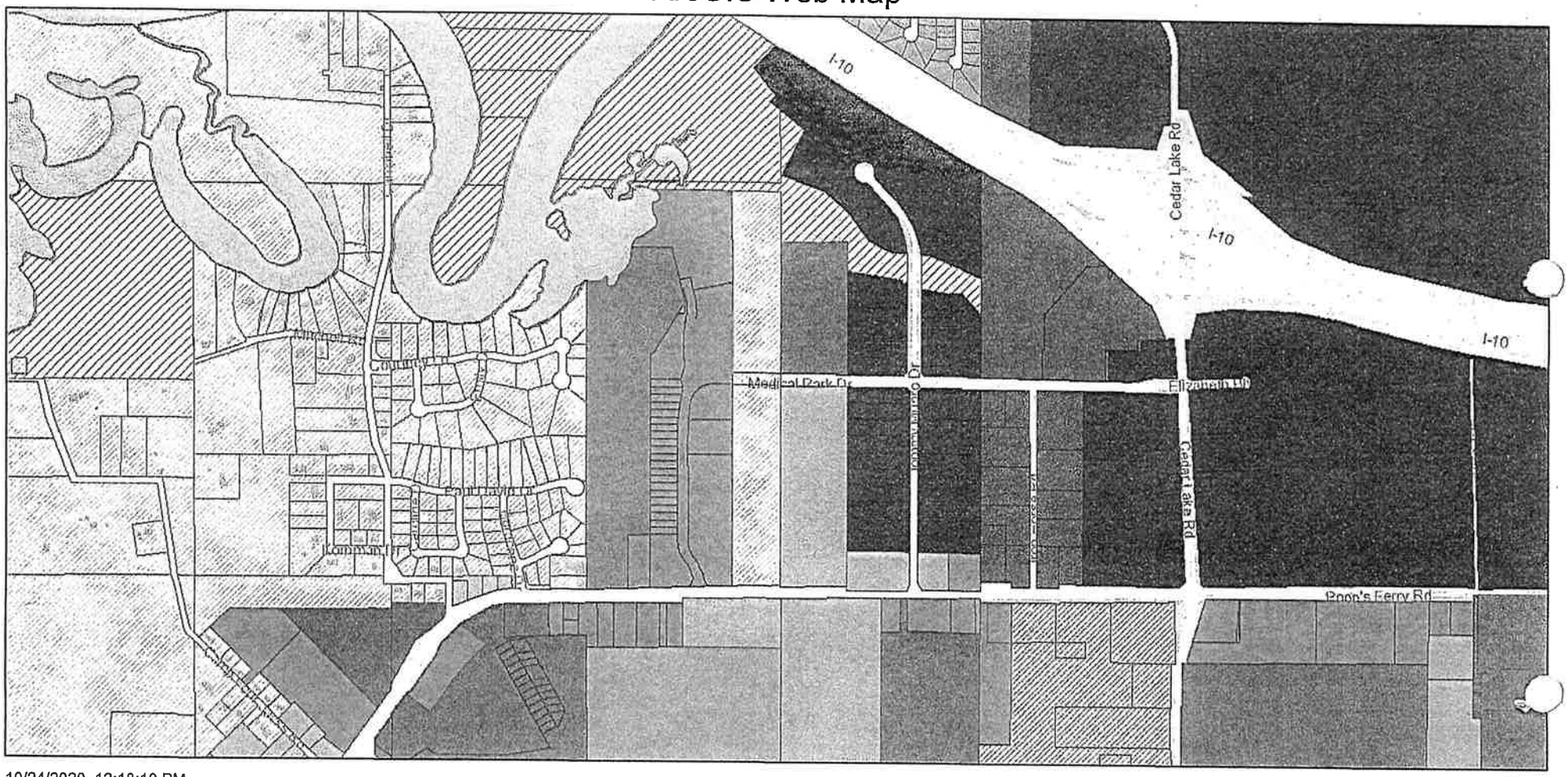
PROJECT NAME: Phase 1,2 and 3
Arbor Landing @ Popps Ferry
City of Biloxi, Mississippi

Dennis Stiefel and Associates, Inc.
Consulting Engineers
13061 Shriners Blvd. Suite C
Biloxi, Mississippi 39532
Office (228) 392-1538 Fax (228) 392-1678

SHEET 3

PROJECT NO. 668

ArcGIS Web Map



10/24/2020, 12:18:10 PM

- Property Lines
- Address Labels
- City Limit

Zoning (9/2020)

- <all other values>
- LB Limited Business
- NB Neighborhood Business
- CB Community Business
- RB Regional Business
- DT Downtown
- I Industrial
- WF Waterfront
- RS-5 SF Res, High Density
- RS-7.5 SF Res, Medium Density
- RS-10 SF Res, Low Density
- RM-10 Multifamily Res, Low Density
- RM-20 Multifamily Res, Medium Density
- RM-30 Multifamily Res, High Density
- RE Residential Estate
- RER Residential Estate Restricted
- RMH Res Manufactured/Mobile Home
- A Agriculture
- AR
- SB Sand Beach

1:9,028

0 0.07 0.15 0.3 mi

0 0.15 0.3 0.6 km

Web AppBuilder for ArcGIS
Esri, HERE, Garmin, INCREMENT P, NGA, USGS |

Community Development Director
Jerry Creel

Biloxi®
established 1699

676 Dr. Martin Luther King Jr. Blvd.
P.O. Box 508
Biloxi, Mississippi 39533
Office: 228.435.6280
Fax: 228.435.6188
www.biloxi.ms.us

To: Biloxi Planning Commission

From: Eric Nolan, Development Review Committee Chair

Date: October 27, 2021

Re: BHL, LLC; Dennis Stieffel
1850 Popp's Ferry Road
1208O-01-001.007; 1280O-01-001.008;
1208O-01-001.032; 1208O-01-001.033

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 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

	PAGE
CONTINUED PUBLIC HEARING:	
21-052-PC (Held in abeyance)	--
NEW PUBLIC HEARINGS:	
21-058-PC	5
21-059-PC	39
21-060-PC	57
TREE HEARING:	
TR-21-007	65
Certificate of Reporter	82

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

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

change for a right to do the apartments instead of a conditional use?
MR. STIEFFEL:
Yes. We're just trying to get things simplified and accommodate what's there on the ground.
MR. CREEL:
Also, Dennis, too, you might want to make them aware that y'all have acquired the property just north of the Walmart Neighborhood Market, which is included in this request.
MR. STIEFFEL:
Yeah. The piece of property on the southwest corner of the west end of that connector road was not part of the original -- the Phase 2, but it has been added to the Phase 2. So that piece of property there, it looks like two lots. I think the lot lines are being collapsed, so it's one lot now. In fact, I think all the lot lines in there have been collapsed. It was done recently, so it's reflected on the tax maps.
But yes, Mr. Thames has acquired everything there, except for the Neighborhood Walmart. That's next. No, I'm kidding. But he does a very good job. We're proud to be

associated with him. He does heavily landscaped, very beautiful projects and frankly, we're privileged to be a part of it.
MR. DELLENGER:
Thank you, Mr. Stieffel. Does anybody have any questions?
MR. CARRON:
Dennis, is there plans to put -- you say there are plans to put additional apartments on that piece he just purchased?
MR. CREEL:
Yes.
MR. STIEFFEL:
Right. Where the Walmart is? Yeah. No, I'm teasing. That property that Eric is pointing to right now.
MR. CARRON:
Yeah.
MR. STIEFFEL:
Yes. We're adding -- the Phase 1 was about -- if I remember correctly, about 224 units, I believe. The Phase 2 was 174 units, which is under construction now. You saw the pictures. We're calling it Phase 3, which really doesn't have anything to do with the zoning, per se, but

Phase 3 is going to be 50 more units. And he went ahead and bought the last out-parcel on the southwest corner of the circle there at the roundabout. So now there are no more lots available for medical commercial, which is what the original intent was. The entire area is going to be rooftops now for residences.
MR. DELLENGER:
Okay. Thank you.
If there is no further questions, we'd like to ask if there is anyone to speak in favor, please come up. No one speaking in favor.
Is there anyone peeking in opposition to this? No one speaking in opposition.
Then, we will consider that hearing closed.
Mr. Shambra.
MR. SHAMBRA:
Case Number 21-060 and this is the request for zoning map amendment to authorize the change in classification in zoning for four parcels of land collectively measuring 25.19 acres in size, more or less, and this is from the classification of NB, neighborhood business, to RM-20, medium density multifamily residential.

The property is presently collectively identified as 1850 Popp's Ferry Road.
What this really is, is just like we said before, this is housekeeping. We have the apartment complex presently, the Arbor Landing on the River apartments. They are wanting to expand. They have the perfect right to expand within that NB, neighborhood commercial, but it's more efficient to have it all under one classification and make it an actual permitted use, which is what this will do with the zoning change.
So basically, this is just putting it all together under one classification of zoning, making it a lot more expedient. And obviously, we also took away that old subdivision that was there because originally when it was developed, there were a number of small commercial lots that were created. Those have all been lapped into larger parcels, so we're now back to the point of having a uniformity of design and so forth with the development scheme. So the staff is very supportive of the request for rezoning.
MR. DELLENGER:
Thank you, Ed.
Anyone like to make a motion?

MR. POULOS:
I make a motion we approve the applicant's request.
MS. MAGEE:
Second.
MR. DELLENGER:
Motion by Mr. Poulos; seconded by Ms. Magee.
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. All in favor. It's unanimous. It's approved.
The next case will be a tree Hearing, which is Case Number TR-21-007, Freddie Fountain, a request to remove a total of five trees, to include four water oaks and one live oak, to allow for construction of an additional parking lot for overflow parking for an existing Medical Office Building, situated adjacent to 2781 C.T. Switzer Sr. Drive and 180 Debuys Road. These are Tax Parcel Numbers 1110L-02-008.000 and 1110L-02-008.000.
Eric.

MR. NOLAN:
I don't have a video for this one because its such a small one.
MR. DELLENGER:
It's just a corner of that other parking lot, isn't it?
MR. NOLAN:
Yes. Let me zoom out real quick so you can get an idea where we are. Here is the corner of C.T. Switzer. You've got WLOX-TV over here, Debuys Road. You've got the medical -- professional office center right here. Medical center here.
Here is where they're proposing -- their parking lot stays full, and they wanted to do the overflow parking here. Here's the proposed plan. They're saving the big -- they're proposing to save the big tree in the corner. And I've got pictures. That would be the big tree on the west side adjacent to the parking lot. That's a cluster on the north side in the middle proposed for removal. That's the large one in the northeast corner; that is proposed to remain. That one is in the middle parking lot is proposed for removal. And that's a big water oak on the

west side that's also proposed for removal.
And the Tree Committee did make recommendations, which are in your packet. The Tree Committee recommended that the 24-inch live oak near the southwest corner of the lot remain and the 22-inch oak in the center of the proposed parking lot also remain. And they were already proposing to keep the 36-inch oak in the northeast corner. They're asking for mitigation, three-to-one. They recommended the mitigation species being live oaks since it's such a small number being replaced, and they also have the suggested tree mitigation site plans.
Any questions?
(None indicated.)
MR. DELLENGER:
Okay. Mr. Fountain, would you like to come forward.
MR. FOUNTAIN:
Again, Freddie Fountain, Fountain & Associates, 1822 15th Street, Suite 12, Gulfport.
As stated, the same owner of the parcel to the west, which is Gulf Coast Pro Tower, they have parking problems. They don't have enough parking, so what they did was they purchased the

parcel to the east and want to construct on overflow parking lot to maximize the number of parking spaces, is why we're asking for removal of these trees.
We did avoid the ones that could be avoided. We've been working with Mr. Eric to try to reduce the number of trees, but also get a good amount of parking. So that's what we are asking for and that's what we would like to do.
MR. DELLENGER:
Does anybody have any questions? No questions.
Is there anyone speaking in favor?
MS. HUMPHIRES:
I am. I pass by there every day.
MR. DELLENGER:
No one else speaking in favor?
Is there anyone speaking in opposition?
MR. CARRELL:
My name is William Carrell. And I'm at 180-B Debuys road, and I'm the new property manager for JFK Properties. We own -- if you can zoom out, you can show the medical buildings to the east. Yeah. Those two buildings and the hospital, the old hospital. So I'm here to speak