Ordinance No. 2505

ORDINANCE TO APPROVE A ZONING MAP AMENDMENT,
FOR A CHANGE IN ZONING DISTRICT CLASSIFICATION FOR TWO PARCELS OF LAND IDENTIFIED AS 156 CAMELLIA STREET AND 1918 SOUTHERN AVENUE,
FROM THEIR PRESENT ZONING DISTRICT CLASSIFICATION OF RS-5 RESIDENTIAL SINGLE-FAMILY HIGH DENSITY TO CB COMMUNITY BUSINESS (156 CAMELLIA)
AND NB NEIGHBORHOOD BUSINESS (1918 SOUTHERN AVENUE)

WHEREAS, on Thursday, January 5, 2023, 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. 23-002-PC, Coastal Development Group, LLC (owners) and Jason Stearman (applicant), a request for Zoning Map Amendment, for property identified as 156 Camellia Street and 1918 Southern Avenue (re: Tax Parcel Nos. 1210K-02-043.000 & 1210K-02-016.000); and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that Coastal Development Group, LLC (owners) and Jason Stearman (applicant) had submitted the request for Zoning Map Amendment for two parcels of land: 156 Camellia Street (.73 acres +/-) and 1918 Southern Avenue (.44 acres +/-), from their present zoning district classification of RS-5 Residential Single-Family High Density to CB Community Business (156 Camellia) and NB Neighborhood Business (1918 Southern Avenue) to allow an existing building to be modified into a mixed-use development with parking (re. Tax Parcel Nos. 1210K-02-043.000 & 1210K-02-016.000); and

WHEREAS, on January 5, 2023, the Biloxi Planning Commission, upon careful reflection of the particulars of this case, voted 15-0, to recommend approval for this Zoning Map Amendment, to authorize a change in zoning district classification for two parcels of land: 156 Camellia Street (.73 acres +/-) and 1918 Southern Avenue (.44 acres +/-), from their present zoning district classification of RS-5 Residential Single-Family High Density to CB Community

Business (156 Camellia) and NB Neighborhood Business (1918 Southern Avenue) to allow an existing building to be modified into a mixed-use development with parking, having determined that a Change in the Character of the Neighborhood, was of evidence in this area of the City 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 the modified Zoning Map Amendment, is appropriate for the property as related in Case No. 23-002-PC, Coastal Development Group, LLC (owners) and Jason Stearman (applicant), 156 Camellia Street and 1918 Southern Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BILOXI, MISSISSIPPI THAT AS PER THE FINDINGS OF THE PLANNING COMMISSION, BASED UPON A DETERMINATION THAT A CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD IN THIS AREA OF THE CITY OF BILOXI IS OF NOTE, THAT 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, be hereby further amended by a change in zoning district classification from RS-5 Residential Single-Family High Density to CB Community Business and NB Neighborhood Business, for the properties identified as 156 Camellia Street and 1918 Southern Avenue, more fully described as follows:

Lots 1, 2, 3, 4, and 5, in Block 31, and Lots 9 and 11, Block 28, of the re-plat of Paul M. Skrmetti's Greater Biloxi, a Subdivision in Harrison County, Mississippi, as shown by the official map or plat thereof on file and of record in plat Book 16, Page 12, of the Record of Maps and Plats of Harrison County, Mississippi, in the Office of the Chancery Clerk of said County and State.

Also, Lot Five (5) and the North15 feet of Lot Six (6), Block One (1), of Briarfield Subdivision, situated in fractional Section 34, Township 7 South, Range 10 West, in accordance with the official map or plat thereof on file and of Record in Book 14, Page 15, of the Record of Maps and Plats of Harrison County, Mississippi, in the Office of the Chancery Clerk of said County and State,

further described as land most nearly bounded by the following streets 1918 Southern Avenue is situated North and fronting upon Southern Avenue; South of Greater Avenue; East and adjacent to Camellia Street and West of Begonia Street; and 156 Camellia Street is located North of Beach Boulevard; South and adjacent to Southern Avenue; East and fronting upon Camellia Street and West of Althea Street.

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 Newman, seconded by Councilmember Barrett, 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 February, 2023.

STATE OF MISSISSIPPI CITY OF BILOXI HARRISON COUNTY

ATTEST: APPROVED:

Kei Campbell

CLERK OF THE COUNCIL PRESIDENT OF THE COUNCIL

Ord. No. 2505

Submitted to and approved by the Mayor, this the 10th day of February, 2023.

APPROVED:

MAYOR

Case No. 23-002-PC Jason Stearman- Applicant
Zoning Map Amendment
1918 Southern Ave. from RS-5 to NB
156 Camellia St from RS-5 to CB

Scheduled for:
January 05, 2023
PC Meeting

Coastal Development Group, LLC (owners)
Jason Stearman (applicant)
Case No. **23-002-PC**
Zoning Map Amendment
RS-5 to **NB** and **CB**

Planning Commission
Case Fact Sheet

Case No.:	23-002-PC
Applicant/Owner:	Coastal Development Group, LLC (owners) Jason Stearman (applicant)
Address of Property:	156 Camellia Street and 1918 Southern Avenue
Tax Parcel/Ward:	1210K-02-043.000 & 1210K-02-016.000/ Ward 3
Request:	**Zoning Map Amendment**
Purpose of Request:	An application for a **Zoning Map Amendment**, to authorize a change in zoning district classification for two parcels of land: 156 Camellia Street (.73 acres +/-) and 1918 Southern Avenue (.44 acres +/-), from their present zoning district classification of **RS-5 Residential Single-Family High Density** to **CB Community Business** (156 Camellia) and **NB Neighborhood Business** (1918 Southern Avenue) to allow an existing building to be modified into a mixed-use development with parking (re. Tax Parcel Nos. 1210K-02-043.000 & 1210K-02-016.000).
Size of Property:	.73 acres and .44 acres (More or Less)
Present Zoning:	**RS-5**
Present Use:	Vacant building & parking lot
Most Nearly Bounded By (streets):	1918 Southern Avenue is situated North and fronting upon Southern Avenue; South of Greater Avenue; East and adjacent to Camellia Street and West of Begonia Street; and 156 Camellia Street is located North of Beach Boulevard; South and adjacent to Southern Avenue; East and fronting upon Camellia Street and West of Althea Street.

Coastal Development Group, LLC (owners)
Jason Stearman (applicant)
Case No. **23-002-PC**
Zoning Map Amendment
RS-5 to **NB** and **CB**

Adverse Influences:

A **Zoning Map Amendment** should only be authorized when conditions clearly suggest that a mistake in the original zoning or a change in the character of the Neighborhood, is apparent – with an established community need for the use being requested is determined, and that the zoning change proposed is consistent and in harmony with uses found upon adjacent or nearby properties, and represents the least zoning change needed to accomplish the specific use proposed for this site.

Positive Influences:

This rezoning, if approved, would allow the applicant to modify an existing building into a mixed-use development and create adequate parking.

Letters or Concerns stated:

The Planning Division Office has not received any letters or other written communications relative to this case, as of December 29, 2022.

Comments/ Recommendations:

Coastal Development Group, LLC (owners) and Jason Stearman (applicant) have requested a **Zoning Map Amendment**, to authorize a change in zoning district classification for two parcels of land: 156 Camellia Street (.73 acres +/-) and 1918 Southern Avenue (.44 acres +/-), from their present zoning district classification of **RS-5 Residential Single-Family High Density** to **CB Community Business** (156 Camellia) and **NB Neighborhood Business** (1918 Southern Avenue) to allow an existing building to be modified into a mixed-use development with parking (re: Tax Parcel Nos. 1210K-02-043.000 & 1210K-02-016.000).

The applicant requested this **Map Amendment** to obtain suitable zoning to allow consideration to modify an existing church building into a mixed-use development to include- a community room venue, rental office suites, amenities, separate living rental units, and a parking lot.

As with all requests for **Zoning Map Amendment**, discussion points should focus upon the merits or demerits of the Zoning Map change proposed, considering 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 to 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** for two parcels of land: 156 Camellia Street (.73 acres +/-) and 1918 Southern Avenue (.44 acres +/-), from their present zoning district classification of **RS-5 Residential Single-Family High Density** to **CB Community Business** (156 Camellia) and **NB Neighborhood Business** (1918 Southern Avenue), having determined that a Change in the Character of the Neighborhood is of evidence and that this zoning change will authorize the use proposed for this property.

2. Recommend denial of this **Zoning Map Amendment**, having determined that insufficient evidence has been provided to establish that a mistake in original zoning is of evidence, or a Change in the Character of the Neighborhood, coupled with no valid Community need to warrant the level of zoning change, herein proposed for the parcel of land under consideration for zoning change.

Planning Commission Application

City of Biloxi Planning Division
Mailing Address: P.O. Box 508, Blvd., Biloxi, MS 39530
Office Location: 676 Dr. MLK Blvd.,
Building (228) 435-6270 Planning (228) 435-6266 Fax (228) 435-6188
Case No. 23-002-PC

To Be Completed by Owner/Applicant	Date:
Name of Rightful Owner(s): COASTAL DEVELOPMENT GROUP, LLC	Name of Applicant: (if different than Owner) JASON STEARMAN
Property Address: 150 CAMELIA ST., BILOXI	Ward Number
Tax Parcel Identification Number(s): (example: 0000L-00-000.000) 1210K-02-043.000 (A) 1210K-02-016.000 (B)	
Mailing Address of Property Owner: 1131 W. JEFFERSON ST. STE: 301	Mailing Address of Applicant (if different than Owner): 315 GOOSE POINT
City: SHOREWOOD	City: BILOXI
State: IL.	State: MS.
Zip: 60404	Zip: ~~39~~ 39531
County	County HARRISON
Telephone: (361) 230-2423	Telephone: (361) 230-2423
Property Size (please give in acres or by dimension): (A) 31,960SF/.73AC (B) 19,290 SF/.44AC	
Present Zoning Classification: RS-5	
Is the property located within an AHRC District? Yes __ No ✓ If so, which District?	Flood Zone(s) of Property: XS

	North	South	East	West
Property is most nearly bounded by what streets?	SOUTHERN AVE.	US HWY 90	ALTHEA ST.	CAMELIA ST
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): ✓

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

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.

Signature of Rightful Owner	Signature of Rightful Owner
Notary Signature (Seal)	Notary Signature (Seal)
Signature of Rightful Owner	Signature of Applicant
Notary Signature (Seal)	Notary Signature (Seal)

STATE OF MISSISSIPPI
MIKEL A HENRY
NOTARY PUBLIC
Lafayette County
Commission Expires
July 8, 2025
COMMISSION NUMBER 291828

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.

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:*
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*:	R5-5	NB & CB

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: THIS PROJECT PROPERTY IS ADJACENT TO EXISTING CB & WF ZONING.		
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: SEE ABOVE		

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: THE ADJOINING PROPERTIES ARE USE FOR SHORT TERM (HOTEL) GAMING & COMMUNITY USES.		
4. Is the property suitable for uses permitted in the proposed zoning district?	✓	
Please explain: ~~IF~~ THIS PROJECT PROPERTY IS IN THE ENTERTAINMENT DISTRICT AREA OF BILOXI.		
5. Has there been a change in the character of the neighborhood?	✓	
Please explain: APARTMENTS/MULTI-FAMILY, SHORT TERM (HOTELS) HAVE BEEN ESTABLISHED OVER THE YEARS.		
6. Is there an established community need for uses permitted in the proposed zoning district?	✓	
Please explain: SHORT TERM RENTALS WITH COMMUNITY ROOM SPACE FOR RENTS OF BUSINESS OR FAMILY FUNCTIONS. BUSINESS SPACE ALSO AVAILABLE WITH THE USE OF COMMUNITY ROOM FOR BUSINESS.		
7. Was there a mistake in the original zoning of the property?		✓
Please explain:		
8. Are utilities and infrastructure sufficient to address the impacts associated with allowed uses in the proposed district?	✓	
Please explain: SUPPLIED BY CITY OF BILOXI UTILITIES & ROADWAYS.		

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

PROJECT NARRATIVE:

THE SANCTUARY-MIX USE DEVELOPMENT

THIS PROJECT IS AND INTERIOR MODIFICATION – RENOVATION OF AN OLD CHURCH BUILDING.

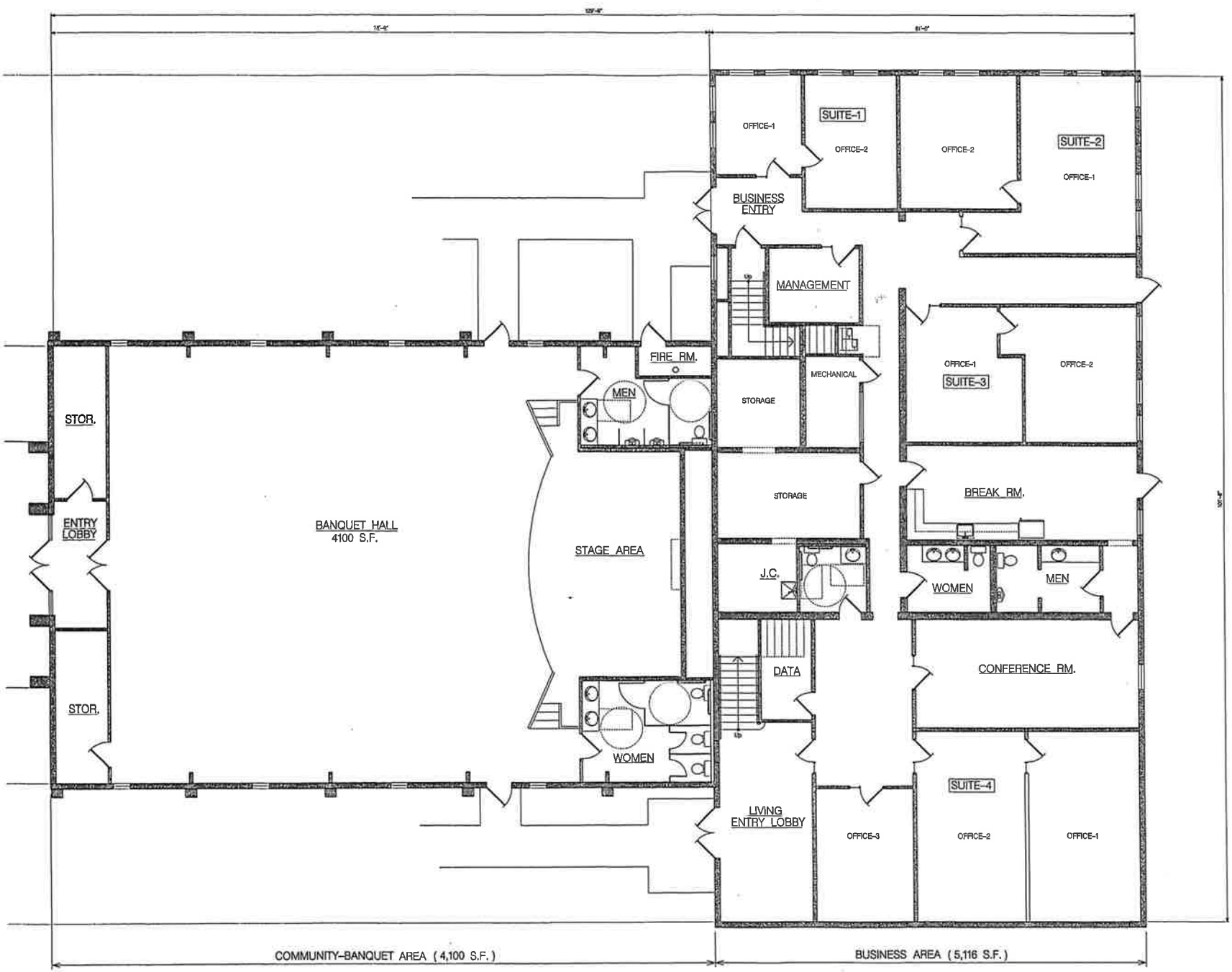
THE EXISTING SANCTUARY PORTION OF THE BUILDING WILL BECOME A COMMUNITY ROOM VENUE. THIS ROOM WILL BE RENTED FOR CONFERENCES, BANQUENTS, WEDDINGS, ETC.

THE ATTACHED 2 STORY EDUCATION AND OFFICE SECTION OF THE BUILDING SHALL BE RENOVATED INTO 2 SEPERATE USES. THE FIRST FLOOR WILL BE MODIFIED FOR RENTAL OFFICE SUITES WITH COMMON USE SPACES SUCH AS RESTROOMS, BREAK ROOM AND CONFERENCE ROOM. THE SECOND FLOOR WILL BE MODIFIED INTO 6 SEPARATE LIVING RENTAL UNITS. THERE WILL ALSO BE AMMENTITIES SUCH AS A COMMON LOUNGE AREA, LAUNDRY AND VENDING AREA.

THE ENTIRE BUILDING SHALL BE EQUIPTED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM AND RATED STAIRS FOR LIFE SAFETY. THE 3 DIFFERENT USES SHALL BE SEPERATED WITH FIRE WALLS AS PER REQUIREMENTS OF THE I.B.C.

THE EXISTING PROPERTY TO THE NORTH OF THE BUILDING, ACROSS SOUTHERN AVENUE, IS AN EXISTING OLD ASPHALT PARKING LOT ONCE USED BY THE CHURCH. THIS LOT WILL BE REFURBISHED WITH NEW ASPHALT AND PARKING SPACES FOR THE SANCTUARY DEVELOPMENT. EXISTING ON STREET PARKING SHALL BE REMOVED BUT MODIFIED FOR 2 DROP OFF AREAS , ONE FOR THE COMMUNITY ROOM AREA AND ONE FOR THE OFFICE AREA.

THE PROPERTY IS NOW ZONED 'RS-5'. WE WILL BE REQUESTING A REZONING TO 'CB'. THE PROPERTY TO THE SOUTH IS ZONED 'CB' AT THIS TIME WHICH IS NEXT TO THIS PROPERTY.



NEW FIRST FLOOR PLAN

REVISIONS

ITEM	NO.	DATE:

TOM HENRY designer
5724 William Harrison Dr. Biloxi, MS
228.596.5557 F. 228.435.5068
email: Henrydsn@AOL.com

DISCLAIMER:

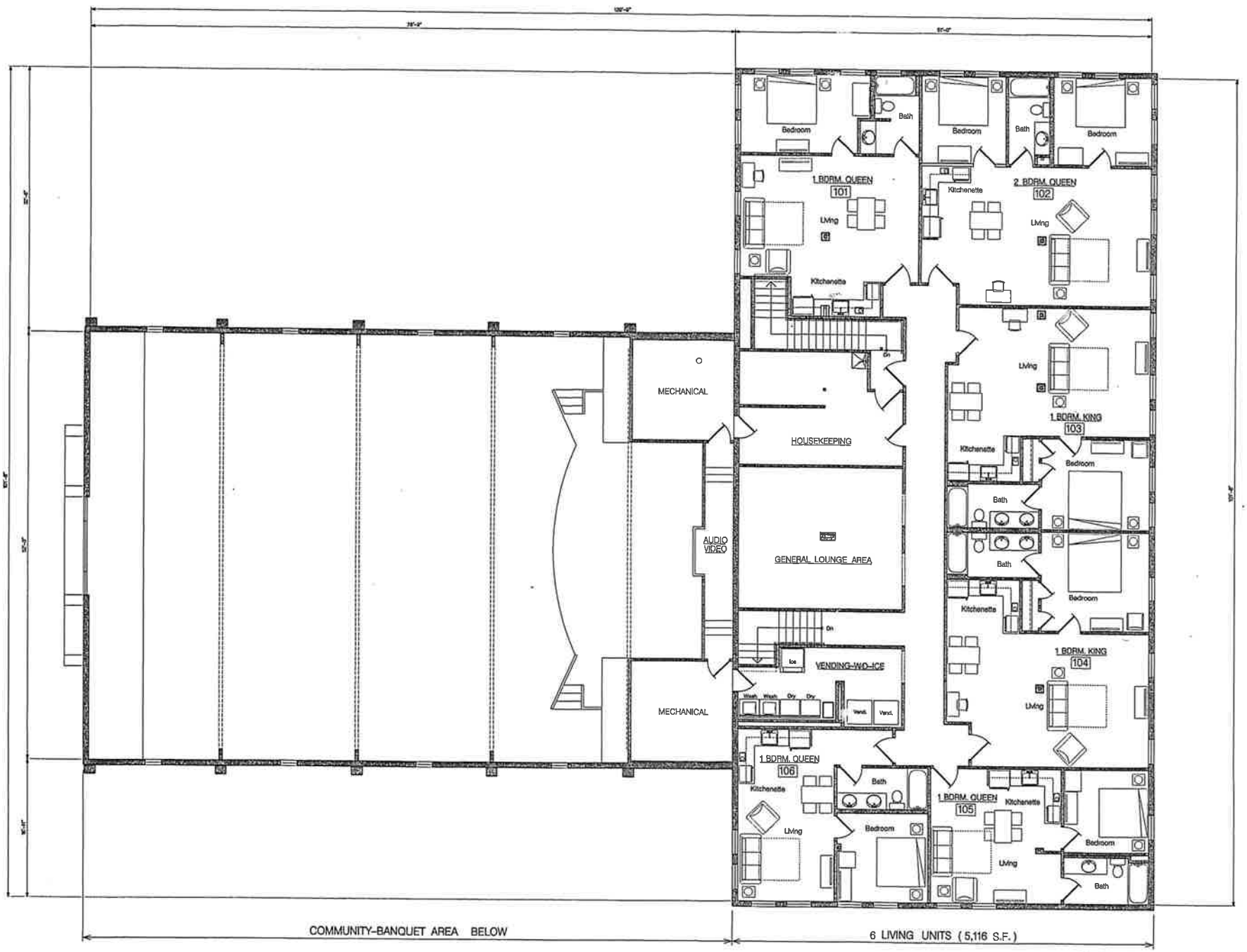
PROJECT

MODIFICATIONS & RENOVATIONS FOR
THE SANCTUARY
Mixed Use Complex
CAMILLIA & SOUTHERN AVE., BILOXI, MS.

SHEET TITLE
PROPOSED NEW FIRST FLOOR PLAN

DRAWING SUBMITTAL STATUS
☐ PRELIM. DES. ☐ CODE REV.
☐ DES. DEV. BID ☐ CONST. DOC.

DATE:	11-15-2022
DRWN.	T.H.
CHKD.	T.H.
FILE	
SHEET	



NEW SECOND FLOOR PLAN

REVISIONS

ITEM	NO.	DATE:

TOM HEN design
1234 William Hamilton Dr. I
328.596.5557
email: Henydm@AOL.co

DISCLAIMER:

PROJECT

MODIFICATIONS & RENOVATIONS FOR
THE SANCTUARY
Mixed Use Complex

SHEET TITLE
PROPOSED N
SECOND FLO
PLAN

DRAWING SUBMITTAL ST/
☐ PRELIM. DES. ☐ CODE
☐ DES. DEV. BID ☐ CONST

DATE: 11-15-2022
DRWN. T.H.
CHKD. T.H.
FILE

SHEET

Community Development Director
Jerry Creel

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: Planning Commission

From: Development Review Committee Chair

Date: December 29, 2022

Re: Coastal Development Group LLC (owner)
and Jason Stearman (applicant)
156 Camellia Street & 1918 Southern Ave.
1210K-02-043.000 & 1210K-02-016.000
Case No. 2022-084-DRC

The Development Review Committee (DRC) has reviewed the above-referenced project and has authorized the applicant to apply to Planning Commission for a zoning change.

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,

Jerry Creel

Jerry Creel, Community Development Director
cc: file

BILOXI PLANNING COMMISSION MEETING
JANUARY 5, 2023
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:

David Washer, Chairman
Ronnie Bogard
Kyle Carron
Steve Delahousey
Charlie Dellenger
Dr. Larry Drawdy
Joe King
Gary Lechner
Debora Magee
August Parker
Jimmy Poulos
John Snow
David Stanovich
Cheryl Thompson
Michael Todaro

ALSO PRESENT:

Jerry Creel, Director of Community Development
Felicia Serpas, Senior Planner
Tim Cipolla, Code Inspector
Dr. Paul Tisdale, Councilman Ward 5

REPORTED BY

Melissa Burdine-Rodolfich
Simpson Burdine & Migues

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

	PAGE
CONTINUED PUBLIC HEARING(S):	
(None)	--
NEW PUBLIC HEARING(S):	
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23-002-PC	44
23-003-PC	65
23-004-PC	83
TREE HEARING(S):	
TR-23-001	93

CHAIRMAN WASHER:

Let us call the Planning Commission meeting to order, please.

We'll record the members present. Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee, Ms. Thompson, Mr. Bogard, Mr. Dellenger, Mr. Poulos, Dr. Drawdy, Mr. Carron, coming in the door is Mr. Snow, Mr. Delahousey; myself, David Washer; Jerry Creel, Director of Community Development; Felicia Serpas, Senior Planner. Tim Cipolla at the table, Planning Inspector, and our court reporter today is Melissa Burdine-Rodolfich.

I'm going to ask Mr. Delahousey to please open the meeting with a moment of prayer.

(Moment of prayer.)

CHAIRMAN WASHER:

Mr. Bogard, would you lead us in the pledge, please, sir.

(Pledged of Allegiance was recited.)

CHAIRMAN WASHER:

We'd like to welcome you all here with us today. We would ask if there's anyone that desires to speak, please come the podium when your case is called, give us your name and address for the record and also, please sign at the pad

provided.

I'd also like to recognize Dr. Paul Tisdale in the audience, Councilman Ward 5. And also Mr. Joe King, Commissioner.

Ask if all members of the Commission received a copy of the minutes from the last meeting.

MR. DELAHOUSEY:

Move to approve.

CHAIRMAN WASHER:

Motion by Mr. Delahousey recommending approval.

Do I have a second?

MR. SNOW:

Second.

CHAIRMAN WASHER:

Seconded by Mr. Snow.

All those favor, say "aye."

(All in favor.)

CHAIRMAN WASHER:

Any opposed?

(None opposed.)

CHAIRMAN WASHER:

Before we get too far long, let me ask that anyone in the audience with a cell phone

kindly mute them or turn them off.

Committee reports, Mr. Creel.

MR. CREEL:

Yes, sir. Mr. Chairman, members of the Commission, over the past four weeks, the department has issued 143 building permits, with a construction valuation of $1.1 million. We have collected $12,400 in permit fees, issued 14 licenses for new businesses and 40 renewals. We have also issued 12 certificates of occupancy, one of those was for a cannabis dispensary, and seven were for short-term rentals.

CHAIRMAN WASHER:

Okay. No continued public hearings.

New public hearing today, Case Number 23-001-PC, City of Biloxi, owner; Tullis Gardens Hotel, LLC, applicant. This is to consider an application for zoning map amendment to authorize the change in zoning district classification of six parcels of land, measuring approximately 11.15 acres, more or less, in size from the present zoning district classification of NB, neighborhood business, and sand beach, to WF, waterfront, for a parcel of land presently identified as 360 Beach Boulevard, four unaddressed parcels fronting upon

Beach Boulevard and two unaddressed parcels fronting upon Howard Avenue.

Also, in conjunction with this, we're going to go ahead and hear the case from the zoning -- from the zoning map -- Board of Zoning Adjustments. We will go ahead and hear this case, but we won't vote on it till we get to that, till that meeting is called, so you've got a total picture of what they're proposing to do.

That Case Number is 23-005-BZA, City of Biloxi, owner; Tullis Gardens, LLC, applicant. It's to consider an application for a nine-foot, six-inch front yard setback variance to authorize construction of an 11-story hotel to be situated 15 feet, six inches from the property line instead of the 25 feet required by ordinance; also, a two-foot, six-inch fence height variance to allow a six-foot, six-inch, metal and brick fence to be constructed along the front and rear property lines and a rear yard setback variance to construct two retail buildings to include a colonnade within the rear yard setback upon Howard Avenue for the properties identified as 360 Beach Boulevard.

Mr. Cipolla, if you have got the video,

please, sir.

This case was December 15th, December 22nd and December 29th.

MR. CIPOLLA:

All right. This is done right in front of the historic marker. Of course, to the west, you can see the museum. Meaut Street comes in off the back of the museum. That's looking back towards the east towards Harrah's. The properties start right down where those bushes are. It goes back to Meaut Street and all the way back to Howard Avenue and comes back forward right down to where I was, beside where the historic marker is.

That's what I have, David.

CHAIRMAN WASHER:

Thank you.

Mr. Blessey, Mr. Schwartz.

MR. SCHWARTZ:

Good afternoon. Robert Schwartz. My address is 2355 Pass Road, Biloxi, Mississippi. I'm here today as counsel for the Tullis Gardens Hotel, LLC, who is the applicant seeking rezoning, which we'll address first, and then, if I understand protocol, Mr. Washer, we can then move into the variance request following that. Is that

correct, sir?

CHAIRMAN WASHER:

Yes, sir.

MR. SCHWARTZ:

Okay. I'm also joined today by Gerald Blessey, who is counsel as well for the developer, and by Frank Genzer, who designed this beautiful project. Mr. Genzer will address some architectural matters to give y'all a better feel for the project when I'm done with my portion.

So I would like to start by focusing on the rezoning aspect. We are here seeking a rezoning of a total of six tax parcels. The property is currently owned by the City of Biloxi. There is two zoning classifications. Right now it's NB for all the property that is north of the highway and sand beach, or SB, for the portion that is south of that area.

The City has joined with us in this application as the owner of the property. My clients have an option to purchase the property from the City and will be doing so in order to build this beautiful project.

We have -- and I will be happy to show it to you -- part of it's attached to our site

MR. SCHWARTZ:
Well, there is not currently a brand affiliation for our hotel, and that hasn't been determined yet, because we're still at the preliminary stage on the hotel beyond initial design until we get through these steps.
MR. KAVANAUGH:
Right. Okay. No. I think it's fantastic, but I was just curious.
MR. SCHWARTZ:
Absolutely.
MR. KAVANAUGH:
If it's a Marriott brand property that would be even better for me.
CHAIRMAN WASHER:
Anyone else speaking in support? No one speaking in support.
Anyone speaking in opposition?
(No response.)
CHAIRMAN WASHER:
If there is no one speaking in opposition, Mr. Schwartz, is there anything else you want to add to this point?
MR. SCHWARTZ:
No, sir.

CHAIRMAN WASHER:
All right. Mr. Creel.
MR. CREEL:
Well, the staff has looked at this project. The developer, the designers have done a commendable job designing this project to comply with the requirements of the Land Development Ordinance. The only variances they're requesting are necessary, in other words, to protect protected trees on the property.
The variance for the setbacks on Howard Avenue are not necessarily required, because the ordinance already allows any new construction in Old Biloxi to line up with other buildings that already exist on there, which those buildings would.
The additional parking that they've added in the rear is also designed to protect trees.
The zoning request for WF is appropriate and waterfront already exists on the two adjacent lots on this property. The property is clearly in the City of Biloxi tourism entertainment area of the City. Also, it's in the historic district and the project has been designed to capture many of

the architectural features that represent old Biloxi architectural history.
The staff recommends approval. I also have, representing the Administration, this was written by Peter Abide, the city attorney, regarding the Tullis Gardens, application for rezoning: Please let this serve as the Administration's support of the subject application and the Tullis Garden project. Peter Abide, City Attorney.
CHAIRMAN WASHER:
Thank you.
MR. A. PARKER:
Recommend approval.
MR. DELAHOUSEY:
Second.
CHAIRMAN WASHER:
We have a motion by Mr. Parker recommending approval; seconded by Mr. Delahousey.
Any discussion amongst the members of the Commission?
MR. DELAHOUSEY:
I would just like to say I think it's a great project, especially with the Tullis Manor because I was married there in 1982, and many of

you were there.
CHAIRMAN WASHER:
All right. If there is no other discussion, all those in favor of rezoning, raise your hand, please. Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee, Ms. Thompson, Mr. Stanovich, Mr. Bogard, Mr. Dellenger, Mr. Poulos, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow, Mr. Delahousey; myself, David Washer. We'll let the record reflect that that's unanimous.
We'll address the variances at the Board of Zoning Adjustments, and that meeting comes up after this one.
Our next case today is 23-002-PC, Coastal Development Group, LLC, owner; and Jason Stearman, applicant. This is to consider an application for a zoning map amendment to authorize a change in zoning district classification of two parcels of land, 156 Camellia Street, .73 acres, plus or minus and 1918 Southern Avenue, .44 acres, plus or minus, from their present zoning district classification of RS-5, single-family residential, high-density to CB, community business, 156 Camelia Street, and

NB, neighborhood business, 1918 Southern Avenue to allow an existing to be modified into a mixed-used development with parking. This case was also advertised on December 15th, December 22nd and December 29th.

Mr. Cipolla.

MR. CIPOLLA:

As you saw earlier, it's been pouring down, so bear with me. This is looking back to the south -- or to the east on Southern. This is Camellia here and Southern Avenue. Going back down towards the beach. Like I said, I'm trying to not to get poured on here. This is the parking lot. This is the church itself. You have the Cabana Courtyard, which has just been purchased to renovate. In front of this you have a hotel and Waffle House. Of course, to the west, you have Treasure Bay.

MR. HENRY:

Good afternoon, my name is Tom Henry. My address is 1734 William Harrison Drive, Biloxi. This is Mr. Jason Stearman. He is with Coastal Development Group.

And this is a property, as you see, on Camellia and Southern Street right there behind

Treasure Bay and behind the Edgewater Inn. It was Trinity Baptist Church years ago, and the church has not been in operation for quite a few years now. I think they had 12 members left and all they ever did was meet. They never even had any services or anything there anymore, and they have chosen to, I guess, give up the church and sell it. And Coastal Development has bought it, and he has bought it with the premise of trying to come in here and do a mixed-use, make something useful with this.

And what we're going for is the church building itself, the actual sanctuary is going to be a rental event center for weddings, any other little different things you may want, people might want to do. It's got a good size to where it's not overly too big or too small for events.

But on the first floor behind that, there is the adjoining building, which used to be offices and educational building and all that. The first floor, he wants to develop into -- they're going to pull their offices in here, but there is also going to be some other suites in there for business rentals and things of that nature. That's here in this back area. And this

is the sanctuary right now, which is going to an events center.

On the second floor of this, we are putting in six short-term rental units such as hotel-type units, bed and breakfast, whatever you want to call them because the plan that they're working towards is the -- you know, the first floor is going to be all business. The main entrance for the residential is going to be on this side where they go up. It's going to be all electronically controlled, key, all that, different items.

So in the event that you're doing something here, I mean, you could have a whole wedding party. They could -- you could sleep almost 26 people up there. And the way the plan is laid out -- I don't know if you have that floor plan in there, Tim.

MR. CIPOLLA:

I don't think so.

MR. CREEL:

It's in their packets, Tom.

MR. HENRY:

I can show you here. You have it in your packets, there, too. But it's a multi-use

kind of building with offices that are going to be used business-wise during the day, and then you have the event center that can be -- the sanctuary that can be used as an event center or any type thing. You can have a corporate group come in and rent the rooms, do a corporate -- big corporate meeting or something of that nature during the operations.

In order for us to do this -- the zoning right now is RS-5. That whole -- all that whole block area is RS-5. We have to go in to get the CB zoning on the corner there for the church building itself. We're asking for CB to be able to do the mixed use of short-term and the rental and the event center.

And this property does -- it's due north right behind Edgewater Inn, which I can't remember the zoning on that.

MR. STEARMAN:

Community business.

MR. HENRY:

Yeah, it's already community business south. Yes, it is. Of course, to the west across the street, you've got -- there is one small, little sixplex unit there, apartments. And then

just south of that is waterfront zoning, which is all Treasure Bay.

Across the street, on the north, across Southern Avenue is an existing parking lot that they -- I believe the church used years and years ago that we're going to use part of that as parking for this facility, to meet all the parking requirements. And we have to rezone that to neighborhood business to allow for us to use it for parking.

I think it's a good project. I think it's going to help bring this little area back together. And the zoning in that area has slowly been changing for the 50 years that I have been here. I know it's been slowly changing back in that area. There was -- gaming came here, of course, and everything else.

But that's what we're presenting to you and asking for your approval for, and I will let Mr. Stearman speak, if he would like to.

MR. STEARMAN:

Thank you everybody for giving us this opportunity to present this project. My name is Jason Stearman. I'm the owner of Coastal Development Group. It's Coastal Development

Group, Incorporated not, LLC. I apologize for that error.

MR. HENRY:

It's my fault.

MR. STEARMAN:

That's Tom's fault.

So I just wanted to talk to you a little bit about the nature of the project, not just the physical aspect. I have a history and track record -- a successful track record on renovating historic structures. We've done projects all over New Orleans, for example, including the Vieux Carré, which is the highest level of standards obviously for historic restoration.

And we recently completed a project in the City of Biloxi, a new construction, single-family home, we did on the corner of St. Francis and 90. If you've seen it, that's the kind of work that we do. That was a historic district, but it was a new structure. So we had to meet historic appropriateness, and we came up with a French Modern design of architecture that was very suitable. And it's a beautiful home, and we have a new family from Texas in Biloxi thanks to that home.

What we'd like to do is -- I live in Biloxi. I apologize. My address is 315 Goose Pointe Boulevard. I live in Biloxi. My family lives in Biloxi. I grew up in Mississippi. We want to continue the trend that's going on throughout the city of bringing tourism business in, bringing community business in.

We have got a lot of neighbors around this property that are -- we've got Big Play within walking distance, the little go-kart track, several restaurants, Woody's, and the Aztecas is going to be down the block from us.

I can go through details on the application, but, in general, I will just summarize for the sake of time. We're surrounded by community business. The church has been zoned single-family residential for many years because churches never have to comply with any zoning variances.

The building has a great story because the building to the east, the two-story structure was built in the '50s. It survived Camille, and the front building was added on in the '60s, also survived Camille. And the entire structure survived Katrina.

The church actually had people that offered a little bit more money than I ended up paying for the property, but they sold the property to me because of what we wanted to do. We want to save the building. We want people when they are renting the hall to know that they were in a church. We're going to continue the -- you're going to know that you're in the church when you're in there. We're doing some memorial plaques and things in there to talk about the history of the church. A lot of the families are from Biloxi. It's going to be a really great project.

The hall in the front, like Mr. Henry said, you will be able to rent it out for a Mardi Gras ball, a convention, a family reunion, a wedding, reception. We've got six short-term rental units designed in the upstairs, in the second floor. Like Tom said, if somebody had, you know, guests from out of to town for their wedding. You could rent a few of the rooms and also rent the hall. We're hoping that people want to do a wedding there. Then we can do a little conversion and have the reception there too.

We're not planning on doing any food

preparation or anything like that. We're not going to have a bar there. Anything that anybody wants to bring that in, they'll bring it in from outside caterers. That's going to save us from some of the headache of having the requirements of food prep in that building. That's not what we're interested in doing.

I'm moving my personal offices into the first floor on that southeast corner. I've already got two real estate agents that are committed to rent space from us. We've got some of my subcontractors that are committed to rent space in there. And I'm talking to two different title companies, so we're hoping that that will be a nice little construction, real estate kind of hive.

We're going to have shared kitchen space or, you know, break area space and a conference room for that first floor, so people that are renting there, hopefully we can kind of all co-mingle and do more great projects for the City of Biloxi.

We think that it's appropriate because, like he said, to the south of us, there is community business. Northeast of our property is

Perry's refrigeration, which is very much a business, not a residence, even though he is zoned residential. There has been commercial-type business taking place in this neighborhood for many years, so we're not asking for anything that's far outside the norm.

Like he said to the north, we're going to the lower grade of business and that was at the recommendation of the Development Review Committee where we're fine with neighborhood business there. We're going to put some parking there.

I will have some leftover space and down range, we'll probably look at putting something else there, maybe some apartments or something. I'll come and obviously talk to the City about that before we move forward.

I just wanted you to know a little bit more about what we're doing with this project and open up for any questions any of you all may have. I feel very passionate about the project and very proud of our design, and I hope that you will allow us to move forward. Thank you very much.

CHAIRMAN WASHER:

Mr. Stearman, just to the east of the two-story building, how much of that property is

zoned -- is all included with the church property?

MR. STEARMAN:

All of that back here, yeah, that right there is my property line.

CHAIRMAN WASHER:

It looks like we're storing construction trucks or equipment or something in that area.

MR. STEARMAN:

Yes, sir. Yes, sir. At this time, I am. I have got -- there is a fenced-in area right there. Those are some of my trailers that I use in my construction business that are stored there now.

CHAIRMAN WASHER:

With the proposed rental to some other contractors and all, is that going to be their storage yard?

MR. STEARMAN:

No. I don't plan on doing that. I've got some -- I've got like my RV parked there. I've got some of my equipment trailers parked there. I plan on continuing storing my equipment there, unless there is an issue with that because I will be carrying out my real estate development business. I'm both a real estate developer and a

general contractor.

MR. DELAHOUSEY:

Does this property go all the way to Camellia and all the way to Southern?

MR. STEARMAN:

Yes, sir.

MR. HENRY:

Yes.

Part of that yard, he's going to do somewhat of a courtyard there.

MR. STEARMAN:

Yeah. I would like to explain that. I will probably just walk over there and show you if that's okay.

MR. HENRY:

Well, he lost it.

MR. STEARMAN:

There is two different fenced-in areas back there and when he pulls that back up, I'll show it to you. Far to the east is a chain-link fenced area and since I have owned the property, I have been storing some of my trailers there and my RV there.

And then there is also a wooden fenced-in area that I'm going to use as like a

courtyard for the office, like if you want to go outside and have lunch on a nice day.

Here. Perfect. This little area right here is fenced in with a privacy fence now. I'm going to let the Airbnb/short-term rental tenants use that at night if they want to go out and sit outside. It's fenced-in, privacy fence, six-foot fence.

And then during the day, me and whoever else is in the office we can use that to go outside and have lunch or coffee when the weather is nice. The fenced-in area is about 60 feet wide, if I remember, all the way to the east, with a chain-link fence, and that's where we've got a couple of trailers right now. And it also does have the -- kind of privacy stuff in there and it was that way when I bought it, so the stuff behind the fence doesn't look too ugly.

MR. CARRON:

And question for y'all. Is this highlighted wrong? What we're asking about is exactly what are --

MR. CREEL:

Treasure Bay is on the other side of it.

MR. STEARMAN:

Yeah. I'm on the east.

MR. HENRY:

He is right here. This is his whole property.

MR. STEARMAN:

This is all --

MR. HENRY:

That's all CB.

MR. STEARMAN:

Nothing on the west is me, of Camellia.

MR. CARRON:

No. What I'm talking about is right here.

MR. CIPOLLA:

That's Treasure Bay's parking lot.

MR. HENRY:

That's Treasure Bay's parking lot.

MR. STEARMAN:

Yeah, that's not me.

Any other?

CHAIRMAN WASHER:

Any other questions, members of the Commission?

MR. CARRON:

Are they going to require a zoning

change for that across the street to make it a parking lot?

MR. CREEL:

Yes, sir. It's part of the application.

MR. CARRON:

Okay. That's what was confusing.

MR. STEARMAN:

We asked for community business for the southern part because that's the most appropriate and that matches adjacent properties. We asked for neighborhood business for the northern part because that is the lowest level in keeping with the spirit of rezoning that suits the need for us. And that was, again, recommended by the DRC when we met with them in November.

MR. STANOVICH:

On your church rentals, who is managing that? Will you?

MR. STEARMAN:

We will.

MR. STANOVICH:

And your events you're going to have there, such as weddings, will there be music?

MR. STEARMAN:

I'm sure that there will be.

MR. STANOVICH:

Outside?

MR. STEARMAN:

No, not outside.

MR. STANOVICH:

That won't be allowed?

MR. STEARMAN:

I haven't thought that far ahead, but it's certainly not in my plan. There's nowhere to do it outside.

MR. STANOVICH:

Some of these people might be interested in that as well.

MR. STEARMAN:

Well, I don't have any plan to have any outside music. It's a 4,000-square-foot hall. There is plenty of room for music.

MR. STANOVICH:

What hours?

MR. STEARMAN:

Normal wedding hours, I mean. I haven't gotten that far. I need to get rezoned, I mean, and this is all part of the process that I will do when I apply for the business license.

MR. STANOVICH:

Is there a kitchen on the property?
MR. STEARMAN:
No. And there will not be.
MR. STANOVICH:
Will alcohol be allowed there?
MR. STEARMAN:
There will be no alcohol served on the property. If they hire a catering company and those people bring in, like, an open bar for a wedding, then that's on the catering company. I have no intention of serving or selling alcohol there at this time.
MR. CARRON:
I think one of the questions he's kind of alluding to is the noise if they're having parties in there at 10:00 or 11:00 at night.
MR. STEARMAN:
Well, there is a massive casino across the street that doesn't seem to be bothering anybody.
MR. HENRY:
We're not up against any residential.
MR. STEARMAN:
Yeah, not at all. I mean, the Edgewater to the south of me is typically short-term

rentals. During Cruisin' the Coast that whole area has got cars parked all over the place.
I'm going to be contained. I've got a 4,000-square-foot hall. I mean, we're going to be indoors. And it's hot in Mississippi, if y'all didn't notice. So I don't know if anybody wants to get married outside in the summer, but I ain't going to do it.
But all kidding aside, no, we have no plans for any outdoor loud music or anything like that, to answer your question. I don't mean to be -- I'm just trying to put a little -- we've had a little funny stuff today, so I'm just trying to keep it going.
Any other questions that I can answer from anyone?
CHAIRMAN WASHER:
Thanks, gentlemen.
MR. STEARMAN:
Thank you.
I would like to point out, too, I brought one of our representatives from Gulf Coast Bank. They're looking at financing the project. We've done several of the properties with them. They're a New Orleans based bank and I'm hoping to

keep them. They actually financed my last Biloxi project, so I'm trying to have them keep bringing their wallets over here. So thank y'all very much.
MR. HENRY:
Thank you.
CHAIRMAN WASHER:
Is there anyone in the audience that would like to speak in favor of the applicant's request? Anyone speaking in favor? No one speaking in favor.
Anyone speaking in opposition? No one speaking in opposition.
We will consider that hearing closed.
Mr. Creel.
MR. CREEL:
Thank you. The staff has looked at this request. And one of the big questions is what do you do with a vacant church, you know, and fortunately we have a developer here that we believe has a really good view, plan for this property.
He did come in and meet with us. The zoning recommendations were -- I actually made those zoning recommendations because I thought it

was appropriate. He is already adjacent to CB zoning, so it's just an extension of a zoning that already exists, but -- and typically what we do is recommend that both properties involved be zoned the same thing, but because the parking lot is across the street and immediately adjacent to residential properties, the lowest zoning there would be NB, which is actually compatible with the neighborhoods.
You know, noise is a question. If the noise ordinance is being violated, then you call the police. That's just the way that it works.
But we believe that he has a good plan. We think that it will work well in this area, and the staff would recommend approval.
MR. DELAHOUSEY:
Move to approve.
MS. MAGEE:
Second.
CHAIRMAN WASHER:
Motion by Mr. Delahousey recommending approval; seconded by Ms. Magee.
Any discussion?
(No response.)
CHAIRMAN WASHER:

We'd ask that all those in favor, raise your hand, please. Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee, Ms. Thompson, Mr. Stanovich, Mr. Bogard, Mr. Dellenger, Mr. Poulos, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow, Mr. Delahousey; myself, David Washer. We will let the record show that's unanimous.

Our next hearing today, Case 23-003-PC, Pitcher Point Investments, LLC, owner; Dennis Stieffel, applicant. This is to consider a request for a preliminary subdivision approval for an 86-lot single-family residential subdivision submitted under the working title, Hidden Springs Subdivision Phase 2, to be constructed upon a parcel of land, measuring approximately 36.69 acres, more or less, in size and identified as an unaddressed parcel of land west of the South Mill Creek and east of Woodland Hills Drive. This case was advertised on December 22nd and December 29th. Mr. Cipolla.

MR. CIPOLLA:

Four is on this side, I believe, and three is on this side. They're separate cases.

This is looking back towards the -- what's already existing and what they're building.

As I said, three is on this side and four is on the other. And then you will have to see the map, because I'm sure the people that have been with us for a long time know that there is 22 phases to this. I'm trying to drive it. And as it was explained to me, it goes up around the corner to the power lines and outward.

MR. CARRON:

Does that go all the way to the end of the cul-de-sac now?

MR. CIPOLLA:

No. You see the power lines right there, and it goes that way from the power lines. This continues down still further. But there's the power lines, so it comes right across here and both sides go out. Of course, when we get to the site plan, you can probably see it.

Which one you want first, Dennis, three?

MR. STIEFFEL:

Yeah, three.

Would you prefer to handle both of these projects at the same time?

CHAIRMAN WASHER:

We're just dealing with the Hidden Springs, Phase 2.

MR. STIEFFEL:

You want to just deal with that one first because the other one --

CHAIRMAN WASHER:

Once we complete that one, then we can move on to the next one.

MR. STIEFFEL:

Okay. That's fine.

Okay. Hidden Springs Phase 2, this is a part of the large Belle La Vie/Hidden Springs development in the north Biloxi area, the Woolmarket area.

The proposed development consists of approximately 37 acres. We're referring to this as the Hidden Springs Phase 2. Just north of this, just a few hundred feet north of this project is Belle La Vie Phase 2. This is the Hidden Springs Phase 2 on this side, and this is Belle La Vie Phase 2. This project is situated just north of this one. I just wanted y'all to be able to see that.

So Hidden Springs is about 37 acres. It consists of 86 lots and actually, we've completed the construction plans for both of these projects. And in finalizing the construction plans for

Hidden Springs Phase 2, we actually lost two lots. We had to enlarge some of our detention areas, drainage detention areas and so we're actually going to wind up with 84 lots, not 86 lots.

These are single-family residential subdivisions, with an estimated density of about two and a half units per acre on average.

The site is currently zoned PDR overlay district, and the proposed project provides an attractive and practical transition from the larger homes lots on Woodland Hills Drive into this project.

The perimeter lots, one of the critical things that was discussed and determined during the rezoning process several years ago was that all the perimeter lots must be a minimum of 20,000 square feet and that has been accomplished. All these perimeter lots will be at least 20,000 square foot or larger.

And then when you get across the street into the interior of the subdivision, these lots have a minimum lot size of 7,500 square feet, but most of the lots exceed 8,000, 9,000 square feet.

We have avoided virtually all the wetlands. You can see in these areas, these white