Ordinance No. 2508

ORDINANCE TO APPROVE A ZONING MAP AMENDMENT, TO AUTHORIZE A CHANGE IN ZONING DISTRICT FOR A PORTION OF A PARCEL OF LAND FROM ITS PRESENT ZONING DISTRICT CLASSIFICATION OF RS-5 HIGH-DENSITY SINGLE-FAMILY RESIDENTIAL TO LB LIMITED BUSINESS FOR LAND IDENTIFIED AS AN UNADDRESSED PARCEL FRONTING TO PASS ROAD

WHEREAS, on Thursday February 2, 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. 23-014-PC, a request for a Zoning Map Amendment, for a portion of property identified as an unaddressed parcel fronting to Pass Road; and

WHEREAS, the Planning Commission members were apprised of the particulars of this case, being made cognizant of the fact that the W.C. Fore, LLC (owner), and Keesler Federal Credit Union (applicant), had submitted this request for a Zoning Map Amendment, to authorize a change in zoning district classification for a portion of a parcel measuring nineteen and forty-seven one-hundredth (19.47) acres (more or less) in size, from its present zoning district classification of RS-5 High-Density Single-Family Residential to LB Limited Business for a parcel of land identified as an unaddressed parcel fronting to Pass Road (re: Tax Parcel No. 1110F-03-042.000); and

WHEREAS, on February 2, 2023, the Biloxi Planning Commission, after some discussion, and upon careful reflection of the particulars of this case, voted 12-1-1, to recommend approval for the Zoning Map Amendment, to authorize a change in zoning district classification for a portion of a parcel measuring nineteen and forty-seven one-hundredth (19.47) acres (more or less) in size, from its present zoning district classification of RS-5 High-Density Single-Family Residential to LB Limited Business for a parcel of land identified as an

unaddressed parcel fronting to Pass Road, 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 doing so, determines that approval of this Zoning Map Amendment, to authorize a change in zoning district classification for a portion of a parcel measuring nineteen and forty-seven one-hundredth (19.47) acres (more or less) in size, from its present zoning district classification of RS-5 High-Density Single-Family Residential to LB Limited Business for a portion of a parcel identified as an unaddressed parcel of land fronting to Pass Road (re: Tax Parcel No. 1110F-03-042.000), Case No. 23-014-PC, W.C. Fore, LLC (owner), and Keesler Federal Credit Union (applicant), is appropriate.

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, AND BASED UPON A DETERMINATION THAT A CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD IN THIS AREA OF THE CITY OF BILOXI HAS BEEN ESTABLISHED, 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, as amended, be hereby further amended by a change in zoning district classification from RS-5 High-Density Single-Family Residential to LB Limited Business, for land presently identified as an unaddressed portion of a parcel of land fronting to Pass Road, and described as follows:

A Parcel of Land Situated In Section 28, Township 7 South, Range 10 West, City Of Biloxi, Second Judicial District Of Harrison County, Mississippi As Shown On The Plat Of Survey Prepared By Patrick M. Martino Pls Inc. dated December 9th, 2022 (geodetic bearings used during survey based on Rtk gps observation) and being more particularly described as follows:

Commencing at a 4"x4" concrete monument found at the southeast corner of Lot 1, Block 4, Edgewater Estates Subdivision, parcel #6, as per plat book 23, page 15 (copy book 5, page 1) on file of record in the office of the Chancery Clerk in the Second Judicial District of Harrison County, Mississippi; thence along the east boundary line of said Edgewater Estates Subdivision, parcel #6, n13°59'26"w 139.48 feet to a 3/4" iron pipe found at the southeast corner of lot 2, block 4, Edgewater Estates Subdivision, parcel #6; thence further along said east boundary line of said Edgewater Estates Subdivision, parcel #6, n03°29'34"e 232.79 feet to a 3/4" iron pipe found at the southeast corner of lot 5-a, resubdivision of lots 5 and 6, block 4, Edgewater Estates Subdivision, parcel #6, as per plat book 7, page 14 on file of record in the office of the Chancery Clerk in the Second Judicial District of Harrison County, Mississippi; thence along the east boundary line of said resubdivision of lots 5 and 6, block 4, Edgewater Estates Subdivision, parcel #6 and continue along said east boundary line of Edgewater Estates Subdivision, parcel #6, n03°21'04"e 91.02 to a 1/2" iron rod found at the southeast corner of lot 6a, of the resubdivision of lots 5 and 6, block 4, Edgewater Estates Subdivision, parcel #6, said point being the point of beginning; thence further along the said east boundary line of said Edgewater Estates Subdivision, parcel #6, n03°21'04"e 159.56 feet to a 1/2" iron rod found at the southeast corner of lot 8, block 4, Edgewater Estates Subdivision, parcel #6; thence further along said east boundary line of Edgewater Estates Subdivision, parcel #6, n03°35'15"e 180.62 feet to a 4" concrete monument found at the southeast corner of lot 10, block 4, Edgewater Estates Subdivision, parcel #6; thence further along said east boundary line, n19°10'10"w 198.57 feet to a 1.5" iron pipe found at the northeast corner of lot 11, block 4, Edgewater Estates Subdivision, parcel #6; thence n86°23'45"e 8.51 feet to a 1/2" iron rod found at the southeast corner of property now or formerly Frisby, Recorded In Deed Instrument #2018-1128-D-J2; thence along the east line of said Frisby property, n20°28'21"w 73.51 feet to a 1/2" iron rod found; thence further along said east line of Frisby, n56°19'49"w 10.99 feet to a 1/2" iron rod found, said iron rod found lying on the east boundary line of said Edgewater Estates Subdivision, parcel #6; thence along said east boundary line, n19°07'19"w 62.96 feet to a 1/2" iron rod found at the southeast corner of lot 13, block 4, Edgewater Estates Subdivision, Parcel #6; thence further along said east boundary line, n19°13'47"w 140.10 feet to a 3/4" iron pipe found at the southeast corner of lot 14, block 4, Edgewater Estates Subdivision, parcel #6; thence further along said east boundary line, n18°21'33"w 233.04 feet to a 3/4" iron pipe found at the southeast corner of lot 16, block 4, Edgewater Estates Subdivision, parcel #6, thence further along said east boundary line, n18°28'22"w 96.82 feet to a 1.5" pinched iron pipe found at the southeast corner of lot 17, block 4, Edgewater Estates Subdivision, parcel #6; thence further along said east boundary line, n19°48'04"w 144.87 feet to a 1/2" iron rod found in concrete monument; thence further along said east boundary line, n31°48'24"w 67.92 feet to a 5/8" iron rod found at the northeast corner of lot 17, block 4, Edgewater Estates Subdivision, parcel #6, thence further along said east boundary line, n32°33'40"w 31.84 feet to a 3/4" iron pipe found; thence further along said east boundary line of Edgewater Estates Subdivision, parcel #6, n31°59'23"w 154.25 feet to a 1/2" iron rod found at the southeast corner of lot 6, block 3, Edgewater Estates Subdivision, parcel #6; thence further along said east boundary line, n31°28'40"w 242.90 feet to a 1/2" iron rod found at the southeast corner of property now or formerly Luttman, recorded in deed book 188, page 71; thence n67°13'52"e 453.41 feet to a capped 1/2" iron rod set (Stamped: Martino Pls 2838), lying on the west boundary line of lot 42, Richland Park, as per plat book 21, page 25 (copy book 4, page 40) on file of record in the office of the Chancery Clerk In The Second Judicial District of Harrison

County, Mississippi; thence along the west boundary line of said Richland Park, s33°35'22"e 241.38 feet to a 3/4" iron pipe found at the southwest corner of lot 41, Richland Park; thence further along said west boundary line, s33°04'23"e 104.92 feet to a 1/2" iron rod found at the southwest corner of lot 40, Richland Park; thence further along said west boundary line, s33°44'49"e 105.40 feet to a 3/8" iron rod found at the southwest corner of lot 39, Richland Park; thence further along said west boundary line, s33°30'49"e 349.06 feet to a 3/4" iron pipe found at the southwest corner of lot 36, Richland Park; thence further along said west boundary line, s33°49'37"e 101.62 feet to a 10" concrete monument found at the northwest corner of lot 12, Richland Park; thence along the west boundary line of Richland Park, s00°37'24"e 246.74 feet to a 1" iron pipe found at the southwest corner of lot 11, Richland Park; thence further along said west boundary line, s00°44'15"e 210.86 feet to a 3/4" iron pipe found at the southwest corner of lot 9, Richland Park; thence further along said west boundary line, s00°24'25"e 209.03 feet to a 3/4" iron pipe found at the southwest corner of lot 7, Richland Park; thence further along said west boundary line, s00°46'12"e 105.46 feet to a 1/2" iron rod found at the southwest corner of lot 6, Richland Park; thence further along said west boundary line, s00°27'01"e 326.84 feet to a 1/2" iron rod found at the southwest corner of said Richland Park, said iron rod also being the northwest corner of property now or formerly Keesler Federal Credit Union, recorded in deed book 185, page 229; thence n88°35'06"w 375.52 feet to the point of beginning, said parcel contains 19.47 acres, more or less,

and further described as land most nearly bounded by the following streets: to the North of and fronting to Pass Road; to the South of Goose Point Boulevard; to the East of Lakeview Boulevard; and to the West of Parkview 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 Tisdale, seconded by Councilmember Glavan, and was adopted by the following vote:

YEAS:	Gines	Deming	NAYS:	Lawrence
	Newman	Tisdale		Glavan
				Barrett

Ord. No. 2508

The President then declared the Ordinance adopted this the 7th day of March, 2023.

ATTEST: APPROVED:

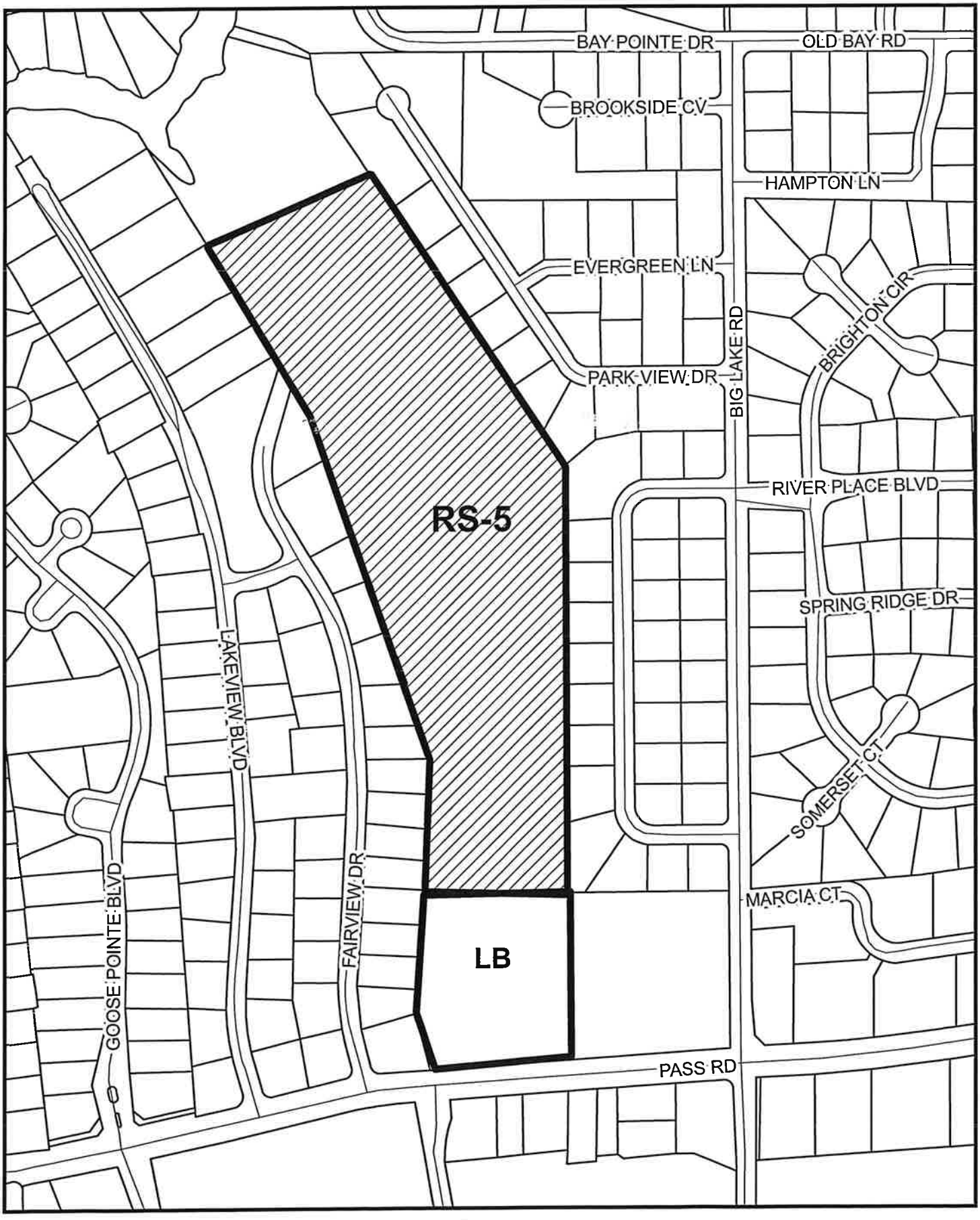
CLERK OF THE COUNCIL PRESIDENT OF THE COUNCIL

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

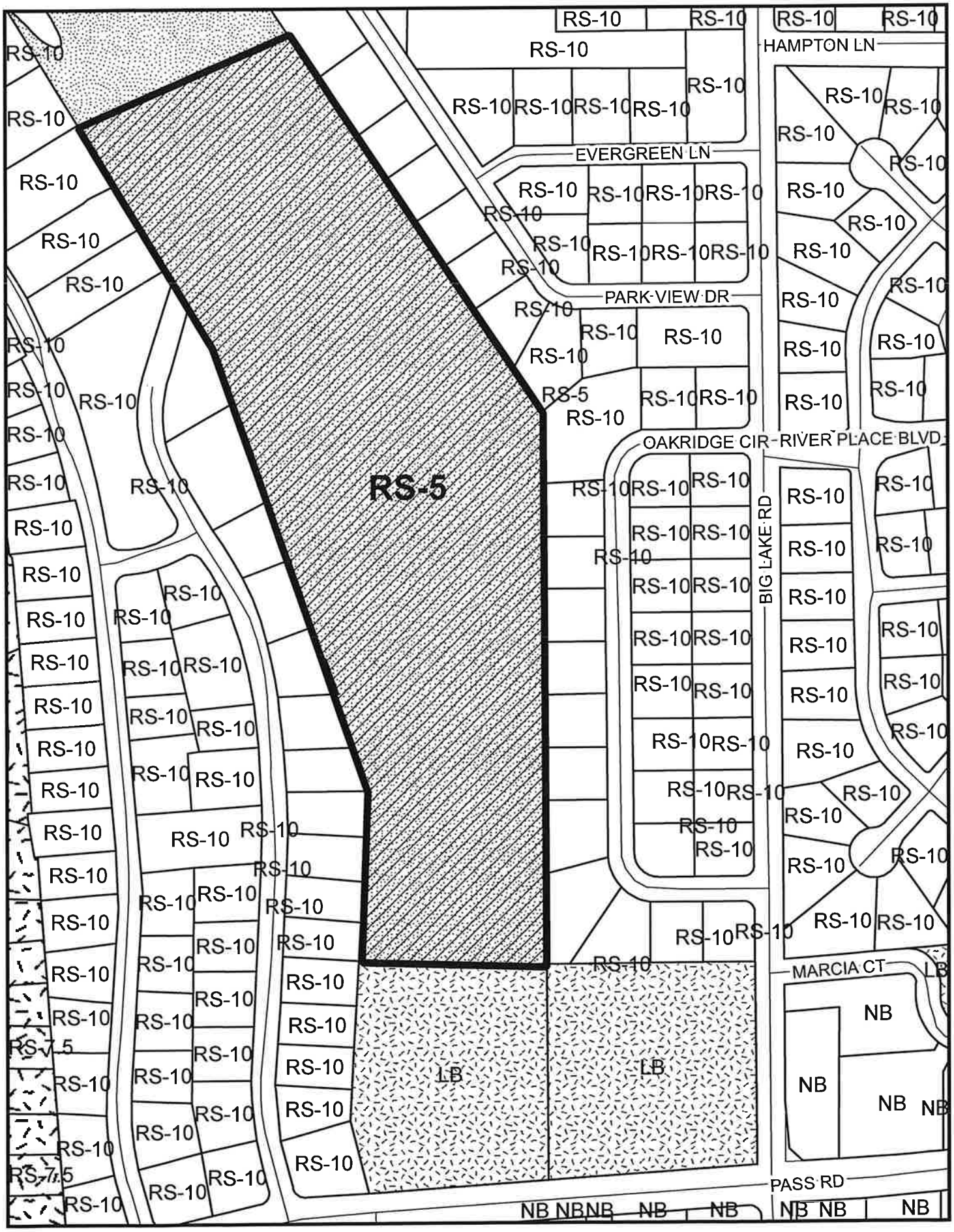
APPROVED:

MAYOR

Case No. 23-014-PC
W.C. Fore, LLC
0 Pass Road
Map Amendment RS-5 to LB



W.C. Fore, LLC
0 Pass Road
Map Amendment RS-5 to LB



Scheduled for:
February 2, 2023
PC Meeting

W.C. Fore, LLC (owner), and
Keesler Federal Credit Union (applicant)
Case No. 23-014-PC
Zoning Map Amendment

Planning Commission
Case Fact Sheet

Case No.:	23-014-PC
Applicant/Owner:	W.C. Fore, LLC (owner) and Keesler Federal Credit Union (applicant)
Address of Property:	An unaddressed parcel of land fronting to Pass Road
Tax Parcel/Ward:	1110F-03-042.000/Ward 5
Request:	Zoning Map Amendment
Purpose of Request:	An application for a **Zoning Map Amendment**, to authorize a change in zoning district classification for a portion of a parcel measuring nineteen and forty-seven one-hundredth (19.47) acres (more or less) in size, from its present zoning district classification of **RS-5 High-Density Single-Family Residential** to **LB Limited Business** for a portion of a parcel identified as an unaddressed parcel of land fronting to Pass Road (re: Tax Parcel No. 1110F-03-042.000).
Size of Property:	19.47 acres (portion to be rezoned) 23.37 acres (Parcel "B" as a whole)
Present Zoning:	**RS-5 High-Density Single-Family Residential**
Present Use:	Vacant Land
Most Nearly Bounded By (streets):	To the North of and fronting to Pass Road; to the South of Goose Point Boulevard; to the East of Lakeview Boulevard; and to the West of Parkview Drive.
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 will clean up a split-zoned property.

Letters or Concerns stated: The Planning Division Office has not received any letters or other written communications relative to this case, as of January 26, 2023.

Comments/ Recommendations: W.C. Fore, LLC (owner), and Keesler Federal Credit Union (applicant), have requested a **Zoning Map Amendment**, to authorize a change in zoning district classification for a portion of a parcel measuring nineteen and forty-seven one-hundredth (19.47) acres (more or less) in size, from its present zoning district classification of **RS-5 High-Density Single-Family Residential** to **LB Limited Business** for a parcel of land identified as an unaddressed parcel fronting to Pass Road (re: Tax Parcel No. 1110F-03-042.000).

The applicant, Keesler Federal Credit Union, requested this **Map Amendment** to obtain a higher-level zoning (i.e., **LB Limited Business**) needed to allow for the establishment and future construction of a central location for their current offices located around the gulf coast. It should also be noted this property is a split-zoned parcel so rezoning this portion of the property will make it more profitable.

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 a portion of a parcel of land measuring 19.47 acres (more or less), from its present zoning district classifications **RS-5 High-Density Single-Family Residential** to **LB Limited Business,** 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. 23-014-PC

To Be Completed by Owner/Applicant	Date:
Name of Rightful Owner(s): WC FORE, LLC	Name of Applicant: (if different than Owner) Keesler Federal Credit Union
Property Address: 2674 Pass Road, Biloxi, MS 39531	Ward Number
Tax Parcel Identification Number(s): (example: 0000L-00-000.000) 1110F-03-042.000	
Mailing Address of Property Owner: 14270 Creosote Road	Mailing Address of Applicant (if different than Owner): 2602 Pass Road
City: Gulfport	City: Biloxi
State: MS	State: MS
Zip: 39503	Zip: 39531
County Harrison	County Harrison
Telephone: (228) 363-1315	Telephone: (228) 385-5590
Property Size (please give in acres or by dimension): ~~23.51~~ to be rezoned 19.47	
Present Zoning Classification:	
Is the property located within an AHRC District? Yes __ No X If so, which District?	Flood Zone(s) of Property:

	North	South	East	West
Property is most nearly bounded by what streets?	GoosePointe Blvd	Pass Road	Big Lake Road	Fairview 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): ✓

	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.

X

Signature of Rightful Owner

Notary Signature
(Seal)

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 108286
TALOR NOWELL
Commission Expires
March 10, 2026
HARRISON COUNTY

Signature of Rightful Owner

Notary Signature
(Seal)

Signature of Rightful Owner

Notary Signature
(Seal)

STATE OF MISSISSIPPI
HOLLY E. COX
NOTARY PUBLIC
ID No. 47663
Commission Expires
December 9, 2024
HARRISON COUNTY

Signature of Applicant

Notary Signature
(Seal)

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

NOTES:

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

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*:	RS-5	LB

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: SEE ATTACHED NARRATIVE		
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 ATTACHED NARRATIVE		

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: SEE ATTACHED NARRATIVE		
4. Is the property suitable for uses permitted in the proposed zoning district?	✓	
Please explain: SEE ATTACHED NARRATIVE		
5. Has there been a change in the character of the neighborhood?	✓	
Please explain: SEE ATTACHED NARRATIVE		
6. Is there an established community need for uses permitted in the proposed zoning district?	✓	
Please explain: SEE ATTACHED NARRATIVE		
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: SEE ATTACHED NARRATIVE		
Site Plan attached: (please circle): Yes No	*Case No.* ☐☐-☐☐☐-☐☐☐	

MAP AMENDMENT NARRATIVE

Keesler Federal Credit Union plans to acquire and develop the southern 23.37 acres of the adjacent property on the west of its current Headquarters Building at 2062 Pass Road. Applicant currently has 250 employees at its present facility. The back-office workforce of approximately 400 employees currently housed in various locations in Gulfport will be relocated to the new Biloxi campus. Applicant plans to create a campus with the construction of a second $35 Million four story building with parking that will accommodate a workforce of 1,400 employees between the two buildings, providing an increase of 550 employees. The campus will be designed for Applicant's immediate use and future needs.

The development is consistent with the City of Biloxi's Comprehensive Plan ("CBCP") which provides for orderly development compatible with adjacent zoned properties. The CBCP sets standards for the character and visual quality of new developments and modernizes parking standards with landscaping requirements to improve buffering of adjacent uses. In West Biloxi the CBCP promotes coherent land use patterns to aid in the development of vacant land, especially land along Pass Road which is a major commercial corridor, and encourages land redevelopment into an attractive, retail/mixed-use corridor over time. The subject property is currently split-zoned with the southern 426 feet, more or less, zoned LB-Limited Business, and the northern portion zoned RS-5 SF Residential High Density. Rezoning the portion being acquired by the Applicant is compatible with the CBCP and with the Applicant's property to the east, also zoned LB-Limited Business, and is a logical step to provide for the orderly development of the Subject Property and an attractive, retail/mixed-use along the Pass Road corridor.

The present zoning of the northern portion of the Subject Property does not allow for the construction of a parking lot which is required for the building the Applicant plans to construct. Ground level parking properly landscaped as is shown on the attached rendering is more compatible with the neighboring residential property than a multi-story parking garage. Rezoning the subject property to LB-Limited Business will permit the construction of surface parking sufficient to meet the required number of parking spaces under the Land Development Ordinance and will result in all of the Subject Property being zoned the same.

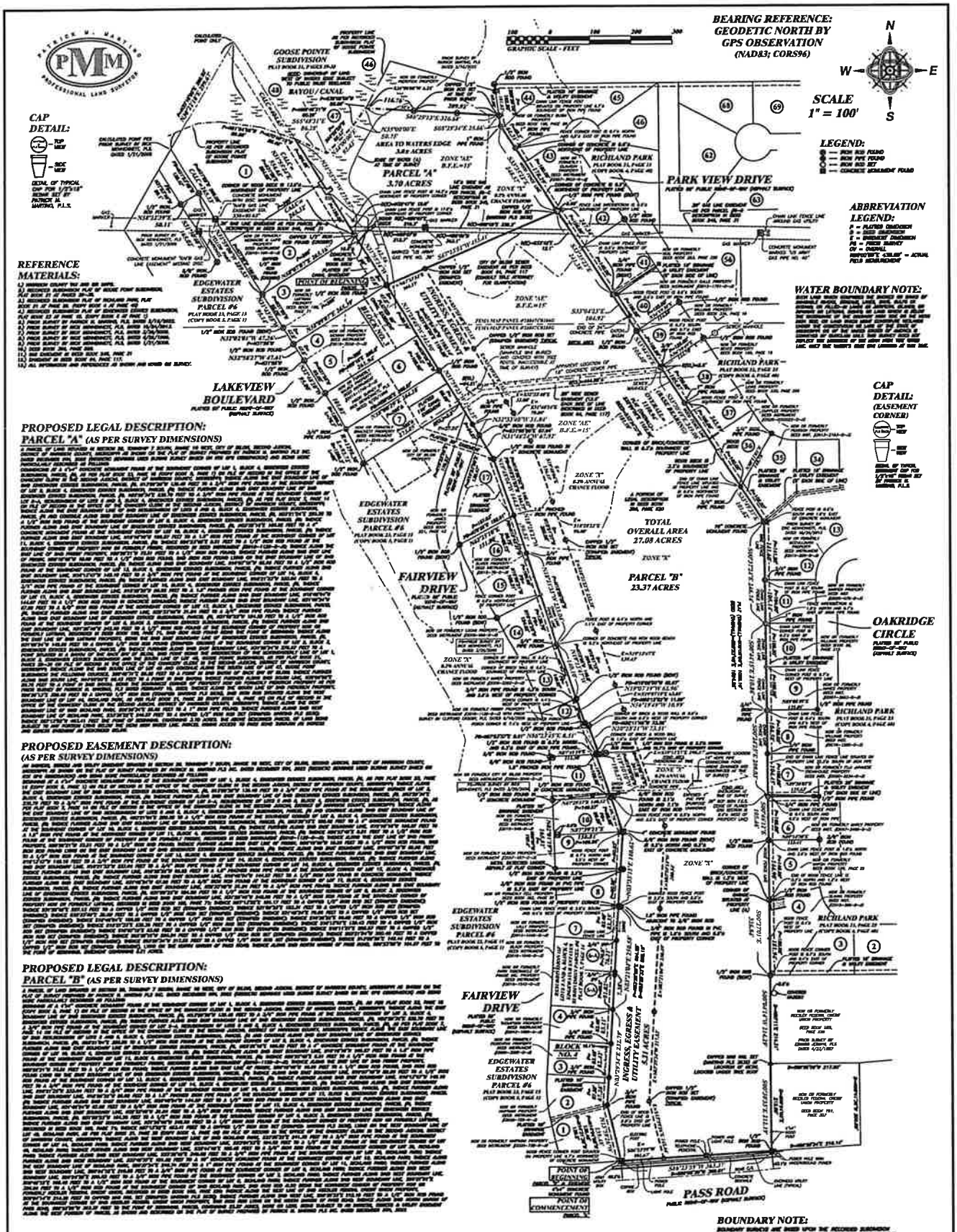
The character of the neighborhood has changed in that higher commercial zoning exists to the south of the subject property on the south side of Pass Road and new neighborhood business zoned properties have recently been constructed on the east side of Big Lake Road. Pass Road is a major commercial corridor in Biloxi.

There is an established community need for an additional facility to grow Applicant's campus. Keesler Federal Credit Union was founded in 1947 at Keesler Field by ten civil servants for a license fee of $60.00. Today Keesler Federal Credit Union is the 60th largest credit union in the United States, with over $4.2 billion in assets and more than 305,000 members and is well positioned for future growth with 40 branch offices located throughout

the Mississippi Gulf Coast, Hattiesburg, Jackson, Mobile, New Orleans and the North Shore. There exists a public need for our services to provide the growing businesses and public in West Biloxi. Management and the Board of Directors of Applicant are anxious to keep our headquarters in Biloxi with the construction of this new addition to our campus and provide the community with a centrally located facility to provide for their financial needs.

Applicant believes that since the property is split-zoned it should have all been zoned LB-Limited Business to provide for the orderly transition from residential to low impact, limited business facilities and operations. The existing utilities and infrastructure are sufficient to address the impacts associated with allowed uses in the proposed district.

Rezoning the Subject Property so that it has one zoning classification is more in keeping with the tenets of the CBCP. The addition of this new facility to Applicant's existing facility will create a modern headquarters and an extensively landscaped showplace for the City of Biloxi and our 305,000 members, allowing Applicant to consolidate all of its back-office personnel in Biloxi and provide for planned future needs in addition to increasing the ad valorem tax base with the addition of the new $35 million structure and parking facility.



A BOUNDARY SURVEY WITH DIVISION OF PARCEL #1110F-03-042.000, SITUATED IN SECTION 28, TOWNSHIP 7 SOUTH, RANGE 10 WEST, CITY OF BILOXI, HARRISON COUNTY, MISSISSIPPI

PATRICK M. MARTINO, PLS
13815 KAYLEIGH COVE
BILOXI, MISSISSIPPI 39532
PHONE: 228-396-2283
EMAIL: PATRICK@MARTINOSURVEYING.COM
PROFESSIONAL LAND SURVEYOR

CLIENT:

KEESLER FEDERAL CREDIT UNION

PARCEL ADDRESS:
PASS ROAD, BILOXI, MS

PARCEL NUMBER: 1110F-03-042.000

BILOXI PLANNING COMMISSION MEETING
FEBRUARY 2, 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
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
Caryle Lena, Planner I
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:
23-014-PC 8

TREE HEARINGS: (None)

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. Thompson, Mr. Stanovich, Mr. Bogard, Mr. Dellenger, Mr. Poulos, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow; myself, David Washer; Jerry Creel, Director of Community Development, Felicia Serpas, Senior Planner; Caryle Lena, Planner. On the table there is Tim Cipolla, Planning Inspector, and our court reporter, Melissa Rodolfich.
We would ask Mr. Parker to, please, open the meeting with a moment of prayer.
(Moment of prayer.)
CHAIRMAN WASHER:
Mr. King, the pledge, please.
(Pledge of allegiance.)
CHAIRMAN WASHER:
Also in the audience with us today, Dr. Paul Tisdale, Councilman Ward 5.
We would like to welcome you all here. We would ask that anyone that desires to speak, please come to the podium when your case is called, give us your name and address for the record and please sign at the pad provided.

Ask if all members of the Commission received a copy of the minutes from the last meeting and if there's any additions or corrections? If not, we'll entertain a motion to accept the minutes as presented.
MR. POULOS:
So moved.
MR. BOGARD:
Second.
CHAIRMAN WASHER:
Motion by Mr. Poulos; seconded by Mr. Bogard. Ask that in those favor, say "aye."
(All in favor.)
CHAIRMAN WASHER:
And opposed?
(None opposed.)
CHAIRMAN WASHER:
Mr. Creel, committee reports.
MR. CREEL:
Yes, sir. Mr. Chair and members of the Commission, over the past two weeks, the department has issued 139 building permits. We have had a construction valuation of $3.7 million. We've colleted $22,000 in permit fees. We have

issued licenses for 28 new businesses. We have also issued renewal licenses for 19 others, 10 certificates of occupancy, one of those was for a cannabis dispensary and five were for a short-term rental. Out of the permits, issued, the projects were a build-out of Toasted Yolk restaurant at 902 Howard Avenue. We also issued permits for the townhouse complexes, an eight-plex and a four-plex on Elua Cove, also a single-family house at 671 Savannah Estates Boulevard.

CHAIRMAN WASHER:

Thank you.

Let me go ahead and mention for the record that Ms. Magee is now in attendance.

We had a workshop last Thursday regarding the overlay district for the short-term rentals. I think most everyone was there. Mr. Delahousey had a number of questions. Of course, he's out today. I understand he has COVID. Although he has been vaccinated and everything else, he still caught COVID.

So what we may want to discuss is giving some direction to Mr. Creel if we want to advertise any of those particular blocks that we looked at. I think there were -- the first

several blocks starting in East Biloxi, there wasn't really any hard objections, advertise those. What are your thoughts?

We will open it for any discussion.

MR. PARKER:

I think we should do this two blocks at time or maybe three.

MR. KING:

I agree with that.

CHAIRMAN WASHER:

Two or three?

MR. CARRON:

I like two.

CHAIRMAN WASHER:

What's that, Kyle?

MR. CARRON:

I like two. Dr. Drawdy said two also.

CHAIRMAN WASHER:

Just a simple "aye," all those in favor of two blocks at a time?

(12 in favor.)

CHAIRMAN WASHER:

Three blocks?

(Two in favor.)

CHAIRMAN WASHER:

Jerry, you want to go ahead and set the wheels in motion for us to advertise those first two blocks?

MR. CREEL:

Yes, sir. What we'll do, with the direction of the Planning Commission, we will go ahead and put the advertisement together for those blocks and notify the neighbors who own property around those blocks so that they will be able to come back for the public hearing on those blocks that we talked about. That will be the next thing.

CHAIRMAN WASHER:

Do you need a motion for that?

MR. CREEL:

Yes, sir.

CHAIRMAN WASHER:

Anyone want to offer for Jerry to go ahead --

MR. SNOW:

So moved.

MR. CARRON:

Second.

CHAIRMAN WASHER:

Motion by Mr. Snow; seconded by

Mr. Carron.

Ask that all those in favor say, "aye."

(All in favor.)

CHAIRMAN WASHER:

Any opposed? None.

Thank you.

We have no continued public hearings.

New public hearing today, Case 23-014-PC W.C. Fore, LLC, owner; Keesler Federal Credit Union, applicant. This is to consider an application for a zoning map amendment to authorize the change in zoning district classification for a portion of a parcel of land measuring 19.47 acres, more or less, in size from its present zoning district classification, RS-7.5 high-density, single-family residential, to LB, limited business, identified as an unaddressed parcel fronting Pass Road, being Municipal Tax Parcel Number 1110F03-042.000. This case was advertised on January 12th, and 19th and 26th. Mr. Cipolla.

MR. CIPOLLA:

Just so you know, I'm on Pass Road so I go around fairly quick, but I do have it on Google Earth also. As you know, this is the old golf

course. You have Keesler on the east side. You have Fairway View on the west side. Down towards Eisenhower. Looking down to the east. I'm sorry. That's pretty much about what you can get from that. And that's the overhead.

CHAIRMAN WASHER:

Thank you.

Mr. Wheeler.

MR. WHEELER:

My name is David Wheeler, 185 Main Street, Biloxi. I'm here on behalf of Keesler Federal Credit Union, who's asking for a rezoning of a portion of a lot which, I believe, is going to be Lot 1.

The City Council, a couple of weeks ago, approved a lot division where this lot that runs from Pass Road all the way up to basically the Bay up there that's owned by W.C. Fore, LLC right now, the Council authorized a division into two lots. Keesler is wanting to buy the south 23.37 acres of this one large piece of land. W.C. Fore, LLC is going to keep the northern, I want to say, three and a half, four acres of land.

We're not trying to rezone that portion. The only portion that we're trying to rezone is

the land that Keesler wants to buy. Keesler's current facility is to the east of this property, right there by -- just above the red dot, and what their plan is, is to build a four-story office building there and consolidate all of their operations in Biloxi at these two offices. The two offices will be combined.

I'm going to show you this. I think I can talk loud enough where y'all can hear me. This one shows Keesler's current facility, and this is just the rendering of what they want to do. Of course, they haven't got any sort of site plan or anything of that nature yet because they haven't bought the property. This is the property that goes all the way up to the Bay.

Where it says "out-parcel," that's the parcel that's not part of this application that's being retained by W.C. Fore.

You will notice this dotted line here. The southern 425 or so feet of this one piece of property is already zoned LB, so this property is split-zoned. You've got one zoning classification on the southern 425 feet and then RS-5 on the rest of it.

The parcel on the north that's being

retained by W.C. Fore is still going to remain RS-5.

This shows you the concept of what Keesler wants to do, and that is to build another facility to the west of their current building. They're going to tie the two facilities together.

Currently they have 250 employees at the facility on Pass Road right now. Adding this building will provide an increase of 550 employees. They're planning for the future growth and want to consolidate all of their operations in Biloxi. Right now, they have facilities in Gulfport and other areas of Harrison County for their back office folks and they're going to combine it all here in Biloxi.

And I want to give you this background so you know what's coming, rather than just a straight rezoning application with no idea what's going to get built there. The idea is they want to make a campus for Keesler Federal Credit Union and of all their employees. The building and adjacent parking is going to be roughly $35 million construction. Once it's done, like I said, everything will be consolidated in Biloxi. The reason why we're asking for the rezoning is

because it's necessary for the parking that's going to be required for the facility and you can't put this type of parking in RS-5 zoning.

The zoning right now -- like I said, the southern part is LB. That's why we're asking you to zone the rest of the property that Keesler is acquiring as LB. That's consistent with Biloxi's Comprehensive Plan that was adopted which calls, you know, for orderly development compatible with adjacent zoned properties.

This area of West Biloxi is a commercial area. Most of the property on Pass Road in this area is commercial, limited business-type developments, you know. Just to the east of Big Lake Road, I think y'all just recently rezoned some properties for some businesses there. Of course, everything on the south side of Pass Road is commercial-type businesses existing already.

But if you will notice on what I passed around and on the bottom drawing, you will see a 100-foot easement on the west side of the property that's adjacent to Edgewater Estates. That's to provide access to the northern property that's being retained by W.C. Fore and also to provide a buffer. If that ever gets developed on the

northern end, the City requires a minimum of 50 feet, most likely 60 feet for road right-of-way which still gives you 50 feet of buffer between anything and the neighborhood on the west.

The surface parking is going to be landscaped and, you know, all the lighting will be focused down. That's required by the city ordinances.

The Comprehensive Plan was developed by Biloxi to guide the development of vacant land in Biloxi. This is one of the few large pieces of vacant land on this section of Pass Road. It's been vacant basically since they closed the golf course in 2000.

I know y'all have entertained a couple of applications for development, none of which have gone through. I can tell you, if you rezoned this, Keesler -- it's going to be built because, like I said, their plan is to have a campus for all of their facilities and they want it to be in Biloxi.

A little bit of history of Keesler Federal Credit Union. It was founded in 1947 at Keesler Field by 10 civil servants. They paid a license fee of $60 to form back then. Keesler

Federal Credit Union is the 60th largest credit union in the United States right now with over $4.2 billion worth of assets and 305,000 members. They want to plan for their future growth, and this project is their future growth. And they want their future growth to be in Biloxi.

I think there is a public need for a consolidated financial facility that meets the needs of the public and the businesses in the area and the citizens of Biloxi. It's a chance to take land that's been vacant for 23 years now and put it to use with this development that will enhance the area, it will provide low impact development with the surface parking that will be screened from the neighborhoods. And you don't have to worry about any other folks coming in wanting to rezone that because Keesler is going to keep the land.

Obviously, we will add to the ad valorem tax base for the City once everything is constructed. And, you know, it will provide a centrally-located facility for everyone's financial needs. Keesler is excited about this project and hope you approve the rezoning of this so we can go forward.

CHAIRMAN WASHER:

All right. Thank you.

Any questions from the members of the commission for Mr. Wheeler?

MR. PARKER:

I've got one question.

CHAIRMAN WASHER:

Mr. Parker.

MR. PARKER:

How much ad valorem taxes will this add?

MR. WHEELER:

The estimated cost of the building is $35 million.

MR. PARKER:

So what would that be in taxes, 15 percent?

MR. WHEELER:

Yeah. It's going to be non-homestead, so it will be 15 percent of whatever the County assesses the value at and then whatever the City's millage rate is.

MR. PARKER:

So it could be in the millions of dollars?

MR. WHEELER:

Yes.

MR. CARRON:

Do they have any plans for the property north of where you're showing the proposed parking lot?

MR. MITCHELL:

That's the property that's being retained by Cotton Fore.

MR. WHEELER:

The parking lot is going to go to the northern border of what they're buying. The part that's shown to the north, that's what's being retained by W.C. Fore.

MR. CARRON:

This is kind of hard to tell.

MR. WHEELER:

So on the back end of the --

MR. DELLENGER:

See, there's a lot that's not used on --

MR. MITCHELL:

A sufficient amount for 500 spaces, which, I believe, is what our architect --

MR. WHEELER:

You talking about that piece?

MR. DELLENGER:

No. I'm talking between the parking lot and the edge of the --
MR. WHEELER:
That's the piece that W.C. Fore is retaining. Our rezoning application only goes to the northern line of the parking lot. Keesler wants to rezone a portion of lot that they're buying.
MR. DELLENGER:
So that's a different parcel?
MR. WHEELER:
Yes. This is -- this parcel is what the Council -- we did a lot split application. One parcel, one parcel.
MR. DELLENGER:
Got ya.
CHAIRMAN WASHER:
Any other questions, members of the Commission?
MR. CIPOLLA:
David, right here? About right there?
MR. WHEELER:
It's a little bit further north, I believe. I want to say it goes like right up around in there maybe. And all of that is going

to be staying with Fore. Somewhere around in there. I want to say it's like about five acres that's being retained, I believe.
CHAIRMAN WASHER:
No other questions.
Anything else you want to add, Mr. Wheeler? Anything else?
MR. WHEELER:
No, sir. We're here to respond to questions, if anybody has any questions.
CHAIRMAN WASHER:
We'll ask if there is anyone in the audience that wants to speak in favor of the applicant's request. Anyone speaking in favor? No one speaking in favor.
Anyone speaking in -- yes, ma'am.
MS. SLIMAN:
I would like to inquire. Up here?
CHAIRMAN WASHER:
Come to the mic, give us your name and address, please, ma'am.
MS. SLIMAN:
Hi. My name is Mary Sliman, and I live next door to Keesler Federal, the back of it. The south side of my property is adjacent to their

property, and the backside of my property is on the golf course. So I will obviously have parking lot behind me; is that correct?
MR. CREEL:
(Nodding head affirmatively.)
MS. SLIMAN:
I couldn't really tell on this.
CHAIRMAN WASHER:
You're right there in the turn of the corner, are you not, Ms. Sliman? Yeah. You would have a parking lot in the back of you.
MS. SLIMAN:
Okay. My concern is for the trees that are on the property, actually. One of the trees is kind of on my property. Most of it's on the golf course. The other one -- they're big old stately oaks. The second one is actually all the way on the old golf course. I just wonder, what is going to happen to them?
CHAIRMAN WASHER:
It's a little early at this time. Working on the zoning change right now. If they get that, then they can go back and then start designing something. Certainly, your concerns for the trees are in the record and that's something

that they should have knowledge of and design around. If it's a large, stately oak, it's not likely it's going down. There will be some parking places going around it. I don't know if it would fall in the building footprint.
MS. SLIMAN:
No. I think it's past.
MR. CREEL:
As it goes through the DRC -- which it hasn't been through the DRC committee yet, but when it comes to the DRC, one of the things we try to do is encourage them to work their parking around trees like you're talking about. If they're going to be removing more than four protected trees, they have to have a public hearing on the tree removal. But most of the time developers are good about putting a landscape island at that particular location to protect some of those well-established trees, so we'll know more after it gets to the DRC committee.
MS. SLIMAN:
Okay. And will it come in another meeting after that's done?
MR. CREEL:
Again, if there are more than four

protected trees removed, then that will be a public hearing that will be announced that will be held before this body. If they're removing four or less, then it would just go through the Development Review Committee.

But the DRC agendas are put online every week when we have a meeting, and so if you're monitoring the City of Biloxi's website --

MS. SLIMAN:

I don't do websites.

MR. CREEL:

-- you can see that there would be a meeting where that -- this case will be on the agenda.

MS. SLIMAN:

Okay. We won't be notified that the trees were selected to be one of the four or two of the four?

MR. CREEL:

No, ma'am.

MS. SLIMAN:

Jt will just happen?

CHAIRMAN WASHER:

They will most likely post a sign out on Pass Road, letting you know that the trees are

proposed to be removed from that site.

You look at the map there, of course, the blue is just a conceptual new building and it doesn't get back behind your home, so that would have to be something that would be addressed in the parking lot.

MS. SLIMAN:

Right. Right. I do understand that. I'm not sure how far back the parking lot is going to go, but it's going to be well beyond me, I think.

CHAIRMAN WASHER:

Yes, ma'am.

MR. PARKER:

But didn't they say there's going to be a 100-foot strip between the property and --

MR. CREEL:

Well, if you look at the conceptual drawing and the driveway that comes along that eastern property line, it looks like they're doing everything they can to save those trees that are right up on the property line.

MS. SLIMAN:

Okay. So that's good to hear.

UNIDENTIFIED SPEAKER:

Can that be turned so that the rest of us can see that?

CHAIRMAN WASHER:

Thank you, Ms. Sliman.

MS. SLIMAN:

Thank y'all.

CHAIRMAN WASHER:

Anyone else to speak in favor of this request?

MR. RHODES:

My name is a Rocky Rhodes, and I own property near this proposed new development and property on Oak Ridge. I'm pro the project, and I would like to see it come forth.

CHAIRMAN WASHER:

Thank you, sir.

MR. CUPPLES:

Thomas Cupples, Jr. I live at 2613 Park View Drive.

This drawing here for this parking lot, does that come all the way down to the part of Park View Drive that butts up to my property?

CHAIRMAN WASHER:

I couldn't tell you by the address numbers. Can you tell from the houses that are

depicted on there?

MR. CUPPLES:

Where he was pointing at over here, the blue spot right there, that's Ms. Beryl's, my next-door neighbor, that's her swimming pool, which is next door to me. To your left. Right here.

There is a tree that's in that. Where that fairway runs, there is some trees out there. You've got a large eagle nest out there with two eagles in it as well. Somebody needs to take that into consideration.

But I just wondered because I keep that part of the fairway cut since I bought the house four years ago at my property line just to keep the brush down, whatever. Kids play out there.

There is a red property marker that somebody come out and put to -- on my corner and the neighborhood to the south of me that runs across to Ms. Beryl's house and they've got three more markers out there. So I don't know if that's part of this that's being done or not. Nobody has informed us, but the survey company has been out there and put markers out there.

So I'm trying to figure out if this is

running up -- this parking lot is running up to the back of my property to the edge of it.

CHAIRMAN WASHER:

I would say it would probably be behind your property, but not running up to your property.

MR. CUPPLES:

Okay. Thank you.

CHAIRMAN WASHER:

Anyone else to speak in favor?

MR. WHEELER:

Can I say one more thing that might clear up some questions?

This is a conceptual drawing. We haven't done a tree survey. We haven't located trees or anything of that nature yet. We haven't bought the property. This is just to give you an idea of what the development is going to be.

This strip right here, I know you can't read it, but it says it's 100-foot right-of-way. So between the properties over here and what's going up over here is going to be 100 foot. And Keesler doesn't plan on developing anything in this right-of-way. So until Mr. Fore, or whoever he sells it to, tries to develop the north end,

it's going to stay like it is. Okay.

Of course, once we buy the property and get into the design, we will go through DRC. And we all know that there are setbacks that are required and buffering that's required and things of that nature with the parking lot. And then we will know what trees are where once we have a tree survey done, and then obviously, we will get with the City. And I don't think Keesler wants to cut down any stately oaks or anything like that.

A lot of the property is cleared because it was fairways for the golf course, and, if anything, it's just overgrown right now. So, you know, like I said, this 100 feet to the east of all these houses is going to stay basically what it is now. It's not going to be part of what Keesler is doing. On the west side, there is going to be buffering between that neighborhood and the parking lot that's going to go in.

Architect is --

MR. LUFFEY:

Eley, Guild, Hardy.

MR. WHEELER:

-- Eley, Guild, Hardy. The City is well familiar with them. They work to try to save as

many trees as they possibly can. I don't really consider a lot of -- I'm kind of getting ahead of things because we don't know what's out there until we buy the property and do a tree survey.

But it's going to be -- all of this is going to be low impact. Primarily, we expect this is going to be employee parking because most customers are not going to park in the back of the parking lot and walk all the way up to Pass Road. You know, it's 8-, 900 feet to get to the building. They're all going to park where they park now.

So this is just to give you and the public an idea of what they want to put there. It's not anything set in stone or anything like that. The 100-foot easement is. That has to be retained so the property to the north has access to Pass Road.

CHAIRMAN WASHER:

Thank you, sir.

MR. CARRON:

Mr. Wheeler, there's kind of -- I don't know if there is a discrepancy on this, but we're showing on our highlighted part that it appears that the zoning change is going further back

toward Mr. Cotton Fore's property.

MR. WHEELER:

Well, the zoning going back to the northern boundary of the lot, that was split out from the larger piece.

MR. CARRON:

But what I'm trying to figure out here, are you stopping it where the zoning change is?

MR. WHEELER:

This is not a site plan. This is just a rendering of what they plan to do. They plan to put the parking to the north property line of what they're buying. Whether that's there or up here, we don't know exactly because we don't have it laid out on the survey or the site plan. But they intend to use all of the property that they're buying. And the primary reason for that is because they have to comply with the number of parking spaces that's required in the city ordinances.

MR. DELLENGER:

Kyle, I think there's two separate parcels on there. We're seeing it as one, but it's separated out.

MR. WHEELER:

Yeah, you're not seeing --
MR. CARRON:
But the zoning is actually going further to the north than is shown on the --
MR. WHEELER:
It very well could be, but that's just a --
MR. CARRON:
-- conceptual drawing.
MR. WHEELER:
-- conceptual rendering, but they plan on using all the land that they are buying for parking.
MR. CARRON:
Okay. That's what I wanted to know.
MR. WHEELER:
There won't be any vacant land north of the lot that Keesler Federal owns.
MR. STANOVICH:
David, how many new parking spaces?
MR. MITCHELL:
I believe we asked them to create an additional 500 -- or create a total of 500 between what we have in the existing parking and what we would need for the building. We asked Guild Hardy

to build the building.
CHAIRMAN WASHER:
Let me ask you to come forward and give us your name and address and let us pick you up on the mic.
MR. MITCHELL:
I'm sorry. I'm George Michelle. I'm the executive vice president of Keesler Federal Credit Union, and I'm also a Biloxi resident, 949 Caroline Drive.
And our plans are to build an office complex that would, in the long run, accommodate up to 1,400 people, so we would need parking to accommodate 1,400 people, which we anticipate utilizing all that space. Now, it's strictly conceptual.
Now, a building that size with that pole in the middle of it is not exactly the most efficient design, so there is an opportunity to shrink up the size of that building and hopefully bring down the price of it a little bit. Although I doubt that's going to happen with this environment. That's just wishful thinking.
Also, we've looked at, well, are we going to be able to do this as a parking garage?

Are we going to do this with surface parking? Are we going to be able to accommodate everyone? We feel like the kindest thing to do with the property and the neighborhood is to do it as surface parking. It's a lot of surface to cover with asphalt.
There's most likely going to be some water management, retention ponds designed into it. It's our intention and in our heart to save as many of those trees as we can. We love those trees too. We love the eagles, so thank you for bringing that up. Also the owls and the redtail hawks that we see going through there.
We have got a nice buffer zone on the west side of the property that's going to give the neighbors 100 feet to the east that won't be built on directly, as David said earlier, until Mr. Fore or whoever ends up with those three acres decides to develop it. But that's the only way he has to access that property, so naturally, you know, we don't want to pinch him in in any way, shape or form.
But we're excited about this. You know, we have campuses in Gulfport. We have positions that we're housing in Mobile, Alabama right now.

We've got some building -- we're actually building a hub up in Jackson, Mississippi. We're going to put some positions up there.
But, you know, we're a growing organization. We've been -- we have grown a lot over the last 12 years since I've come. We've grown from about a dozen branches up to 40 branches. We're operating in Mississippi, Alabama and Louisiana now.
And we're excited for the future. We're excited about what we can do to help the community and to develop in the community. That's part of our purpose statement that our board of directors is committed to. So we're actively creating jobs and putting money back. We donate between 2 and $3 million a year for community service in all the areas that we serve.
CHAIRMAN WASHER:
Thank you very much, Mr. Mitchell.
MR. MITCHELL:
You're welcome.
MR. FRISBY:
Hello. I'm Tim Frisby, 340 Fairview. I'm located just on the west side.
I appreciate you taking into

consideration the landscaping and the buffer zone. That's considerable, so -- but my biggest concern is at night, light production. Has the development taken into consideration what kind of lumens will be produced? I mean, at night will the residents be next to a stadium?

CHAIRMAN WASHER:

I'm going to let Mr. Creel talk about that.

MR. CREEL:

As this plan goes through the Development Review Committee, one of the things that the ordinance prohibits is encroachment of lighting over onto adjacent properties. So it will have parking lot lighting, but it will all be shielded and focused down so that it's not going into the neighbor.

MR. FRISBY:

Appreciate that. That was my only concern.

CHAIRMAN WASHER:

If there is no one else speaking in favor, is there anyone speaking in opposition or anyone with any other concerns?

MS. HARPER:

Good afternoon. I'm Martha Harper, my husband, William Harper. We live at Oakridge, 351 Oakridge Circle, which is on the east side of this planned development. Our backyard is the closed-down golf course.

I have comments, questions. The letter that we received said that this meeting was to discuss the application for a portion of a parcel measuring 19 and 47 one-hundredths acres. We come here and now we see that it's not a portion of that. It's the entire 19.

CHAIRMAN WASHER:

Well, the portion would be the first -- I'm not sure how many feet is already fronting on Pass Road. It's already NB, so the remaining portion would be of that 23 acres, I believe.

How many acres is the first portion, Mr. Wheeler?

MR. WHEELER:

Let me get my map.

CHAIRMAN WASHER:

23.47 acres?

MR. WHEELER:

Right.

CHAIRMAN WASHER:

And the other basically four acres is already zoned correctly and it fronts on Pass Road.

MR. CREEL:

That's correct, yes.

MS. HARPER:

Okay. So Mr. Wheeler, would you mind going and pointing out again where exactly the 19 acres is?

MR. WHEELER:

Okay. I don't have a survey. When we filed the application, the lot hadn't been divided. We got the lot divided so that the parcel that Keesler was wanting to purchase is one lot. And Mr. Fore's northern part that he is keeping is a separate lot from the lot that we're buying.

This is the 19 acres. This right here, down to Pass Road, is one lot. That's what Keesler will be purchasing.

MR. HARPER:

And this is -- how many acres is it?

MR. WHEELER:

The part that has to be rezoned is 19-point something. And that's to match it to the

zoning of the southern part because this southern part is already zoned LB. And we want the rest of this zoned LB so that Keesler's whole lot that they're buying is zoned LB, which is limited business, which is what their facility that's there now is zoned.

MS. HARPER:

Okay. If he is -- if I'm understanding correctly, he's saying that there will eventually be 1,400 employees at this office, along with customers who will be coming to this office. So it appears to me that that entire area that was the old golf course, other than what Mr. Fore is retaining, is going to be a parking lot, which means completely behind all of our houses on Oak Ridge circle, there will be a parking lot.

I'm very much opposed to that. We bought this property, understanding that it was zoned for residential. We knew that at some point or hoped that houses would be coming in there. It is directly between two neighborhoods. One is getting a buffer zone. Our side is not getting a buffer zone. So a parking lot is basically going to be in my backyard, is what it sounds like and I'm very opposed to that.

This is a beautiful area. We have deer that come up to our fence that we enjoy watching. If houses come in there, that probably won't last. But if a parking lot comes in there, it certainly won't last.

I just -- I can't imagine why Keesler needs to do this. They have been spread out forever. I can't imagine why people from Gulfport would want to come there to do their business when they've conveniently had a Gulfport location. It just makes no sense at all to me. And I don't think any of you would want to live in a neighborhood that has almost 19 acres of parking lot.

CHAIRMAN WASHER:

What he's trying to do, as I understand it, is consolidate the employees and get them all in one site.

Mr. Mitchell, would you anticipate serving new customers in the building or would they stay in the existing building?

MR. MITCHELL:

They would stay in the existing building. This is all back office space, sir.

MS. HARPER:

But 1,400 of them? So 500 parking places are not going to serve 1,400 employees.

MR. MITCHELL:

Currently, the credit unit has 800 employees and that includes all branch employees serving 40 different branch locations. Back office staff is probably around 500, so it would take quite awhile for us to hit 1,400, that we have planned for the future.

MS. HARPER:

I will be living there quite a while. I pass the parking lot that they currently have every single day, and it is not full. It is not never full.

And I just would ask you: How many of you want to live with a parking lot -- and whether the lighting is protected or whatever you're referring to, Mr. Creel, it will still be right in my backyard. I'm very much opposed to this development.

MR. HARPER:

I, too, William Harper, go on record as opposing this to have a parking lot between two residential neighborhoods. It would be totally unbelievable to think someone wants to do this.

Yes, we knew homes would eventually be there and that's fine. But this would be like building something that should never be put between two housing areas, two subdivisions, especially these old homes on Park View, Oakridge and up where Mr. Tommy lives. Just want to go on the record opposing this as a parking lot.

CHAIRMAN WASHER:

Thank you, Mr. Harper and Ms. Harper.

Anyone else to speak in opposition? Anyone else with any concerns?

MR. CUPPLES:

What would this do to our property value?

MS. HARPER:

Exactly.

MR. CUPPLES:

If I'm looking at this map here, it's running right up to where my property is, so what is that going to do to my property? The way -- what's it estimated at right now, with a parking lot there, I guarantee you it's not going to be near that much. So I'm opposed to that for that reason unless somebody wants to do some compensation.

CHAIRMAN WASHER:

Come on up, please, sir.

MR. MCCULLOUGH:

Yes. Mack McCullough. I live at 353 Oakridge Circle, which is probably right about the end of that.

My concern is the water. If you have all of that asphalt down there -- and believe me, I have lived in places that have this problem -- how do you get rid of the water without flooding my house because my house -- it's not sunk in or anything, but it could easily get more water. You know, just a slight rain would be a disaster.

By the way, I want to also mention that there are eagles because I see them in my lot. We have a lot right next to our house and there are eagles there.

Also, I'm a bit curious about 100-foot easement or open area on the west side. Is that going to be a road through there or --

CHAIRMAN WASHER:

We haven't got that far yet. That's something that they would bring to the DRC committee once they're a little bit further along with the planning process.

As far as the water, that's something that their engineers would have to design and get approved by the city engineering department, stating that it would not run water onto your property. They've got to control their own water.

MR. MCCULLOUGH:

You know, that's a lot of asphalt. And just a -- this is a low area and when it rains, it floods in places. We have lots of flood in various places. I used to live in Jackson where we had a lot of flooding issues and a lot of it has to do with a lot of asphalt.

The only other question I have about this is basically if you have got -- 1,500 people -- believe me, I'm all for progress and, you know, I want employment in Biloxi and to help the -- but what worries me -- and I brought this up before, is if you add that many people in this area, there is going to be a traffic issue. I have for years wondered why we couldn't put four -- four-lane Popps Ferry bridge because I occasionally have to go over the Popps Ferry bridge and it's basically stopped.

And I think the traffic issue is -- it's something else. You need to look at the traffic

issue, if you're going to have that many people in that area, because Pass Road -- I know I go to Pass Road every day, and it's like zoom, zoom, zoom, zoom, zoom. And if you have got an emergency going on, you need to get out of there for some reason, you have got to go on Popps Ferry. That's one of the alternate routes.

I'm just bringing this up. That's all. Thank you.

CHAIRMAN WASHER:

Thank you, sir.

Any other questions or concerns? No other questions or concerns.

Mr. Wheeler, you have any other comments?

MR. WHEELER:

Yeah. Just a few comments. Almost all of the comments concerned matters that will be addressed in the DRC in the planning process and in the approval process because we know the City is going to require whatever development goes there to meet all the setback requirements and things of that nature.

As far as the 100-foot easement, that was required by the City so that the lot on the

north has access to Pass Road. They have to have a frontage and rather than just setting aside the minimum of 50 or 60 feet, Keesler elected to do 100 feet, so that there is a sufficient buffer. And in the planning process and the architectural design, obviously they have to provide buffer on both sides of the property.

Just to let you know, Keesler is building this project to plan for the future. They're not going to have 1,400 employees once the building gets built. They are going to consolidate the back office personnel. Not customers, none of their branches, any other places are going to close. This is back office employees. They have will different shifts, so they won't all be in there at the same time. Initially, I think it's going to go from -- I think right now they have 250 employees at the present facility and once it's completed, there will probably be another --

MR. MITCHELL:

There will probably be a total of 500.

MR. WHEELER:

500. So we'll go from 250 to 500 back office employees, not the employees that the

public interacts with daily. They're consolidating all their back office facilities in Biloxi.

And I think the important thing to remember is just one lot that Keesler is buying is split-zoned, and the City does not like or want to have split-zoned lots. Like I said, the southern part of it is already zoned LB. We're just asking that the balance of the property be zoned LB. That would comply with the City's comprehensive plan and be compatible with what's there on Pass Road.

CHAIRMAN WASHER:

Thank you. We will consider that hearing closed.

Mr. Creel.

MR. CREEL:

Okay. We will look at the piece of property that already has LB zoning in the front. The current location of Keesler Federal Credit Union is already on property that's zoned LB. Under the current zoning that's there already that's RS-5, which is north of the LB, you can have 200 houses in there because they would only have to build 5,000-square-foot lots.

And if you will recall from 2008, when that design was drawn, it actually showed the driveways running right down the property line for that housing development that was proposed when Mr. Calvert brought that in several years ago.

But what this is, is an extension of a zoning district that already exists. It's already part LB. They're wanting to expand that LB zoning, which is just typical planning.

Previously, in the former Land Development Ordinance this was called RO, which was residential office, and what it is, it is the least intensive business zoning that we have. It's typically designed for professional offices, which is what is being proposed.

There were questions about the buffer strip. Between any business zoning and a residential district, the ordinance requires what's called a Type C buffer. In the old days, they would require a 10-foot, 20-foot and 30-foot; but under the new ordinance, what's required is that this buffer either has to be a solid fence or it has to be a wall, essentially made up of a mixture of trees and shrubs. A Type C is one of those buffers that says you've got to plant so

many trees and have so many shrubs there to create this environmental wall, is what we're referring to.

Drainage, we were asked about that and as Mr. Washer described -- explained, it's up to the engineers on the project to show that the after-development runoff does not exceed the pre-development runoff. So whatever is running off of that property right now, the new development could not exceed that. And most of the time, we have found out that after an engineering study is done on a piece of property, we can't guarantee it, but we usually see that it solves some of the drainage problems for adjacent property as it moves forward.

Question about the traffic, if this was a parking lot for a business where people were going to be constantly coming and going, then there might be cause for some real concern about it. But this is a parking lot where people will park there in the morning, be there all day, I'm assuming, and leave at times. So you would have those peak hours of probably 8:00 in the morning, 5:00 in the afternoon. So other than that, the parking lot would be quiet.

The question about the property values, we don't how this would affect property values. I'm assuming that because it's going to be done as parking lot, like I just described, that there would be a minimal amount on it.

But one thing I would say concerning that and the fact that it was brought up that there's an eagle's nest and some other wildlife out there is that we think that they hired the right architect in Eley, Guild, Hardy. They are very environmentally conscious. And my experience with David Hardy has been he does everything to save trees and he does everything to protect the environment on every project they have ever brought into this.

So with that, the staff can recommend approval.

CHAIRMAN WASHER:

You heard Mr. Creel's comments.

MR. PARKER:

So moved.

CHAIRMAN WASHER:

Motion by Mr. Parker recommending approval.

MR. PARKER:

Yes.

MR. POULOS:

Second.

CHAIRMAN WASHER:

Seconded by Mr. Poulos.

We'll open it for any discussion.

MR. CARRON:

Discussion. Jerry, if we go ahead and approve this as LB and this falls through, in other words, for some reason that they don't develop it or the DRC turns it down, does that property remain LB or does it revert back to --

MR. CREEL:

Let me address the DRC question first. When this project goes to DRC, it won't come out of DRC until it's designed the right way. So, you know, that's part of what we do, is to make sure that it complies with the City's ordinances.

Now, as far as the zoning changing back, you can't do that. That's illegal. That's called contract zoning. When you approve the zoning on a piece of property, under state law, you're acknowledging that there has been a change in the character of the neighborhood, a public need or mistake in the original zoning.

If you approve a zoning change and then you put some kind of a condition on it or a sunset clause, you would be acknowledging that you did not pass the zoning based on one of those three criteria, and that's called contract zoning and it's not allowed. So once the zoning has changed, it remains changed until someone else comes in and asks for it to be changed to something else.

But in the light of that, the applicant is asking for the least intensive zoning that they could ask for and one that already exists on the property to accomplish the purpose that they're trying to accomplish.

MR. CARRON:

Thank you.

CHAIRMAN WASHER:

Any other questions?

MR. STANOVICH:

Jerry, my understanding is that the whole property will have to be fenced as a buffer?

MR. CREEL:

It's not required to be fenced. It is required to have the Type C buffer. There is A, B, C and D, and each one of them have certain type of intensity. The Type C buffer is one of the

more intense ones that shows that they plant trees and they plant shrubs underneath those trees, so it essentially forms a green wall all the way around the whole property that's being used for the parking lot.

CHAIRMAN WASHER:

Any other questions?

(No response.)

CHAIRMAN WASHER:

All right. If not, we have a motion and second on the floor recommending approval.

Ask that all those in favor, raise your hand, please. Mr. Lechner, Mr. Parker, Ms. Magee, Ms. Thompson, Mr. Stanovich, Mr. Bogard, Mr. Dellenger, Mr. Poulos, Dr. Drawdy, Mr. King, Mr. Snow; myself, David Washer.

Any opposed? Mr. Todaro is opposed.

MR. CARRON:

I'm abstaining.

CHAIRMAN WASHER:

And Mr. Carron is abstaining.

You got that?

MR. CREEL:

12/1/1.

MS. LENA:

12/1/1.

CHAIRMAN WASHER:

Mr. Todaro opposed, and Mr. Carron abstains.

Motion carries.

All right. No other hearings today.

No Tree Hearings.

City Council action, any comments, Mr. Creel?

MR. CREEL:

Yes, sir. At the last meeting, the City Council approved the zoning change for the Tullis Garden projects coming forward.

Also the case on Country Living where they were asking for a zoning change to allow for short-term rentals throughout the park, that case was tabled. A City Council member for that area, Mr. Barrett, asked that that be tabled for two weeks. He suggested that he's not opposed to having 10 short-term rental sites on there, but just couldn't support turning the whole park into a short-term rental. That will be coming back next meeting.

Coastal Development, LLC, this was the case on the church on Camellia and Southern Avenue

where they were asking to turn that into an event center and then changing the zoning across for a parking lot. That was the first reading that was held on January 24th, so that will be coming back for a second reading.

And then we had Pitcher Point Development, two cases on Pitcher Point Development to subdivide those properties. They're selling those sections of properties to Horton Homes, and both of those were approved at that last Council meeting. And that's it.

CHAIRMAN WASHER:

Any old business to come before us today?

(No response.)

CHAIRMAN WASHER:

Any new business? Mr. Dellenger?

MR. DELLENGER:

The blocks, they're going to be --

THE REPORTER:

Wait. Mr. Dellenger, I can't hear you.

MR. DELLENGER:

I just asked about the blocks and whether they're going to be advertised.

MR. CREEL:

On the short-term overlay district, yes, they will be advertised. The neighbors will be notified and we will get scheduled for the first meeting where we can meet the advertising requirements.

CHAIRMAN WASHER:

I know we have always -- I won't say always, but for a long time had problems with microphones and everything else. Any chance we can get a couple of extra microphones?

MR. CREEL:

I think it's time to get new ones. We inherited the ones from City Council that were wireless mics, and we will try those and see how those work in here.

DR. DRAWDY:

One question. We're talking about the Zone 1 and Zone 2, the first two zones, on the east side working west?

MR. CREEL:

First two blocks.

DR. DRAWDY:

First two blocks?

MR. CREEL:

Yes, sir.

DR. DRAWDY:

East side working west?

MR. CREEL:

You know, there was one that was north that wasn't right up on the beach. It was the one that's right there across from the Palace parking lot. That block and then the one that's down that actually faces down to Highway 90, those two.

CHAIRMAN WASHER:

The first block from Howard to Cadet Street to Myrtle Street and then the second block was --

No other old business or new business.

Any citizens' comments? No citizens' comments.

Just a reminder, our next meeting will be Thursday, February 16th. If there is nothing else to come before the Planning Commission, we stand adjourned.

(Adjourned at 2:58 p.m.)

CERTIFICATE OF COURT REPORTER

I, MELISSA BURDINE-RODOLFICH, Court Reporter and Notary Public, in and for the County of Harrison, State of Mississippi, hereby certify that the foregoing pages, and including this page, contain a true and correct copy of my stenotype notes and/or electronic tape recording of the testimony of the witness, as taken by me at the time and place heretofore stated, to the best of my skill and ability.

I further certify that I am not in the employ of, or related to, any counsel or party in this matter, and have no interest, monetary or otherwise, in the final outcome of the proceedings.

Witness my signature and seal, this the _____ day of _____, 2023.

_____

Melissa Burdine-Rodolfich

My Commission Expires 4/28/24