Ordinance No. 2618

AN ORDINANCE TO APPROVE A COMPREHENSIVE ZONING MAP AMENDMENT WITHIN A SECTION OF BILOXI, TO FOSTER DEVELOPMENT SINCE HURRICANE KATRINA

WHEREAS, on Thursday, August 6, 2026, 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. 26-040-PC, City of Biloxi, a request for a Comprehensive Zoning Map Amendment; and

WHEREAS, the Planning Commission members were apprised of the particulars of the case and were made cognizant that the City of Biloxi Administration had submitted an application for a Comprehensive Zoning Map Amendment concerning certain parcels of property currently zoned RS-5, RM-30, LB, NB, CB, and I; and that the proposed amendment would rezone the identified parcels to RM-30 High-Density Multi-Family, WF-Waterfront, and CB-Community Business zoning classifications, with the intent of spurring development and encouraging reinvestment within an area of the City of Biloxi that has not fully recovered from the effects of Hurricane Katrina, Case No. 26-040-PC; and

WHEREAS, on Thursday, August 6, 2026, the Planning Commission voted 14-0 to hold a workshop on this matter to get a better understanding of the proposal; and

WHEREAS, on Thursday, August 13, 2026, the Biloxi Planning Commission held a public workshop in the Auditorium of the Dr. Martin Luther King, Jr. Municipal Building, located at 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, for the purpose of further reviewing and considering each section and map associated with the proposed zoning changes; and the Planning Commission members agreed to review each map individually, with each section of the proposed

zoning changes being thoroughly discussed and renumbered, to allow for an individual discussion without confusion in order to vote on each proposed zoning change at the next meeting; and

WHEREAS, on Thursday, August 20, 2026, the Biloxi Planning Commission reheard and discussed the renumbered Case No. 26-040.10-PC, concerning Exhibit "A," identified as Map 10, consisting of eighteen (18) parcels of land located north of Irish Hill Drive, South of Pass Road, West of Bleuer Drive and East of Veterans Ave.; and, after much deliberation, the Planning Commission voted 11-0-1 to deny the proposed zoning change for the 18 parcels of land, from their present zoning classifications of RM-30 Low-Density Multi-Family Residential, LB Limited Business and NB Neighborhood Business to CB Community Business; and

WHEREAS, the Biloxi City Council, after consideration of all facts presented, hereby rejects the report and findings of the Biloxi Planning Commission, and in so doing, grants approval of this Comprehensive Zoning Map Amendment to authorize a change to 18 specific parcels of land fronting McDonnell Avenue from their current zonings of RM-30 Low-Density Multi-Family Residential, LB Limited Business and NB Neighborhood Business to CB Community Business.

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

SECTION ONE: That the boundaries of the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, as previously amended, are hereby further to 18 specific parcels of land fronting McDonnell Avenue (Tax Parcel Nos are as 1210G-02-034.000, 1210G-02-037.000, 1210G-02-021.000, 1210G-02-022.000, 1210G-02-036.000, 1210G-

Ord. No. 2618

02-024.000, 1210G-02-032.000, 1210G-02-024.001,1210G-02-028.000, 1210G-02-035.000, 1210G-02-019.000, 1210G-02-033.000, 1210G-02-020.000, 1210G-02-017.000, 1210G-02-027.000, 1210G-02-030.000, 1210G-02-029.000 & 1210G-02-031.000.

SECTION TWO: Upon unanimous vote of the members of the City Council, this ordinance shall be in full force and effect from and after passage, because it serves the public peace, health and safety of the citizens of Biloxi, and good cause exists for same. If not a unanimous vote this Ordinance shall become effective as soon thereafter as is signed, certified, and as is otherwise provided by law.

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

YEAS:	Gray	Tisdale	NAYS:	None
	Marshall	Glavan		
	Nail	Shoemaker		
	Creel			

The President then declared the Ordinance adopted this the 20th day of October, 2026.

STATE OF MISSISSIPPI ★ CITY OF BILOXI ★ HARRISON COUNTY

ATTEST: APPROVED:

Kris Campbell
CLERK OF THE COUNCIL

Paul L. Tisdale
PRESIDENT OF THE COUNCIL

Submitted to and approved by the Mayor, this the 22nd day of October, 2026.

APPROVED:

MAYOR

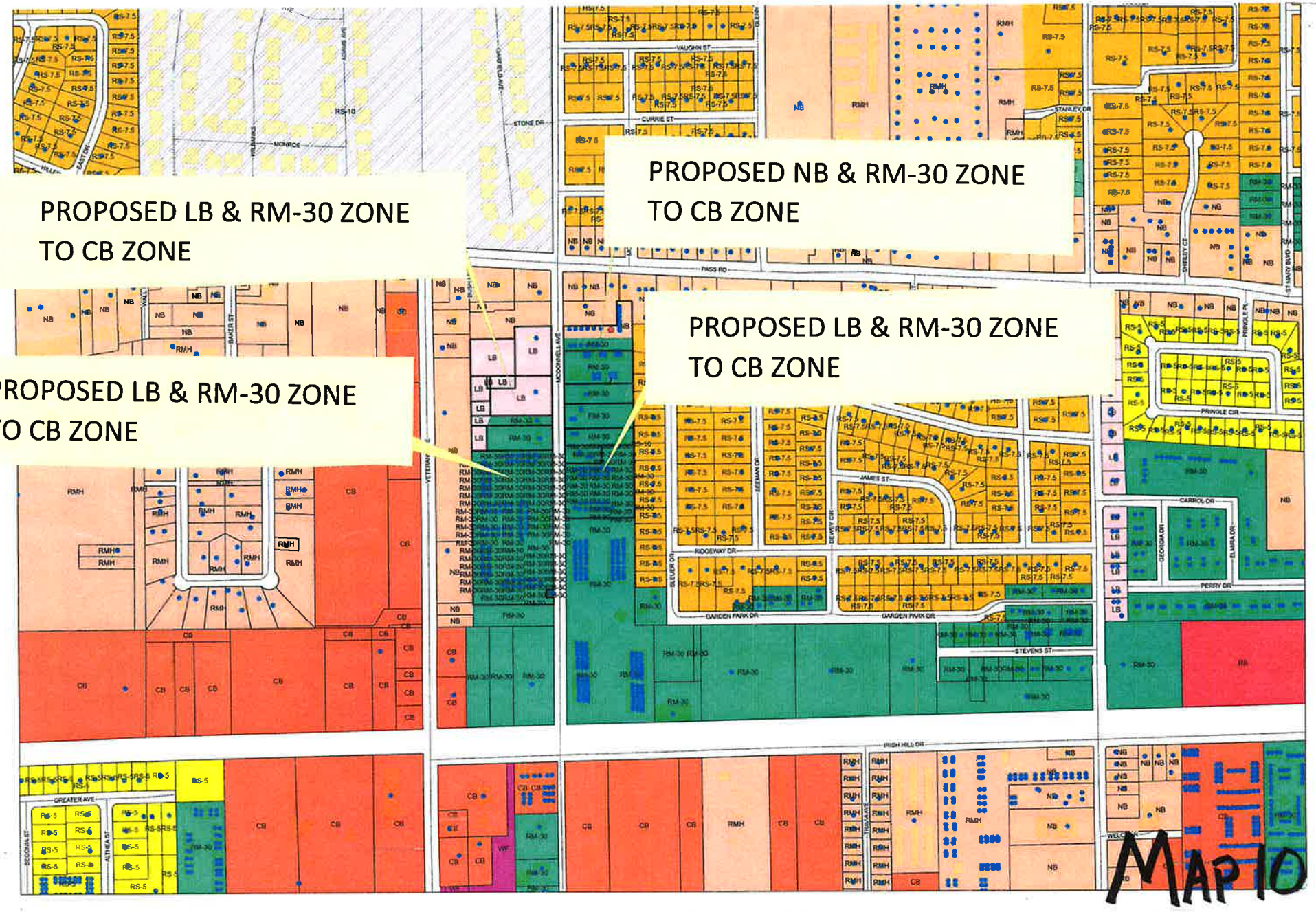

PROPOSED LB & RM-30 ZONE
TO CB ZONE
PROPOSED NB & RM-30 ZONE
TO CB ZONE
PROPOSED LB & RM-30 ZONE
TO CB ZONE
PROPOSED LB & RM-30 ZONE
TO CB ZONE
MAP 10

Exhibit "A"

Scheduled for:
August 6, 2026
PC Meeting
Amendment

City of Biloxi
Case No. 26-040-PC
Comprehensive Rezoning Map

Biloxi
established 1699

Planning Commission
Case Fact Sheet

Case No.:	26-040-PC
Name of Applicant:	City of Biloxi
Address of Properties:	594 specific parcels located within sections of East Biloxi.
Tax Parcels/Ward:	594 Parcels (see maps) Ward 1
Request:	**Comprehensive Zoning Map Amendment**
Purpose of Request:	An application to consider a **Comprehensive Zoning Map Amendment** to sections of East Biloxi, to encourage development since Hurricane Katrina.
Size of Property:	N/A
Present Zoning:	RS-5, RS-7.5, RM-10, RM-20, RM-30, LB, I & NB
Present Use:	N/A
Most Nearly Bounded By (streets):	Ward 1
Adverse Influences:	None apparent
Positive Influences:	This rezoning should significantly promote development in this area of the City of Biloxi.
Letters or Concerns stated:	The Planning Division Office has not received any communication related to this case as of July 30, 2026.
Comments/ Recommendations:	The City of Biloxi Administration has requested a **Comprehensive Zoning Map Amendment** to encourage development in this section of East Biloxi. These 594 parcels are currently zoned **RS-5, RS-7.5, RM-10,**

RM-20, RM-30, LB, NB, CB, and **I,** and they will be changing to **RM-30, CB-Community Business** & **WF-Waterfront.** This change is intended to encourage new development in an area of Biloxi that has not fully recovered since Hurricane Katrina. This portion of the city is also located in a flood zone, which presents additional development challenges.

It should be noted that this proposed change will not affect the amount of property taxes owed. Property taxes are assessed based on the actual use of the property rather than its zoning designation. Additionally, affected property owners will have the opportunity to opt out of the rezoning by submitting written notification to the City if they choose not to participate.

Options:

1. Recommend approval of this **Comprehensive Zoning Map Amendment**, having determined that the proposed change in zoning district classification would appropriately serve the best interests of the neighborhood and enhance efforts to promote development in this area of East Biloxi.

2. Recommend denial of the **Comprehensive Zoning Map Amendment** proposal, as submitted, having determined that no plausible argument for zoning has been offered.

Planning Commission Application

City of Biloxi Planning Division

Mailing Address: P.O. Box 508, Biloxi, MS 39533

Office Location: 676 Dr. MLK Blvd.,

Building (228) 435-6270 Planning (228) 435-6266 Fax (228) 435-6188

Case No. 26-040-PC

To Be Completed by Owner/Applicant	**Date:**
Name of Rightful Owner(s): City of Biloxi	Name of Applicant: (if different than Owner)
Property Address: Ward 1 Comprehensive Rezoning	Ward Number 1
Tax Parcel Identification Number(s): □□□□□-□□-□□□.□□□ □□□□□-□□-□□□.□□□ □□□□□-□□-□□□.□□□ □□□□□-□□-□□□.□□□ □□□□□-□□-□□□.□□□ □□□□□-□□-□□□.□□□	
Mailing Address of Property Owner: 140 Lameuse St	Mailing Address of Applicant (if different than Owner):
City: Biloxi	City:
State: MS	State:
Zip: 39530	Zip:
County	County
Telephone:( )	Telephone:( )
Property Size (please give in acres or by dimension):	
Present Zoning Classification: RM-30, RS-5, LB, NB	
Is the property located within an AHRC District? Yes __ No ___ If so, which District? Is this property a Historic Landmark? Yes __ No ___	

Flood Zone(s) of Property:	North	South	East	West
Property is most nearly bounded by what streets?				
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 Development
	Master Plan/Update
	Preliminary Subdivision Review
	Conditional Use
	Public ROW Vacation
	Street Name Change
	Variance
	Appeal
	Tree Removal

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.

The Planning Commission (PC) is a recommendation board, all cases will go to the Biloxi City Council for a final determination. If any case is denied by the Biloxi City Council, you will have ten (10) days to appeal their decision.

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

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.

Community Development Department

Planning Division
676 Dr. Martin Luther King Jr.
Biloxi, MS 39530-3975
Post Office Box 508
Biloxi, MS 39533-0508

Felicia Serpas, Senior Planner
Telephone: 228-435-6266
Facsimile: 228-435-6188

July 23, 2026

TO WHOM IT MAY CONCERN:

The Biloxi Planning Commission will conduct a public hearing on Thursday, August 6, 2026, at 2:00 p.m. in the Auditorium of the Dr. Martin Luther King, Jr., Municipal Building located at 676 Dr. Martin Luther King, Jr. Boulevard, Biloxi, Mississippi, to hear the application of the City of Biloxi (applicant), Case No. **26-040-PC**.

The purpose of this hearing is to consider an application for a **Comprehensive Zoning Map Amendment**, to authorize a change in the zoning classifications of 593 parcels of land in East Biloxi from their present zoning district classifications of **RS-5 Single Family High Density** to **RM-30 Multi Family High Density** & **CB Community Business**, and also certain **RM-30 Multi Family High Density; LB Limited Business; NB Neighborhood Business; & I Industrial** to **CB-Community Business** & **WF-Waterfront.** These specific parcels are located throughout Ward 1. To view the maps of these specific parcels, please come to the Community Development Municipal Building at the above-listed address. The affected properties' parcel numbers are as follows:

1210G-02-020.000	1410A-01-023.000	1410G-02-022.001	1410G-02-049.000	1410H-01-039.000
1210G-02-021.000	1410A-01-024.000	1410G-02-023.000	1410G-02-050.000	1410H-01-039.001
1210G-02-022.000	1410A-01-050.000	1410G-02-024.000	1410G-02-051.000	1410H-01-040.000
1210G-02-024.000	1410A-01-050.001	1410G-02-025.000	1410G-02-052.000	1410H-01-041.000
1210G-02-024.001	1410A-01-051.000	1410G-02-026.000	1410G-02-053.000	1410H-01-042.000
1210G-02-027.000	1410A-01-052.000	1410G-02-027.000	1410G-02-053.001	1410H-01-043.000
1210G-02-028.000	1410A-01-053.000	1410G-02-028.000	1410G-02-054.000	1410H-01-044.000
1210G-02-029.000	1410A-01-054.000	1410G-02-029.000	1410G-02-055.000	1410H-01-045.000
1210G-02-030.000	1410G-02-001.000	1410G-02-030.000	1410G-02-056.000	1410H-01-047.000
1210G-02-031.000	1410G-02-002.000	1410G-02-031.000	1410G-02-057.000	1410H-01-048.000
1210G-02-032.000	1410G-02-003.000	1410G-02-032.000	1410G-02-058.000	1410H-01-049.000
1210G-02-033.000	1410G-02-004.000	1410G-02-033.000	1410G-02-059.000	1410H-01-050.000
1210G-02-034.000	1410G-02-005.000	1410G-02-034.000	1410G-02-060.000	1410H-01-056.000
1210G-02-035.000	1410G-02-006.000	1410G-02-034.001	1410G-02-061.000	1410H-01-057.000
1210G-02-036.000	1410G-02-007.000	1410G-02-035.000	1410G-02-062.000	1410H-01-059.000
1210G-02-037.000	1410G-02-008.000	1410G-02-036.000	1410G-02-063.000	1410H-01-060.000
1210J-01-004.000	1410G-02-009.000	1410G-02-037.000	1410G-02-064.000	1410H-01-061.000
1210J-01-006.000	1410G-02-009.001	1410G-02-037.001	1410G-02-065.000	1410H-01-063.000
1210J-01-007.000	1410G-02-010.000	1410G-02-038.000	1410G-02-066.000	1410H-01-064.000
1210J-01-007.001	1410G-02-011.000	1410G-02-039.001	1410G-02-075.001	1410H-01-065.000
1310I-01-023.000	1410G-02-012.000	1410G-02-040.000	1410H-01-001.000	1410H-01-067.000
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1310I-01-035.002	1410G-02-016.000	1410G-02-043.000	1410H-01-004.000	1410H-02-004.000
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1310I-03-019.000	1410G-02-019.000	1410G-02-046.000	1410H-01-007.000	1410H-02-007.000
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1410A-01-022.000	1410G-02-022.000	1410G-02-048.000	1410H-01-009.000	1410H-02-009.000

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If your parcel is affected and you would like to be excluded from this zoning change, please submit a written request to the planning department located within the Community Development building. All individuals having any potential interest in this request are encouraged to attend the public hearing to ensure a complete understanding of the proposal. At this public hearing, any person is invited to comment on the particular matters and requests presented by the application. Written comments can be mailed to the address above, faxed to the facsimile number above, or emailed to planning@biloxi.ms.us any time before the scheduled hearing.

Sincerely,

Felicia Serpas

Felicia Serpas
Senior Planner – fds: cdl

I Angela Despote wants to
Keep my properties Heavy Industry.

Parcel # 151OE-01-040.000
317 Pine ST Biloxi ms. 39530

Parcel # 151OE-01-035.000
williams ST. Biloxi ms. 39530

Parcel # 151OE.01-036.000
306 williams ST. Biloxi MS 39530

Parcel # 151OE-01-041.000
315 Pine ST. Biloxi ms. 39530

Parcel # 151OE-01-037.000
308 williams ST. Biloxi ms. 39530

Thank you.
Angela Despote
228.215.9460
8-18-2026

RECEIVED
AUG 18 2026
BY: CLong

Remove Parcels from Rezoning Case 21-040-PC

Caryle Lena

From: Felicia Serpas
Sent: Friday, August 14, 2026 9:13 AM
To: Caryle Lena
Subject: FW: Zoning exclusions

Take out these properties and print this please

Biloxi
established 1699

Felicia Serpas
Senior Planner
911 Address Coordinator
Ph: 228-435-6266
Fax: 228-435-6188
fserpas@biloxi.ms.us

From: Russell Evans <evanscompany@bellsouth.net>
Sent: Friday, August 14, 2026 9:12 AM
To: Planning <planning@biloxi.ms.us>
Cc: Steve Luben <steveluben@yahoo.com>; Durrett <durrettevans@gmail.com>; samantha revansrealty. com <samantha@revansrealty.com>
Subject: Zoning exclusions

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Dear Biloxi Planning Commission

As stated in the letter delivered to the planning commission office previously, we would like to be excluded from the proposed zoning change.

Parcel # 1410L-05-054.000

The physical address is 1002 Beach Blvd.

My residence is at 119 Suter Place and joins this lot, owned by Stephen Luben, Raymon Evans, and myself.

Thank you, Edward Russell Evans Jr.

RECEIVED
AUG 14 2026
BY: Clara

Felicia Serpas

From: Robert Gonzalez <RGonzalez@wmcarey.edu>
Sent: Wednesday, August 12, 2026 12:16 PM
To: Wayne Gray; Planning
Subject: RS-7.5 Zoned to CB Zone | Morrison Ave.

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Wayne and Jerry, et al.

I am emailing regarding the proposed zoning change. I was at the meeting last week and listened to the voices. However, inside that chamber was not full of people against the proposal. I live at 123 Morrison Ave. in the historical neighborhood. It is absolutely not a consensus of us against this change - I myself am 100% supportive of the initiative and would like to share why with some context of where I am coming from. I am not asking for discussion or an email thread, but I would appreciate a simple "email received" response to assure it made it to the right people.

1. My family moved to Columbus, MS when I was three years old in 1990. At that time, it was per capita the wealthiest city in the state and had per capita the most millionaires of any city in the US. They have and still have some of the most majestic antebellum and historical homes in the country. However, these amazing homes hold little value. The city blocked development in the 1980s around them. What happened? Most homeowners are happy for the moment thinking this will help property values. It failed. The lack of city development destroyed the community, and it is a shell of itself from what it once was. And due lack of development, there is no desire now to purchase the homes in the first place that they were trying to protect.
2. Prior to moving to the coast, I lived in Oxford. This town also has many great historical homes. Curiously, many of them are right in a thriving business downtown area or just off the UM campus. There is absolutely no reason that with appropriate planning you cannot maintain the historical feel while developing around it. Oxford has boomed over the past 30 years. I have had multiple properties of mine double in value in just the past several years.
3. Fundamentally, there is no reason for this not to push forward. It is nonsense to suggest this will hurt anything or anyone. I believe the homeowners who voiced out against last week are an unfair representation of the population. Because meetings occur during the workday, the attendees were much older than the general population and not representative as a whole. If left unchanged, what happened to Columbus in the 1980s-1990s, leading to what it is now will occur to some extent. While the casino revenue allows the city of Biloxi to skirt against major disaster, it can still be better. I don't like the fact that I have to go to Ocean Springs to do a lot of things like nice shopping, dining, etc. downtown: I want that here. When I was a kid, coming to Biloxi was the crown jewel of the coast. I had never heard of Ocean Springs and now see it has surpassed Biloxi in a lot of ways - this proposal can change that, and I urge the committee to vote YES to rezoning.

Robert P. Gonzalez

Head Men's & Women's Swim Coach
SUN Conference 2025 Men's Coach of the Year
Phone: 662-574-9010 | Office: Gym Annex
William Carey University | 710 William Carey Pkwy, Hattiesburg, MS 39401

RECEIVED
AUG 12 2026
BY: F Serpas

in favor of

Felicia Serpas

From: Perkes, David <dperkes@gccds.msstate.edu>
Sent: Wednesday, August 5, 2026 5:50 PM
To: Planning
Subject: zoning change Case No. 26-040-PC

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

To Biloxi City Planning,

This is David Perkes. I live at 133 Morrison Ave in Biloxi. It is not clear to me whether or not my property is included in the proposed zoning change Case No. 26-040-PC. My parcel number is 1310J-02-039.000.

If my lot is included in the proposed zoning change, I would like my lot to be excluded from the zoning change.

Thank you,
David Perkes

Exclude From Zoning change

RECEIVED
AUG 05 2026
BY: F Serpas

Felicia Serpas

From: Donna Stokes <donwarsto@gmail.com>
Sent: Wednesday, August 5, 2026 8:05 AM
To: Planning
Subject: Rezoning

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Stop with the rezoning of Biloxi Ward1 !!
Think about something besides more tax dollars to throw away with all that's been thrown away already. Let Biloxi be beautiful Biloxi without money hungry investors who could care LESS about the residents. We need to preserve!!!

Donna Ward
1327 Father Ryan Avenue.
Sent from my iPhone

OPPOSITION

RECEIVED
AUG 05 2026
BY:

Felicia Serpas

RECEIVED
AUG 06 2026
BY: F Serpas

Subject: FW: Request for Review Prior to Planning Commission Hearing – Case No. 26-040-PC

From: Tom Jones <Tom.Jones@busopsconsulting.com>
Sent: Wednesday, August 5, 2026 5:09 PM
To: Jerry Creel <jcreel@biloxi.ms.us>; Wayne Gray <wgray@biloxi.ms.us>; planning@biloxi.ms.us <IMCEAMAILTO-planning+40biloxi+2Ems+2Eus@namprd11.prod.outlook.com>; jgill@biloxi.ms.us <IMCEAMAILTO-jgill+40biloxi+2Ems+2Eus@namprd11.prod.outlook.com>; clena@biloxi.ms.us <IMCEAMAILTO-clena+40biloxi+2Ems+2Eus@namprd11.prod.outlook.com>
Cc: burke49dj@gmail.com; Ph.D. <mary.graham@mgccc.edu>; Wayne Graham <wayne.graham@mgccc.edu>; dsunderwood63@gmail.com; Rhonda jones <blessedyogi63@gmail.com>; dukesutherland@startmail.com; betty.obrian@gmail.com; sarahprider25@gmail.com; linda.welter135@yahoo.com; misscoastrealator@gmail.com; tomharperrealty@gmail.com
Subject: Request for Review Prior to Planning Commission Hearing – Case No. 26-040-PC

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Good afternoon,

Attached is a formal position paper submitted by concerned residents and property owners of the West Central Historic District regarding **Case No. 26-040-PC**, the proposed Comprehensive Zoning Map Amendment currently before the Biloxi Planning Commission.

This document is respectfully submitted for your review before the Planning Commission hearing and for inclusion in the official record.

Our request is both specific and limited.

We are not asking the City to reject the Comprehensive Zoning Map Amendment. We respectfully request only that the West Central Historic District be excluded from the proposed zoning changes before the recommendation is forwarded to the Biloxi City Council.

For decades, the City of Biloxi has encouraged the preservation and restoration of the West Central Historic District. Following Hurricane Katrina, residents accepted historic preservation requirements and invested substantial private resources to rebuild homes, restore neighborhood character, and help fulfill the City's vision of preserving Historic Biloxi.

Today, the West Central Historic District stands as one of the City's most successful examples of neighborhood revitalization, historic preservation, and private investment. We believe that success should be protected through thoughtful planning and that the district deserves consideration separate from the broader 593-parcel Comprehensive Zoning Map Amendment.

The attached position paper presents our planning concerns and explains why excluding the Historic District is consistent with sound land-use planning, historic preservation, neighborhood stability, and the long-term public interest of the City of Biloxi.

Felicia Serpas, Sr. Planner
Planning Division, City of Biloxi
676 Dr. Martin Luther King Blvd.
Biloxi, MS 39530-3975

TO BE HAND DELIVERED
TO:
PLANNING DEPT. in the
COMMUNITY DEVLPMNT BLDG.

July 30, 2026

Dear Ms. Serpas and/or Planning Division / Planning Commission:

This letter serves as official notice that **we wish to be EXCLUDED from the zoning change** as proposed in your July 23, 2026 letter, in reference to City of Biloxi's case #26-040-PC.

The property we own is **1410L-05-054.000, located at 117 Suter Place.**

Sincerely,

Stephen C. Luben

Raymon S. Durrett Evans

Edward Rusell Evans

RECEIVED
AUG 03 2026
BY:

Vita G. Christophe
176 Dorries Street
228-860-3725 | vgchristop@gmail.com

August 4, 2026

City of Biloxi Planning Division
676 Dr. Martin Luther King Jr. (P.O.Box 508)
Biloxi, MS 39530-3975

RE: Formal Objection/Request for Exclusion from Proposed Zoning Change, Case No. 26-040-PC

Dear Planning Commissioners and Planning Staff,

I am the owner of record for the property located at 176 Dorries Street, parcel number 1410I-06-150.000. I am writing to formally express my strong opposition to the proposed zoning changes currently under consideration for the area affected in East Biloxi Ward 1 residential zones, as outlined in Case No. 26-040-PC.

Specifically, I request that my property be excluded from this rezoning action, or the proposed amendment be denied due to the following impacts: The new zoning rules will cause severe traffic congestion, loss of privacy, inadequate parking, or storm-water/drainage burdens that negatively affect my parcel and immediate neighbors. My property has been a single-family residence, coexisting successfully in this area for many years, for me about 30 years now.

Therefore, I respectfully request that the Planning Department remove my property from the scope of this amendment or recommend denial of the proposed change during the upcoming public meeting on August 6, 2026.

Sincerely,

Vita G. Christophe

Vita G.Christophe
Property Owner, 176 Dorries Street Biloxi, MS39530

Ramona Parcel

RECEIVED
AUG 04 2026
BY:

Hand delivery

Felicia Serpas Parcels not Part of Rezoning

From: Robert Clisby <gcpmms@gmail.com>
Sent: Friday, August 7, 2026 11:30 AM
To: Planning
Cc: krause@law-dog.com; Mary Ann Clisby
Subject: Request to have properties removed from new projected zoning change

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

To the members of the Biloxi Planning commission.

Good morning, my name is Robert Clisby / Live Oak Holdings LLC and I own the below properties which seem to have been singled out in the new zoning map for this neighborhood. I am not sure why this was done to change only my properties located in a R30/LB neighborhood to the CB zoning. This would be a detriment to the values to the properties as there would be no reason to come to a business in this neighborhood so deep into the subdivision.

PPIN	Parcell #	Address	
6712	1210H-03-026.000	298 Dewey Circle	Biloxi
6728	1210G-02-096.000	1756, 1758,1760 Garden. Pk.	Biloxi

I am sure this must have been a mistake, at the meeting yesterday Mr. Creal stated that I just needed to email in a request to be removed from the new map and it would be taken care of, so I am now requesting that the above listed properties be removed from the new zoning map and that they continue to remain at the current zoning designation of R30/LB as all of the other properties in the neighborhood where these properties reside.

Thank you for your help with this and if you have any questions please contact me.

Sincerely,

Robert Clisby

Live Oak Holdings LLC

228-860-9696

RECEIVED
AUG 07 2026
BY: Email

Felicia Serpas

From: Perkes, David <dperkes@gccds.msstate.edu>
Sent: Wednesday, August 5, 2026 5:50 PM
To: Planning
Subject: zoning change Case No. 26-040-PC

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

To Biloxi City Planning,

This is David Perkes. I live at 133 Morrison Ave in Biloxi. It is not clear to me whether or not my property is included in the proposed zoning change Case No. 26-040-PC. My parcel number is 1310J-02-039.000.

If my lot is included in the proposed zoning change, I would like my lot to be excluded from the zoning change.

Thank you,
David Perkes

RECEIVED
AUG 06 2026
BY: Email

Anita T. Ferrill
268 Strangi Ave.
Biloxi, MS 39530
Date: July 29, 2026

City of Biloxi Planning Commission
676 Dr. Martin Luther King, Jr.
Biloxi, MS 39530-3975

Attention: Felicia Serpas

Re: Case No. 26-040-PC

Dear Ms. Serpas:

Reference is made to your "To Whom It May Concern" letter dated July 23, 2026 regarding Case No. 26-040-PC and Parcel No. 1410-06-089.000.

This is to advise the members of the Biloxi Planning Commission, Mayor Andrew "FoFo" Gilich and Ward 1 Councilman Wayne Gray, that I am totally against the re-zoning of my property.

I am an eighty-five year-old widow who has lived on my property for sixty-five years. I am unable to attend the Planning Commission meeting scheduled for August 6, 2026 because of my physical medical condition.

Thank you for your attention in this matter.

Sincerely,

Anita T. Ferrill

ANITA T. FERRILL

Exclude Parcel from Rezoning

RECEIVED
JUL 30 2026
BY: JGill
hand delivered

Caryle Lena

From: Janet Strangi <jstrangimd@yahoo.com>
Sent: Wednesday, August 12, 2026 9:41 AM
To: Planning
Cc: Caryle Lena
Subject: Request to Remove Parcel #1410L-05-020.000 from the Comprehensive Zoning Map Amendment.

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Good Morning, I am requesting that my property at 996 Beach Blvd. in Biloxi, MS be removed from the proposed Comprehensive Zoning Map Amendment authorizing a change in the zoning classifications. Parcel #1410L-05-020.000 is located in the West Central Historic District of Biloxi. I thank you in advance for this consideration of removal from the list of the 593 properties, letter dated July 23, 2026, and following advisement to request removal via the Planning Commission at the August 6, 2026 meeting. Respectfully submitted, Janet Strangi MD

Remove Parcel from Rezoning

RECEIVED
AUG 12 2026
BY: C Lena

Felicia Serpas

From: Robert Gonzalez <RGonzalez@wmcarey.edu>
Sent: Wednesday, August 12, 2026 12:16 PM
To: Wayne Gray; Planning
Subject: RS-7.5 Zoned to CB Zone | Morrison Ave.

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Wayne and Jerry, et al.

I am emailing regarding the proposed zoning change. I was at the meeting last week and listened to the voices. However, inside that chamber was not full of people against the proposal. I live at 123 Morrison Ave. in the historical neighborhood. It is absolutely not a consensus of us against this change - I myself am 100% supportive of the initiative and would like to share why with some context of where I am coming from. I am not asking for discussion or an email thread, but I would appreciate a simple "email received" response to assure it made it to the right people.

1. My family moved to Columbus, MS when I was three years old in 1990. At that time, it was per capita the wealthiest city in the state and had per capita the most millionaires of any city in the US. They have and still have some of the most majestic antebellum and historical homes in the country. However, these amazing homes hold little value. The city blocked development in the 1980s around them. What happened? Most homeowners are happy for the moment thinking this will help property values. It failed. The lack of city development destroyed the community, and it is a shell of itself from what it once was. And due lack of development, there is no desire now to purchase the homes in the first place that they were trying to protect.
2. Prior to moving to the coast, I lived in Oxford. This town also has many great historical homes. Curiously, many of them are right in a thriving business downtown area or just off the UM campus. There is absolutely no reason that with appropriate planning you cannot maintain the historical feel while developing around it. Oxford has boomed over the past 30 years. I have had multiple properties of mine double in value in just the past several years.
3. Fundamentally, there is no reason for this not to push forward. It is nonsense to suggest this will hurt anything or anyone. I believe the homeowners who voiced out against last week are an unfair representation of the population. Because meetings occur during the workday, the attendees were much older than the general population and not representative as a whole. If left unchanged, what happened to Columbus in the 1980s-1990s, leading to what it is now will occur to some extent. While the casino revenue allows the city of Biloxi to skirt against major disaster, it can still be better. I don't like the fact that I have to go to Ocean Springs to do a lot of things like nice shopping, dining, etc. downtown: I want that here. When I was a kid, coming to Biloxi was the crown jewel of the coast. I had never heard of Ocean Springs and now see it has surpassed Biloxi in a lot of ways - this proposal can change that, and I urge the committee to vote YES to rezoning.

Robert P. Gonzalez

Head Men's & Women's Swim Coach
SUN Conference 2025 Men's Coach of the Year
Phone: 662-574-9010 | Office: Gym Annex
William Carey University | 710 William Carey Pkwy, Hattiesburg, MS 39401

RECEIVED
AUG 12 2026
BY: F Serpas

in favor of

Felicia Serpas

RECEIVED
SEP 14 2026
BY: Email

From: Anh Campbell <anhng17@earthlink.net>
Sent: Monday, September 14, 2026 8:44 AM
To: Planning
Subject: RE: Request to Exclude Property from Proposed Zoning Change

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Anh Campbell
2803 Garcitas Creek
Richmond, TX 77406
Email: anhng17@earthlink.net
Mobile: 832-646-4419

September 14, 2026

Biloxi Zoning Department
Community Development Building. 676 Dr Martin Luther King Jr. Biloxi, MS 39530

RE: Request to Exclude Property from Proposed Zoning Change

Property Address: 304 Oak Street, Biloxi, MS 39530
Parcel Number: 1410H-01-057.000

Dear Zoning Department,

I am the property owner of the parcel located at **304 Oak Street, Biloxi, MS 39530**, Parcel Number **1410H-01-057.000**.

I am writing to formally request that my property be **excluded from the proposed zoning change** affecting this area. I do not wish for the zoning designation of my parcel to be changed as part of the proposed rezoning.

Please consider this letter my written request to opt out of the proposed zoning change and to maintain the current zoning designation for my property.

I respectfully ask that you confirm receipt of this request and that my property will be excluded from the zoning change. Please contact me by email or phone if any additional information or documentation is required.

Thank you for your time and consideration.

Sincerely,

Anh Campbell
Property Owner
304 Oak Street
Biloxi, MS 39530

Felicia Serpas

RECEIVED
AUG 1 2 2026
F. Serpas
Opposition

From: Dewey Mason <dbmason0@gmail.com>
Sent: Thursday, August 13, 2026 3:32 PM
To: Planning
Cc: Wayne Gray; Jerry Creel
Subject: Fwd: Opposition to Proposed Rezoning to Community Business Case No. 26-040-PC

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

During today's workshop a statement was made that the city has not heard from resident's whose properties are impacted by the rezoning. Please see my email below addressing opposition and concerns.
Sent from my iPhone

Begin forwarded message:

From: Dewey Mason <dbmason0@gmail.com>
Date: August 4, 2026 at 3:35:51 PM CDT
To: jcreel@biloxi.ms.us, wgray@biloxi.ms.us
Subject: Opposition to Proposed Rezoning to Community Business Case No. 26-040-PC

I am writing to oppose the proposed rezoning of residential properties in Ward One from RS-5 and RM-10 to CB Community Business.

My family lives in this historic residential area. We have two small children, ages 3 and 5, and the proposed rezoning is located near our Catholic elementary school. We support responsible economic development, but this particular rezoning is too broad and too incompatible with the existing neighborhood.

Community Business zoning could allow uses such as convenience stores with gas pumps, liquor stores, tattoo shops, auto sales, auto parts, auto repair, check cashing or title loan businesses, and other commercial uses that do not belong next to homes and/or near an elementary school. These uses would bring increased traffic, noise, fumes, lighting, late-hour activity, pedestrian safety risks, and environmental impacts into one of the few remaining historic residential neighborhoods in this area.

Even if some property owners can exempt their own property, they cannot protect their families from incompatible uses on neighboring parcels. A homeowner could still end up living next to a gas station, liquor store, auto-related business, or other high-intensity commercial use. That is not compatible with a stable residential neighborhood or a school environment.

Finally, this proposal threatens the historic residential character of the area. Historic neighborhoods are difficult to rebuild once they are eroded. Rezoning residential

homes to a broad commercial category risks disinvestment in surrounding residential properties, encourages speculative acquisition, and sends the message that the city no longer intends to preserve this neighborhood as a place for families to live. That outcome is inconsistent with the purpose of protecting residential areas, preserving community character, and avoiding incompatible nonresidential development.

I respectfully ask the City to deny the proposed rezoning in Case No. 26-040-PC. Please preserve the residential zoning, protect nearby children and families, and maintain the historic character of this neighborhood

Dewey Mason

Email: anhng17@earthlink.net
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BILOXI PLANNING COMMISSION MEETING

AUGUST 20, 2026

COMMUNITY DEVELOPMENT,

DR. MARTIN LUTHER KING JR. MUNICIPAL BUILDING,

676 DR. MARTIN LUTHER KING JR. BOULEVARD,

BILOXI, MISSISSIPPI,

BEGINNING AT 2:05 P.M.

PLANNING COMMISSION MEMBERS PRESENT:

Charlie Dellenger, Chairman
Kyle Carron
Dr. Larry Drawdy
Harry Joachim
Joe King
Gary Lechner
Debora Magee
August Parker
Jimmy Poulos
John Snow
David Stanovich
Michael Todaro

ALSO PRESENT:

Jerry Creel, Director of Community Development
Caryle Lena, Planner I
Wayne Gray, Councilman Ward 1
Dr. Paul Tisdale, Councilman Ward 5

REPORTED BY

Melissa Burdine-Rodolfich
Simpson Burdine & Migues

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

CONTINUED PUBLIC HEARING(S):	PAGE:
26-040-PC	5
NEW PUBLIC HEARING(S):	
26-043-PC	96
TREE HEARINGS:	
(None)	--

CHAIRMAN DELLENGER:

It's a little bit after 2:00, so we'll go ahead and get the meeting started for the Planning Commission.

We'll record the members present: Mr. Lechner, Mr. Parker, Mr. Todaro, Ms. Magee, Mr. Stanovich, Mr. Joachim, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow, Mr. Poulos and myself, Mr. Dellenger.

And we have Caryle Lena, Planner; Jerry Creel, Director of Community Development. We have Wayne Gray, Councilman for Ward 1, and Dr. Paul Tisdale, Councilman for Ward 5. And we have Melissa, court reporter today, Rodolfich.

Mr. Parker, would you mind leading us in a prayer today, please?

(Moment of prayer.)

CHAIRMAN DELLENGER:

Please stand for the Pledge.

Mr. Poulos, would you lead us in the Pledge?

(Pledge of Allegiance.)

CHAIRMAN DELLENGER:

I'd like to welcome everyone here today to the Planning Commission. I'd like to note, if you could, please silence your cell phones. And

if you come to the podium to speak, please state your name and address for the record and sign in the book.

And if we could -- if everyone has had a moment to review the Planning Commission minutes from the last meeting, if we could have a motion to approve.

MR. POULOS:

So moved.

MS. MAGEE:

Second.

CHAIRMAN DELLENGER:

Moved by Mr. Poulos; second by Ms. Magee.

All those in favor, please state by saying "aye."

(Unanimous vote.)

CHAIRMAN DELLENGER:

Any opposed?

(None opposed.)

CHAIRMAN DELLENGER:

Motion carries.

Committee reports, do we have any committee reports, Jerry?

MR. CREEL:

Yes, sir. Mr. Chairman and members of the Commission, if it's all right with you all, I will hold the department report until the next meeting right after this one.

CHAIRMAN DELLENGER:

Okay.

We have one continued public hearing, which is Number 2026-40-PC, City of Biloxi, a comprehensive zoning map amendment charged by the City of Biloxi Administration to the Planning Commission to consider changing 594 parcels currently zoned RS-5, RS-7.5, RM-10, RM-20, RM-30 and LB, NB, CB and I.

If approved, these parcels will be rezoned to RM-30, CB, Community Business, and WF, Waterfront. These specific parcels are located throughout Ward 1. And there is a lot of parcels to be listed. I won't read them all, obviously, and we've actually broken those into 10 maps to go over today. These were advertised on July 17th, July 24th and July 31st.

I guess we don't have a video on this.

MR. JOACHIM:

Mr. Chairman, as we have this broken down by maps, in other words, sections of the

city, I will recuse myself from discussion and voting on Map 7.

CHAIRMAN DELLENGER:

Thank you.

MR. JOACHIM:

Thank you.

CHAIRMAN DELLENGER:

Since we've had this and have gone over these before the last meeting, this is a continued hearing, I would like to ask if there is anyone in the audience that wants to speak in favor of any of the maps that are in front of us to go over?

Anyone in favor of these zoning changes?

(No response.)

CHAIRMAN DELLENGER:

Okay. Is there anyone in opposition of any of the maps going before us today?

Please come up and state your name and address for the record.

MS. MASON:

All right. My name is Dewey Mason, and I live at 1022 Beach Boulevard between Hopkins Boulevard and Porter Avenue.

My family and I respectfully oppose the proposed rezoning from RM-10 to RM-20 or as

Community Business for Map 7.

When our family built our home, we made a significant investment based on the understanding that this area would remain primarily residential. RM-20 or Community Business could allow much greater density on nearby lots and fundamentally change the character of this neighborhood. The expectations of families who rebuilt and reinvested here should matter in the planning decision.

My greatest concern is the two-acre parcel beside our home and that's adjacent to the elementary school my children attend. Under Community Business or RM-20, that parcel could potentially support up to 40 units. What effect would that have on traffic and student safety? What protections have you provided for children? Has the City completed a safety assessment for high-density development next to an elementary school? Currently, the school closes their gates because pedestrians use that property as a cut-through.

Another point that I wanted to bring up is traffic is already difficult for drivers coming from the I-110 loop. Before increasing density,

has the City completed a traffic impact study? What controls, turn lanes, signals or pedestrian improvements would be required? Could an existing home or yard later be affected by a deceleration lane or road expansion? These questions should be answered before the zoning is changed.

Also, I would like to note removing one property is not a solution. I did not ask to remove only my property from the rezoning area because the issue is the neighborhood as a whole. Keeping one parcel RM-10 does not protect a family if the surrounding properties become high-density, multi-family developments or community business.

The traffic, noise, safety concerns and change in neighborhood character do not stop at a property line. If those impacts eventually make my family feel, well, we must sell, who would buy a single-family residential home in between that? This is why the decision should be evaluated from the perspective of the neighborhood as a whole, not on whether individual homeowners are willing to carve themselves out of the rezoning map.

Also, I would like to suggest a better alternative to this area for Map 7. I have heard the days of homes along Highway 90 is over, but if

you go to Gulfport -- but Gulfport has beachfront homes that have been rebuilt. Biloxi already considers incentives for commercial investment. I ask the City to consider similar incentives for single-family and residential redevelopment instead of assuming community business, higher density is the only path forward.

I respectfully ask the Planning Commission to consider not just the development potential of these properties but the families who already call this area home.

We rebuilt, reinvested and committed to Biloxi because we believed in this neighborhood and its future as a residential community.

Please deny the rezoning request for Map 7 or, at a minimum, delay it until comprehensive reviews of school safety, traffic, infrastructure and neighborhood compatibility are completed.

Once high-density development or community business occurs, the decision cannot easily be undone. Please protect the families who already live, invest and raise their children here.

CHAIRMAN DELLENGER:

Thank you, Ms. Mason.

Is there anyone else to speak in opposition?

MR. BRASHIER:

Good afternoon. My name is Jim Brashier. I own property at 1302 Beach Boulevard.

My property is not directly affected by the zoning change, but, regardless, to Map 7, I'm in opposition to the change to CB or RM-20.

I would ask the Commission to consider what the Comprehensive Plan for Biloxi states, is that the neighborhood, residential area is supposed to be a transition period -- between high-density and commercial property.

I think zoning to RM-20 would allow too high of a density and apartment complexes in a residential neighborhood. And I would ask y'all to reconsider this proposal or put it back to do the proper studies before y'all make the decision. And I'll leave it at that. Thank you.

CHAIRMAN DELLENGER:

Thank you, Mr. Brashier.

Is there anyone else to speak in opposition?

MR. BURKE:

My name is Dennis Burke, and I live on Seal -- 139 Seal Avenue.

And last Thursday, y'all were schooled on all of the reasons why that property should stay or should not be commercialized from -- specifically, he said, between Porter and Hopkins.

The -- right, we don't own the beachfront properties, and we don't ever claim that we've owned the beachfront, but there are residents that do. There are residents that are opposed to it and you're going to have -- you have housing, housing, whatever, housing, you know.

To keep -- what I don't understand is even though you might look at the interstate that's coming off on the beach, that is the front porch of the City of Biloxi. And if we keep -- and people like to ride down that beach to see the homes that would be developed.

And like Dewey was saying, I don't understand why we don't give some incentives to the beachfront properties to create housing to -- individual housing.

Again, referencing Gulfport, there is lots of new housing going up on the beach in Gulfport. You say, well, the property is higher.

Maybe not in every spot.

So -- and as far as the neighborhoods, we can't keep -- the speed limit on Seal Avenue is 15 miles an hour, and the cars fly constantly. And then when you have something on -- you know, they'll turn up Benachi and Seal thinking they can get to wherever, and so traffic is an issue.

The school in the neighborhood, all those things need to be considered, I think, before you just carte blanche cover the beachfront with commercial and/or RM-20. It's entirely too many -- those lots might be -- they're narrow, so what are you going to have? Where are they going to park? They're going to have to be up.

Then you've got the oak trees. Then you've got the Historical Architectural Committee.

I just hope y'all do the right thing and leave it alone actually. Thank you.

CHAIRMAN DELLENGER:

Thank you, Mr. Burke.

Is there anyone else to speak in opposition?

MR. GRAHAM:

My name is Wayne Graham. I also own property on Seal Avenue.

CHAIRMAN DELLENGER:

Yes. Ms. Magee.

MR. CARRON:

Okay. Thank you.

DR. DRAWDY:

Could you repeat the motion once again, please?

CHAIRMAN DELLENGER:

The motion is to approve the map as presented to change these five lots or three lots now to CB zoning from RS-7.5.

So all those in favor, please raise your hand.

Mr. Parker, Ms. Magee, Mr. Joachim, Mr. Poulos.

All those against?

Mr. Lechner, Mr. Todaro, Mr. Stanovich, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow; myself, Mr. Dellenger.

That motion fails.

On to Map 10.

MS. LENA:

Oh, I thought we --

CHAIRMAN DELLENGER:

That's moved on. It failed.

MS. LENA:

Okay.

MR. CREEL:

On the last map -- this is the last one -- the main changes proposed here have to do with this RM-30 property that's located on McDonnell Avenue. This is Veterans over here. Here's McDonnell Avenue. This is north of the railroad tracks, and you've got some apartment complexes in there that have asked about opening the door for short-term rental, so this is the reason we're including it.

You've already got CB zoning right here next to Veterans Avenue. And, actually, we have a request for a zoning change -- it's south of the railroad tracks -- that's going to be coming to y'all at the next meeting to go to Waterfront zoning.

But they're requesting -- this would include the property here, right in here and up to and including this piece of NB at the top, which is -- right there it would end and then on this side, the LB property that's here in the pink or light purple area and then this apartment complex here. All of these zoning designations on here

indicate that those are apartments. They're all on the same pieces of property, so that's what's being proposed.

And then up here -- well, this is just showing that this is proposed to go to CB zoning. Same thing over here, from LB and RM-30 to CB. And down here, the same thing. That's what you're voting on.

CHAIRMAN DELLENGER:

So it's only the three sections, correct?

MR. CREEL:

This --

CHAIRMAN DELLENGER:

One, two and three, correct?

MR. CREEL:

-- and this right here all of arrows are pointing into those -- actually, two areas right there.

MS. LENA:

It's just multiple parcels.

CHAIRMAN DELLENGER:

So the development north isn't pointing to anything?

MR. CREEL:

No. This has an arrow on it. It's hard to see, but it's actually pointing down to this piece of property right here.

CHAIRMAN DELLENGER:

Okay.

MS. LENA:

I couldn't put any more call-outs on there.

CHAIRMAN DELLENGER:

No, that's fine. I just wasn't sure what that was referencing because I didn't see an arrow pointing to anything.

MR. CREEL:

We've had some of the individual tenants before come in and requested short-term rental in these apartment complexes, and they were turned down because -- for different reasons, you know. It wasn't the majority of the property owners or anything else, but now the homeowners association there has made that request and there's where that's coming from.

MR. CARRON:

Jerry, I know we've approved several short-term rentals in that -- I guess it's still called McDonnell --

MS. LENA:
McDonnell.
MR. CARRON:
-- Square Apartments.
MS. LENA:
They changed it. It's Coastal something.
MR. CARRON:
But those -- they set a limit on that, didn't they? They set a certain percentage on them?
MR. CREEL:
On conditional use. In RM-20 and RM-30, we have a limit of 75.
MR. CARRON:
Okay. Well, I mean, what I'm getting at is if we change it, it's going to be right -- they can make every one of those apartments a short-term rental?
MR. CREEL:
That's correct. As long as they meet the parking requirements and the other requirements of a conditional use, then, yes, that's true.
CHAIRMAN DELLENGER:

But did they ask for that?
MR. CREEL:
They did, yes. This came from the homeowners association.
CHAIRMAN DELLENGER:
That's what they're asking for?
MR. CREEL:
Yeah.
MR. STANOVICH:
Okay. Down there on that south portion, Jerry, you have a lot of duplexes going. No. Going the other way. No. Down.
MR. CREEL:
This way?
CHAIRMAN DELLENGER:
All the way down the railroad tracks.
MR. CREEL:
Here's the railroad tracks.
MR. STANOVICH:
Right here, Jerry.
MS. LENA:
We're touching those.
MR. STANOVICH:
There's a lot of duplexes coming off of that.

MS. LENA:
That's not part of it.
MR. STANOVICH:
I thought it was all in the blue.
MR. CARRON:
It's not. I thought so also.
MR. CREEL:
No. This property down here is zoned RM-30. This is zoned RM-30. This, from here to here, actually, up to here on that side on the west side of McDonnell --
MS. LENA:
All right. I'm trying to get that up, Jerry.
MR. CREEL:
And on the east side of McDonnell from here to here is what's being requested. So, essentially, the majority of it is the apartment complexes that are there or condos now. You know, they went to condos.
MR. STANOVICH:
Right. There's some low-income apartments -- are they included -- just south of Pass Road?
MR. CREEL:

Up here?
MS. LENA:
Is that that L-shape one, Jerry? That one that's two -- that's split zoned. Is that what you're talking about?
MR. STANOVICH:
That's included?
MR. CREEL:
Yes. That is included, yes.
MR. STANOVICH:
Well, when we change this, we're going from apartments to hotels.
They could be -- they would be able to rent by the day or by the night.
CHAIRMAN DELLENGER:
Assuming they meet the criteria to be able to do that, yes.
MS. LENA:
Right.
MR. CARRON:
I just kind of find it -- we denied putting a couple of apartments up on Rodenberg. We approved that. The City Council denied it. And now we're looking at going to another location and possibly making 40 or 50 short-term rentals

there. Like David said, we're turning these condos into a hotel or a motel.

MR. STANOVICH:

Were you contacted by the homeowners association and they wanted this change?

MR. CREEL:

Yes.

MR. STANOVICH:

They did?

MR. CREEL:

Yes, they did.

MS. LENA:

I just spoke to her again today.

MR. TODARO:

I remember the homeowners, like Mr. Carron reminded us, they said that they would prefer a percent of the units be allowed to have short-term but not the entire. That was the proposal early on.

MR. CREEL:

Yes. Back then. That's what happened. They only had a limited number they were asking for and these were out-of-town owners. But since then, we have gotten the whole homeowners association that have asked that this be changed.

MR. TODARO:

We talked about this before. They've really done a good job of cleaning up this area and making it a great improvement. The City is proud of it. By moving it up to commercial, would we be discouraging that or encouraging the continuing of improvement?

MR. CREEL:

Well, in going to short-term rental, we've had --

MR. TODARO:

The commercial is going to allow the short-term, but it's also going to allow other things. That's -- would we be doing anything to move back -- to step backwards by approving this as commercial other than allowing short-term?

MR. CREEL:

I don't think you would be stepping backwards. I think that their intent -- they put a lot of money into this place, and short-term rental would actually help them generate money to maintain it at a higher level. We've heard that from short-term rental operators that have come in here before.

MR. TODARO:

I understand that. How about the other things allowed -- that's going to be approved in the CB zoning?

MR. PARKER:

They'd have to tear the apartments down to do it.

MR. CREEL:

Yeah. The zoning -- if you approve the CB, then anything that's allowed in CB zoning could be built there, you know.

MR. TODARO:

I got you. But it's strictly limited to these apartments because that's just these three little --

MR. CARRON:

No, it's not.

MR. CREEL:

Yeah. It's -- the apartments are here. The apartments are here. Then you've got -- these are apartments here and then this is the duplexes that David was talking about.

MR. TODARO:

It's already commercial.

MR. CREEL:

They're already being used for

multi-family right now.

MR. CARRON:

I think you need to take a drive down McDonnell Avenue and look at some of those.

Let me go backwards a little bit here. What Mike was talking about was the McDonnell Square Apartments. I think they would keep things up, but -- and if you go down the street and look at some of those other apartments that are down there --

MR. TODARO:

Further north?

MR. CARRON:

-- further north, I don't know if we would get the same clientele.

MR. CREEL:

Again, y'all can offer an amended motion to remove those or reduce those down to CB.

MR. STANOVICH:

Jerry, what about the building codes if we make this change?

MR. CREEL:

Well, any time that we go into structures, one of the good things about the apartments, I think a lot of those are already

sprinkled and that's one of the things that we would look for, you know.

The fire marshal and I have both taken the position that if you're going to change from apartments over to short-term rental, then you need to basically gut the place so that you can build it to hotel standards.

MR. CARRON:

Is it one of the requirements that the conduit -- I mean, that the electrical and all has to be in conduit?

MR. CREEL:

It is for new construction. It's not a requirement, but that's a position that me and the fire chief have taken is -- and a reason for that was -- is because we did not want residential apartments to come off of our inventory and be converted over to short-term rental.

Now, in this particular case, these are already condos. These have come before and got approval to go to condos, so this will be a little different than an apartment converting over.

MR. TODARO:

And, Jerry, they've actually been updating them as they go along. Have they moved

it up to commercial?

MR. CREEL:

To my knowledge, they have not put in MC cable like what Kyle is talking about, no.

MR. CARRON:

And another factor we need to look at is what kind of impact is this going to have on our hotel/motel people? I think they are concerned about the short-term rentals digging into their business. That's a pretty sizable impact there.

MR. STANOVICH:

Jerry, do you know how many units are there?

MR. CREEL:

On this side, on the west side, it looks like there is probably -- I don't know if each one of these -- it's hard to count the dots over there, but I would say there is probably over 100 units on that side for sure. And then on this side over here, it looks like there's probably, 50, 50-plus.

CHAIRMAN DELLENGER:

Kyle, my thought to that is that people that stay at VREOs or short-term rental places and not hotels is because they don't want to stay in a

hotel. That's why they look for alternatives because they don't want to stay in a hotel setting. You know, typically it just gives them an outlet to find that, if that's the case, I mean, where they can have a kitchen and all of that.

MR. CREEL:

Yeah. Our experience with that has been that short-term rental caters to families that all stay together in the same unit. Whereas, a hotel room is typically, you know, one part of the family goes in one room and another --

CHAIRMAN DELLENGER:

Correct. And you can cook a few nights a week if you want to do that instead of going out or whatever. I mean, you know, it's more of a pleasant stay than to come and go.

MR. STANOVICH:

Jerry, are those -- I'm guessing those units are between 40 and 50 years old and if they were built as residential, they're not going to have coaxial, is it?

MR. CREEL:

No. No, they're not because it wasn't required when they were built.

MR. STANOVICH:

And they're going to have to meet that standard to convert to short-term rentals?

MR. CREEL:

I can't point to the law and say that the law requires that, but that's the position that me and the chief have taken because the first -- the first apartment -- one of the first apartment complexes that came in was going to build as an apartment complex, and they got all the way up to the finish line and changed their mind and said, you know what, we want to do short-term rental here.

Well, we didn't have a lot of experience with short-term rental. That was really one of the first buildings that came in. So it came before the Planning Commission and City Council, and at that time we didn't know enough about it, you know, but it got approved.

An afterthought, wait a minute, we just let somebody change an apartment complex into a hotel without it having to be built to hotel standards. This could open up a whole can of you know what, you know, so we're going to have to take a stand here and say that if you want it to

be a hotel, you need to build it as a hotel. And we tell people that are doing multi-family that very thing.

CHAIRMAN DELLENGER:

Are they not grandfathered in since it's an existing structure?

MR. CREEL:

Well, you're grandfathered in unless you make a change. And in the case of being grandfathered in, it could be there from now till doomsday. But if they come in and propose a change, then the new standards kick in.

CHAIRMAN DELLENGER:

Okay. We still don't have a motion.

We've just had discussion, so if someone would like to make a motion on Map 10.

MR. PARKER:

What are we making a proposal for now?

CHAIRMAN DELLENGER:

Well, the motion is to change the zoning to CB for all of those.

MR. STANOVICH:

I don't have a problem changing it, if they want to go to short-term rentals, but I think most of us feel like they've got to meet the

commercial standards for short-term rental because, basically, we're converting them to a hotel.

Jerry, can that be included?

MR. CREEL:

I'm sorry?

MR. STANOVICH:

Can those standards be included?

MR. CREEL:

No. You can't put conditions on a zoning change. If you approve a zoning change -- y'all have heard -- we've talked about this before. Contract zoning is illegal. And if you say, well, we're going to give you this zoning change, but you're limited to this and this, you can't do that. It's just -- it's not allowed. Either you change the zoning or you don't change a zoning or you can --

MR. STANOVICH:

If we allow that structure to be a commercial use and it catches on fire, the City can be held liable because we didn't enforce our standards. I know that's --

MR. CREEL:

I don't think any more than if it caught

or fire now, you know. I mean, I went from apartments to condominiums and so --

MR. STANOVICH:

That's still not a commercial use.

MR. CREEL:

But we do -- one thing I will tell you, on any short-term rental, we go out and inspect it. The fire department goes out and inspects before we give them anything. And if there is something in there that needs to be corrected, we may make them correct it so they have to comply.

MR. TODARO:

So, Jerry, if we don't approve this, if we just leave it as is, it will continue -- and even though the homeowners want them all to be available for short-term, it will be like it was and they'll have to come individually and -- until the City's maximum is met?

MR. CREEL:

That's correct.

MR. TODARO:

And there would be a waiting list?

CHAIRMAN DELLENGER:

As a conditional use.

MR. CREEL:

Yes, sir. That's absolutely correct, yes.

MR. TODARO:

Okay. Well, I'm like -- I just -- I hate to just approve the whole thing and say, this is now a hotel.

MR. CARRON:

What kind of impact is it going to put on your department and the fire department as far as inspections and all that?

MR. CREEL:

It would depend on when they actually came to pull the licenses. I mean, we don't immediately go out there after the zoning is changed and start going through the building. But as people submit an application to license that individual unit -- and it would have to come from the individual unit owners to get a license in their name -- we would go out and we would do an inspection based on that.

MR. PARKER:

And they would have to be sprinkled and so forth like that, right?

MR. CREEL:

If they're not already sprinkled, we

would think they would have to be, yes, sir.
DR. DRAWDY:
And then they would also have to be upgraded to meet the new requirements?
MR. CREEL:
Yes, sir. That's the position we've taken.
MR. TODARO:
I move that Map 10 remain the same and not be approved with any changes.
CHAIRMAN DELLENGER:
We have a motion to keep Map 10 as is --
DR. DRAWDY:
I will second it.
CHAIRMAN DELLENGER:
-- with none of the proposed changes; second by Dr. Drawdy.
Any other discussion?
MR. CARRON:
I just want to bring up the point again. I think you really need to look at the neighborhood to the north and see what kind of impact you're going to have down there. Those are a totally different set of apartments compared to McDonnell Square Apartments.

CHAIRMAN DELLENGER:
Okay. Any other discussion?
(No response.)
CHAIRMAN DELLENGER:
Okay. Those in favor of the motion, please raise your hand.
Mr. Lechner, Mr. Todaro, Ms. Magee, Mr. Stanovich, Mr. Joachim, Dr. Drawdy, Mr. Poulos, and myself, Mr. Dellenger.
Those against?
MR. CREEL:
Wait a minute. Now, that was to leave the map the same.
MR. TODARO:
Right. No changes.
MS. LENA:
Not change it.
MR. TODARO:
No recommended changes.
MS. LENA:
So you're voting against that?
MR. CARRON:
Are we changing it?
MS. LENA:
No.

MR. CARRON:
I thought we were voting for it.
MR. TODARO:
No. I'm saying leave it as it is and not making the recommended changes.
MR. CREEL:
Can we vote again just so everybody is clear? Everybody clear about what you're voting on? You're voting to leave the map as is.
MR. TODARO:
Yeah. Not as recommended, not changing the zoning, but --
MR. CREEL:
Leave it as it is, is what you're voting for.
MS. LENA:
Denying the recommendation.
CHAIRMAN DELLENGER:
Okay. All those in favor of leaving the map as is with no changes, please raise your hand.
Mr. Lechner, Mr. Todaro, Ms. Magee, Mr. Stanovich, Mr. Joachim, Dr. Drawdy, Mr. Carron, Mr. King, Mr. Snow, Mr. Poulos; myself, Mr. Dellenger.
Any against?

(None against.)
CHAIRMAN DELLENGER:
Motion carries.
Okay. That's --
MS. LENA:
Mr. Parker, did you abstain?
MR. PARKER:
Abstain.
MS. LENA:
Abstained. Okay.
CHAIRMAN DELLENGER:
We have one new public hearing, which is Case Number 26-043-PC, Austin McMurphy, owner, and Beau Lebatard on behalf of Lebatard Architecture, which is a request for a conditional use approval to authorize the construction of a new commercial building to establish a dental clinic located within an LB, Limited Business zoning district for property identified as 420 Bertucci Boulevard. Tax Parcel Number 1110A-01-051.006. This case advertised on August 7th and August 14th. Could we have the video, please?
MS. LENA:
Hang on. That's looking north on Bertucci. That's Popps Ferry Road. That's