

**The Minutes of the City of Ocean Springs
Planning Commission
Tuesday, April 11, 2023**

1. Call Meeting to Order

A meeting of the City of Ocean Springs Planning Commission was called to order by Chairman Andy Phelan at 6:00 p.m. on Tuesday, April 11, 2023. Members present were Matthew Hinton, Kevin O'Connell, Marshall Johnson, Michael Davis, Joey Conwill, and Joseph McCormick. Also present were Carolyn Martin, Planning & Grants Administrator; Wade Morgan, City Planner; Will Norman, City Attorney; and Amanda Moser, Planning/Grants Coordinator.

2. Approval of Minutes

- a. March 14, 2023

A motion was made by M. Hinton seconded by K. O'Connell to recommend approval of the minutes as submitted. The motion was unanimously carried.

3. Old Business

4. New Business

- a. 322 Magnolia Avenue / PID# 61011107.000 - Vincent Burke - Requesting approval to construct a single-family home on a historically-platted, legal, non-conforming lot.

W. Morgan introduced the proposal. The parcel previously had a single-family dwelling that was demolished in 2020. Utilities are available. The lot width does not meet the minimum required by the Unified Development Code.

A. Phelan asked for confirmation that no variances were being requested. W. Morgan confirmed that to be correct.

A motion was made by K. O'Connell seconded by J. Conwill to recommend approval for the request to construct a dwelling on 322 Magnolia Avenue, a historically-platted, legal, non-conforming parcel. The motion was unanimously carried.

- b. Robinson Street / PID# 60119460.000 - Ben Cowart / COBO, LLC - Requesting approval to construct a single-family home on a historically-platted, legal, non-conforming lot.

W. Morgan introduced the proposal. The property is zoned R-D, Two-Family Residential and the lot is extremely small. It is currently vacant. No variances were requested and utilities are available.

Carol Jones, Groveland Road, asked if the lot is historically-platted, would a historic home be placed on the property. A. Phelan explained the verbiage of the application request.

A motion was made by J. Conwill seconded by M. Hinton to recommend approval of the request to construct a dwelling on Robinson Street on PID#60119460.000, a historically-platted, legal, non-conforming parcel. The motion was unanimously carried.

- c. **PUBLIC HEARING:** Groveland Road / PID# 60123040.000 - Donovan Scruggs - Requesting a rezoning from the R-2, Low-Medium Density, Single-Family Residential District to the R-3, Medium Density, Single-Family Residential District.

A motion was made by K. O'Connell seconded by M. Davis to go into public hearing. The motion was carried unanimously.

W. Morgan introduced the proposal. The parcel is the last undeveloped corner of Groveland Road and Deana Road. The rezoning will allow an approximate 33% decrease in lot size requirement. The current zoning district requirements are not consistent with what is already developed in the immediate area. It is also not consistent with the existing Comprehensive Plan.

A. Phelan noted two (2) letters in opposition received after the agenda packet was published.

A motion was made by M. Hinton seconded by K. O'Connell to accept the input into the minutes. The motion was unanimously carried.

Donovan Scruggs, applicant, addressed the commission. He agreed with Mr. Morgan's comments about the character of the surrounding area changing. He discussed surrounding zoning districts including C-H [Regional Commercial]. He added that while there is R-2 zoning in the area, the development is not consistent with the requirements of that district. He discussed surrounding developments' property values.

Lennie Zebley, 607 Ronda Lane, addressed the commission in opposition to the request. She enjoys the greenspace. She is also concerned about the Sand Hills cranes being affected/endangered.

Carol Jones, 4077 Groveland Road, addressed the commission in opposition to the request. She discussed wetlands in the area. She is concerned about the area's infrastructure not being able to accommodate any further development. She feels

developers always get what they want and the residents' concerns are never addressed.

C. Martin explained the Deana Road expansion project and what will be improved.

D. Scruggs addressed the comments made.

A motion was made by M. Hinton seconded by K. O'Connell to come out of public hearing. The motion was carried unanimously.

K. O'Connell expressed concern about the lack of public need to make the lot sizes smaller. A. Phelan disagreed and discussed the current trend with millennials and elderly wanting smaller lots. K. O'Connell added the education system's is becoming overloaded and the infrastructure is burdened. He agreed the area has progressed over time. However, he doesn't see the public need being met by smaller lots.

A motion was made by M. Davis seconded by M. Hinton to recommend approval of the rezoning of the R-2, Low-Medium Residential District to R-3, Medium Density Residential District of PID 60123040.000 the northwest corner of Groveland Avenue [Road] and Deana [Road] due to the change in character of the neighborhood and justified in the rezone and public need. The motion carried with J. McCormick, M. Johnson, M. Davis, J. Conwill, and M. Hinton voting aye and K. O'Connell voting nay.

- d. **PUBLIC HEARING:** An ordinance amending the Comprehensive Zoning Ordinance of the City of Ocean Springs, Mississippi, being ordinance No. 13-1976, as amended, by revising Appendix D, Article V, Section 510 regarding Residential Short-term Rentals; and for related purposes.

A motion was made by M. Davis seconded by K. O'Connell to go into public hearing. The motion was carried unanimously.

C. Martin introduced the proposal. She proposed a draft ordinance discussing establishing a Short-term Rental Density Zone with a different cap than the rest of the city; clarifying the language of Local Property Manager to allow business entities as well as individuals; clarifying language related to covenants; and eliminating the cap requirement for residential short-term rentals within the Downtown Overlay District. The proposed caps would include 45 permits within the Short-term Rental Density Zone and a cap of 55 for the rest of the city limits. C. Martin also discussed fee increases effective immediately. Commercial short-term rentals will change from a \$50.00 application fee and \$25.00 renewal fee to \$100.00 for both and Residential short-term rentals will change from a \$200.00 application fee and \$50.00 renewal fee to \$500.00 for both.

Sarah Godsey, 808 Desoto Street, addressed the commission in opposition to the request. She discussed a lot of numbers being thrown around. She is very concerned with the lack of a cap in the Downtown Overlay District. She wants to see Ocean Springs promote people owning and renting and living here versus investors owning and renting to people not from here.

Lennie Zebley, 607 Ronda Lane, addressed the commission. She discussed the southern border of the United State being open. She discussed hotels and immigrants.

Sean Buckley, 100 Winchester Drive, addressed the commission in support of the request. His wife has a pending application for a residential short-term rental. He discussed being a resident of Texas and their vacation here to Ocean Springs caused them to buy a property and move here.

Donovan Scruggs, 317 Pine Drive, addressed the commission. He was under the impression that the public hearing requirement was being removed from the residential short-term rental permit process as well as the cap in the Downtown Overlay District. C. Martin explained only the cap was ever discussed. She confirmed all other rules would apply.

A motion was made by M. Hinton seconded by K. O'Connell to come out of public hearing. The motion was carried unanimously.

M. Hinton questioned the number of permits in the different areas now and what is being proposed. He feels the cap of 45 in the Short-term Rental Density Zone should be increased to 50 and the cap of 55 in the rest of the city should be increased to 65. J. Conwill agreed with M. Hinton's new proposal numbers. M. Davis agrees as well. He feels 45 and 50 are too low.

A motion was made by M. Hinton seconded by K. O'Connell to recommend approval of the modifications as presented except for the cap for the density zone and the overall city; the density cap of 50 and the city zone at 65 and reflected in the rest of the drafted ordinance. The motion was carried unanimously.

5. General Public Comment:

6. Commissioner's Forum

7. Adjourn

A motion was made by K. O'Connell seconded by M. Davis to adjourn the meeting. The motion was unanimously carried.