

**The Minutes of the City of Ocean Springs
Planning Commission
Monday, April 17, 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 17, 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.

A motion was made by M. Hinton seconded by M. Davis to go into closed session. The motion was unanimously carried.

A motion was made by M. Hinton seconded by K. O'Connell to go into Executive Session to discuss litigation and prospective litigation related to The Sands development.

A motion was made by M. Davis seconded by M. Johnson to go back into open session. The motion was carried unanimously. No action was taken.

A motion was made by K. O'Connell seconded by M. Johnson to accept two (2) letters of input into the minutes. The motion was carried unanimously.

2. Approval of Minutes

3. Old Business

4. New Business

- a. PUBLIC HEARING: An amendment to the Unified Development Code for the City of Ocean Springs, Mississippi; Amending the following sections and chapters: Chapter 2 (PROCESS), Sections 2.24 (CONCEPT PLAN), 2.25 (PRELIMINARY DEVELOPMENT PLAN), 2.26 (FINAL DEVELOPMENT PLAN) and 2.27 (SITE PLANS) to establish processes, requirements and criteria for Planned Unit Developments.

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

W. Morgan introduced the proposal. He explained in detail what a Planned Unit

Development (PUD) is. He discussed PUDs in detail, including open space, uses, lot sizes, and setbacks, etc. He discussed sections within the Unified Development Code (UDC) including the Conservation Subdivision and Density Bonus regulations. He added how the administrative process would work as well.

A. Phelan asked if the process would be similar to the current subdivision process. W. Morgan confirmed.

Robert Schwartz, 2355 Pass Rd., Biloxi, MS addressed the commission in representation of The Sands, LLC. He is in favor of the proposed PUD regulations and feels the general process would not be changed. However, it gives updated concepts to the city. Other municipalities have similar regulations that have proven to be successful.

Michael Butler, 715 Plantation Isle Blvd, Biloxi, MS 39532, stated he agrees with Mr. Schwartz' comments.

William Lee Guice III, 1000 Washington Avenue, addressed the commission in opposition to the proposal. He spoke of the proposals and their relation to his clients. He feels this PUD proposal and the next agenda item regarding a new R-6 district should be looked at together.

Mike Illanne, 303 Front Beach Drive, addressed the commission in opposition to the request. He feels the R1-A district is currently available and new districts are not necessary. He feels that PUDs have their place, but waterfront properties are not a place for them.

Scott Edwards, 409 Wulff Drive, addressed the commission to agree with Mr. Guice's and Mr. Illanne's comments.

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

A motion was made by J. Conwill seconded by K. O'Connell to recommend approval of the amendment to Chapter 2, Section 2.24 through 2.27 of the Unified Development Code to include provisions for Planned Unit Developments, for the reasons described in detail in the staff report. The motion was carried unanimously.

- b. PUBLIC HEARING: An amendment to the Unified Development Code for the city of Ocean Springs, Mississippi; amending the following chapter: Chapter 3 (ZONING DISTRICTS, BUILDING TYPES AND USES) to establish an R-6, Waterfront Residential Zoning District, and to amend other miscellaneous sections as necessary to incorporate the R-6 zoning district.

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

W. Morgan introduced the proposal. The purpose is to create smaller lots for infill development and is intended for water-front properties along the bay or bayou. The lots are proposed to be 2,000 sq. ft. in size with a minimum lot width of 20 ft. The setbacks are proposed to be 5 ft. in the front, rear, and both side yards.

A. Phelan discussed the small lot sizes and their relation to open space, roads, etc.

R. Schwartz, 2355 Pass Rd., Biloxi, MS, 39531, addressed the commission in favor of the proposal. He feels the new zoning classification would be good for the city.

Mike Butler agreed with Mr. Schwartz's comments.

William Lee Guice, III addressed the commission in opposition to the request. He feels his comments on the previous item apply to this proposal as well. He feels increased density will cause Ocean Springs to lose its charm. He discussed progress and the R-6 proposal not fitting the city's needs.

Mike Illanne, 303 Front Beach Drive, addressed the commission in opposition to the request. He discussed the culture of Ocean Springs and why he chose to build a home here. He added that he supports Mr. Guice's comments.

Scott Edwards, 409 Wulff Drive, addressed the commission in opposition to the request. He inquired what the definition of waterfront is. Mr. Morgan explained it is not defined in the ordinance because the proposed R-6 district does not require a development be on the waterfront. He feels the proposal doesn't follow what Ocean Springs is and what it will become.

Julia Illanne, 303 Front Beach Drive, stated she agrees with all the input regarding opposition.

Alex Gresham, 526 Cleveland Avenue, addressed the commission in opposition to the request, specifically on the proposed density.

Joanna Schavrien, 414 Martin Avenue, addressed the commission in opposition to the request. She is not against development in the city, but is against the proposal being discussed. She doesn't want Ocean Springs to turn into a vacation destination.

J. Illanne, 303 Front Beach Drive, addressed the commission. She questioned the need for the new density proposal. A. Phelan discussed the nationwide trend of millennials, etc. wanting smaller lots in "pocket communities." J. Illanne is against the "itty bitty" lots. W. Morgan further explained the need is to address regulations to address infill areas.

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

K. O'Connell discussed his support of the PUD proposal, but not for the R-6 proposal.

He is concerned with density.

J. McCormick asked if someone owning property on Highway 90 could rezone it to R-6. W. Morgan stated if they could show a public need, change in character of the neighborhood, etc., and added that it would need to be recommended by the Planning Commission and approved by the Board of Aldermen like any other rezoning request.

A motion was made by J. Conwill seconded by M. Davis to recommend approval of the following amendment and ordinance related to the creation of an R-6 Water-front Residential District in the Unified Development Code for the reasons described in detail in the staff report and making it more consistent by adding the 6. A. Phelan added to include dropping the 7 in the chart. The motion carried with M. Hinton, J. Conwill, and M. Davis voting aye, J. McCormick and M. Johnson voting nay, and K. O'Connell abstaining from the vote.

5. General Public Comment

6. Commissioner's Forum

7. Adjourn

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