

The Minutes of the City of Ocean Springs
Planning Commission
Tuesday, May 12, 2020

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, May 12, 2020. Members present in person were Matthew Hinton, L. Teno Henderson, Timothy Fink, and Joseph McCormick. Marshall Johnson and Denise Cuevas were present via a Zoom meeting. Also present were Carolyn Martin, Planning & Grants Administrator; Darrell Stringfellow, Building Official; Nicole Sullivan, City Attorney; and Amanda Moser, Planning & Grants Assistant. Wade Morgan was also present via a Zoom meeting.

2. Approval of Minutes

a) April 14, 2020

A motion was made by T. Fink seconded by M. Hinton to accept the minutes as submitted. The motion was carried via roll call vote.

3. Public Comment (Agenda Items Only) – None.

4. Old Business

5. New Business

a) 403 Jackson Avenue, PID# 61335011.025 – Andrew Cambre – Requesting to build on an historically-platted, legal, non-conforming lot.

W. Morgan introduced the proposal. The applicant's agent provided a survey of where the previous dwelling was located on the property prior to Hurricane Katrina in 2005. The property is zoned R1, Single-Family Residential. The lot is non-conforming in lot width and lot size. The plan proposes a 1.5 ft. encroachment into the side yard setback on the north side of the lot.

A motion was made by M. Hinton seconded by T. Fink to accept the submitted survey showing the previous dwelling into the minutes. The motion was carried via roll call vote.

A motion was made by M. Hinton seconded by T. Fink to recommend approval of the construction of a dwelling on a non-conforming lot. The motion was carried via roll call vote.

- b)** 2011 Government Street, PID# 60120100.000 – Henry Furr – Requesting approval for use of gravel (or similar material) to construct a parking lot on a commercial lot, with one ADA accessible space.

W. Morgan introduced the proposal. The existing lot consists of a small commercial structure and a small area of gravel parking. The request is to expand the gravel parking area to accommodate the proposed expansion of the commercial building.

M. Hinton asked what the intended use of the building will be. W. Morgan stated the applicant has not mentioned an intended use at this point. C. Martin added he suggested a low-traffic use such as a salon. M. Hinton pointed out there are several lots in the area that have gravel and several that have asphalt parking areas; he asked what the justification was for the Planning Dept.'s recommendation. C. Martin replied that an intended use of a low-traffic business was considered.

T. Fink asked if the parking lot were to be made an asphalt parking area in the future, would approval be needed from the Planning Commission. C. Martin replied that only gravel requires approval, asphalt is allowed by right.

D. Cuevas expressed concern regarding trees and using gravel/limestone in commercial areas.

A motion was made by D. Cuevas seconded by J. McCormick to recommend approval of the use of crushed limestone or gravel for a parking lot at 2011 Government Street. The motion was carried via roll call vote.

- c) PUBLIC HEARING:** 402 Porter Avenue, PID# 61460047.100 – Ted Condrey – Requesting a Conditional Use Permit (CUP) to allow two airstreams to the north section of the parcel to serve as short term rentals.

A motion was made by T. Fink seconded by M. Hinton to go into public hearing. The motion was carried via roll call vote.

W. Morgan introduced the proposal. The property is currently under construction with four short-term rental units. Part of the plan from the beginning was to incorporate two Air Stream travel trailers to also use as short term rentals. The Unified Development Code (UDC) states that the travel trailers could be incorporated into a CMX1 zoned parcel by removing the wheels, permanent utilities, and skirting to remove the appearance as a recreational vehicle. However, the travel trailers do not meet the 160 mph wind rating of the building code. The UDC and building code contradict one another.

C. Martin read input from the following individuals:

- Historic Ocean Springs Association signed by the president in support
- Mark LaSalle, LaSalle Consulting, in support
- Sarah Guice, interim director at the Mary C. O’Keefe Cultural Center, in support
- Fred Moran, Moran Realty Co., in support
- Milton Segarra, CEO Coastal Mississippi, in support
- Kait Sukiennik, owner of Greenhouse on Porter, in support
- Julian Rankin, Director WAMA, in support
- Clay Williams, 215 Ashley Place, in support
- Hank Zuber, MS House Representative, in support

Ted Condrey, 404 Cleveland Avenue, applicant, addressed the commission regarding his project.

D. Stringfellow, Building Official, addressed the commission regarding his wind and flood concerns regarding the city’s code and also setting a precedent for future projects conflicting with the city’s code.

A. Phelan asked the building official to expand on the fire issues with the state code.

M. Hinton asked the building official if a suppression or sprinkler system would be required like in marine use. D. Stringfellow said he would have to look into it.

J. McCormick asked the applicant to explain the plumbing connection plans. The applicant explained the original plan was to be plumbed like a mobile home. Because they may need to be removed for safety reasons, the disconnect would be set up like an RV connection.

A. Phelan expressed concern of the Air Streams being on a main road. He discussed Sections 6.2.3 and 6.7.4 that address travel trailers not being allowed in the front yard of a parcel and Section 7.2, definitions, states that recreational vehicles do not count as habitable structures and that dwellings do not include travel trailers.

L. Teno Henderson articulated his unease with travel trailers being on Porter Avenue.

A motion was made by M. Hinton seconded by J. McCormick to come out of public hearing. The motion was carried with J. McCormick, D. Cuevas, M. Johnson, T. Fink, and M. Hinton voting aye and L. Teno Henderson voting nay.

A motion was made by J. McCormick seconded by T. Fink to recommend deferring the item to the next meeting. The motion was carried via roll call vote.

d) PUBLIC HEARING: An amendment to the Unified Development Code for the City of Ocean Springs, Mississippi amending the following sections related to Tree Protection: Chapter 1, Section 1.18 – Tree Protection Committee; Chapter 2, Section 2.28 – Tree Preservation Plan; and Chapter 4, Section 4.12 – Location, Maintenance, and Removal of Trees

A motion was made by M. Hinton seconded by D. Cuevas to go into public hearing. The motion was carried via roll call vote.

N. Sullivan introduced the proposal. The Board of Aldermen requested she look into options of addressing changes to the Tree Protection Committee. She gave them approximately four options. They chose to have the Planning Commission discuss and consider changing the Tree Protection Committee to the Tree Protection Department which would consist of the Building Official or his designee.

C. Martin read aloud the input of Norma Herrington, 503 Front Beach Drive, in opposition of removing Ocean Springs citizens from the committee.

C. Martin read aloud the input of Julie Illanne, 303 Front Beach Drive, in opposition of disbanding the Tree Protection Committee.

D. Cuevas expressed concern with the decision of trimming and removing trees resting on the building department alone. C. Martin explained that the review process isn't being removed or changed, only the individual(s) completing the review with the Board of Aldermen ultimately having the final approval/denial.

M. Johnson suggested a member of a city commission/committee being on the Tree Protection Department to ensure checks and balances. D. Cuevas and M. Hinton agreed with his suggestion.

A motion was made by T. Fink seconded by J. McCormick to come out of public hearing. The motion was carried via roll call vote.

A motion was made by M. Hinton seconded by D. Cuevas to recommend approval of the amendments as reflected in the attached ordinance, Chapter 1, Section 1.18 to the Tree Committee; Chapter 2, Section 2.28 of the Tree Preservation Plan; and Chapter 4, Section 4.12 located in the Maintenance and Removal of Trees of the Unified Development Code with a caveat

D. Cuevas asked the motion reflect "commission" to be someone from the Planning Commission. M. Hinton clarified that he did not specify the Planning Commission, and that a member from any city commission would suffice for total transparency.

N. Sullivan suggested added "for transparency" to the motion.

A. Phelan reiterated recommend approval as presented accept adding that a volunteer citizen/commissioner from one of the existing boards or commissions or committees would sit to assist the building department in review.

The motion was carried via roll call vote.

6. General Public Comment

7. Commissioner's Forum

8. Adjourn

A motion was made by T. Fink seconded by J. McCormick to adjourn the meeting. The motion was carried via roll call vote.