

**MINUTES OF JANUARY 10, 2008**  
**LONG BEACH PLANNING COMMISSION**

Be it remembered that a recess meeting of the Long Beach Planning Commission was begun and held at the Long Beach School District Central Office, 19148 Commission Road, Long Beach, Mississippi and the same being the time and place fixed for holding said meeting.

There were present and in attendance on said Commission and at the meeting the following named persons: Commission Chairman Frank Olaivar, Commissioners Joseph Sweetapple, Jacqui Lipski, Tony Vancourt, Tonda Yandell, Roderick Rishel, Dale Hare, Planning Commission Advisor Bill Hessel, Building Code Official Earl Levens, and Minute Clerk Veronica Howard.

Commissioners David Serrato and William Owen were absent the meeting.

There being a quorum present sufficient to transact the business of this recessed meeting the following proceedings were had and done.

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The Commission Chairman stated that all decisions made at this meeting would have to be ratified by the Mayor and Board of Aldermen at their next regularly scheduled meeting of January 15, 2008, and subject to a ten-day appeal time for a Public Hearing.

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Commissioner Yandell made motion seconded by Commissioner Vancourt and unanimously carried to suspend the rules and place the Preliminary Plat approval of Charlestown Subdivision, a PUD, as the first order of business.

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**MINUTES OF JANUARY 10, 2008**  
**LONG BEACH PLANNING COMMISSION**

Commissioner Vancourt made motion seconded by Commissioner Hare and unanimously carried to approve the Planning Commission minutes of December 13, 2007 Regular scheduled meeting, as submitted.

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Commissioner Vancourt made motion seconded by Commissioner Sweetapple and unanimously carried to approve the Planning Commission minutes of December 20, 2007 Recessed meeting, as submitted.

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Commissioner Vancourt made motion seconded by Commissioner Yandell and unanimously carried to approve the Planning Commission minutes of December 20, 2007 Executive Session, as submitted.

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The first item of business was Preliminary Plat approval for Charlestown Subdivision, a PUD, as follows:

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LONG BEACH PLANNING COMMISSION**

CITY OF LONG BEACH, MISSISSIPPI  
P.O. BOX 929  
201 JEFF DAVIS AVENUE  
TELEPHONE 228-863-1554  
FAX 228-865-0822  
rcsmith@centralonbeach.com

**APPLICATION FOR CASE REVIEW**

- I. TYPE OF CASE REQUEST
- A.  Zoning Change
  - B.  Planning Commission Approval - PRELIMINARY PLAT APPROVAL
  - C.  Special Exception Use
  - D.  Variance Request
  - E.  Change in Use
  - F.  A Decision of the Building Official is Alleged to be in Error
  - G.  Interpretation of the Zoning Ordinance
  - H.  Home Occupation (attach copy of Deed or lease)

II. Property Location: Commission Rd  
House number and street name

III. Statement clearly explaining the request being made for case review. (Attach supplemental pages if necessary.)

IV. Legal Description of Land Involved. (Complete either A or B below.)

A. If in a subdivision: CHARLESTOWNE  
Subdivision Name

B. If Metes and Bounds: Attach a Legal Description

V. Names and Addresses of all Property Owners within 200 feet of subject land. (If bounded by street or alley, give names and mailing addresses of property already across from the Subject Street or alley.) This information is necessary only if a Public Hearing is required.

VI. Fees: Attach a check in the amount appropriated for applicable request. This check is to be made payable to the City of Long Beach to cover administrative costs. You will also be responsible for actual costs, such as advertising and mailing incurred with the processing of your application.

VII. Ownership: I, the undersigned, do hereby agree to all the rules and regulations as set forth in the Long Beach Zoning Ordinance and also agree to pay all fees and charges as stated.

<u>Charleston LLC</u>		<u>Jim Kelley</u>		<u>751 Aviation Dr</u>	
Name of Owner(s)		Mailing Address			
<u>Ridgeland MS</u>	<u>39157</u>	<u>6019417936</u>			
City	State	Zip	Telephone (H)	Office	
<u>JKelley</u>			<u>12/19/07</u>	<u>\$ 400.00</u>	
Signature of Owner(s)		Date		Fee	

NOTATION: The following attachments must be submitted with application, if applicable:

- A. Please attach a site plan showing the land area which would be affected, easements bounding and intersecting the designated area, the location of existing and proposed structures, off-street parking and other supporting open facilities and the ground area to be provided and continuously maintained for the proposed structure or structures.
- B. Please attach a development schedule indicating the time schedule for the beginning and completion of development planned in the area. If the development is planned in stages, the time schedule shall indicate the successive stages and the development planned for each stage. (FOR REZONING ONLY)
- C. The setback requirement for all signs is measured from the leading edge of the sign or the portion of the sign close to the property line. If requesting a variance from the setback requirements for a sign, also indicate the elevation and size of the proposed sign.
- D. Applicant should appear personally or through his/her agent at the scheduled hearing.
- E. Claims of support or "no objection" from owner(s) of adjoining property should be substantiated in writing or by the appearance of such owner(s) at the hearing. Such support is usually considered material but not conclusive.



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LONG BEACH PLANNING COMMISSION

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
FIRST JUDICIAL DISTRICT

BOOK 1474 PAGE 227

WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, I, LOWELL J. COLESON, do hereby sell, convey and warrant unto KEITH G. BOURGEOIS and KAREN BOURGEOIS, the following described real property situated in Harrison County, Mississippi, described as:

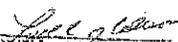
The West 195.7 feet of the SE 1/4 of the SE 1/4 of Section 2, Township 8 South, Range 12 West, less 1/4 of the right-of-way of Commission Road, Harrison County, First Judicial District, Mississippi.

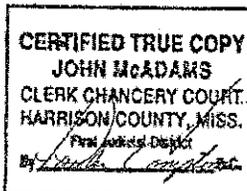
The above described property is conveyed subject to restrictions, reservations and easements of record.

It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and that when said taxes are actually determined, if the proration as of this date is incorrect, the parties herein agree to pay on a basis of an actual proration. All subsequent years taxes are specifically assumed by the Grantees herein.

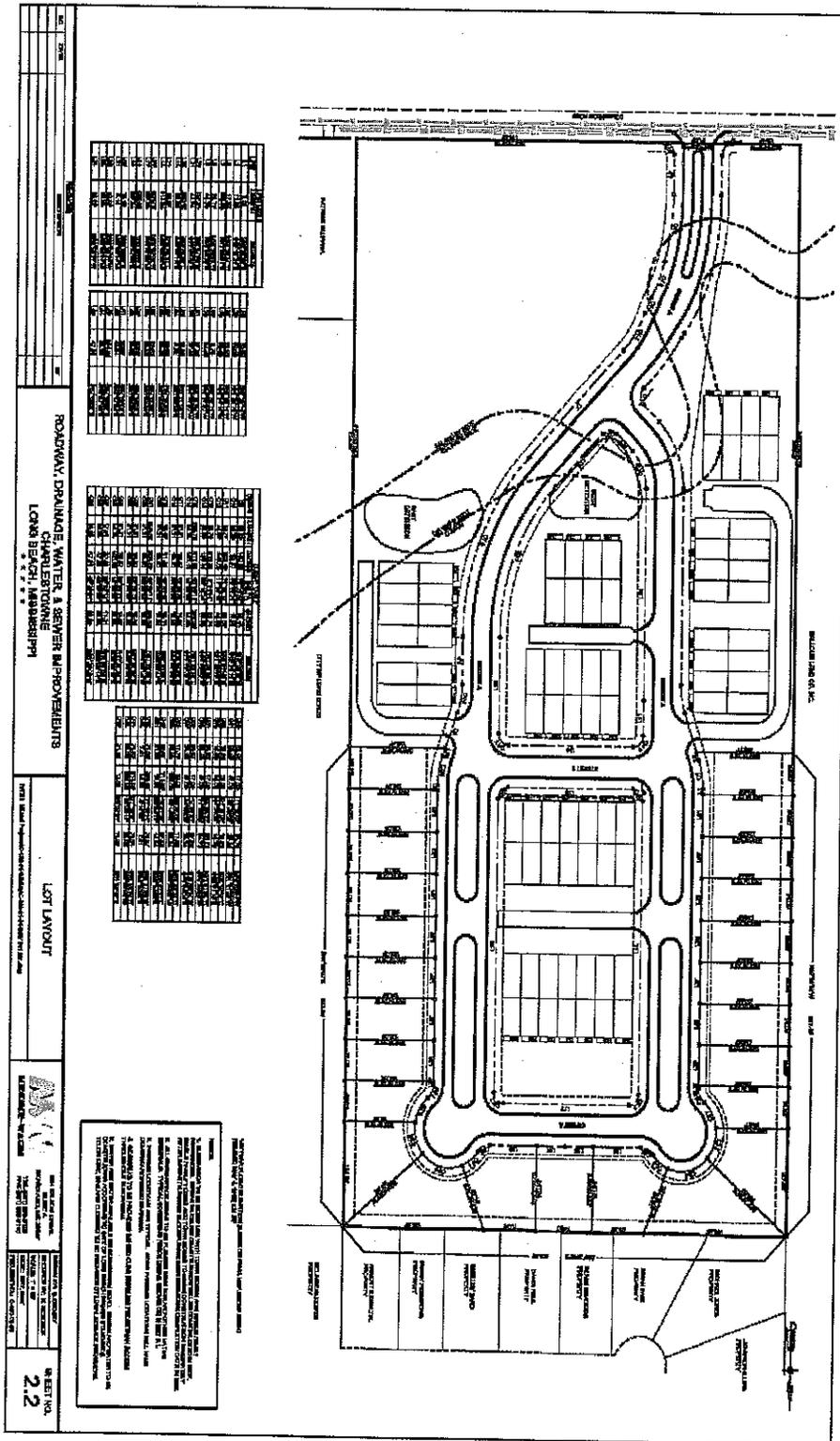
The above described property forms no part of the homestead of the Grantor herein.

WITNESS my signature this 17<sup>th</sup> day of November, 1999.

  
\_\_\_\_\_  
LOWELL J. COLESON



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MINUTES OF JANUARY 10, 2008  
LONG BEACH PLANNING COMMISSION



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

320 33<sup>rd</sup> STREET, GULFBORO, MS 39507  
P.O. BOX 477, GULFBORO, MS 39502

TEL (228) 863-0667  
FAX (228) 863-5222



January 8, 2008

City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

RE: Charlestowne Development

Gentlemen:

We are in receipt of the construction plans for the referenced development, a PUD adjacent to Commission Road, just west of Klondyke Road. After review of the construction documents with Public Works, we have the following comments:

Sheet 2.1

1. The City requires RCP (reinforced concrete pipe) or HDPE (high-density polyethylene pipe) for all subdivisions. However, because this is a private development to be maintained privately, we see no reason to disallow CPP (Corrugated Polyurthane Pipe).
2. The City normally requires proof-rolling of the sub-grade and sub-base during road construction, in the presence of the Engineer. Although this is a private development, we suggest adding a requirement of this nature.

Sheet 2.4

3. The City requires a minimum radius of 25 feet at connections to public streets.
4. The medians appear to extend too far towards the cul-de-sac to allow easy traffic flow, especially for large vehicles.
5. The cul-de-sacs should be 40 feet in diameter to allow access for emergency vehicles.

Sheet 3.1

6. At the outfall point, the existing ditch should be well protected against erosion by extending the rip-rap apron across the ditch bank or even by angling the outfall into the ditch to allow better hydraulics.
7. We highly suggest requiring a drainage basin at every change of grade or culvert material type. The plans now indicate concrete collars when changing material type.
8. Because of the very heavy loads experienced during the construction of the buildings, the developer should consider requiring construction matting or some other way to bridge over the 30" plastic pipe along the road.

Sheet 4.1

9. Aligning the water main around the cul-de-sacs as shown, without the use of fittings, could lead to main breaks and high stress on the water mains. Fittings should be required to route the water main correctly.
10. The water main through the development should be looped back to the City-owned water well on Klondyke Road at the Central Fire Station, just east of this development. This will prevent any problems with dirty water due to dead-end water mains. The engineer should coordinate with the City Public Works & the City engineer concerning the location and configuration of the connection.

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January 8, 2008

11. All water service connections should be made from looped water mains, as opposed to the dead-end leader of a fire-hydrant.
12. The plans should indicate an 8" Tapping Sleeve & Valve to be provided and performed by the Contractor, in the presence of the City. Also, Water Note #1 should be revised accordingly.
13. The City provides un-metered water connections to single-family residential lots, but requires water meters at commercial or multi-family lots. The plans should be revised to show water meters at all multi-family properties.

Sheet 6.1

14. Very careful consideration should be given to the proposed grading and required finish floor elevations at the northwest corner of the site. It appears that the extreme cut depths and very steep slopes could force water directly in to structures built in those areas. The developer should consider requiring a drainage swale along the back property lines in those areas or requiring an increase in the required finish floor elevation there.

15. An initial check of the detention ponds seems to indicate that they will function appropriately. However, the engineer should provide the site drainage and detention calculations, including hydrologic modeling of the detention ponds, to the City engineer.

Sheet 1 of 3 (Typical Details - Water and Sewer)

16. The City now requires the installation of tracer wire for attachment to all non-detectable water mains. Tracer wire should be No. 12 coated solid copper wire and should be also left looped into the valve boxes to facilitate location by the City.

Sheet 3 of 3 (Typical Details - Water and Sewer)

17. The full circle clamp should be removed from this detail.

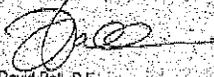
18. The City no longer requires Backflow Devices on water services. For all single-family residential properties, the "Water Service Detail" should be revised to require a 1/2" FIP x CTS connection on the downstream side of the curb valve. For all multi-family or commercial properties, the detail should be revised to require an appropriately sized meter downstream of the curb valve.

Technical Specifications

19. There is no specification for construction of drainage infrastructure, such as culverts, and drainage basins.
20. Item 3 - The City now allows American Darling B-84B fire hydrants, along with the Mueller Centurian.

Although there are a number of changes required to the construction documents, they are fairly minor revisions. Although it must still be verified by the submission of final calculations, it also appears that the drainage design will accommodate the 100-year storm event, as per City Ordinance. We therefore recommend approval of the construction documents for this development contingent upon revisions to the plans and specifications per these recommendations, and upon satisfactory drainage calculations. Construction should not begin until the developer has submitted three, full sets of revised, signed and sealed construction plans and specifications to the City. As always, we are ready to assist the engineer in completing these revisions.

Sincerely,



David Ball, P.E.

DB.530

cc: Blake Mendrop

MINUTES OF JANUARY 10, 2008  
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**LONG BEACH FIRE DEPARTMENT**

Subdivision/Site Inspection Form

Subdivision and/or Site: Charlestown

Address or Location: Commission Rd.

Subdivision Site and Acceptance Test

For all new subdivisions located within the City of Long Beach, a minimum of \$30.00 plus \$20.00 per fire hydrant shall be levied. This fee includes initial site plan review, with the inspection and test on each hydrant for the final acceptance test. The fee is payable upon submittal of the initial plans for review to the Long Beach Building Code Office.

Site Plan

Preliminary Site Plan Review Date: 12/20/2007

Preliminary Site Plan:

Accepted  Rejected

Hydrants Test

Water Main Size:	Accepted: <input checked="" type="checkbox"/> Rejected: <input type="checkbox"/>
Hydrant Number: 1	Location:
Gallons per Minute:	Accepted: <input type="checkbox"/> Rejected: <input checked="" type="checkbox"/>
Hydrant Number: 2	Location:
Gallons per Minute:	Accepted: <input checked="" type="checkbox"/> Rejected: <input type="checkbox"/>
Hydrant Number: 3	Location:
Gallons per Minute:	Accepted: <input checked="" type="checkbox"/> Rejected: <input type="checkbox"/>
Hydrant Number: 4	Location:
Gallons per Minute:	Accepted: <input checked="" type="checkbox"/> Rejected: <input type="checkbox"/>
Hydrant Number: 5	Location:
Gallons per Minute:	Accepted: <input checked="" type="checkbox"/> Rejected: <input type="checkbox"/>

\*\* All hydrants will be tested before the final acceptance is given on the site plan. Please make sure all water valves are turned on. \*\*

Reviewed by: Griff Skellie

Date: 12/20/2007

FEE: \$180.00

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*\*Recommendation of hydrant number 1 relocation to center point of entrance just south of west detention so it can be used for both sides of the complex*

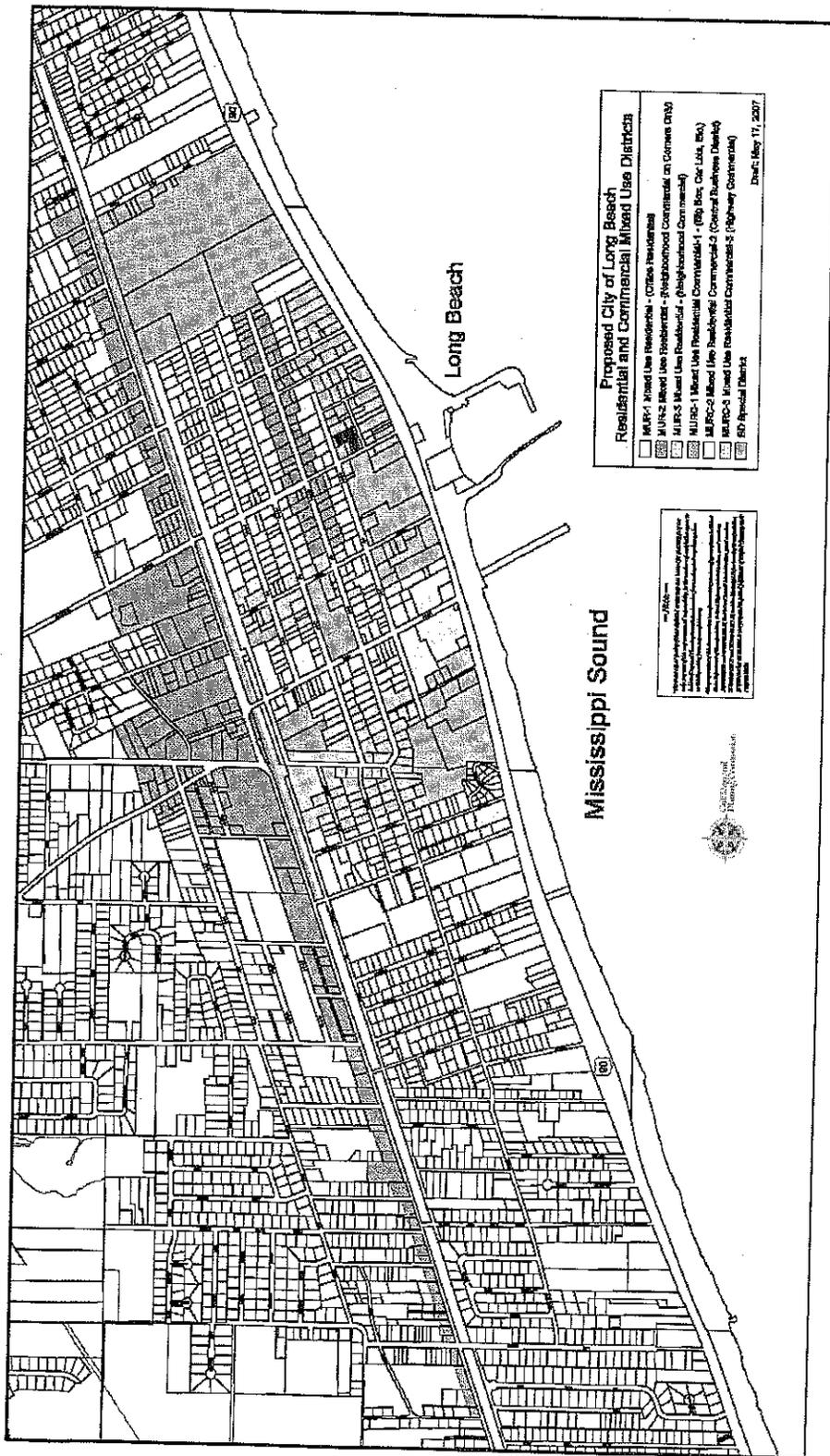
*Protecting Life and Property*

After brief discussion Commissioner Yandell made motion seconded by Commissioner Lipski and unanimously carried to approve the Preliminary Plat contingent upon David Ball, the City Engineer, and the Long Beach Fire Department recommendations.

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The next agenda item was a Public Hearing for a Zone Map change/Zone Text change submitted by the Long Beach Planning Commission as follows:

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 LONG BEACH PLANNING COMMISSION







**MINUTES OF JANUARY 10, 2008**  
**LONG BEACH PLANNING COMMISSION**

The Clerk reported that eight hundred and seventy-six (876) notices of Public Hearing were sent by 1<sup>st</sup> Class mail to property owners within two hundred (200) feet of the subject property. The notice mailed to the property owners was as follow:

**City of Long Beach**

**BOARD OF ALDERMEN**

Richard Bennett  
Charlie Boggs  
Richard Burton  
Allen D. Helder, Jr.  
Mark Lishen  
Joe McNary  
Richard Nottler



WILLIAM SKELLIE, JR.  
MAYOR

CITY CLERK  
TAX COLLECTOR  
Rebecca E. Schuff

CITY ATTORNEY  
Frank R. McCreary, III

**LEGAL NOTICE**

**PUBLIC HEARING**

In accordance with Article XII of the Comprehensive Zoning Ordinance (# 344) of the City of Long Beach, Mississippi (1987) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a Zoning Map Change.

The Long Beach Planning Commission has filed an application for a zoning map change in accordance with the Comprehensive Zoning Ordinance. Applicant is requesting to change the zoning classifications from generally between Girard Avenue on the west, Beach Park Place on the east, U.S. Highway 90 on the south and north of adjacent to Railroad Street to the north. The purpose of the Zoning Map Change is to create new Districts that will promote smart growth planning concepts for redevelopment of the area.

Said new Districts are:

**MUR-1, Mixed Use Residential (office residential)**

This District is intended to be composed of those uses that will create an environment especially suited for mixed use residential/office within a medium density residential district within the same building. The District is designed to encourage continued residential growth while allowing professional, general administrative and sales offices. These limited office uses shall be day time oriented and shall protect the abutting and surrounding residential areas by requiring comparable land use standards.

**MUR-2, Mixed Use Residential (neighborhood residential with commercial on corners)**

The purpose of the District is to create location specific, pedestrian friendly, mixed use light retail shopping and personal service uses within the same building to harmoniously serve the needs of surrounding medium density residential neighborhoods.

**MUR-3, Mixed Use Residential (neighborhood residential with commercial)**

The purpose of the District is to create pedestrian friendly, mixed use light retail shopping and personal service uses within the same building to harmoniously serve the needs of surrounding high density residential neighborhoods.

**MUCR-1, Mixed Use Commercial/Residential (large commercial with residential)**

The purpose of this District is to create a high density commercial district for large commercial businesses, and service facilities to serve the demand for goods and services generated both by area residents and by transients traveling to or from other neighborhoods or places of employment and for the development of commercial/multi-family residential and multi-family within the same building. This District shall be located so as to primarily serve traffic on arterial streets and all businesses developed within such zones shall be situated on site so as to offer convenient ingress and egress to such streets.

**MUCR-2, Mixed Use Commercial/Residential (central business with residential)**

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822  
[www.cityoflongbeachms.com](http://www.cityoflongbeachms.com)

**MINUTES OF JANUARY 10, 2008**  
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The purpose of this District is to create a mixed use high density general commercial district for the central business district. Permitting a vertical mix of commercial and residential uses within the same building while encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront style shopping streets.

**MUCR-3, Mixed Use Commercial/Residential (highway commercial with residential)**

The District is intended to be composed of a combination of commercial and related residential uses within the same building, which support the delivery of goods, services and attractions which accommodate the needs and desires of visitors, tourist, transient guests and local residents.

To review or receive a copy of the above map changes as proposed, please visit the City of Long Beach Planning Office. This Zoning Map Change can also be reviewed at the Long Beach Public Library.

The public hearing to consider the above zoning map change will be held in the City of Long Beach, Mississippi, 39560, Thursday, January 10, 2008 at 6:30 p.m., in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed  
Chairman  
Planning Commission

MINUTES OF JANUARY 10, 2008  
LONG BEACH PLANNING COMMISSION

City of Long Beach

BOARD OF ALDERMEN

Richard Bennett  
Charlie Boggs  
Richard Burton  
Allen D. Holder, Jr.  
Mark Lishen  
Joe McNary  
Richard Notter



WILLIAM SKELLIE, JR.  
MAYOR

CITY CLERK  
TAX COLLECTOR  
Rebecca E. Schruoff

CITY ATTORNEY  
Frank R. McCreary, III

LEGAL NOTICE

PUBLIC HEARING

In accordance with Article XII of the Comprehensive Zoning Ordinance (# 344) of the City of Long Beach, Mississippi (1987) as amended, notice is hereby given advising that the Planning Commission for the City of Long Beach will hold a public hearing for the purpose of considering a Zoning Text Change.

The City of Long Beach, Mississippi has filed an application for a change in the zoning text in accordance with the Comprehensive Zoning Ordinance. The City proposes to make the following changes to the Zoning Ordinance:

Article IV. Zoning District and Map

ADD: MUR-1, Mixed Use Residential (office residential)

This District is intended to be composed of those uses that will create an environment especially suited for mixed use residential/office within a medium density residential district within the same building. The District is designed to encourage continued residential growth while allowing professional, general administrative and sales offices. These limited office uses shall be day time oriented and shall protect the abutting and surrounding residential areas by requiring comparable land use standards.

MUR-2, Mixed Use Residential (neighborhood residential with commercial on corners)

The purpose of the District is to create location specific, pedestrian friendly, mixed use light retail shopping and personal service uses within the same building to harmoniously serve the needs of surrounding medium density residential neighborhoods.

MUR-3, Mixed Use Residential (neighborhood residential with commercial)

The purpose of the District is to create pedestrian friendly, mixed use light retail shopping and personal service uses within the same building to harmoniously serve the needs of surrounding high density residential neighborhoods.

MUCR-1, Mixed Use Commercial/Residential (large commercial with residential)

The purpose of this District is to create a high density commercial district for large commercial businesses, and service facilities to serve the demand for goods and services generated both by area residents and by transients traveling to or from other neighborhoods or places of employment and for the development of commercial/multi-family residential and multi-family within the same building. This District shall be located so as to primarily serve traffic on arterial streets and all businesses developed within such zones shall be situated on site so as to offer convenient ingress and egress to such streets.

MUCR-2, Mixed Use Commercial/Residential (central business with residential)

**MINUTES OF JANUARY 10, 2008  
LONG BEACH PLANNING COMMISSION**

The purpose of this District is to create a mixed use high density general commercial district for the central business district. Permitting a vertical mix of commercial and residential uses within the same building while encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront style shopping streets.

**MUCR-3, Mixed Use Commercial/Residential (highway commercial with residential)**

The District is intended to be composed of a combination of commercial and related residential uses within the same building, which support the delivery of goods, services and attractions which accommodate the needs and desires of visitors, tourist, transient guests and local residents.

**Article VI. District Regulations**

**AMEND: Chart of Uses to include new Mixed Use Districts**

**AMEND: Table I, Area, Yard and Height Requirements to include new Mixed Use Districts**

**To review or receive a copy of the above changes as proposed, please visit the City of Long Beach Planning Office. This Zoning Text Change can also be reviewed at the Long Beach Public Library.**

The public hearing to consider the above zoning text change will be held in the City of Long Beach, Mississippi, 39560, Thursday, January 10, 2008 at 6:30 p.m. in the Long Beach School District Administration Office located on Commission Road. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

/s/ signed  
Chairman  
Planning Commission

**MINUTES OF JANUARY 10, 2008**  
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Commission Chairman, Frank Olaivar came forward to state request.

Commission Chairman, Frank Olaivar opened the floor for public comments and the following individuals came forward:

Buddy Ray 470 West Beach Blvd

Paula Spears 104 Quarles St

Jerry Palmer 406 South Nicholson Ave

John Castleberry 331 E. 3<sup>rd</sup> St

Barney Hill 410 Gulf View Ave

Jimmy Levens 217 Pine St

Ron Irby 252 E 4<sup>th</sup> St

Vicki Falks 324 E 4<sup>th</sup> St

Janet Millard 419 Gulf View Ave

Peggy Nicosia 515 Gulf View Ave

Carol Cuevas 330 E 4<sup>th</sup> St

Gus Sison 730 Parkwood Dr

Rose Pouriraji 18134 Allen Rd

Henry Laird representing Steve & Peggy Nicosia

Holly Murray 213 E 3<sup>rd</sup> St

Patty Stegall 322 E 4<sup>th</sup> St

Steve Nicosia of 515 Gulf View Ave submitted for the record the following document:

**MINUTES OF JANUARY 10, 2008**  
**LONG BEACH PLANNING COMMISSION**

**FOR THE RECORD**

Long Beach Planning Commission Meeting  
Public hearing - Jan 10, 2007  
Comments from Stephen F. Nicosia

First let me thank Chairman Olivier for assuring me in a recent phone conversation that the purpose of this meeting is to gather citizen input and that the Planning Commission will take the time needed to digest and reflect upon these comments before recommending a final plan to the Board of Aldermen. Thanks also to the other Planning Commission members who took the time to discuss this matter with me via telephone this past week.

Like many others who live south of the tracks, my family lost our home and every earthly possession to Katrina. All we had left was the land under our house. We took our time deciding to rebuild here because there were so many factors to consider. One of the things we carefully considered was the current zoning in the area and because it was single family residential we decided to go forward. I have considered the proposed rezoning carefully. My intention here is to be helpful, not critical, and I know a lot of time went into this plan.

I am going to be addressing the concerns of me and my neighbors who live between Hwy 90 and 4<sup>th</sup> Street between Douglass and Nicholson Streets. I will call this area the Gulf View area, since it is dissected by Gulf View Ave where my home is. This area is currently zoned single family residential and the plan proposes changing it to Highway Commercial. I think ours was the most desirable residential areas of the City of Long Beach because of its special location. This is evidenced by the type of construction that existed there before Katrina and the number of citizens who have already or plan to rebuild their homes.

I disagree with any change to zoning in this area for many reasons.

**NO CHANGE.**

There has been no change to the character of the area. Katrina's storm surge temporarily removed the structures, but the Gulf View Area was residential and remains that way with the rebuilding of residences. No bordering commercial operations have returned, so no one could assert there has been a change in the area toward commercial.

**NO NEED.**

Forty years after Hurricane Camille destroyed much of our City's waterfront, there remained a surplus of available and underutilized commercial land in Long Beach and almost none of the land available for high-rise "residential" was developed. Post-Katrina there is now much more commercial and high-rise land available for development in Long Beach and along the coast. Rezoning additional land to commercial use could actually stifle the redevelopment of the land currently zoned commercial.

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**TIMING OF PROPOSED CHANGE.**

The date on the proposed zoning map is May 17, 2007, testifying that this plan has been under consideration for many months. If this area was going to be rezoned it should have been proposed and publicized much sooner. The City should have informed the people who were applying for building permits that this rezoning was planned. Some may have chosen not to rebuild. You saw us building our houses back and no one said a word as new construction began.

**PROPERTY VALUES.**

1. Here is the reality to be considered: there will be an undeniable change in the value of the properties being rezoned. Those vacant lots being rezoned to commercial may be worth more, while nearby residential properties will be worth less. Residential land adjacent to commercial land is always less valuable because of the disruption commercial development brings to residential life. The closer a residence is to a commercial zone the less desirable it becomes, ergo less valuable. The redistribution of land values is simply arbitrary and unjust. Many of those selling their corner lots have moved away from town and will be profiting at the expense of the adjacent property owners who remain residents.
2. Once zoned commercial this land would be used for activities that are very offensive to nearby residents. The land does not have to be purchased by a business, it can be leased to a low overhead, offensive and unsightly operation that can be operated BY RIGHT and the Planning Commission or Alderman are powerless to stop it.
3. There is no way those of us who have rebuilt could sell our homes and break even because we have each reinvested hundreds of thousands of dollars into rebuilding. With the devaluation of their properties' due to rezoning, some will now owe their mortgage companies more than the value of their homes.
4. Rezoning residential land to commercial will increase its value on the tax roles and cause an immediate increase in property taxes. Many of the properties will become more highly taxed, but will never be put to commercial use.
5. Proposed zoning does not consider FEMA's newly released Base Flood Elevation Zones or the topography of the area bordering Bear Bayou. Commercial structures in the area will require amounts of fill that will illegally change the drainage flows of the land onto neighboring properties. (The beachfront land in this area actually drops in elevation as it moves away from HWY 90 toward Bear Bayou.) On the other hand, we have proven that single family homes can be rebuilt comfortably.

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**PERSONAL**

1. On Gulf View Avenue, the first three houses on the east side were bordered on the east by one large residential lot that buffered our homes from the 24 hour convenience store gas station across Nicholson. We were a comfortable 150 feet from the gas station. The land was purchased for a low price because of the disturbing nature of the commercial business. The new buyer built a house on the rear of the lot 250 feet north of the gas station so his front yard remained a buffer, for him as well as us. The property owner then got City approval to subdivide his front yard into smaller lots. Since the lots were residentially zoned they still acted as a buffer so we had no objection.
2. Post Katrina, the neighbor who owns the vacant lot has moved out of state while we have built back our homes. A rezoning of this land might create a windfall for him, but it will surely devalue our homes, remove the natural buffer created by Nicholson Street and his front lot, and put a commercial operation (perhaps a night-life bar?) a mere 15 feet from our bedroom windows. (My solution to his self-created "problem" is to recombine his three lots back into one residential lot and allow a new residential buyer to build a home on it to the rear of the lots just like he did. This would leave his front yard in place as a natural buffer just as it was before he elected to subdivide it.)
3. Before the storm, codes were put in place to require certain buffers, lighting and traffic patterns when a tall commercial building abutted a residential street. Making our residential land commercial means now no buffer will be required.
4. The rezoning plan does not consider the fact that 5<sup>th</sup> Street does not connect across Gulf View Ave between Douglas and Nicholson, yet the proposed zoning changes Gulf View Ave from all residential zoning to Highway Commercial, CBD, to Residential, and then Commercial on Corners, all in the space of 9 residential lots. Gulf View Avenue is not even a through street to Railroad Street!

**CONCLUSION**

1. The action proposed by this plan amounts to the city exercising eminent domain by taking the value of our homes without compensation. The fact that we have not been evicted is merely a technicality.
2. The proposed Revised Chart of Uses shows many uses that would be totally unacceptable next to (15 feet front) residences in this area. Consider a dance lounge, nightclub, seafood store, liquor store, fast food, drive through, miniature golf, etc... the list goes on and on and on. No one in their right mind would buy our houses for the amount of money we have invested with this potential. Its value as our largest single investment would be destroyed.

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3. Squeezing our homes between commercial operations would only display to everyone driving down Hwy 90 that Long Beach does not consider the rights of current property owners. I think potential developers will avoid any location that shows such disregard for land owner's property rights.
4. Don't fix something that's not broken. Leave the area between Nicholson and Douglas south of 4<sup>th</sup> Street 100% residential. It's the only thing we know will come back fast, strong and first class.

**GENERAL COMMENTS ABOUT REZONING PLAN**

- While it sounds quaint to have a local butcher, baker or candlestick maker on the corner of each block, one must consider that these residential areas have insufficient traffic patterns and the higher overhead inherent with a free-standing building, especially one in the flood zone. Strip malls were invented to share parking and overhead expenses.
- This type of zoning conceptually spreads these services further around the city and actually requires patrons to drive (not walk) from neighborhood to neighborhood to collect their services. The ease of access in created by grouping these businesses together in the downtown area has been a traditional benefit to living in a bedroom community like Long Beach.
- While we envision small, quaint, multi-use business on the corners, there is nothing in place that limits the sizes of these corner operations. Businesses will group existing lots together to form larger corner lots – defeating the purpose of the zone and ruining the neighborhoods.
- I'm not familiar with Smart Code, but I know this isn't it. The City has just contracted to spend half a million dollars to pay a professional consultant to begin work on revamping the entire zoning in Long Beach. Adopting the proposed zoning plan now allows people to get permits to build under these proposed zones before the professional consultant's recommendations are fully developed and considered. What is the rush?

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Leonard Carrubba 105 Summer Lane submitted for the record the following:

Hello,

My name is Leonard Carrubba; I live at 105 Summer Lane here in Long Beach. My father was born over at the corner of Nicholson and Old Pass Christian Road on the old Gladiola Farm. I'm proud to say I have lived here in Long Beach all my life because I chose to and I hope our children will chose to as well. I served on the Planning Commission along with Mayor Billy Skellie, Alderman Allen Holder and others. Like all of you I did not take that appointment lightly. We know that every decision that you make, and that is approved by the mayor and board of alderman, affects the lives of all of us here in Long Beach. With that being said I would like to bring up a few points with regards to the area between Douglas and St Thomas Church campus:

1. According to our history Long Beach was once called Bear Point by the natives and newcomers. The bayou at Bear Point was called Bear Bayou. Part of Bear Bayou runs through USM Gulf Park, St. Thomas campus and along to the gulf at Douglas is important to our cities history. The USM Gulf Park recognized this and made efforts to preserve it. USM Gulf Park even put up a marker denoting the bayou next to it. St. Thomas and made efforts to beautify the course of the bayou through its campus. I would ask that Bear Bayou and its present course be preserved for the future not rerouted and or covered up.
2. The Land owners that purchased the land purchased it zoned as it was for a reason. It was zoned the way they wanted it. After the worst natural disaster in our country's history some people left the area. I can understand why they would leave. Others decided to rebuild on the land they had bought and lived on, they rolled up their sleeves, opened their wallets, took out loans, invested back in to Long Beach and rebuilt because they knew what they were zoned as before and after the storm. Now that they have lived in their FEMA trailers for months or years painstakingly investing their time and money, building back what they had, can they see next to them other home owners or an all night bar, I'm not against them but they have their place. I have spoken to several and they said that they would prefer another home.
3. I attend St. Thomas Catholic Church, **I DO NOT SPEAK FOR THE CHURCH**, but as we rebuild there on the beach where it was I do not want the possibilities that are brought in by rezoning afore mention area (St. Thomas campus to Douglas) to **MURC-3 Mixed use Residential Commercial-3 (Highway Commercial)** that would include High Rise Buildings or other commercial developments.
4. I understand that Ayers / Saint / Gross has been hired to help us with our city planning could this wait until they are on board and get their input on this?

In conclusion I would ask that you please reconsider the action of rezoning this area (St. Thomas to Douglas) and not change the zoning in that area please leave it as it is.

Thank you all for the time that you on the planning commission have put in this most important time and at a time when the impact of the whole of Long Beach future is riding on your decisions (with that approval of the mayor and board of alderman). Also thank you for letting me address the Planning Commission.

I would like to request that these comments that I have stated and this letter be spread in the minutes of this hearing.

Thank you all,

Leonard Carrubba  
105 Summer Lane Long Beach, MS  
228.863.4919

After much discussion and consideration, Commissioner Lipski made motion seconded by Commissioner Vancourt and unanimously carried to close the Public Hearing.

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After careful discussion and consideration Commissioner Lipski made motion seconded by Commissioner Yandell and unanimously carried to take no action at this time.

Upon continued discussion, it was determined the Planning Commission would conduct a work session and resubmit the aforesaid request, with changes, at a date to be announced.

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There being no further business to come before the Planning Commission at this time Commissioner Yandell made motion seconded by Commissioner Hare and unanimously carried to adjourn until the next regular scheduled meeting in due course.

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APPROVED:

\_\_\_\_\_  
Commission Chairman, Frank Olaiivar

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Veronica Howard, Minute Clerk